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## International Law Association - American Branch: Committee on a Permanent International Criminal Court

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## International Law Association - American Branch: Committee on a Permanent International Criminal Court

### Keywords

International Criminal Court, International Law: History, Criminal Law, Crimes, Jurisdiction

# International Law Association — American Branch: Committee on a Permanent International Criminal Court

DECEMBER 27, 1996

## FOREWORD

This is the first report to be presented by the American Branch of the International Law Association's Committee on a Permanent International Criminal Court. The Committee met in March of 1996 and focused on some of the general issues and problems raised by the draft statute adopted by the International Law Commission in 1994.<sup>1</sup> It met again in November 1996, and arrived at a consensus (or members agreed to disagree) on a variety of issues, as set out in the First Report which follows. Annexed to this report are special reports submitted to the Committee on the proposed International Criminal Court's jurisdiction, the definition of crimes in the statute, general principles of law, the triggering mechanism for initiating proceedings, the complementarity of the International Criminal Court with national legal systems, cooperation of the International Criminal Court with national legal systems and a report critiquing the Yugoslavia War Crimes Tribunal. The Special *Rapporteurs* for each of these subjects prepared a draft, the draft was circulated to the Committee members, comments received, and, where the *Rapporteur* agreed, comments incorporated.

Although each special report involves a dialogue between the *Rapporteur* and committee members, the reports remain the work of each *Rapporteur*. They are published here in order to inform the debate on this issue that is taking place both within the International Law Association's membership and elsewhere.

Over the next year, the Committee will continue its work with two goals in mind. First, it is expected that additional reports will be submitted for consideration by the Committee's membership. Second, the Committee will issue a second report formulating its views on the issues not discussed here.

The Chair would like to thank the special *Rapporteurs* for their superb work, and thank all the members of the Committee for devoting their time and energy to this project. Finally, a special thanks to the International Law Association (American Branch) and in particu-

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1. *Report of the International Law Commission on the Work of its Forty-sixth Session, Draft Statute of an International Criminal Court, 2 May-22 July 1994*, at 51, U.N. GAOR, 49th Sess., Supp. No. 10, U.N. Doc. A/49/10 (1994).

lar its President, Alfred Rubin, for the opportunity to address this timely and important subject.

Leila Sadat Wexler  
St. Louis, Missouri  
December 27, 1996