

# The new International Criminal Court

## A preliminary assessment

by Marie-Claude Roberge

After years of relentless effort and five weeks of intense and difficult negotiations, the Statute of the International Criminal Court (ICC) was adopted and opened for signature in Rome on 17 July 1998. This historic event represents a major step forward in the battle against impunity and towards better respect for international humanitarian law. For too long it has been possible to commit atrocities with total impunity, a situation which has given perpetrators *carte blanche* to continue such practices. The system of repression established by international law clearly has its shortcomings, and the time has come to adopt new rules and set up new institutions to ensure the effective prosecution of international crimes. A criminal court, whether at the national or international level, does not put a stop to crime, but it may serve as a deterrent and, consequently, may help reduce the number of victims. The results achieved in Rome should thus be welcomed, in the hope that the new Court will be able to discharge its mandate to the full.

The purpose of this article is to offer a preliminary assessment of the outcome of the Rome Conference in the light of existing international humanitarian law and the ICRC's activities in behalf of war victims.

The ICRC is, of course, intensively involved in conducting relief and protection operations in the midst of armed conflicts. Moreover, it has a

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This article reflects the views of the author and not necessarily those of the ICRC.