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REEVALUATING THE ICC: CURRENT CHALLENGES AND APPROACHES FOR INTERNATIONAL JUSTICE

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Abstract:

Despite escalating challenges that jeopardise its legitimacy, operational efficacy, and global backing, the International Criminal Court (ICC) possesses significant potential for transformation and impact, contingent upon prompt responses from both the institution and the international community. A comprehensive two-page analysis of these challenges and prospects follows an academic abstract. The ICC, established in 1998 to address the gravest international offences, is currently at a pivotal juncture. The record is marred by member state withdrawals, allegations of bias and politicisation, enforcement challenges, and external threats including as sanctions and non-cooperation. Nonetheless, alterations, global scrutiny of impunity, and international financing may enhance the institution's standing in global justice. This paper analyses the ICC's contemporary challenges—state withdrawals, questionable legitimacy, enforcement difficulties, and politicization—and suggests remedies to secure its existence as a fundamental element of international law.

Key Words: International, Court, Security Council, Crimes, Judges, Criminal,

Introduction and Background on the ICC

It wasn't till 2002 that the International Criminal Court (ICC) became live after its 1998 establishment.[1]The tribunals for Yugoslavia and Rwanda were formed in 1993 and 1994, respectively, via Security Council resolutions, and the establishment of a permanent international criminal court was regarded as supplementary to the existing ad hoc accountability systems.[2]A

[1]OSCOLA: Rome Statute of the International Criminal Court (adopted 17 July 1998, entered into force 1 July 2002) 2187 UNTS 90, art 1.
[2] For a discussion of the ICTY's and the ICTR's impact on the ICC, see Stuart Ford, The Impact of the Ad Hoc Tribunals on the International Criminal Court, in THE LEGACY OF AD HOC TRIBUNALS IN INTERNATIONAL CRIMINAL LAW 307–09 (Milena Sterio & Michael P. Scharf eds., 2019).

number of additional ad hoc tribunals, such as the Special Court for Sierra Leone, the Extraordinary Chambers in Cambodia, and the Special Tribunal for Lebanon, followed the ICC.[3] The ICC was established during a period of international criminal law development that included new mechanisms for accountability to deter and penalise atrocity crimes. The ICC represented a significant advancement for international criminal law and the principle of accountability for atrocity perpetrators. The establishment of the court has engendered accountability.[4]The court's lacklustre conviction record, ongoing instability among its justices, and contentious relationships with some global powers, particularly the US, have diminished early enthusiasm for the court during the last two decades. The United Kingdom formally condemned the court during the 17th Assembly of States Parties for not meeting the stipulations of the 1998 Rome Statute.[5]During the ASP, the UK stated, "We cannot ignore reality and feign that all is well when it is not." The statistics are disheartening. Following two decades and an expenditure of 1.5 billion Euros, just three principal criminal convictions persist.[6] The subsequent section will examine many of the ICC's most significant challenges to assess their severity concerning its objective of eradicating impunity.

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Current Challenges and the ICC

The International Criminal Court (ICC) encounters significant impediments to universal justice. The Rome Statute restricts the court's jurisdiction to states that have ratified it, so barring influential powers such as the US and China from facing prosecution for grave international offences. In politically sensitive situations, such as the recent warrants issued against Israeli leaders, several nations decline to provide assistance or challenge the court's jurisdiction, complicating the implementation of arrest orders. The ICC encounters political repercussions and sanctions from dominant nations such as the US, which have curtailed top officials' access to

[3]eGyanKosh (IGNOU) lists SCSL, ECCC, and STL as "special international tribunals other than ICC," confirming this sequence in international criminal justice evolution.
[4] James A. Goldston, Don't Give Up on the ICC, FOREIGN POLICY (Aug. 8, 2019), https://foreignpolicy.com/2019/08/08/dont-give-up-onthe-icc-hague-war-crimes/
[5] Foreign & Commonwealth Office, UK Statement to ICC Assembly of States Parties 17th Session, UK.GOV, https://www.gov.uk/government/speeches/uk-statement-to-icc-assembly-of-states-parties-17th-session
[6]Andrew Murdoch, 'UK Statement to ICC Assembly of States Parties 17th Session' (GOV.UK, 30 November 2018)

essential communication and data resources, undermining its operational efficacy. Multiple African states have withdrawn from the ICC, citing biases and neocolonial motives, which raises concerns over its disproportionate focus on Africa. These difficulties have precipitated a crisis for the ICC, jeopardising its legitimacy and capacity to uphold international criminal law.

Aside from jurisdictional and political challenges, the ICC has difficulties in apprehending and securing the surrender of persons from member states, therefore impeding its ability to prosecute them. Libya and Darfur exemplify the difficulties of cooperation in complex security and political environments. The Court encounters external pressure to amend its operations and improve efficiency while preserving judicial independence. Cyberattacks and penalties imposed on ICC workers illustrate the escalating threats faced by the institution. Notwithstanding these obstacles, the ICC persists as a fundamental institution for accountability, underscoring the necessity for enhanced international support, legislative reforms, outreach initiatives, and diplomatic actions to protect the court and its mandate against impunity for egregious crimes globally. Significant challenges confronting the ICC may undermine its credibility. A deficient prosecution record, judicial discord, and a strained rapport with Russia and the United States are among these concerns. To begin, eight of the seventeen years that the ICC has been in operation have resulted in convictions.[7]The eight convictions comprised one overturned on appeal (Bemba), one guilty plea (Al Mahdi), and four crimes related to Article 70 concerning the administration of justice. The four offences arise from the probe in the Central African Republic and carry lenient penalties ranging from 6 months to 3 years. Katanga (DRC), Lubanga (DRC), and Al Mahdi (Mali) received convicted for core crimes. Katanga received a 12-year sentence but was returned to DRC custody with "sentence served" after 8 years. Lubanga received a 14-year sentence. Recent convictions by the ICC Trial Chamber include Ntaganda.[8]As of now, this defendant has not faced punishment for crimes against humanity and war crimes; nevertheless, because to the gravity of Ntaganda's convictions, the sentence is expected to be harsh.

[7] Douglas Guilfoyle, Part I – This is not Fine: The International Criminal Court in Trouble, EJIL: TALK, http://www.ejiltalk.org/parti
[8]See Prosecutor v. Bosco Ntaganda, ICC-01/04-02/06, Judgment, 1203.

Condemning the court for failing to convict all defendants is imprudent, as courts are obligated to uphold the rights of the defence and operate on the presumption of innocence. Judicial systems seldom achieve a complete conviction rate. The court prosecutor may face criticism for initiating a limited number of prosecutions and presenting weak cases. The Trial Chamber admonished the Office of the Prosecutor ("OTP" or "Prosecutor") for its disorganised and inadequate case in the Gbagbo matter, culminating in an acquittal.[9]The prosecution had difficulties in Gbagbo. The Pre-Trial Chamber admonished the prosecutor for relying on NGO reports and media articles to substantiate its case of crimes against humanity during the confirmation of charges phase. The Pre-Trial Chamber granted the prosecution an additional five months to collect sufficient evidence to secure a conviction against Gbagbo. Furthermore, a feeble judiciary with little convictions may have inadequately addressed impunity. During Gbagbo's trial, the prosecution interrogated several witnesses and submitted extensive data, however did not establish a connection between him and the violence in Cote d'Ivoire. Following many years of proceedings, the trial chamber requested the prosecution to provide an additional brief to elucidate and structure the OTP's evidence. Following the conclusion of the prosecution's evidence, the Trial Chamber exonerated Gbagbo on January 15, 2019.

The Trial Chamber exhibited profound criticism of the prosecution. The judges admonished the prosecution for her inadequate management of physical evidence, dependence on hearsay testimony, and flawed evidence collection methods. The Trial Chamber judges criticised the prosecutor's excessively intricate case theory; Judge Henderson noted that "the prosecutor's narrative is predominantly internally consistent and prima facie credible," yet she possessed "virtually no direct evidence for her account of events" and consequently "proposed a complex and multifaceted evidentiary argument predominantly reliant on circumstantial evidence." Judge Tarfusser characterised the prosecutor's methodology as "a vortex of circularity, self-reference, and repetition that has not facilitated the Chamber's task." The Trial Chamber judges criticised the prosecutor for her submissions, inadequate courtroom tactics, and inefficient use of courtroom time. Former ICC judge Christine Van Den Wyngaert has characterised the Gbagbo prosecution

[9] Thijs Bouwknegt, Gbagbo – An Acquittal Foretold, JUSTICEINFO.NET, https://www.justiceinfo.net/en/tribunals/icc/40156-gbagbo-an-acquittal-foretold.html

as a “fiasco.” Douglas Guilfoyle has observed that "the circumstances of the acquittal seem to constitute a severe rebuke."[10]

Furthermore, it might be said that a feeble court yielding little convictions has failed to achieve its objectives of combating impunity and discouraging the perpetration of atrocity crimes. “Nevertheless, if the Court is intended to fulfil expressivist objectives, combat impunity, or deter atrocities, it must pose a credible threat to those who ought to fear accountability.” It is frequently contended that the mere prospect of ICC responsibility might dissuade atrocities, suggesting that the presence of institutions may alter conduct. Moreover, several investigations and prosecutions conducted by the prosecutor have proven futile. Gbagbo, referenced above, along with his aide, was acquitted at trial; the Kenyan charges against Kenyatta and Ruto disintegrated prior to trial, and the initiation of the Afghanistan probe was recently dismissed by a pretrial chamber of the court. Jim Goldston has observed that it is problematic when a court established to "eliminate impunity" for "the most serious crimes," which handles a limited number of cases at an annual expenditure over $150 million, yields more acquittals and dismissals than convictions.”[11]

Secondly, the judges of the ICC have exhibited disagreement among themselves, demonstrated inconsistency in their interpretation of substantive law, and certain justices have been openly involved in a pay dispute.[12]These factors may foster a poor view of the court as a dysfunctional organisation. It seems like ICC judges are at odds with one another. Guilfoyle asserts that there are concerning indications of a deterioration in collegiality among the ICC judges, which undermines both the formal consistency of court rulings and its broader credibility. Recently, this dispute intensified when Judge Ibanez Carranza dissented from a ruling that designated another judge to oversee an appeal, asserting that she had never been appointed to preside over such matters.[13]

Her dissent was countered by a combined statement from the ICC President and Judge Hofmanski, after which Judge Ibanez Carranza publicly described the release of such a joint statement as a

[10] Douglas Guilfoyle, A Tale of Two Cases – Part II, supra note 21.
[11]Milena Sterio, 'The International Criminal Court: Current Challenges and Prospect of Future Success' (2020) 52 Case W Res J Intl L 467, 471.
[12] Douglas Guilfoyle, Part III – This is not Fine: The International Criminal Court in Trouble, EJIL: TALK,
[13] Kevin Jon Heller, Well, the Gbagbo “No Case to Answer” Appeal Should Be Interesting, OPINIO JURIS,

possible misuse of administrative authority.[14]Kevin Jon Heller noted, “the situation at the Court is dire when disputes regarding the appointments of presiding judges are manifesting publicly.

ICC judges have exhibited public enmity and have been split in their legal interpretations, leading to conflicting rulings and fostering confusion in the establishment and evolution of legal standards within international criminal law. In the Ruto and Sang "no case to answer" ruling, the Trial Chamber conveyed its conclusion by referencing several views that provided varying justifications for the verdict.[15]This suggests a failure of the deliberative process if those who concurred on the conclusion could not reach a consensus on a unified rationale. Additionally, Judge van den Wyngaert authored a vehement disagreement about the Trial Chamber's ruling in Katanga, which prompted a combined separate opinion from Judges Cotte and Diarra, while Judges Tafusser and Trendafilova expressed strong dissent against the Appeals Chamber's decision in Ngudjolo and Chui.[16]Judges van den Wyngaert and Morrison, in the Bemba Appeal, criticised their Trial Chamber colleagues for insufficiently prioritising the rigorous application of the burden and standard of proof, as well as the due process rights of the accused.

Although some judicial discord concerning substantive law can be ascribed to the diverse national and legal backgrounds of the court's judges, it is noteworthy that judges from other ad hoc tribunals, particularly the ICTY, also hailed from varied backgrounds yet managed to reach consensus on substantive law in numerous cases. Furthermore, it can be contended that although some disagreement and dissent among judges is acceptable and does not indicate a deficiency in collegiality, the aforementioned vehement dissents, in which judges accuse each other of unfairness or acting ultra vires, exhibit a degree of animosity that jeopardises the ICC's perceived legitimacy. The absence of agreement on substantive law among ICC judges undermines the court's ability to establish cohesive jurisprudence on complex or innovative legal matters arising

[14] Prosecutor v. Laurent Gbagbo and Charles Blé Goudé, ICC-02/11-01/15 OA14, Joint Declaration of Judge Eboe-Osuji and Judge Hofmański on the Procedure on the Election of Presiding Judges, available at https://www.icccpi.int/RelatedRecords/CR2019_00213.PDF

[15]See generally Prosecutor v. Ruto and Sang, ICC-01/09-01/11, Decision on Defence Applications for Judgments of Acquittal, 147–150 (Apr. 5, 2016).

[16] Hemi Mistry, The Significance of Institutional Culture in Enhancing the Validity of International Criminal Tribunals, 17 INT’L CRIM. L. REV. 17 (2017).

from the Rome Statute. The outcome is convoluted for anybody seeking to ascertain the relevant legislation before the ICC.

Furthermore, there is a pseudo-public debate around the wages of some ICC justices.[17]The public views the court as an elitist institution whose members are disconnected from reality, and this sort of debate adds fuel to the fire, even though these justices may have legitimate claims about their pay.

Third, the world's leading powers—the US, Russia, and China—have not always been on good terms with the ICC. Russian and Chinese vetoes of proposed Security Council resolutions referring the Syrian crisis to the ICC have occurred on many occasions.[18]Due to heightened polarisation within the Security Council, with Russia and China opposing the United States, the likelihood of further Security Council referrals is minimal.[19]Furthermore, the ICC experienced a contentious relationship with the United States during the George W. Bush administration; during this period, the United States enacted the American Service Members Protection Act of 2002, aimed at obstructing American collaboration with the ICC.[20]Furthermore, the United States established several bilateral agreements with various nations to guarantee that these countries would not extradite US individuals to court.

These accords essentially prohibited signatory nations from collaborating with the ICC on extradition, so undermining the court's capacity to enforce arrest warrants against certain charged people. The Trump Administration has recently exhibited explicit animosity against the court. John Bolton, while serving as National Security Advisor, criticised the court, asserting it has "no jurisdiction, no legitimacy, no authority." Bolton declared that the United States will rescind visas for ICC personnel and threatened that such individuals might be apprehended if they entered the United States.[21]During the 2017 Assembly of States Parties, ICC Prosecutor Bensouda briefed the

[17] Janet Anderson, Money Matters at the ICC, JUSTICEINFO.NET (Dec. 14, 2018), https://www.justiceinfo.net/en/tribunals/icc/39771 money-matters-at-the-icc.html [perma.cc/27UM-795J].
[18]See Veto List, DAG HAMMARSKJÖLD LIBRARY, https://research.un.org/en/docs/sc/quick
[19]See CLAUS KREß, PRELIMINARY OBSERVATIONS ON THE ICC APPEALS CHAMBER'S JUDGMENT OF 6 MAY 2019 IN THE JORDAN REFERRAL RE AL-BASHIR APPEAL 21 (2019) (ebook).
[20]Ennifer K Elsea, 'U.S. Policy Regarding the International Criminal Court (ICC)' (Congressional Research Service, 29 August 2006)
[21]John Bolton, 'Protecting America Against the Threat from the International Criminal Court' (Federalist Society, 10 September 2018)

Security Council; subsequently, representatives from several Security Council states maintained the assertion that Al Bashir possessed immunity from the court's jurisdiction, thereby demonstrating their ongoing non-cooperation with the court. Despite John Bolton's departure from the Trump Administration, it remains uncertain if the administration's perspective on the court will enhance.[22]Beyond the global giants, more nations have exhibited a lack of cooperation with the ICC. In 2009 and 2010, the court issued two arrest warrants for Al-Bashir, who was then the President of Sudan.[23]Since that time, Al-Bashir has successfully travelled to many countries, including several ICC member states, all of which neglected to apprehend him and extradite him to The Hague.In conclusion, the ICC currently has significant obstacles that must be addressed to re-establish itself as a crucial vehicle for accountability in international criminal justice. The next part will propose how the ICC should advance to ensure a more promising future for the court.[24]

Prospects for the ICC

The ICC's prosecutor should persist in constructing cases to facilitate the prosecution of further persons. Rather than pursuing presidents and prime ministers, the ICC's prosecutor may concentrate on lower-level criminals, whose cases may be more straightforward to assemble and where the likelihood of conviction may be greater. The paradigms for success in this context include the Lubanga case, culminating in a 14-year term, and the current Ntaganda case, which led to a conviction for crimes against humanity and war crimes.[25]Professor Guilfoyle asserts that current events predominantly validate the unpleasant conclusions I previously derived from Lubanga: a focused case against a rebel commander, based on a limited number of accusations, can achieve success. This exemplified the paradigm of success in Ntaganda. The united Trial Chamber in Ntaganda rendered a systematic judgement confirming that the OTP had established a compelling case. The Ntaganda case map offers the OTP a strategic framework for effective

[22] Philip Ewing, Trump Fires John Bolton in Final Break After Months Of Internal Policy Division, NPR (Sept. 10, 2019), https://www.npr.org/2019/09/10/724363700/trump-fires-john-bolton-in-final-break-after-months-of-policy-divisions
[23]Prosecutor v Omar Hassan Ahmad Al Bashir (ICC-02/05-01/09) Pre-Trial Chamber I (4 March 2009 & 12 July 2010) [arrest warrants].
[24]Id. (reporting that Al Bashir has been able to engage in 150 trips to countries such as China, South Africa, Saudi Arabia, Egypt, Jordan and Kenya, many of which are members of the ICC).
[25]See Press Release, ICC, Thomas Lubanga Dyilo Sentenced to 14 Years of Imprisonment, ICC-CPI-20120710-PR824 (July 10, 2012), available at https://www.icc-cpi.int/Pages/item.aspx?name=pr824

future prosecutions: a case constructed on meticulous research, stemming from a singular incident, featuring a rebel commander, charged with a very limited array of offences.

The ICC's prosecutor ought to formulate a meticulous strategy for future case selection, encompassing factors such as the likelihood of a successful conviction, the potential for the selected case and prosecution to facilitate additional prosecutions of senior defendants, geographic diversity to guarantee the investigation and prosecution of defendants from all regions, and any political considerations pertinent to initiating a new case. on prosecuting cases, the OTP must guarantee that the prosecution stems from a comprehensive and meticulous investigation, grounded on superior in-country competence, and that the evidence presented at trial is organised and methodically articulated.

The OTP has recognised the two aforementioned challenges and emphasised the need for more strategic case selection in its latest Strategic Plan. In the Strategic Plan, the OTP recognised the necessity of "increasing consideration for pursuing cases that are more narrowly defined, focussing on critical elements of victimisation, specific incidents, geographic areas, timeframes, or individual defendants," and that it should "evaluate the prosecution of notorious or mid-level perpetrators directly involved in criminal acts to enhance accountability and provide a basis for further prosecutions against higher-ranking defendants."[26]

A thorough investigation of crimes perpetrated by a lower-level criminal, coupled with a successful conviction, may facilitate the imposition of accountability on higher-level offenders within the same jurisdiction or context.[27]The Yugoslavia trial notably excelled in this methodology: the ICTY's inaugural defendant was Dusko Tadic, a very obscure lower-ranking leader of the Bosnian Serbs; the tribunal's final defendants were Radovan Karadzic and Ratko Mladic, the civil and military leaders of the Bosnian Serbs.[28]

It can be contended that the ICTY established a robust foundation by initially prosecuting lower-ranking leaders prior to targeting higher-level officials, and that the investigations, evidence

[26] The Office of the Prosecutor, Strategic Plan 2019-2021, INT'L CRIM. CT., 20 (July 17, 2019),
[27]Milena Sterio, The International Criminal Court: Current Challenges and Prospect of Future Success, 52 Case W. Res. J. Int'l L. 467, 476 (2020)
[28]See History, INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA, http://www.icty.org/en/about/office-of-the-prosecutor/history

collection, and prosecutorial efforts undertaken during the lower-level prosecutions facilitated the successful prosecution of Karadzic and Mladic. The ICC may emulate the ICTY by having the prosecutor initiate charges against lower-level offenders in current conditions, perhaps culminating in the indictment of leaders.

Furthermore, the Strategic Plan states, "The quality of the work is a crucial component for effectively fulfilling the Office's mandate and for the long-term legitimacy and credibility of the Office." If the Office must choose between speed, the quantity of concurrent investigations, and the quality of the investigations, it will prioritise the quality of its work. Given the restricted number of cases, it is imperative to attain a high success rate in court for the Office to effectively accomplish its purpose.

When selecting politically sensitive cases, the OTP must ensure that the evidence is robust enough to withstand political pressure and must also devise a communications and public relations strategy to address any criticism. As previously stated, the OTP encountered a setback earlier this year when one of the court's pre-trial chambers declined to permit the continuation of the Afghanistan probe.[29]At the start of this investigation, it was apparent that it would elicit political repercussions, and if the OTP intends to pursue such cases, it must be prepared to offer compelling evidence and effectively manage any subsequent political pressure.

Third, specific techniques may require reevaluation. The presence of Pre-Trial Chambers, which must validate charges submitted by the OTP according to existing processes, warrants re-evaluation. Academics have already put forward this argument: Douglas Guilfoyle,[30]For instance, it has been contended that "any functions of the Pre-Trial Chamber could equally be performed by a Trial Chamber, and the confirmation of charges process could be significantly expedited," as, given the court's limited number of active cases, "the Pre-Trial Division… has appeared to be an unwieldy and inefficient mechanism that primarily contributes to delays."[31]Former ICC Judge

[29]ICC: Judges Reject Afghanistan Investigation, HUMAN RIGHTS WATCH, https://www.hrw.org/news/2019/04/12/iccjudges-reject-afghanistan-investigation
[30]Milena Sterio, 'The International Criminal Court: Current Challenges and Prospect of Future Success' (2020) 52 Case W Res J Intl L 467, 477,
[31]Douglas Guilfoyle, 'Part III – This is Not Fine: The International Criminal Court in Trouble' (EJIL: Talk!, 30 August 2019),

Christine Van Den Wyngaert has criticised the Pre-Trial Chamber, deeming it a "mistake in the legal architecture" since it has "slowed everything down" rather than expediting proceedings.

Fourth, ICC justices ought to collaborate in establishing agreement on substantive law. This may involve more communication and coordination among the judges, a greater exchange of expertise and ideas, and an acknowledgement by all judges of the significance of rendering consistent and uniform rulings.

The ICC must enhance collaboration with its member states and other nations globally. The court cannot thrive if encircled by antagonistic governments, as its investigations rely entirely on the host nation's readiness to cooperate with the court. Douglas Guilfoyle has observed that "international criminal tribunals require formidable patrons to function effectively," and the ICC's future efficacy may hinge on enhanced support and collaboration from its stakeholders. Therefore, it is imperative for the ICC to allocate resources towards fostering robust support among its member nations and globally.

The ICC is a significant entity in the realm of international criminal justice. Its success is crucial for this domain, while its failure might represent a significant setback. Jim Goldston has asserted, "The most persuasive rationale for investing in a more effective ICC is that its demise would significantly undermine the struggle against impunity." Despite its imperfections, the ICC stands as a pinnacle of our enduring quest for a world where justice supersedes violence. Abandoning the effort at this juncture would significantly hinder that struggle and would constitute a serious disrespect to the numerous valiant activists who have sacrificed their lives for the sake of combating crimes against humanity and genocide.

Conclusion

Since its establishment in 1998, the ICC has functioned as an agent of impunity, but its essential role in international criminal justice as a permanent accountability tool is unequivocally recognised. The court is encountering substantial obstacles that might jeopardise its credibility. These problems can be overcome if the court is prepared to critically examine its own processes, prosecution techniques, and judicial perspectives. The ICC's future might be promising if the court implements substantial reforms currently. The International Criminal Court (ICC) encounters substantial and ongoing obstacles that impede its efficacy in administering global justice. The

hurdles are insufficient support and collaboration from major powers, political resistance, allegations of partiality (notably concerning geographic emphasis), reliance on enforcement mechanisms, and jurisdictional constraints. The court's dependence on state collaboration, financial limitations, and the intricate assessment of official reluctance or incapacity to prosecute domestically exacerbates its task. Notwithstanding these limitations, the ICC is an essential entity for reducing impunity for the most serious offences; nonetheless, its legitimacy and efficacy rely on confronting these concerns directly through reforms and enhanced international backing.

Submissions to strengthen the ICC

Changes in Law and Jurisdiction: The ICC ought to seek modifications to its jurisdictional structure, particularly on the crime of aggression, to address accountability deficiencies and standardise jurisdiction across all principal offences. This necessitates the political resolve of state parties to ratify amendments and for the Assembly of States Parties to establish uniform jurisdictional regulations.

For Better Collaboration and Political Backing: The ICC must obtain wider backing from key states and regional entities to facilitate improved collaboration. This entails promoting more ratifications of the Rome Statute and advancing diplomatic strategies to elevate the political and reputational repercussions of non-cooperation.

Applying Restorative Justice Mechanisms: The ICC ought to incorporate restorative justice ideas in conjunction with retributive justice methodologies. Such actions can enhance victim engagement, restitution, and assurances against recurrence, while promoting reconciliation and healing within impacted communities, especially in transitional justice frameworks.

*Institutional Modifications:*Enhancing diversity among judges and personnel, optimising operational efficiency, and reevaluating prosecutorial policies—such as incorporating peace discussions into decision-making—can augment the court's efficacy. These improvements should tackle financing challenges and the duration of processes.

Regional Cooperation and Outreach: The ICC need to increase collaboration with local judicial systems, civil society, and impacted communities to augment credibility, outreach, and the tangible effects of its missions.

Responding to Critiques and Demands for Abolition: Although several critics support elimination owing to inherent systemic deficiencies and the ICC's punitive characteristics, continuous reform and positive engagement represent the most pragmatic approaches to enhancing international criminal justice procedures.

In conclusion, bolstering the ICC's worldwide credibility, legal authority, and operational capability via strategic reforms and improved international collaboration is crucial for the court to successfully administer justice and accountability against developing global issues. These measures will enable the ICC to achieve its foundational objective of combating impunity and safeguarding human dignity globally.