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THE ROLE OF THE INTERNATIONAL CRIMINAL COURT (ICC) IN THE PROTECTION OF HUMAN RIGHTS

In today's world, where conflicts and human rights violations have taken on new forms, the role of the International Criminal Court is critical. The threat of mass crimes affecting huge numbers of people remains relevant, especially in the context of armed conflicts in Syria, Ukraine, Sudan and other countries. Many state structures are unable or unwilling to bring the guilty parties to justice, which gives rise to the need for international justice. The ICC acts as a last resort to ensure justice when national systems are not functioning properly. In addition, the court's activities are important for the protection of basic human rights and the strengthening of the international legal system aimed at overcoming impunity and ensuring justice for victims of international crimes.

The International Criminal Court (ICC) plays a key role in ensuring justice for victims of the most serious international crimes, such as genocide, war crimes, crimes against humanity and aggression. Established under the Rome Statute in 1998, the ICC became the first permanent international court responsible for investigating and prosecuting those responsible for these crimes [1].

The purpose of the court's activity is not only to punish the guilty, but also to prevent new acts of violence, to promote international peace and stability. The role of the ICC is becoming more and more important against the background of the growing number of conflicts and violations of human rights in various parts of the world [1]. A key task of the ICC is the fight against impunity for serious violations of human rights, especially during armed conflicts. The Court acts as an international mechanism to bring to justice those who commit crimes in circumstances where national legal systems

are unable or unwilling to prosecute the perpetrators. This allows to protect the rights of victims and ensure justice.

It is also necessary to take into account the opinion of the researcher A.M. Ivanytskyi, who in his writings focuses on the role of the International Criminal Court (ICC) as an important international body dealing with the most serious crimes, such as genocide, crimes against humanity, war crimes and aggression. Ivanytskyi emphasizes the need to prosecute those guilty of these crimes as an important step to ensure human rights and maintain international security [2, p. 84]. The author claims that the ICC serves as an important tool in international law that complements national judicial systems. This means that the ICC intervenes in cases only when states are unable or unwilling to consider them. Thanks to this approach, the ICC helps to fill the gaps in justice, ensuring that criminals do not avoid responsibility for their actions [2, p. 84].

The jurisdiction of the ICC, as detailed in the Rome Statute, is based on the basic principle of complementarity. This principle provides that the International Criminal Court intervenes only in the case of the inability or unwillingness of national courts to effectively perform their functions. That is, if there is a conflict of jurisdiction between the International Court of Justice and national courts, preference is given to national institutions, since the International Court of Justice does not replace, but only supports, national legal systems, taking effect only in case of their inaction [3, p.158].

The jurisdiction of the International Criminal Court (ICC) is limited to consideration of four categories of crimes that have special international significance. These categories include crimes of genocide, crimes against humanity, war crimes and crimes of aggression. The ICC was created to investigate and bring to justice those who committed these serious crimes, which are a threat to international peace and security. The limitation of jurisdiction to only these four types of crimes emphasizes the importance of the court's role in the fight against the most severe violations of human rights.

According to Article 6 of the Rome Statute, acts aimed at the total or partial destruction of any national, ethnic, racial or religious group as such are considered genocide. Such actions include, in particular, the killing of group members; causing

them serious physical or mental injuries; creation of living conditions that contribute to the complete or partial extermination of the group; measures that prevent the birth of children in the group; as well as the forced transfer of children from one group to another. Each of these actions aims at the deliberate destruction or weakening of a group, which is the essence of the crime of genocide. This crime is the most serious among international crimes and falls under the special attention of international justice [1].

Crimes against humanity are governed by Article 7 of the Rome Statute, which includes several clauses detailing the elements of this crime. The first paragraph provides a list of actions that can be qualified as crimes against humanity, which includes murder, enslavement, deportation, torture, rape, forced labor and other acts committed as part of large-scale or systematic attacks on the civilian population [1].

The ICC also plays an important role in protecting the rights of victims of international crimes. In particular, the court provides mechanisms for the participation of victims in the judicial process and provides an opportunity to receive compensation for damages, which includes both material compensation and measures for the rehabilitation of victims, helping them to rebuild their lives after the traumas they have experienced. In addition, the ICC contributes to preserving the memory of the victims, establishing responsibility for their suffering and giving them a voice in the international arena [4, p. 56].

In addition to punishing committed crimes, the ICC has a preventive role. Its activities are aimed at preventing future human rights violations, as trials and verdicts set legal precedents that affect the international community. Judgments of the ICC not only punish criminals, but also serve as a warning to other individuals and states that violations of international legal norms will not go unpunished, which creates conditions for maintaining peace and stability in the long term.

For the effective implementation of its mission, the ISS actively cooperates with other international and regional organizations dealing with issues of human rights protection, including the United Nations (UN), the African Union and the European Union, as well as non-governmental organizations. Thanks to this cooperation, the court

has the opportunity to receive the necessary information, support and resources for the effective performance of its tasks. This interaction strengthens the global system of human rights protection and contributes to the coordination of international efforts in the fight against violations [3, p.158].

The International Criminal Court plays a fundamental role in ensuring international justice. Through trials and investigations, the ICC sets the standard for justice in cases involving the most serious crimes, such as genocide and war crimes. The court provides an opportunity not only to prosecute individuals, but also to contribute to the development of international law, which ensures equality before the law for all, regardless of their status or positions [4, p. 56].

In connection with the Russian Federation's full-scale invasion of Ukraine in February 2022, the International Criminal Court launched an investigation into possible war crimes and crimes against humanity committed on the territory of Ukraine. This decision became a landmark example of how the ICC fulfills its function in the protection of human rights in the conditions of a large-scale military conflict. The ICC started the investigation already in March 2022, after the appeal of 39 member countries of the Rome Statute. Among the main crimes considered by the ICC are mass killings of civilians, rape, child abduction and other violations of international humanitarian law. The ICC's activity in this case demonstrates its ability to quickly respond to serious violations of human rights and provide international legal support to countries that suffer from aggression [5].

In March 2023, the International Criminal Court issued an arrest warrant for the President of the Russian Federation, Vladimir Putin, and the Commissioner for Children's Rights, Maria Lvova-Belova. They were accused of organizing the forced transfer of Ukrainian children to Russia, which is a violation of international law and classified as a war crime. The decision set a precedent, as it was the first time in the history of the ICC that an arrest warrant had been issued for a sitting head of state, underscoring the importance of the court's independence and its ability to prosecute even the highest officials for crimes against humanity. This case illustrates the capacity

of the ICC to protect children's rights and advocate for victims in a conflict in which children have become one of the most vulnerable categories.

Consequently, the International Criminal Court (ICC) plays an important role in the protection of human rights by ensuring international accountability for the most serious crimes such as genocide, war crimes, crimes against humanity and aggression. The intervention of the ICC is especially relevant in the context of modern conflicts, in particular during the war in Ukraine, where the court investigates numerous violations of human rights, including mass murders, sexual violence and forced displacement of children. The importance of the ICC is that it gives victims access to justice, helps strengthen international law and ensures that perpetrators do not escape punishment, even if they are high-ranking officials or leaders of states. The ICC's investigation during the war in Ukraine is a clear example of its ability to respond to global threats to human rights, protecting the most vulnerable population groups.

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