



**International Journal of Biology, Pharmacy  
and Allied Sciences (IJBPAS)**

*'A Bridge Between Laboratory and Reader'*

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**INTERNATIONAL CRIMINALS IN THE LIGHT OF THE INTERNATIONAL  
CRIMINAL COURT**

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**ABSTRACT**

International crimes are those acts and criminal acts that hurt the world and affect the international conscience due to obscenity and evil nature and scope of their negative consequences. These crimes are so heinous that their perpetrators should be punished not by resorting to various pretexts, such as impunity and amnesty, and no punishment to stay and escape justice.

There will be always events happening in the world and also discuss heinous reaction to these events has always existed between the entry into force of the Rome Statute of the international law important changes in the July 2002 has created. The creation of an International Criminal Court has been significant progress towards realizing the objective of international law, especially in the case of individual criminal responsibility. Rome Statute has facilitated prosecution and punishment of the crimes against humanity, genocide, war crimes and aggression. The aims of the International Criminal Court in criminal justice in international relations is to punish international crimes, and the international criminal would be unable to escape punishment. In this regard criminals in different parts of the world have been dealt with the actions and decisions of the International Criminal Court. There is no doubt that the fight against international criminals is the main instruments to maintain international peace and security. This study aims to mention the situation of the international criminals in the International Criminal Court, and it studies the actions of the international judicial system since it has been established.

**Keywords: international criminal jurisdiction, the International Criminal Court, trials.**

**INTRODUCTION**

The fight against international criminals, in fact, in order to restore the rights of

victims, their families, survivors of crimes and deal with the brutality carried out, including knowing the truth, especially to

gain access to a fair trial, prosecute and punish the perpetrators of heinous crimes and, finally, remedy losses. Rejects any collusion and compromise to achieve these goals. Certainly necessary to fight crime and international criminals, prosecute offenders that criminal acts of justice regardless of their country under the amnesty or the stability of existing authoritarian regime fled (Khabiri, 2010). The reaction of governments in the fight against crime and criminals has a long history, however much of the reaction to international crimes is not visible, but there was no capacity to react to the crimes committed. Until World War I that horrible crimes took place, there was no court addressed at the international level (Javanmard, 2010). Fight international criminals began with the adoption of Resolution No. 95 dated December 11, 1946 by the United Nations General Assembly confirmed by the principles of international law enshrined in the Charter of the Nuremberg Tribunal. The General Assembly also approved a resolution on the principles of international law and the Charter of the Nuremberg trials were identified, the Commission has requested that the matter of international law established within the framework of plans for the definition of crimes against the peace and security of mankind criminal

law code consider and develop international (Ranjbarian, 2008). However, one of the UN's efforts to prosecute and punish those who are constant and numerous human rights violations have been committed with the program (Ranjbarian, 2008). The international community and the rules governing its evolution in the age of globalization tends to shield the perpetrators of international crimes cannot be considered obstacles without being completely eliminated (Beygzadeh, 2008). During World War II, the Nazis regardless of the severity and widespread nature of the violence quickly exposed and hence the need for an international court to prosecute war criminals from the current discussions between governments. Development Commission and resurrection or restructuring Criminal conference in November 1941 in Cambridge, Great Britain held where it was decided that a committee should be formed to investigate and report on the substantive and procedural rules to offenses against public order. In fact the international meeting in London in the same year the war crimes initiated and established a commission to carry out the necessary investigations (Saber, 2008). The UN Security Council also repeated with the principle that serious violations of the law applicable in

internal conflicts lead to individual criminal responsibility of the person and the action for trial and punishment, the initiative in the fight took war criminals at the international level (Momtaz, 2008). The pillars of the United Nations administration of Articles 29 and 41 of the Charter of the United Nations in dealing with any action against international peace and security and to maintain it can be formed International Criminal Court to prosecute and punish international criminals stay act and no punishment for them prevent (Eric, 1995). Combating international crime focused on individual responsibility for those crimes and international humanitarian law, international criminal law and international human rights play a major role in the development and support of the ongoing struggle altogether (Nami, 1995). In the second half of the twentieth century onward, the international community in response to the crimes in the international arena, in various ways to combat international criminal tribunals established. It is typical of the last two decades (Ranjbarian, 2010). World War II and a major legal and political developments that followed, there is the need for rapid development of a series of international criminal law revealed because the experience of war, the

international community realize how vulnerable the global peace and security and maintain it through the creation of tools and legal elements as well as practical and coherent penal institutions is vital in the future to what extent (Najafi, 1994). The United Nations Charter in its preamble states: "We the People of the United Nations are determined to maintain the conditions necessary for justice and respect for obligations arising from treaties and other sources of international law to provide". This text is actually resonating voice of justice that has been whispered for centuries in the history of humanity volatile.

Hypotheses are:

1. The International Criminal Court to prosecute perpetrators of international crimes in the case of Congo, Uganda, Central Africa, Darfur, Sudan, has joined the international anti-crime cycle;
2. Crimes against humanity, genocide, war crimes, international crimes and international criminal perpetrators of these crimes;
3. Crime and impunity of international criminal justice is trampled, so it is considered as the threat to international peace and security;
4. It seems that the main objective of the International Criminal Court and is the fight against crime and criminals to justice.

## 2. The data collection and methodology

Earlier research on the analytical method and the data collection method and use of library and documentation of sites and electronic journals are used. However, despite the analysis of this study was to investigate the relationship between different concepts and compare them with each other and judicial developments in the process of international courts, the argument has to be paid. Undoubtedly, the documents and reports on the International Criminal Court, as well as articles and dissertations written in this context were used. In collecting this research, we have tried to use the original sources as much as possible.

## 3. The causes of impunity of international criminals

Reasons impunity that criminals are actually factors that obstacle and impediment in the way of bringing to justice are the obstacles in future issues will be examined:

### Immunity

The main idea to prohibit immune from criminal liability is that international criminals themselves against criminal liability should not be subject to their support. Protect a person from criminal responsibility under the Statute of the

International Criminal Court and the Court to violation of safety procedures which intends to refuse to grant amnesties, human rights violators from prosecution and impunity is tolerated (Astahn, 2002). Commissioner during the administration of the two types of immunity enjoyed official immunity and the immunity of a person who either have a certain philosophy and specific support in different situations do holder immunities, However, it should be noted that the impunity in spite of differences, sometimes overlap and at the same time supporting a person (Hasibi, 2007).

### Over Time

Over time is the rule to start proceedings in domestic law or penalty makes it impossible due to the passage of time. Over time is not an individual right, but it is a means of securing judicial and social interest in order to preserve peace in the community. Over time is an international known principle, either in civil law or in criminal law, most governments have accepted the criminal law. Law may prosecute the perpetrators of up to 20 or 30 years after the crime and refuse to punish the offenders. Of course, there is always sensitive on some specific crimes, such as crimes against humanity or war crimes or genocide, while, the government still failed to solve the problem well and for

admitting the passage of time, many former criminals continue to live freely. There are two conventions in this field, the European Convention and the other is the United Nations, but many governments are not yet the members of them. In any case, the adoption of the overtime rule by the government is one of the largest and most important barriers and challenges facing the fight against impunity (Hamed, 2005).

### 3.3 Amnesty

The origin of amnesty is Greek that means amnesia. It should be noted that in practice, Amnesty is a combination of literal meaning that means to forget and forgive. Forgiveness is a personal decision by the first person in the country, only to cancel the execution of a court order, without fading the type of criminal conviction, while amnesty is a mechanism that is approved by the legislature, and if the legislature approves it, the punishment of the offender will be abolished. According to this definition, amnesty will be an exceptional mechanism, and therefore it does not include all crimes (Khabiri, 2010).

### 3-4. the Types of Amnesty

Regarding the kind of amnesty, two general forms can be taken into account; amnesty that shall be granted by beneficiaries, and amnesty by the political

system that is replaced by the former offensive system. In the first case, the former government officials who have committed crimes have been forgiven by the consent of the next government, and in many cases, amnesty is considered as the essential condition of the powertrain. Regarding the second type, the government that is leaving does not consider amnesty as the essential condition of powertrain, but the new government evaluates the amnesty for former government members. It seems that the priority in each of the amnesty mechanisms in order to achieve lasting peace and criminal justice are doubtful and so there is no the Statutes of the International Criminal Tribunals for the former Yugoslavia and Rwanda and the Rome Statute, despite policy not to permit additional trial rules apply specifically to not mention Amnesty International against international crime. Anyway, it is clear that excessive and repeated acts of amnesty will reduce the impact and its value. Finally, it can be stated that although amnesty is effective for crimes and political offenses after an internal conflict in order to achieve democracy, peace, brotherhood and social peace. The process of granting amnesty for serious international crimes, violation of rights and fundamental freedoms of human,

moral and legal issues is questionable (Khabiri, 2010). In 2002 in a resolution on amnesty, the UN Human Rights Commission recognized that persons suspected of war crimes should be prosecuted or extradited (Delkhosh, 2011).

#### **4. The authority of International Criminal Law**

Generally, international criminal law has two main objectives: a) All offenders should be punished, b) no offender should be punished twice (Azmayesh, 2009). Competence in the field of international criminal law is the competence and capacity of a country's criminal law offenses committed inside or outside the (Poorbafrani, 1381). The competent authority of the State to prosecute criminal offenders to cause crime (Sadeghi, 1997). The principle of territorial jurisdiction one of the basic principles of criminal law jurisdiction that has existed since the formation of the government and has been so important it could be argued that without it, the authority and sovereignty of a country loses its meaning. This is for the regime to crimes committed within their jurisdiction to prosecute the logical expression of the sovereignty of an independent country and it is perfectly reasonable actions because the authorities of a country are responsible for law enforcement and maintenance of

order. According to this principle, all offenses committed within the territory of a sovereign country, according to the laws of that country the prosecution, trial and punishment, whether the offender is a citizen or alien (Poorbafrani, 2002). One of the discussions on the issue of the competence of the Statute of the International Criminal Court and the importance of this issue to the extent that during the Rome conference that the problem mentioned problems (Hans, 2002). The principle of territorial jurisdiction of international criminal law solely for the purpose of which is to fight crime and criminals not lead international and based on the principle of territorial jurisdiction and failure to meet the principles of another jurisdiction exist. Common to all these principles that the scope of the criminal laws of a jurisdiction outside the sovereign territory of the country (Poorbafrani, 2002). The development of competence in relation to crimes committed by nationals outside the sovereign territory of the country known as the principle of personal jurisdiction. The Penal Code Act 1392 in Articles 8 and 7. This principle has been accepted. Development of competence in relation to offenses committed against nationals outside the sovereign territory, which is known as the principle of jurisdiction

based on the nationality of the victim. Development of competence in relation to crimes committed by foreigners outside the territory of the rule, if the crime against the essential interests of their countries as the real authority referred to in Article 8 of the Penal Code adopted in 2013 has been accepted. Development of criminal jurisdiction over international crimes, in which case no matter what country nationals or where it is a crime in every country in which he was arrested, according to its domestic law to the crime dealt with and of the principle known as the principle of universal jurisdiction and it has accepted Article 8 of the Penal Code Act of 1392 (Penal Code Act, 2013). Outside the sovereign jurisdiction of criminal law do not damage to the sovereignty of other countries. Because it does not mean to have the authority to enter into the sovereign territory of other nations, it means that governments have the right answer when crimes by their nationals or nationals against them or against their vital interests or fundamental reality and arresting criminals through legal means may be have jurisdiction to the crime. It should be noted that this development is not unlimited jurisdiction in accordance with international law and the laws of most countries maximum in one of four types of personal jurisdiction,

jurisdiction based on the nationality of the victim, the real competence and the principle of universal jurisdiction can be applied, and out of the four principles of criminal law jurisdiction outside the sovereign territory is contrary to international law and is legally invalid (Poorbafrani, 2002). Some international criminal law practices in the systematic and regular positive conflicts of jurisdiction by applying the procedure provides the transfer. This mechanism ensures that no prosecution of crimes and criminals remain impunity, while the interests of the countries concerned, as well as victims and accused respect (Javanmard, 2010).

#### **4. The international criminals before the International Criminal Court**

##### **4.1 Status of international criminals after World War I.**

The first International Court of Justice formed to fight against the perpetrators of international crimes to be tried for alleged crimes by the victims and their survivors in Italy was established municipalities and foreign judges of this court came for trial of "Kwon Rhine Von Hats Taffen" in 1268. The foreign judges from a number of the attorneys were known in independence, fairness and understanding of the natural law, they were selected that documentation is not available on this court (Qavami,

2008). Therefore, the conviction should be noted that the same court referred to the establishment of the United Nations was formed.

#### **4.1.1 Barsakh Court**

The second movement to form the International Criminal Court in the fight against criminals, according to historical documents was in 1474, when Peter Von Hagenbach charged to war crimes. The Court had 27 judges from the United States Holy Roman Empire, Roman Emperor to sentence Peter Von Hagenbach due to his insult to the laws of God. Because he let his troops rape and kill civilians and looting and violence (Chrif, 1993). Then in 1689 for similar reasons James II, British King who was in exile Kenneth Rosen banned from performing military tasks, but not for failing in mission, but due to Landon derri surrounding, but because it has been very hostile and led to the deaths of many innocent citizens (Chrif, 1993).

#### **Court in Leipzig**

After World War I, the Treaty of Versailles to combat international crimes, governments have responded and the international criminal court and the first spark that objectively referred to the International Criminal reaffirm trials was done nevertheless. With the outbreak of the Second World War that very serious

crimes occurred in the international community wakes up and comes to the conclusion that the perpetrators of international crimes should be tried (Azmayesh, 2009). As mentioned earlier, after World War I, allied to the Treaty of Versailles of 1919, the third sub-commission to investigate abuses and violations of the responsibilities of the Commission of the laws and customs of war during the war formed. The Subcommittee of the definitions set forth in the 1907 Hague Convention to criminalize acts committed in the relay and thus, proceeding took place in Leipzig, Germany. It is followed by the Commission, the Turkish authorities on charges of crimes against humanitarian law are responsible for knowing and therefore proceeding in 1920 in Istanbul and carried out in accordance with domestic law (Mirmohammadi, 2009).

#### **Status of international criminals after World War II**

Generations of international tribunals is derived from a formula that Karl Vaskbray the first time the concept of human rights generations, based on the historical development in three stages, used (Karl, 1997). By copying the division, first-generation and second-generation international tribunals in Nuremberg and Tokyo tribunals applied to the court for the

former Yugoslavia and Rwanda. The so-called third generation and compilation dedicated to international tribunals and the International Criminal Court, where it is the fourth generation (Bina, 2004). After setting up international tribunals at Nuremberg and Tokyo after World War II, they are called criminal courts as the first generation, second generation, the international criminal tribunals for the former Yugoslavia and Rwanda were born (Beygzadeh, 2008). At the beginning of the twenty-first century, the countries involved in the civil war were determined in order to end the adverse consequences of their crimes to international peace and security were jeopardized, set up the third generation of the criminal courts with titles such as mixed courts, known as dual and sometimes international courts. One of the differences between these courts with the previous legal basis is established as the tribunals for former Yugoslavia and Rwanda under Chapter VII of the UN Charter and the resolutions of the Security Council were created in the form of subsidiary organs, but courts complex on the basis of bilateral agreements between the United Nations and the government is the site of crimes (Ranjbarian, 2010).

## **5. Trials and proceedings of the International Criminal Court**

### **5.1 International criminal case at the International Criminal Court**

There are cases in which the Court are: the case of Democratic Republic of Congo, Uganda case, the case of the Central African Republic, the Darfur issue in Sudan, Côte d'Ivoire, Mali, Kenya, Libya, Nigeria, Iraq and Egypt as well as action on issues and actions Israel has been The Court began its work so far to address this issue in its agenda that may point to some of them.

#### **Thomas Lubango Dilio File in Congo**

The situation referred to by the Republic of Congo to the ICC in 2004 to investigate possible crimes committed on the territory of other States Parties to the Rome Statute is by referral. This warning follows the prosecution of his intention in the research and application files from branch to issue the first preliminary investigation on the crimes committed in Ituri Court in the East Congo in the summer of 2003 were carried out. Now, after the case referred by the DRC prosecutors are investigating and collecting evidence about the crimes in question. Attorney reports of crimes committed on the territory of the Congo was received from governmental and nongovernmental organizations (Saber, 2008).

#### **5.1.2 Joseph Kenny Case in Uganda**

Museveni came to power in Uganda by Joseph Kenny reaction was Christian fundamentalist. In 1992, Christian're scattered groups in a political and military organization to fight the Lord's Resistance Army in Uganda, which became round. The militant group committed many crimes in northern Uganda. The Ugandan government on December 23, 2003 to address the plight of the judiciary and the administration of justice and preventing impunity rebel leaders referred to the International Criminal Court. Prosecutor conducting the necessary investigations in October 2005 after an arrest warrant Lord's Resistance Army leaders, including him and four of his aides issued (the International Criminal Court, 2006). At this time the President decided the prosecutor for investigation. Since many members of the Resistance Army kidnapped by rebels and forced to obey the orders of the commanders were the victim themselves. Therefore, to prepare for the return of this group of people in the community context Uganda, an amnesty was declared by President issued the pardon of military commanders is not strength. Prosecutor after an investigation and preliminary analysis concluded that to start prosecution in connection with crimes committed in northern Uganda there is a reasonable basis and in accordance with

Article 18 of the Statute of the Court this statute Member States and other countries concerned His announced (Saber, 2008). Sixth branch in May 2005 preliminary prosecutor had asked the Lord to 5 tons of military commanders on charges of war crimes and crimes against humanity issued an arrest warrant for confidentiality that the primary branch in July 2005 at the request of the prosecutor agreed, and on September 9, 2005 the prosecutor requested an arrest warrant revealed that preliminary Branch 5 issued commander also revealed that on October 13, 2005, they issued an arrest warrant for primary branch (Juanli International Court, 2005).

#### **6. Status of the crimes of Israel**

Office of the Prosecutor of the International Criminal Court, on November 6, 2014 to the end of the preliminary investigation of the situation referred to by the Comoros archipelago and the decision not to initiate an investigation announced by the Court. According to the prosecutor's office on the basis of Article 53 of the Constitution was drafted, although reasonable grounds of war crimes by Israel against the Freedom Flotilla there, but "desperately" needed in this situation is the prerequisite for the next step on the basis of Article 17 of the Statute of

the Court, does not exist. Earlier in 2010, in the wake of Israel's blockade of Gaza, several ships to deliver humanitarian aid to Gaza by the IDF for access to the region faced resistance. In the wake of the Israel Defense Forces to prevent the entry of ships into the area, several passengers were killed. Although Israel is not a member of the Articles of Association, because the Court can exercise jurisdiction to nationals of non-member states in the territory of a State Party or vessels and aircraft belonging to the jurisdiction of the crimes committed by the Comoros government referred the situation to the Court. Based on the prosecutor's office, regardless of the legality of the Gaza blockade, in accordance with Article 8 of the Statute of the Freedom Flotilla events related to prohibited actions are considered. Murder, damage to human dignity and degrading treatment, delivered a severe injury to body or health, extensive destruction of property not justified by military necessity, intentionally directing attacks against a civilian target, carrying out deliberate attacks against people or property that serve mission are humanitarian, including a report of

their actions as acts prohibited under Article 8 mentions. The report makes clear that efforts to break the siege on Gaza Freedom Flotilla passengers and resistance to attack Israeli forces to capture the direct participation of civilians in the battle ships cannot be taken into account. As the International Committee of the Red Cross has stated guidelines, to participate directly in battle, the person should take a "hit" on the sides enter and operate in a "hostile relationship" to support one side of the conflict. Evidence of intent or harm to Israel's support for Hamas not support the Freedom Flotilla. But they are only trying to protect Palestinian civilians in Gaza and all measures taken in this regard. However, based on the complementary aspects of the Court's jurisdiction, to start the investigation on crime in the jurisdiction of the Court is not enough, but Article 17 of the Constitution provides for the admissibility of such importance that it should be the next step justify the Court. The prosecutor's assessment showed that the situation had been referred to the Court is very limited. Victims of other disasters that normally Court began to investigate,

much less. Also, there is no necessary condition for the occurrence of war crimes paragraph 1 of Article 8 because there is no reasonable basis in the evidence that these actions were deliberate or systematic. Even evidence that crimes have occurred only to a ship of seven ships. Concurrent with the release of the Office of the Prosecutor, Amnesty International, in its report on 5 November 2014 regarding violations of humanitarian law published in the recent conflict between Israel and Palestine. Amnesty International attacking residential areas as well as the loss of life, destruction and damage caused by the Israeli attack, he's more of a humanitarian disaster. The pattern of attacks shows the Israeli operation in any way to comply with the rules of international humanitarian law, in particular the separation, does not meet the necessity and prudence. Israel's aerial bombardment of residential areas necessary precautions to minimize harm to civilians' purposes and by no means done. Amnesty International Israel's explanation that Palestinian fighters were hiding among the civilian population on the basis of Article 50 of Additional Protocol I

refused. On this matter, the presence of people among the civilian population are not covered by the definition of civilians, residents shall not be deprived of its civilian character. Comoros government on March 14, 2013, pursuant to Articles 12, 13 and 14 of the Rome Statute 31, 2010, the Israeli military attack on Gaza humanitarian aid convoy of ships, including the Mavi Marmara (known as the Freedom Flotilla) to Court International Criminal Court prosecutor will refer the investigation of the occurrence of war crimes and crimes against humanity as well as to determine the person or persons responsible for the start. Comoros in 2006 approved the Statute of the Court and the Mavi Marmara (one of the ships in international waters on 31 May 2010 Israel was attacked by military forces) on 19 May 2010 in that country has been registered. Comoros claims the request based on the initial findings of the Human Rights Council's fact-finding mission report of 22 December 2012 stated that the use of force by Israeli forces against the humanitarian convoy of ships, especially the Mavi Marmara, excessive, disproportionate and was unnecessary and Israeli

military forces committed serious human rights violations and humanitarian law. Comoros adds that crimes are under its territorial jurisdiction, because the crimes occurred in the Mavi Marmara who is a national. There are several factors that indicate additional preconditions for the exercise of jurisdiction by the Court are fulfilled. For very sensitive and socio-political reality that Israel stop its legal system to prosecute crimes committed independently authorities. While the political will for an independent and impartial investigation and prosecution of the accused there. In addition, "the Comoros government does not recognize Israel and therefore the investigation and prosecution of perpetrators of crimes under discussion for Comoros is impossible". Comoros says crime in severe condition as the Appeal Chamber of the Tribunal on 13 July 2006 in the case of Lubango Vote stated, assessing the seriousness of an act, the subjective reaction to the crimes depends not objective seriousness of the crime. And the attack on the convoy, a strong reaction from the international community, including condemnation by the

Security Council, the Human Rights Council's fact-finding mission of the UN Secretary General to establish a commission of inquiry were followed. The attack on the convoy of humanitarian aid to the Palestinian-Israeli conflict in a broader context, the Israeli occupation and siege of Gaza by Israel must be considered. Since the crimes committed in Gaza is very serious, attack on the Freedom Flotilla that aims to keep the situation should have the severe threshold. Comoros in the end concluded that with regard to crimes against humanity and war crimes, particularly against the Mavi Marmara, the fulfillment of the preconditions for the exercise of jurisdiction and the seriousness of the crimes committed Further, the Court has jurisdiction and the prosecutor requests the investigation of the attack on the humanitarian convoy of ships begin. It is worth noting that Israeli opposition formed Human Rights Council fact-finding mission, the formation of a Truth Commission (Commission Turkle).Terkel Commission to justify the blockade of Gaza by Israel, the use of force against humanitarian convoy of ships to be consistent with international law, including the

Amnesty International report criticized many brought. According to Amnesty International, the report is proof that Israel's Terkel commission to hold its military forces to commit acts contrary to international law is unable or unwilling. Also, Benjamin Netanyahu, the Israeli prime minister brokered by President Barack Obama, the President of the United States of America, on March 23, 2013 formally Recep Tayyip Erdogan, the Turkish prime minister to Israel's deadly raid on a Turkish ship mistake, apologized and said Israel will pay damages to the victims.

## CONCLUSION

Domestically, the government response to combat crime and criminals is a long tradition. Despite record high international crimes such reaction is not observed. The emphasis on the fight against international crime and criminals is because it has negative consequences are devastating. History suggests that the international community due to lack of or poor reception dealing with violators of rules and fundamental values, has paid a heavy price. The occurrence of adverse experiences of the World Wars, two important historical event, the Covenant of the League of Nations

drafted and ratified the United Nations Charter, works in human society from behind the institution of the first results extend the area of international law. Weather criminal remedies in the range of geopolitical world. However, in the new world order, protection of international peace and security, given the high position and the value of the rules of international law takes precedence over any other value. Crimes against humanity, genocide, war crimes, international crimes, and hypothesis of the research on the perpetrators of these crimes are international criminals, the crime of aggression but also of other international crimes established in this study reached. From the perspective of the Statute of the International Criminal Court, crimes subject to the jurisdiction of the Court, a threat to international peace and security and the perpetrators of such crimes should be tried and punished for their crimes and suppression of this factor for the establishment and maintenance of peace and security international. The main areas of concern of the Court may provide for the development and respect for human rights and on the other hand to keep the peace and support of the international security

assistance. The second hypothesis is noteworthy that apart from the cases of the Congo, Uganda, Central Africa and Sudan's Darfur, other proceedings have been conducted by an international judicial body. The third hypothesis of this study should be noted that the establishment of an International Criminal Court is the only way to guarantee the exercise of the jurisdiction of the International Criminal targeted, objective and fair and therefore criminal justice; Today we are witnessing the emergence of an international conscience, all these factors suggest that one of the fundamental values is emerging in which every member of the international community as a conservation society can stand against the offending government .Some experiences in the rule of international law by applying the transfer procedure provides positive conflict of jurisdiction. This mechanism guarantees that crimes do not stay without persecution, yet that respects the interests of the countries concerned, as well as victims and accused. The International Criminal Court should take the initiative and play a coordinating role in this regard. The lesson is that no matter what trial

accused at trial, but it is important to know that he will be prosecuted. Historic achievement was the establishment of the International Criminal Court to ensure that we will not stop after this conflict and crime, but as for the perpetrators of crimes in the statute that now would be extremely difficult to escape responsibility because there is a certain authority and rights of those who are waiting for justice to be applied. The International Criminal Court in the global Despite the very positive effect on reducing international crimes and international criminal effective punishment and therefore will prevent the occurrence of crimes, but it is expected to include crimes such as terrorism Court, transnational organized crime such as human trafficking, drug trafficking and also to commit such crimes will not remain unpunished. To be sure, independently and impartially and based on justice and international authority of the International Criminal Court, the credit institution follows, the Court should never influence or mandate any of the countries or international organizations, even the Security Council. International Criminal Court has been considerable action on the

real culprits in the Democratic Republic of Congo, Uganda, Africa, Darfur, Sudan, Ivory Coast, Mali, Kenya, Libya, Nigeria, and most recently in Iraq and has no doubt that this conflict can be barrier against repeat disasters against human integrity in the international community, nevertheless it is expected to expand the scope of the Court proceedings and the criminal states like Israel to be tried in the shelter of the Statute of the Court. Finally, the fight against crime and criminals believed to be the main instruments to maintain international peace and security.

### RECOMMENDATIONS

1. The scope of immunity for less government and more efficiently to the International Criminal traders believe the fact that in the case of international crimes will be prosecuted,

No safe haven on Earth would not exist for them.

2. Promote new attitudes to peace, justice and integral knows it,

Toys cooperation provided and consequently the government to fight with a great sense of commitment to the pursuit and prosecution of human rights violators should be increased.

3. Attempts by governments to pursue, prosecute and punish international

criminals be protected by national courts even though most heinous and most ruthless international crime under ordinary crime categories, including murder, rape, assassination and robbery are considered because such measures would be effective in order to create insecurity for criminals.

Iran also proposed to be built in our country, as a civilization thousands of years old heir to his mission at the beginning of the third millennium with the adoption of the Statute of the International Criminal Court and in particular compliance with the provisions of its own domestic law Even with its laws that criminalize other international crimes in the Rome Statute would not expect the international community once again to prove

Iran Fi coma former home of one of the first human rights and respect for dignity and human dignity, and still is such a high position.

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