



#JusticeMatters Checklist 2022

Human Rights Watch is launching a five-point “Justice Matters Checklist” to mark International Criminal Justice Day, commemorated on July 17, the date on which the International Criminal Court (ICC)’s founding treaty – the Rome Statute – was adopted. Alongside civil society partners from around the world, we are calling on governments to demonstrate that international criminal justice matters by making concrete commitments to support accountability globally. We are asking governments to crystallize the unprecedented support they have shown to address crimes connected to the Ukraine conflict, and to prove that this is not an anomaly by taking steps to strengthen the international justice system worldwide:

- 1. Support courts tackling grave international crimes:** Adequate financial and political support is critical to the effective functioning of courts, whether the ICC, or other international, domestic or hybrid courts, that provide critical fora for the prosecution of those accused of the most serious crimes. Funding or in-kind support should be provided in a sustainable, long-term manner and avoid perceptions of politicization. In this context, ICC member countries should provide the court with necessary funding through its regular budget rather than ad hoc voluntary contributions. But support for various judicial institutions is about much more than money. Sharing of information and evidence, cooperation in the arrest and surrender of accused, and political backing are all essential for the successful delivery of justice.
- 2. Expand ICC membership:** There are currently 123 ICC member states. At the same time, dozens of countries, including major powers, have not ratified the court’s treaty, significantly limiting the ICC’s reach. It is essential to continue engaging with those countries who have not taken steps to become ICC members to convince them to join the court. This way, a greater number of victims of serious crimes will have better access to justice.
- 3. Criminalize and prosecute grave international crimes domestically:** At the national level, governments should pass laws that incorporate international crimes into domestic law, enable and actively pursue prosecutions based on universal jurisdiction, and circumscribe amnesties and immunities for serious crimes under international law.

Setting up and providing adequate resources for specialized war crimes units and training local law enforcement on effectively building serious crimes cases is key.

4. Give all victims of grave international crimes equal access to justice: Double standards in access to justice will undermine the credibility and effectiveness of accountability efforts for serious crimes. Governments should pursue and support justice for grave crimes, regardless of where they take place, both through national and international courts, and commit to not limit or obstruct investigations when they involve allied countries. Greater consistency in the judicial response to atrocities wherever they occur would strengthen the legitimacy of the international justice system as a whole. Victims of serious crimes, no matter where they are, need greater access to avenues to seek redress.

5. Restrain UN Security Council veto: Prospects for victims of serious international crimes have been thwarted by the use of the veto at the United Nations Security Council, which could have referred situations like Syria or Myanmar to the ICC. States should work to minimize the role of governments who limit access to international justice in the UN system, and endorse the political [declaration](#) on the suspension of the veto power in cases of mass atrocities.