



# Justice Denied: The Reality of the International Criminal Court

*David Hoile*

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The pursuit of justice is one of mankind's most noble instincts. The International Criminal Court was embraced with enthusiasm when it was founded on 1 July 2002. Despite an auspicious start, the ICC has become one of the nastier manifestations of globalisation with an exclusive focus on Africa. The Court claims to be independent, but is inextricably tied both to the UN Security Council, to which the Court grants special "prosecutorial" rights, and the European Union, which provides most of its funding. It has avoided any action against the wars of aggression waged by Western countries. And while the ICC claims to be a universal Court exercising universal jurisdiction, it does not qualify on either count. Its members represent less than one-third of the world's population: The United States, China, Russia, India and Indonesia are just some of the many countries that have remained outside of the Court's jurisdiction. The Court claims to be fighting impunity, yet it has afforded de fact impunity to several serial abusers of human rights who happen to be friends of the European Union and United States, and granted de jure immunity to non-member states such as the United States. The ICC is a Court whose judges are appointed not because they are the best legal minds in the world, but because of squalid vote-trading. The Court has judges who have never been lawyers, let alone judges. The ICC claims to be victim-centered but has been publicly criticised for its ambivalence towards victim communities. The Court has destroyed peace processes across Africa and exacerbated conflict. In short, it has failed mankind's hopes for justice. This is the book the International Criminal Court does not want you to read.

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