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# Criminal Responsibility arising from a Breach of the Course of Justice before International Criminal Courts

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## ABSTRACT

*International criminal responsibility has now become an established fact that does not accept any doubt at this time and within the known rules of public international law, for the purpose of reducing the existing and diagnosed criminal tendency among some individuals who commit this type of bad and dangerous crimes at the international level and the nature and state of the effects. The known consequences of such types of crimes. The definition of individual international criminal responsibility in accordance with the provisions and law of the Rome Statute and main statute of the Permanent International Criminal Court will clearly and significantly limit the impunity of those people who actually commit this type of crime.*

*This exact same thing applies to crimes and abuses related to the administration of justice before the various well-known international criminal courts, including the Permanent International Criminal Court, in that these aforementioned crimes are included within the Rome Statute and in the form of a direct and clear definition of the types of disruption of the course of justice. The path of international criminal justice before this Court makes it very difficult for those individuals who commit such crimes to escape punishment due to the definition of this category of crimes, and the punishment assigned to them under the Rome Statute of the Criminal Court, factors that may be deliberately put in place in order to Obstruction of international justice, whether by individuals or states, which amounts to committing crimes that could violate the course of this justice, will clearly and well-known affect the original cases filed before the International Criminal Court due to concealment of the international criminal truth.*

*It is clear that determining real international criminal responsibility when committing certain crimes that represent a violation of the course of international criminal justice clearly requires severe punishment for these crimes in order for criminal justice to be*

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*established and so that individuals are not able to commit such crimes, such as cases of giving false testimony or falsifying evidence that is presented to the court.*

**Keywords:** *Course of Justice, Criminal Courts, Criminal Responsibility.*

## **I. INTRODUCTION**

### **(A) The study and its significance**

Millions of people were killed and millions more went missing as a result of the most horrifying and heinous military conflicts that occurred throughout the 20th century, both inside and between nations. It also backed the establishment of multiple international criminal courts to try and punish individuals found guilty of committing the most heinous crimes on a global scale. such as crimes of aggression, war crimes, genocide, or crimes against humanity.

Thus, international criminal responsibility has become a real and established reality that cannot be evaded or denied for those who commit such crimes in order to deter others from committing such types of crimes. Accordingly, humanity has witnessed a historic transformation in establishing international criminal judicial institutions and in establishing the rules of responsibility. Individual criminal offenses to put an end to the tyranny of individuals in committing crimes against humanity, as well as to prevent them from escaping justice.

The various international criminal trials before the competent courts that were formed for this purpose and under their various names have included a group of different obstacles, as well as a group of factors that are deliberately placed in the way of achieving the course of justice and in order to protect political officials or others, which may lead, as a result, to disrupting the course of justice before them. Whether these obstacles have been placed by states or individuals, which sometimes amount to committing crimes called crimes of obstruction of justice before international criminal courts, it is also possible for this to be achieved through political settlements at the expense of international criminal justice or by placing obstacles. Financial and administrative, or delaying the appointments necessary for the work of the competent criminal courts, leading to the commission of crimes that disrupt the course of international criminal justice.

The importance of studying this topic also lies in the fact that it is a legal research attempt that includes two different types of rules and legal elements, although they are similar in terms of foundations and rules, but they may differ in terms of content and application. Criminal liability, which can arise from the commission of crimes within the scope of the internal criminal law of states. Its effects are limited to the persons of these crimes, even if the effects of their crimes

extend to other people. Therefore, in the event that they disturb the fair course of these trials, the legal effect that may result from that cannot be compared to the same effect that could result from a breach of the fair course of the trials. It takes place before international criminal courts. Since the seriousness of the crimes mentioned in the systems of international criminal courts, including the Permanent International Criminal Court, in which the effects of crimes may extend to a large group of individuals, compared to the crimes stipulated in internal penal laws, and therefore any obstruction, placement of obstacles, or commission of what may It leads to concealing the facts and punishing the perpetrators of these serious crimes will lead to great harm to individuals and other victims of international crimes, which is what the Rome Statute of the Permanent International Criminal Court addressed in order to punish such types of crimes, which disrupt the course of international justice for those who committed this. A type of crime that has a broad impact and is not limited to a specific group of individuals

By reviewing the crimes of genocide, crimes against humanity, or war crimes, we notice that the impact of these crimes is unlimited, as they lead to harming a very large group of individuals, and cause great suffering, which requires that attention be paid to punishing individuals who disrupt the course of international criminal justice. quickly and differently as a result of the severe effects of the crimes in which they disrupt the course of justice, which relate to the lives and property of thousands of people.

### **(B) The research problem**

The importance of this research lies in the fact that it is a realistic legal research that attempts to discuss, address, and solve many questions. It must be noted that this study does not aim to extrapolate, define and distinguish international legal rules and principles that can be applied in the event of a violation of the known course of justice, whether at the international or local level. Rather, the study actually aims to determine the standards by which the provisions of the Rome Statute of the International Criminal Court are applied, which actually specializes in the case of crimes committed against justice in the course of the exercise of its function and which represent a clear and frank intentional violation of it. For this reason, the focus of the problem in the subject of the study is to explain, clarify and diagnose international criminal responsibility, which actually arises when crimes are committed that essentially represent a breach and deviation in the course of justice before the International Criminal Court. This responsibility has been defined realistically, explaining its international principle in addition to its legal nature., explaining the extent of its seriousness and the people who committed it, and the extent of its actual connection to the basic identified crimes that fall within the jurisdiction

of the International Criminal Court in the Rome Statute, and which arise primarily when international crimes are committed.

It is clear that these crimes are essentially linked to the crimes mentioned in the Rome Statute stipulated in Rules 162, 164 and 165 of the Rules of Procedure and Evidence and Article (70) of the Statute of the International Criminal Court. Here, in the case of a witness giving false testimony before the court or providing evidence. False court, or other cases of direct influence on witnesses and actually and truly preventing them from attending or destroying evidence and other crimes, what are the binding standards according to which the International Criminal Court can consider it instead of the states parties to it, which may have jurisdiction to consider and define in The previously mentioned crimes, as well as determining and knowing the extent of their seriousness and threat, as they are in fact a clear and explicit violation of justice, which requires specifying these standards. There is also a clear problem that deserves to be investigated, which is to what extent it is possible to actually include any of these crimes that violate and violate international justice. It is a jurisdiction for the work of the Permanent International Criminal Court, which is stated in Articles (5-8) of the Statute of the Court, as well as the connection between the investigation of crimes against trial before the International Criminal Court or justice or crimes, taking into account the actual preservation of all issues related to the basic issue, With revealing jurisprudential trends. The basic and logical questions that this study undertakes to solve and answer require clear work and effort from us to clarify all the problems that were mentioned, which can actually be placed within the current study to address these problems, and to shed light on the following question: whether the international legislator succeeded in solving them or not.

### **(C) Research methodology**

Given the importance of the subject of our research, we have actually decided to use this deductive and analytical approach to study the legal texts related to crimes related to the administration of justice at the well-known national and international criminal levels, as well as the penalties that have been approved for these crimes. We also wanted to have a full discussion of the topic in light of modernity and developments in international criminal law. The historical approach was also used in a real and realistic attempt to root some relevant legal ideas through what was proposed by legal scholars and what was included in the preparatory work for the Rome Statute of the International Criminal Court. This method will allow us to understand the stages in which these crimes appeared without being separate and independent.

**(D) Scope of research**

It is clear that in addition to studying and knowing the legal consequences resulting from committing and committing these crimes in accordance with the Basic Charter of the International Criminal Court, our research project addresses the position of the international judiciary and criminal jurisprudence regarding crimes of assault and breach of justice before various international criminal courts. At the same time, it also refers to the position of the national criminal judiciary on this particular matter and its jurisprudence, which leads to the position of the Rome Statute of the International Criminal Court and the areas of sanctions imposed and binding pursuant to it.

**(E) Division of the research plan**

Given the importance of knowing these crimes that can obstruct legal procedures, their effectiveness and their work at the local and international levels for the concept of criminal justice, we have worked on the subject of the research study under the title: (Criminal liability arising from obstruction of legal procedures before international criminal courts) in two interventions. At the same time, we talked about the meaning and concept of international criminal responsibility and how the courts must actually apply it at the international criminal level. In the ensuing requirement, crimes and penalties that are largely imposed by the Rome Statute of the International Criminal Court, as well as protocols and regulations of evidence in the case of crimes that hinder the administration of justice before the courts, are of primary concern..

**II. THE IDEA THAT CRIMINAL LIABILITY EXTENDS ACROSS INTERNATIONAL BORDERS**

Regarding crimes that obstruct and impede the progress of international criminal justice, as is known, there are several legal definitions of criminal responsibility based on known national and international criminal law. In addition, the designation and application of criminal liability provisions in light of current international law is more extensive, important and necessary than the application of other laws related to the crimes punishable under it. In order to obtain a comprehensive answer to these questions, we will divide this basic requirement into two basic parts. To complete the legal picture, we review the definition of international criminal responsibility in the first section, and discuss the basics and legal requirements imposed by this responsibility in the second section.

**(A) The definition of the responsibility for international criminal justice**

International responsibility is generally defined as a legal system under which states in the international community that commit an unlawful act in general, in accordance with the rules of public international law, are obligated to compensate the state that has been harmed as a result of this unlawful act. The description of this unlawful act is meant to be: Every violation of an international obligation is imposed under a rule of international law. Through a breach by a country of the provisions of an international treaty, it is subject to international responsibility that arises from this breach, and is therefore obligated to compensate countries that have been harmed by this illegal act. Whether this work has a civil character or a criminal character (1).

The provisions of international responsibility were established for the first time in accordance with the decision of the Permanent Court of International Justice in its decision that it had issued on July 26, 1927 regarding the dispute that was going on between Germany and Poland for the factory called (Chorzow Factory), which stated in the merits of its ruling that: ( It is an accepted principle in international law that breach of international obligations requires appropriate compensation and is considered complementary to the implementation of agreements, and there is no need to refer to it under each agreement separately. Thus, the provisions of international responsibility have become an established fact that cannot be questioned by countries that may It is an illegal act in accordance with the rules of public international law, which imposes appropriate compensation in the event of a breach of the civil liability of states (2).

The ancient criminal statutory laws, and before them the divine laws and all religions, especially Islamic law, came to confirm the responsibility of the person himself, that is, no one else will be held accountable for the prohibited act that he committed, and in this sense the Almighty says in the noble verse: “And no bearer of burden shall bear the burden of another.” 3), as he is held accountable as an actor, or a subordinate partner through incitement, assistance, or agreement.

The development of social concepts and the expansion of the role of the state led to the independence of the individual who committed the crime from the state, and to bear the consequences of his action, including punishment. This is considered a new and real concept with a logical basis that the divine laws helped to deepen and accept. In cases of international criminal responsibility, according to which it is imposed on states that It carries out internationally unlawful acts in accordance with the rules of international criminal law, and the provisions of international criminal responsibility must be imposed on it (4).

Additionally, international criminal responsibility addresses individuals directly, which means

that it addresses all natural persons in the national community as well as the international community. This is due to the fact that the Rome Statute, in accordance with Article (25) of the Rome Statute, affirmed the establishment of individual criminal responsibility for natural persons only in the cases that are mentioned in this article. Then the court considers, whether at the international or national criminal level, the conditions for international criminal responsibility for the acts they committed, and this responsibility is similar in terms of the scope of the source from which it arose, which is criminal legislation, as the national constitution embodies the basic source of legitimacy in the national criminal system from which it is derived. This scope of responsibility is its legitimacy, its existence, and the scope of its application, and is also contained in the relevant laws such as the penal codes, which emphasize the principle of legitimacy (there is no crime and no punishment except by a text or based on it), while international criminal responsibility gains legitimacy from its source from the systems of the temporary international criminal courts (5). International criminal responsibility is also distinguished in that it is concerned with punishing natural individuals who commit international crimes specified in the text of the statute of the court, and its jurisdiction is optional or compulsory jurisdiction that complements national jurisdiction and is not a substitute for it, and its jurisdiction is limited to citizens of the countries that signed and ratified the establishment of the court, as Article (25) of the Statute and the following articles on personal jurisdiction (6), which means that the court has jurisdiction to try natural persons only, and legal and legal persons are not questioned before it. Thus, the Statute of the International Criminal Court settled this issue by stating that the person, in his personal capacity, is responsible and is vulnerable. The penalties imposed in the Basic Law in the event that he commits crimes of disruption of the course of justice, or even if he is an accomplice in committing them or commits crimes of disruption of the course of justice before them (7). International criminal liability refers to the potential responsibility that may result from the commission of crimes of a global nature, as defined in the Rome Statute of the International Criminal Court. This includes crimes of breach of justice before this court, such as tampering with evidence presented in court or providing false testimony, among others, which are punishable by the penalties prescribed by law.

### **(B) Conditions for international criminal liability**

International criminal responsibility requires and necessitates the existence of a physical and psychological relationship between the accused and his international crime, meaning that the crime of disrupting the course of justice occurred through the conduct of the accused as a perpetrator or accomplice who assisted or facilitated its commission because it is a personal



responsibility closely related to its perpetrator, and includes him and no other person. Therefore, the conditions for criminal liability may be met. International in some cases, whether with regard to individual civil liability or with regard to individual criminal liability, which is recognized by international criminal law (8).

The Rome Statute attempted to bring about a change in the structure of the rules of international criminal law, as it did not take into account the principle of customary legality applicable in international law, but rather decided in its explicit texts to adopt the system of written criminal legality as applied in national criminal legislation, as its emphasis on This principle was necessary to give the criminal-legislative nature of international criminal law, which includes criminalization rules and conditions that apply to natural persons (9).

Therefore, the provisions of the Statute of the Permanent International Criminal Court (ICC) incorporated a series of prerequisites that enhance the accountability of individuals for international crimes, whether they are committed by natural persons acting alone or in conjunction with their state of origin. This notion was encapsulated in Article (1) of the Rome Statute and further supported in Article (25) Paragraph (1), which stipulates in paragraph (2) that: (The individual who perpetrates a crime that is within the scope. Therefore, the United Nations General Assembly, by its Resolution No. 177/2 on November 21, 1947, asked the International Law Commission to codify and codify these principles and conditions and to adopt a draft on crimes against the security and peace of mankind. The Commission studied a previous system and principles (the Nuremberg Tribunal) and presented its report to The United Nations General Assembly on August 13, 1950 (11), and the General Assembly adopted it by its Resolution No. 488 on December 12, 1950 and included (7) principles, summed up in a statement of international criminal responsibility and its conditions, including that every person who commits an international crime shall be held accountable for He did it and is punished for it (12).

Therefore, the fundamental prerequisites for establishing international criminal liability are as follows: criminal trials must be limited to natural persons who perpetrate international crimes and crimes against the peace and security of humanity. Furthermore, these acts must be ascribed to natural persons in a manner that violates the regulations of international law, notwithstanding the fact that they do not violate or conflict with the domestic legislation of states. In this manner, states shall be held accountable on an international level. However, it is crucial that these illicit activities cause significant damage to other areas of international law for their provisions to apply to this responsibility (13). The content of these conditions was also confirmed previously after the end of World War II. The horrific crimes committed by German forces in the areas

they occupied had a great impact in arousing public opinion in the Allied countries and the statements of their officials to punish their perpetrators and raise their international criminal responsibility (14), so two courts were formed. (Nuremberg and Tokyo), to try senior German and Japanese officials who committed war crimes and crimes against humanity. The Nuremberg Tribunal was formed and German leaders were tried before it. The Nuremberg Trials and its basic charter under which it was established led to deepening the concept of international criminal responsibility and clarifying its conditions. Article (6) thereof includes the trial and punishment of all persons who, in their personal capacity or as members of an organization working on behalf of the Axis Powers, commit an act that falls within the scope of crimes against peace, war crimes, or crimes against humanity. The directors, organizers, instigators, and all partners who contributed to developing a plan are considered Or a conspiracy to commit these acts, which fall within the previous crimes, are responsible for every act committed in implementation of this plan against any person (15).

Article (5) of the Tokyo Court system came to affirm and determine international criminal responsibility and its conditions for crimes committed against world peace, crimes violating the laws and customs of war, crimes against humanity and war crimes, as it included and confirmed the personal criminal responsibility of the original perpetrators and partners contributing to the implementation of the plan. General or conspiracy with the intention of committing one of the above crimes by any person, as the court was competent to hold accountable natural persons who commit these crimes in their personal capacity and not as members of criminal organizations, as its charter did not mention a text similar to what was stated in the charter of the (Nuremberg) court in its article (9). ) which may be given criminal status to criminal organizations and not just natural persons (16).

### **III. CRIMES AGAINST THE ADMINISTRATION OF INTERNATIONAL CRIMINAL JUSTICE**

The crimes against the administration of justice before the International Criminal Court, which were mentioned exclusively in accordance with what was stated in Article (70) Paragraph (1) of the Rome Statute of the International Criminal Court, which stipulates that these crimes must be committed intentionally in order for them to be punished by law in this case. In this case, one of these crimes referred to in the aforementioned article is giving false testimony after taking an oath to tell the truth before the court by the witness present before the court.

Likewise, paragraph (b) of paragraph (1) of Article (70) above referred to the crime of presenting forged or false evidence before the International Criminal Court. In the event of

intentionally presenting false evidence in order to conceal the truth before the court, the crime of disrupting the course of criminal justice will be committed. This crime will also be fulfilled in the case of corrupt influence on the witness, or intentionally obstructing his attendance or giving his testimony, or retaliating against him for giving his testimony, or deliberately destroying evidence, tampering with it, or influencing its collection. This crime will be fulfilled (20).

This crime is also committed in the case of intimidating, obstructing, or influencing a court official with the aim of not carrying out his duties imposed on him by the law of the court, or to carry out these duties but in an illegal and improper manner, or to persuade him in order to do so. This crime is also realized in the event that retaliation takes place against a court official due to carrying out his legal duties for the purpose of exposing the criminal justice for the committed crime, it is also possible that a bribe may be taken, accepted, or requested by a court official in cases related to his official work within the court. In the case of taking a bribe, it is required This is due to a breach by this official under the provisions of the Statute of the International Criminal Court (the Rome Statute), and it also occurs in the event that this official discloses sensitive information, evidence and documents that may be confidential in order for justice not to be achieved, and it may also be necessary to protect Witnesses and victims, or fabricating or falsifying some evidence in order to hide the necessary facts in order to achieve criminal justice (21)

By tracing the historical eras of the issue of obstruction of justice, we find that the obstruction of international criminal justice was achieved during the Leipzig trials for the First World War, through Germany's obstruction of handing over the evidence and documents it had to arrest the perpetrators and hold them criminally accountable. The Allied countries demanded that Germany hand over the major criminals of the First World War. To try them before the judiciary of these countries based on Article (228) of the Treaty of Versailles, and the German Constitutional Assembly rejected this and declared that their trial falls within the jurisdiction of the German judiciary (22).

Obstruction of justice was also achieved through the trial of Guillaume II, Emperor of Germany, after World War I ended in 1919. Article 227 of the Treaty of Versailles stipulated the establishment of a special criminal court to try Guillaume II, Emperor of Germany, because of the major role he played. In igniting the fuse of World War I, as well as because he committed many flagrant violations of the principles of ethics and international treaties, a special court was established to try him, provided that he had all the guarantees related to the right to defend himself. This court also consists of five judges who rule in accordance with the lofty principles

that... It governs international politics and is committed to general moral principles without violating the obligations of these countries resulting from the treaties that bind them together (23)0

Guillaume II abdicated power before the end of the war and the declaration of an armistice on November 9, 1919. After that, he abdicated the throne permanently and requested political asylum in the Netherlands, which granted his request. The Allies had no choice but to submit their official request to the Dutch government on 1/19/1920, the Dutch government responded to the request by refusing extradition due to a number of justifications given by the Dutch government, but the main reason lies in the fact that the German Emperor (Guillaume II) is a cousin of the King of the Netherlands, and thus all attempts to try Guillaume II failed because Obstacles and obstacles that were placed in the way of achieving international criminal justice. He was not punished with a criminal penalty for the cruel and dangerous crimes he caused to humanity, although that does not negate his moral condemnation before the court of history (24).

Obstruction of justice was also achieved before the International Criminal Court related to the trial of World War II criminals. The Far East Military Tribunal in Tokyo in 1946 faced the political whims of Mr. Arthur. The court was far from the proper application of the rules of international law, which was applied illegally. It obstructs the achievement of international criminal justice, and the implementation of punishments in this court was conflicting and related to the will of Mr. Arthur. In the end, all people sentenced by this court were released before the end of the fifties of the twentieth century, and thus politics played a major role in obstructing Justice before this court, according to which the trial of the Japanese Emperor as a war criminal was also excluded in exchange for his signing of the treaty to surrender his country unconditionally, and thus the obstruction of international criminal justice was achieved due to a number of unrealistic and illegal justifications (25).

#### **(A) Punishment for crimes against the administration of international criminal justice**

The penalties established by the Rome Statute of the International Criminal Court for the commission of the aforementioned crimes that impede the administration of international criminal justice and violate its implementation before certain international criminal courts were outlined in the first section. In accordance with the text of Paragraph 3 of Article (70) of the Rome Statute, it was determined that such offenses would result in the following penalties: Adversary (26). In the event that any of the crimes referred to in the first section of this requirement is committed that disrupts the course of criminal justice in the State, the Criminal

Court in this case shall consult the States Parties to the Rome Statute before exercising its jurisdiction in the matter of international crime. These States Parties may have jurisdiction to consider The crime of disrupting the course of justice, through which the Criminal Court looks at a set of standards to determine its jurisdiction over whether or not to consider the crime of disrupting the course of justice, including looking at the gravity of the crime committed that disrupts the administration of justice and the extent of its impact on the basic international crime that the Criminal Court is considering. It also looks at the extent of the possibility To consider these crimes stipulated in Article (70) of the Rome Statute to the international crimes over which the Criminal Court has primary jurisdiction and which are mentioned in Articles (8-5) of the Rome Statute of the Criminal Court (27).

It can also be noted that by examining the penalties related to crimes of obstruction of the course of criminal justice, we can conclude that, unlike international crimes. Thus, there is a statute of limitations for the crime to fall, and there is a period for the penalty to fall, so crimes that disrupt the course of justice are dropped before the International Criminal Court. After (five years) have passed from the date of committing these crimes, provided that there has not been during this period any interruption or interruption of the statute of limitations, such as the occurrence of a judicial investigation or prosecution by the International Criminal Court or any state party to the statute of the court that may have jurisdiction. In consideration of claims for disruption of the course of criminal justice (29).

Likewise, the penalties imposed for crimes of disruption of the course of criminal justice before the International Criminal Court may be dropped after (ten years) have passed from the date on which the final ruling issued for crimes of disruption of the course of justice becomes a final ruling, that is, by exhausting all legally prescribed methods of appeal, and this may be interrupted. The period in which this convicted person is detained or is able to escape outside the borders of the territories of the states party to the Rome Statute of the International Criminal Court. The drafters of the Rome Statute did well when they included the escape of the convict for a period of (ten years) from the date of his conviction for a crime. It is disruptive to the course of international criminal justice outside the borders of the territories of the states parties to the Rome Statute by not considering it a statute of limitations, which is the position that was taken by the Egyptian criminal legislator with regard to the statute of limitations for crimes and punishments (30)

We also find it useful to mention here the principle of the inadmissibility of being tried for the same crime twice, as this situation may be true in crimes of disrupting the course of criminal justice, as this principle is one of the established principles in all criminal legislation of various

countries of the world, and is derived from the general principles of the law and the rules of criminal justice. In fairness, there is no benefit in punishing a person for committing criminal behavior for which he has previously been convicted, or for which he has previously been acquitted, whether that was by the International Criminal Court or by another court, whether internal or international, and thus there is no legal benefit. Punishing a person who has committed a crime of disturbing the course of international criminal justice twice before two different courts (31).

#### **IV. CONCLUSION**

It's necessary to highlight the most significant conclusions and proposals that can be made in order to support legal initiatives that deepen our understanding of crimes of breach of justice both in the context of national criminal laws and before the various international criminal courts. or international criminal law, and to prevent duplication or extension, we will start by summarizing the key findings and recommendations in the manner listed below:

1 - Since the Rome Statute established the permanent International Criminal Court, this system has served as the legal foundation for the Court's investigation and trial processes, imposition of penalties, and determination of the appropriate penalties—such as confiscation, fines, or life imprisonment for serious crimes—as well as other penalties.

2 - Article (70/3) of the Rome Statute of the Permanent International Criminal Court states that, should this act be found guilty before the Criminal Court, the punishment for violating the course of justice before the Criminal Court shall be five years in prison, a fine, or both. As a result, it has been made mandatory. The prison term for a variety of crimes involving the disruption of justice that are only covered by the Rome Statute serves as a deterrent punishment for these offenses. Because it will help to keep the truth and criminal justice hidden from society, this punishment may therefore help to discourage people from committing this serious kind of crime.

#### **Recommendations:**

- The crimes listed below are those for which the Permanent International Criminal Court can hold parties accountable due to their threat to international peace and security and their exposure to danger. These crimes may also include anything new or discovered by science in the future.
- The study suggests creating an international committee whose job it is to audit, investigate, and keep an eye on crimes that upset international criminal law in order to

introduce other kinds of distinct behavioral patterns that upset international criminal law and ensure that no one escapes punishment.

- It is crucial to prevent any redundancy in the application of the crime's criteria among individuals from different countries who commit it. Additionally, states that are parties to the Rome Statute of the Permanent International Criminal Court and seek to investigate and prosecute such crimes should not be granted a political role, as this hinders the advancement of international criminal justice. By excluding this function, all those convicted of grave international crimes that threaten worldwide peace and security can be subject to the penalties outlined in the Rome Statute of the International Criminal Court for this type of offense in a legal and equitable manner.

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28. Montaser Saeed Hamouda, previous source, p. 251 0
29. Rule (164/1) of the Rules of Procedure and Evidence of the Rome Statute of the Permanent International Criminal Court
30. Rule (164/3) of the Rules of Procedure and Evidence of the Rome Statute of the Permanent International Criminal Court

31. Montaser Saeed Hamouda, previous source, p. 252, and Rule (168) of the Rules of Procedure and Evidence of the Rome Statute of the Permanent International Criminal Court.

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