



International Justice & Sustainable Development

International Justice and Sustainable Development Globalization and the International Criminal Court (ICC)*

Globalization is defined overwhelmingly and often exclusively in economic - finance and trade - terms. However, the globalization of human rights, democracy, justice, and the rule of law are also manifestations and pillars of globalization as evidenced by the new International Criminal Court. These forces of globalization are essentially positive and allow a tremendous opportunity to counterbalance the negative and dangerous forces of neoliberal economic globalization.

On July 1, 2002, the International Criminal Court (ICC) treaty entered into force. The ICC, which will be established next year, is a permanent, independent Court based in The Hague, that will investigate and bring to justice individuals, not countries, who commit the most serious crimes of concern to the international community, such as genocide, war crimes, and crimes against humanity – including widespread murder of civilians, torture and mass rape.

By ratifying the Rome Statute of the ICC, States are obligated to incorporate these crimes into their domestic laws, thereby strengthening national legal systems. In addition, the Rome Statute provides that States exercise primary responsibility to prosecute crimes committed by their nationals or on their territory. Therefore, not only does the creation of the ICC support the advancement of domestic legal systems around the world with regard to serious violations of human rights, it also advances a framework for the globalization of justice in other sectors such as civil and political rights and economic, social, and cultural rights, including the right to a clean environment and the right to development.

The ICC's implications for sustainable development and environmental protection

The ICC is one of the greatest achievements in international justice and an institution with potentially tremendous implications for sustainable development and environmental law. The ICC demonstrates that international justice mechanisms can play a stronger role in the enforcement of rights. While the ICC will not be a court for environmental disputes, the establishment of the ICC, and its coming into force only four years after the adoption of the Rome Statute, demonstrates that international justice may soon be employed to address social, environmental and economic rights as it is now being done for human rights.

* This comment was initially prepared for the World Summit on Sustainable Development (WSSD) Johannesburg, South Africa, August 26 – September 4, 2002

- **International justice and corporate accountability**

The ICC sets a precedent for the application of international law on individuals and leads the way to the application of international law on corporate entities as well. Human rights groups have established policies for monitoring the enforcement of human rights standards in countries around the world. Now is the time for NGOs to advocate a treaty and rights-based approach of international standards and accountability for individual corporations.

- **Sustainable development or environmental court**

Global sustainable development and environmental standards lack strong enforcement and judicial mechanisms. There eventually needs to be a court to resolve alleged violations of environmental treaties and law. Such a court could serve as a dispute settlement mechanism and promote the harmonization of environmental and labor standards.

- **Further applications of international law**

The precedent for the globalization of justice set by the ICC contributes to the vision of a day when there will be an international judicial system to settle disputes and apply sanctions on other issues such as:

- Corruption and organized crime;
- Money laundering and drug trafficking;
- Gross violation of environment or labor standards; and
- Debt forgiveness and resolution.

A stronger system of international judicial mechanisms will help enforce rights in every region of the world. However, it is the impact of these international institutions on strengthening domestic judicial mechanisms that illustrates the importance of globalizing justice.

**PLEASE JOIN US IN THIS CAMPAIGN TO PROMOTE THE
ENFORCEMENT OF UNIVERSAL RIGHTS! SUPPORT THE ICC!**

Coalition for the International Criminal Court (CICC)

World Federalist Movement (WFM) is the Secretariat for the NGO Coalition for the International Criminal Court (CICC), a broad-based network of over 1,000 NGOs, international law experts and other civil society groups advocating for an effective, just and independent International Criminal Court. The multi-track approach of the Coalition involves: promoting education and awareness of the ICC and its treaty, the Rome Statute, at the national, regional and global level; facilitating NGO involvement in the process of establishing the court; promoting the universal acceptance and ratification of the Rome Statute, including the adoption of comprehensive national implementing legislation following ratification; and expanding and strengthening the CICC global network.

You can join in this effort for the Globalization of Justice by contacting:

**NGO Coalition for an International Criminal Court (CICC)
c/o WFM-IGP, 777 UN Plaza, New York, New York 10017, USA
USA Phone: +1-212-687-2176, Fax: +1-212-599-1332
Main Email: cicc@iccnw.org
Website: www.iccnw.org**