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What future for international criminal justice? 20 years of the International Criminal Court.

International criminal justice came into being for the purpose of curbing some of the most serious international crimes. Switzerland and Italy strongly support the principles and structures charged with implementing the international criminal justice system, specifically, **the International Criminal Court (ICC).**

The ICC is based on the 1998 Rome Statute, which entered into force 20 years ago: on 1 July 2002. It is the only permanent court with jurisdiction to investigate and prosecute serious international crimes that involve not only directly affected victims, but the entire international community. The Rome Statute provides, in particular, for the "**principle of complementarity**", according to which the ICC has jurisdiction to try international crimes only when States are unwilling, or unable, to prosecute them. "**Universal jurisdiction**", on the other hand, allows States to exercise criminal jurisdiction regardless of where the alleged crime was committed and the nationality of the accused and victims. Through the work of the ICC and the Special Tribunals, the realization has further developed internationally that the **effective enjoyment of human rights** is inextricably linked to their concrete protection rather than their mere formal enunciation.

The international criminal justice system is dependent on the **willingness of individuals to cooperate** with each other and with relevant international institutions, such as the ICC. The work of the ICC and other relevant institutions has become much more complex and delicate over the years. **The ICC has repeatedly been the target of attacks aimed at discrediting its work.** Russia's aggression against Ukraine has been a dramatic reminder of the importance of international criminal justice. What impact will the Russian-Ukrainian conflict have on the evolution of international criminal justice? What is its role with respect to the peace process? These are some of the issues that will be the subject of public debate.

REGISTRATION IS MANDATORY → [HERE!](#)

Date: 15 November 2022

Place: Supreme Court of Cassation - Aula Magna delle Sezioni Unite (Rome, Piazza Cavour)

Modalities: In-person – English and Italian simultaneous translation service - The event will be broadcast live on [Radio Radicale](#)

Programme:

9:15-9:45	<p>Welcome remarks</p> <p>Introduction</p>	<p>Pietro Curzio</p> <p>Maria Masi</p> <p>Daniele Frigeri</p> <p>Francesco Caia</p> <p>Michele Coduri</p>	<p>1st President Court of Cassation</p> <p>President Consiglio Nazionale Forense</p> <p>CeSPI President and Director</p> <p>Coordinator, Commission Human Rights Consiglio Nazionale Forense</p> <p>Deputy head of Mission, Embassy of Switzerland in Italy</p>
9:45-10:10	Keynote speech	Senator Emma Bonino	One of ICC creators and promoters
10:10-11:10	<p>Panel 1 [International Part]: The role of the international community in international criminal justice and the emergence of international criminal tribunals.</p> <p>The importance of States' cooperation is fundamental to the practical realization of international criminal justice. The ICC can exercise jurisdiction only over crimes committed in the territories of States Parties to the Statute, or if the perpetrator belongs to one of these and only in specific cases at the request of the Security Council. On the other hand, the balance between national sovereignty and international human rights protection remains an issue where the will of States and cooperation among them is decisive for the effectiveness of international criminal justice. How did the ICC come into being, and how did it fit into this scenario? What importance does it have for international justice?</p> <p>Nathalie Marti Deputy Director of the Directorate of International Law, Ministry of Foreign Affairs, Switzerland <i>Role of Switzerland</i></p> <p>Pasquale Velotti Vice Head of Legal Affairs Service, Ministry of Foreign Affairs and Italian Cooperation, Italy, member of the Commission for the development of the draft Code of International Crimes <i>Role of Italy</i></p> <p>Nicolas Michel Former Under-Secretary General for Legal Affairs and former Director of the International Law Directorate, Ministry of Foreign Affairs, Switzerland <i>Introduction to international criminal justice: the emergence of a new culture?</i></p> <p>Alessandra Abbate Lawyer - Office of the Process Court of Cassation Civil Component Delegation Aiga Section. Rome c/o UN-N.Y. establishment works ICC <i>The contribution of lawyers to the rules and the effective functioning of the International Criminal Court</i></p> <p>Marilisa Palumbo Deputy Foreign Editor at Corriere della Sera <u>Moderator</u></p>		
11:10-11:40	<i>Coffee break</i>		
11:40-13:15	<p>Panel 2 [International part]: Taking stock after 20 years of the ICC. The current situation and prospects for the development of the ICC and international criminal justice.</p> <p>The current achievements and limitations of the ICC still appear rather narrow: reasons for this include the lack of cooperation and resistance of individual States, along with some dysfunctions of the ICC itself. Twenty years later, what tools can the multilateral system offer to strengthen international criminal justice?</p>		

	<p>Cuno Tarfusser Former Italian ICC judge, Deputy Attorney General at the Court of Appeal of Milan, member of the 2021-22 Commission</p> <p>Luigi Marini Secretary-General of the Court of Cassation, former Legal Counsellor. Embassy of Italy c/o UN General Assembly</p> <p>Antonio Marchesi Professor of International Law, University of Teramo</p> <p>Filippo di Robilant Senior Advisor, No Peace Without Justice</p> <p>Giuseppe Nesi Professor of International Law, University of Trento, member of the UN International Commission</p> <p>Francesco Miraglia Lawyer, member of the Consiglio Nazionale Forense, Human Rights Commission, former president of AIGA-Rome</p>	<p><i>Budget and challenges of the ICC</i></p> <p><i>Relations between the UN and the ICC</i></p> <p><i>Positive complementarity? The Rome Statute and the delays in the adaptation of the Italian legal system.</i></p> <p><i>The NGO point of view</i></p> <p><i>The ICC and the armed conflict in Ukraine</i></p> <p><u>Moderator</u></p>	
13:15-14:30	<i>Light lunch</i>		
14:30-16:00	<p>PANEL 3: [National part]: What can be done at the national level? Universal jurisdiction.</p> <p>Net of the critical issues of the ICC and the problems of cooperation between member and non-member States, within the framework of international justice it is important to deepen the role of individual States. One need only think of the importance of the concept of "universal jurisdiction," based on the idea that the violation of certain international norms is so serious that it transcends the jurisdiction of the individual State. Building on these elements, the panel delves into the importance of state action in international criminal justice.</p> <p>Liliana De Marco Coenen Director External Relations and Partnerships IDLO</p> <p>Fausto Pocar Professor Emeritus of International Law, University of Milan, Chair of the Commission</p> <p>Francesco Palazzo Professor emeritus of Criminal Law at the University of Florence, Chair of the Commission</p> <p>Maurizio Block Military Prosecutor General at the Supreme Court of Cassation, member of the Commission</p> <p>Nicolas Lettieri Deputy Attorney General at the Supreme Court of Cassation, member of the Commission</p> <p>Roberto Giovene di Girasole Lawyer, member of the Human Rights Commission, Consiglio Nazionale Forense</p>		
16:00-16:30	Hon. Piero Fassino	Closing remarks	CeSPI Honorary President

