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Criminal law mechanisms for protecting human rights in the context of iinternational crimes

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Abstract Although progress is evident, current events demonstrate the presence of a range of significant challenges facing iinternational criminal justice. Studying iinternational criminal law not only makes it easier to comprehend these challenges but also increases awareness of how crucial it is to fight impunity and defend human rights. This paper's goal is to add to the conversation about how iinternational law has influenced the evolution of iinternational criminal proceedings by applying human rights standards as a framework. On the basis of a narrative literature review and grounded theory elements, it looks at the close but complicated correlation of iinternational law subbranches, including iinternational criminal law, iinternational human rights, humanitarian law, and iinternational criminal procedures, as well as how iinternational human rights law can affect iinternational criminal proceedings. Finally, it tries to show whether the distinctive characteristics of iinternational law have affected iinternational criminal proceedings. In the current study, the narrative review method and qualitative modeling are used. The findings allow us to determine the actual inefficiency of the current infrastructure for providing justice for iinternational crimes, including war crimes; in particular, the challenges of iinternational criminal court activities are analyzed. Neorealism lenses are applied, allowing the conclusion that a new multilateralism and neorealism agenda, which represents a type of stakeholder interest management, can successfully address the issue of the noncooperation phenomenon. A conceptual model of new multilateralism for iinternational justice is suggested as the expedient vector for further development of the iinternational justice landscape. The findings emphasize the idea that a more effective and inclusive approach to global governance is emphasized by a new generation of multilateralism in iinternational justice, especially in regard to resolving concerns such as iinternational law, human rights, and the prevention of atrocities. This entails promoting participation from a wider range of stakeholders, ensuring more uniform and equitable enforcement of iinternational law, and updating established institutions such as the UN.

Keywords: iinternational crimes, human rights protection, criminal liability, ICC, noncooperation

1. Introduction

In the context of iinternational crimes, criminal law processes for human rights protection are crucial instruments intended to put an end to impunity for the most serious transgressions, such as war crimes, crimes against humanity, genocide, and acts of aggression. Through iinternational, hybrid, and domestic courts, these systems impose criminal liability on offenders, guaranteeing accountability, discouraging future transgressions, and offering compensation to victims. It is well known that the two power blocs did, despite the evident issues of the Cold War era, provide a semblance of iinternational order to the extent that each superpower served as a police officer and order guarantor within its own bloc. Numerous unfavorable outcomes followed the breakdown of this framework for iinternational relations. It has caused a great deal of chaos and the disintegration of global society, which, when combined with the rise of nationalism and fundamentalism, has led to a spiraling (mainly) internal armed conflict with a great deal of brutality and bloodshed. The subsequent collapse of formerly multiethnic civilizations, such as Rwanda and the former Yugoslavia, has resulted in egregious violations of iinternational humanitarian law on a scale similar to those perpetrated during World War II, shocking the world's conscience.

Serious activities that transgress iinternational law and are regarded as threats to global security, peace, and humanity are known as iinternational crimes (Alrashid & Al-Maagbeh, 2025). These crimes, which are acknowledged on a worldwide scale, include crimes against humanity, which are systematic transgressions of the law of war against civilians; war crimes,

which are sound violations of the law of war, such as murder and torture; and genocide, which is the annihilation of a national group, or racial, ethnic, and religious groups.

These acts cause irreversible harm to all humanity by undermining the basis of iinternational order and security in addition to breaking the law. Even when high-ranking state officials violate fundamental human rights, the national legal system frequently fails to take appropriate action against them. This is because these people have substantial money and authority, which enables them to influence political and judicial procedures without being held accountable for their deeds. The capacity of national courts and law enforcement organizations to administer justice in such circumstances may be severely hampered by pressure and challenges related to conflicts of interest, threats, or corruption. The creation and operation of a permanent iinternational entity, the Iinternational Criminal Court (ICC), is the only practical way to hold people in the highest offices of the state accountable in such situations (Fremuth et al., 2024).

Drug crime, which is associated with illegal trafficking and causes social and economic issues in society, and aggression—aggressive acts performed by a state against another state—also fall under this category. Mechanisms such as the Iinternational Criminal Court (further – ICC) and ad hoc courts, such as those set up for the cases in Rwanda, as well as the former Yugoslavia, are used to enforce the law against iinternational crimes. In accordance with the concept of universal jurisdiction, states are also required to punish these infractions (Atmasasmita, 2021).

However, there are a number of obstacles facing law enforcement in this region, such as impunity, which allows many iinternational criminals to escape punishment. Law enforcement is frequently influenced by politicians and state interests, which impedes the administration of justice. Furthermore, it takes a tremendous amount of human and financial resources to enforce iinternational law (Simanjuntak et al., 2025).

Mainstreaming human rights in iinternational relations has become a major theme in recent decades. It is now becoming obvious that the bulk of problematic aspects in the field of human rights protection and promotion require an appropriate response that goes beyond the competence of the Geneva system. Discussions have focused on the relationships between human rights and peace and security and between human rights and economic globalization.

Effectively prosecuting foreign crimes is a major difficulty for iinternational criminal law (further—ICL), especially in regard to problems such as limited resources, noncooperation from states, and the complexity of iinternational legal systems. Delays, impunity, and a victim's perception of unfairness can result from these causes. Recent practices show the actual ineffectiveness of ICCs' intentions in providing justice for iinternational offenses and the violation of human rights. This landscape evidently necessitates an intensification of discussions in this field and an urgent search for effective ways to overcome the consequences of current global conflictogenic turbulence for human rights protection.

2. Method

The research method applied in this article is narrative literature review employing scientific articles sourced from ScienceDirect, Wiley, JSTOR, ResearchGate, Springer, Taylor & Francis Online, and the standard Google search engine. A consensus tool (https://consensus.app/) was applied to facilitate searches across the space of publications devoted to various aspects, facets, and domains in the field of iinternational crimes and human rights protection, starting from the very paradigms and foundations and up to practical issues. The time frame for the search was set in the range of 2005–2025, with the aim of tracing the dynamics of studies, provisions, paradigms, and comprehension within the field under consideration. Tables 1 and 2 below present keywords, inclusion/exclusion criteria, and the number of publications found across databases.

To enhance the transparency of the literature selection procedure and its reproducibility, a multi-step screening process was applied in this study. At the first level, all records identified (n = 223) from the specified databases were gathered. The doubles were then removed for the sake of data integrity. The titles and abstracts of the records were then screened in a second step for relevance to the subject on iinternational criminal law and the protection of human rights.

Table 1 Literature search settings.

Element	Content
Time frame	2005-2025
	Preference: 2015-2025
	Time frame for retrospect comprehension/justification: 2005-2010
	Time frame for emerging turbulence/imbalacies/critical challenges: 2010-2015
Keywords	Criminal law iinternational scale AND/OR human rights iinternational protection AND/OR iinternational crimes
	Iinternational crimes criminal liability AND/OR ICC
	Iinternational criminal proceedings AND/OR ICL/IHLR
Inclusion criteria	Literature review with strong methodology; Conceptual papers; Justified expert opinion; Volume no less than 4 pages
Exclusion criteria	Weak relevance to the research topic; Language other than English; Less than 4 pages; Subjective nature of statements; Lack of coherence and/or methodology

Table 2 Number of publications found across databases.

Database	Number of entries found
ScienceDirect	89
Wiley	6
JSTOR	18
ResearchGate	32
Springer	54
Taylor&Francis Online	19
Direct Google engine search	5

The final selection of 32 publications was guided by a more thorough full-text review. Alongside the general criteria for inclusion (Table 1), more stringent criteria relating to methodology and relevance to concepts and to the subject of iinternational criminal responsibility mechanisms were applied. Preference was given to peer-reviewed journal articles, academic monographs and publications indexed in established scientific databases, while non formal sources were considered only for contextual or illustrative information.

It is worth noting that ResearchGate and Google search were also used as supplementary means to search for additional relevant material and/or new debates not yet fully indexed by academic databases. However, the inclusion of such sources was subject to critical scrutiny and only those that fulfilled the criteria of academic relevancy were kept. By utilizing this strategy, it was possible to strike a balance between a systematic selection and a general coverage of current debates in the field, without compromising the overall soundness of the corpus of research.

The study intentionally draws on a diverse range of sources in order to showcase the complex layers of iinternational criminal law and protection of human rights. The core analysis draws mainly on peer-reviewed journal articles and academic publications, but also includes other types of materials (such as institutional reports, policy documents, and some internet resources) in order to reflect recent developments, practical challenges, and case studies from the field.

Considering the pace of change in iinternational criminal justice, and the fact that it is being shaped by contemporary wars and geopolitical re-alignments, this could have led to the analysis being not as up to date and empirically relevant as possible. Hence, non-peer reviewed documents were selectively drawn upon to complement academic literature, particularly as it related to recent developments, institutional procedures and nascent global schemes.

In order to keep the analysis consistent, all sources, types included, were subjected to critical scrutiny with regard to their relevance and credibility and the extent they contributed to the research objectives. This ensured a balance between theoretical rigour and practical feasibility, leading to a more thorough insight into the means of protecting human rights in the context of iinternational crimes.

The use of this application revealed 223 items, which were further analyzed with the help of MAXQDA (this solution offers AI-powered features for grounded theory, including automatic coding suggestions and pattern identification). On the basis of the revealed codes, categories, and patterns, 32 publications were chosen for further narrative review. The table of coding results (Table 3) is presented below.

Table 3 Coding results obtained due to MAXQDA application.

Case	Type of interaction	Key characteristics	Legal implications	Impact on ICC effectiveness
Sudan (Darfur case)	Noncooperation	Refusal to execute arrest warrants; political resistance	Violation of UN Security Council obligations	Undermines ICC authority
Chad, Kenya, Malawi	Noncooperation	Failure to arrest Al Bashir despite ICC membership	Breach of Rome Statute obligations	Weakens enforcement mechanisms
Russia (Putin case)	Noncooperation	Non-recognition of ICC jurisdiction; continued diplomatic mobility	Limits universal jurisdiction application	Reduces deterrence effect
Israel / Hungary case	Partial noncooperation	Political prioritization over legal obligations	Tension between sovereignty and international law	Challenges ICC legitimacy
Selected cooperating states	Cooperation	Evidence sharing, support for investigations	Compliance with international obligations	Strengthens ICC operational capacity

The findings show that noncompliance continues to be a structural problem, undermining the impact of the ICC. Although there are formal legal duties, the execution of those depends largely on political will, which underline the importance of developing more flexible and incentive-based models of international cooperation.

The analysing process was organized and iterative consistent with grounded theory methodology. In the first step, open coding was used to extract significant concepts and common themes from the selected documents. These codes were then further elaborated through axial coding, which allowed them to be grouped into higher-level analytical categories. Selective coding was then used to generate core patterns that demonstrated systemic relations between iinternational criminal law, human rights protection and geopolitical considerations. This sequential procedure guaranteed analytical depth and enabled a more fluid understanding of complex interdisciplinary material from both fields.

The criteria used in the selection of the 32 papers from the pool of 223 were their conceptual relevance and methodological strength as well as their contribution to the research objectives. At the screening stage, duplicates were deleted, abstracts were assessed for relevancy to iinternational criminal law and human rights protection. Peer-reviewed journal articles and academic monographs were prioritized, with non-academic or descriptive accounts serving solely as contextual resources. This sampling procedure was expected to improve the trustworthiness and scholarly rigour of the narrative synthesis.

The discovered correlations were then further processed using structural modeling and theoretical elaboration. Synthesizing findings emerging from the analysis with an interdisciplinary lens, the research traced the connection between institutional barriers, state noncooperation, and the nascent iinternational justice mechanisms. This methodology framework allowed to develop the suggested model of new multilateralism, which represents the interplay between legal, political and institutional aspects of human rights protection in the framework of iinternational crimes.

According to Floersch et al. (2010), when integrated, thematic, grounded theory, and narrative methods produce a multidimensional understanding of the research problem. Relying on this paradigm of research allowed us to trace interconnections between shifts in the global multidimensional landscape and the efficiency of protecting human rights in iinternational crime. Furthermore, on the basis of the revealed patterns, structural modeling and an interdisciplinary approach were applied to develop a new model of multilateralism.

Alongside the methodological considerations stated above, terminological consistency as well as clarity in presentation and coherence of the structure of the thesis were the main focal points. The text was meticulously edited to meet the standards of academic writing within the iinternational law discipline, which covered the standardization of the section numbering, the refinement of the terminology, and the enhancement of linguistic accuracy.

Moreover, citations of figures, tables and external sources were cross-verified to achieve uniformity and fluidity. This refinement in the writing helps a clearer display of the results of the study and ensures the overall analytical coherence of the study.

3. Results and Discussion

The “Results and Discussion” is organized so that empirical findings, theoretical insights, and normative implications are discussed in tandem within a single analytical section. Instead of having a findings section followed by a discussion section, this article is organized around an integrated analysis approach, which is well placed for interdisciplinary work involving legal, political, and criminological analysis.

The analysis focuses on a number of interconnected aspects, such as the character and categorization of iinternational crimes, the ICC’s institutional role and constraints, trends of state noncooperation, and the developing interplay of the iinternational criminal and human rights law branches. Theoretical claims are illustrated with empirical examples and case-based illustrations, to show how the theoretical claims each play out in practice and demonstrate how abstract legal principles apply in real life.

This layered framework enables for a more complete understanding of the results because it mirrors the multifaceted nature of iinternational criminal justice in which legal norms are tightly interwoven with political considerations and institutional limitations. Thus, the discussion reviews what is already known but also adds to the conceptual underpinnings of new ways of protecting human rights when considering iinternational crimes.

ICL violations are common worldwide. Reading iinternational news or visiting intragovernmental (such as the UN or the Iinternational Committee of the Red Cross) or nongovernmental (such as Human Rights Watch or Amnesty Iinternational) organizations is all that is required to become aware of the many crimes committed by states, paramilitaries, and/or militias. The continued anarchy, civil unrest, and maltreatment of civilians in the Democratic Republic of the Congo, the genocide in Sudan, and the protracted battle between the Lord’s Resistance Army and the Ugandan government are a few examples. However, criminologists have given these kinds of offenses relatively little attention. Furthermore, the creation of a theory-based model that can assist in the investigation of such crimes has been limited because of the complexity of these types of atrocities. The techniques for confirming victim counts (Hagan & Palloni, 2006), posttrauma responses and controls, crimes of globalization (Rothe et al., 2008), or state crime (Mullins & Rothe, 2007) have been the main topics of criminological research on atrocities such as genocide, war crimes, crimes against humanity, and/or crimes of aggression.

In order to provide a clearer picture of state behavior in international criminal justice at the practical level, here is a tabular analysis of patterns of cooperation and non- cooperation (Table 4).

Table 4 Comparative analysis of state cooperation and noncooperation with the ICC.

Codes	Categories	Patterns
iinternational criminal law and social rights Instability Geopolitics and geoeconomic influence Nation-states noncooperation States' practical experience/precedents ICC jurisdiction National scope iinternational cooperation and enforcement	Functional interpretation of the ICC Statute Implications for victim protection Accountability frameworks Processes to combat impunity ICC statute Universal jurisdiction Hybrid courts iinternational justice to fight impunity Lack of enforcement power	Human rights in hybrid warfare conflicts Stakeholder management expediency Structural links between the ICC and the national bodies ICC inefficiency

In some circumstances (i.e., in the case of the Congo), the government's complicity in crimes is insufficient to classify them as state crimes. In others, iinternational organizations play the primary role, with limited involvement from the government. However, it is possible that the World Bank or the IMF played an indirect role in atrocities, which are classified as crimes of globalization. Because of this, it can be challenging to classify violations of iinternational criminal law into a single broad category. This is just one more reason why any theoretical advancement needs to be intricate and comprehensive enough to cover the different ways that these crimes are carried out.

Important factors for safeguarding victims of iinternational crimes were noted by Wang et al. (2024) in the context of the Rome Statute functional reading. The author examined the main legal frameworks worldwide that govern how victims of these crimes are protected. Among other techniques, the study employed comparative law, system-structure analysis, and hermeneutics. According to the analysis, the laws of some nations do not properly identify the state's obligation to victims or their entitlement to sufficient reparations, such as restitution and rehabilitation. The authors also reported that the court's reading of the Rome Statute was functionalist because of the conflicts between its various objectives and the obscurity of its normative language and interpretation methods. This affects the concept of national sovereignty, violates the authority of the participating nations, and undercuts its core duty of protecting people's rights.

A systematic review of human rights studies was carried out by Melani et al. (2024). Their research's Figure 1 illustrates how serious the nations are about human rights. From 2022 to 2023, the United Kingdom ranked 17th in terms of human rights compliance, according to these data. The United States is second in number, and Australia, which frequently talks about human rights, is third in number, with figure 1. India, which has been dealing with tensions from hybrid warfare with Pakistan for a long time, and Ukraine, which is in a hot conflict state, are far behind.

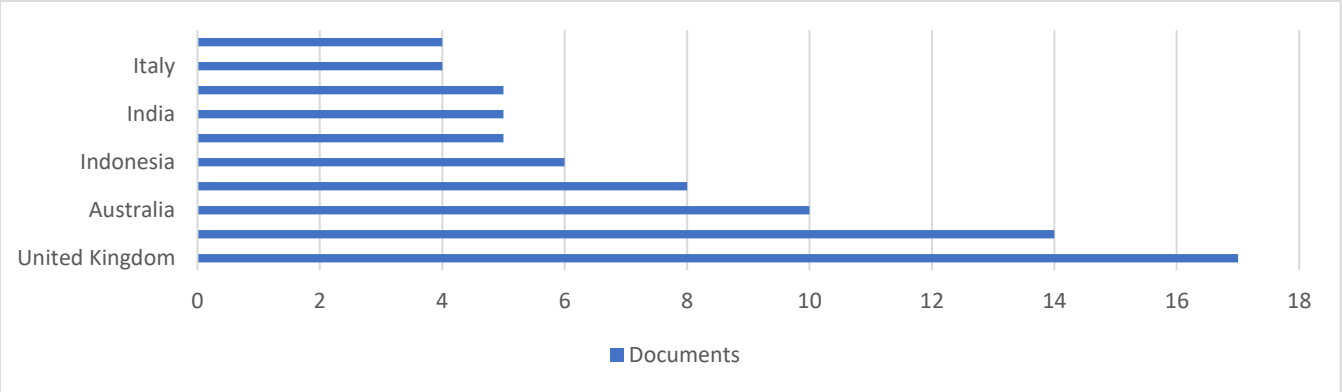


Figure 1 Research trends based on several countries' Scopus publications on human rights. *Source:* Melani et al. (2024).

By bringing attention to the most pervasive, systematic, and horrifying types of crime, such as crimes against humanity, war crimes, crimes of aggression, and genocide, Rothe and Mullins (2009) offered an integrated theory that can be used as a framework for methodical analysis and comprehension of the root causes. The explanation of ICL violations can be aided by a variety of mainstream and critically oriented crime/criminality theories, but each has serious shortcomings.

To guarantee the protection of human rights, iinternational crimes necessitate attention and collaboration on a global scale. In general, a number of crucial components must be fulfilled for an act to be classified as an iinternational crime. These needs are explained as follows (Hatta, 2019):

1. Global-nature features. Acts that harm the world community, including crimes against war crimes, humanity, or genocide, must be generally acknowledged as iinternational crimes.

2. Common interests. Since these crimes must affect the shared interests of nations everywhere, it is critical that they be addressed on an iinternational scale.

3. Serious crimes. Iinternational crimes are regarded as threats to world peace and security because they typically include grave abuses of human rights and iinternational law.

4. Evidence and legal processes. To guarantee justice and the rights of all parties, the law enforcement process must be carried out in compliance with iinternational standards regarding evidence and legal procedures.

These requirements are designed to ensure that iinternational crimes are prosecuted fairly and effectively and to protect human rights around the world. As a result, anybody involved in committing iinternational criminal conduct must be held accountable.

Iinternational crimes, such as war crimes, genocide, and crimes against humanity, are prosecuted using a union of iinternational human rights and humanitarian and criminal laws. These legal frameworks are intended to protect human rights during armed conflict and hold individuals accountable for serious violations.

Iinternational armed conflicts have historically been associated with war crimes and crimes against humanity, which are the main accusations made against Nazi (and Japanese) war leaders. Nevertheless, this limitation has been lifted in recent years, and the scope of these two crimes—which have both customary and conventional roots—has been broadened to encompass noniinternational armed engagements. Human rights violations, especially those carried out on a large or systematic scale, are being prosecuted as a result of the expansion of the definition of iinternational crimes and the line between iinternational and noniinternational military engagements becoming increasingly hazy. With the adoption of a multilateral treaty based on the conventions on hostage-taking and terrorist bombings, efforts are currently being made to further expand the scope of criminal law by punishing the crimes of developing, producing, stockpiling, or using chemical or biological weapons (Aishwarya, 2025).

The relationship between state sovereignty and iinternational humanitarian law or human rights law is a complex and multifaceted concept. Universal jurisdiction over offenses committed abroad is controversial. The occurrence of such jurisdiction over war crimes and crimes against humanity committed in iinternational armed conflicts is generally acknowledged, but it is unclear if this also holds true for actions considered crimes under treaties that impose jurisdiction only on State Parties. Furthermore, the notion that war crimes committed in noniinternational conflicts should be considered within universal jurisdiction under contemporary iinternational law is debatable. However, the disagreement about the scope of universal jurisdiction is mostly irrelevant in practice. What matters is whether individuals who commit systematic human rights crimes during an internal struggle will be prosecuted and, if so, by which court.

Effective law enforcement is necessary to prevent impunity and ensure justice for iinternational crimes such as crimes against humanity and genocide. To try those guilty of such heinous crimes, the ICC was created as a permanent court. Ghozali et al. (2025) employ a qualitative methodology that includes documentary examination of case studies, ICC reports, and iinternational legal sources. To obtain a thorough grasp of the roles and difficulties faced by the ICC, information was gathered through literature reviews and conversations with specialists in iinternational law. The findings demonstrate that while the ICC plays a significant role in enforcing iinternational justice, political considerations, state noncompliance, and jurisdictional restrictions frequently undermine its efficacy. For justice to be served more successfully on a worldwide scale, diplomatic measures are needed to persuade more nations to ratify the Rome Statute and to strengthen iinternational cooperation in upholding ICC rulings.

Jones (2016) investigates the connection between the effectiveness of the ICC—that is, its speed and cost-effectiveness—and the noncompliance of states with requests for cooperation. The author approaches this from two perspectives: first, by examining how noncooperation affects the ICC's effectiveness, citing the Court's investigations in Darfur, Kenya and Sudan; second, by examining how the ICC's ineffectiveness may influence states' willingness to cooperate with the Court's call for cooperation. According to the paper, there is a cyclical component to the correlation between efficiency and noncooperation, with inefficiency potentially causing noncooperation and vice versa. By taking steps to improve the ICC's operational efficiency, the cycle can be addressed from inside the ICC and the Court's legislative and management body, the ASP. Jones (2016) highlights actions being taken in this direction, which could have a favorable effect on state cooperation levels in the future.

The research approach and reasoning behind the monograph's investigation—whether the responsibility to protect (R2P) and general iinternational law might help strengthen the ICC methods for dealing with noncooperation—were introduced by Jacobs (2025). This publication emphasizes the problems with the current cooperation regime under the Rome Statute and the difficulties caused by states' noncompliance. The author lists the main study issues, including whether R2P offers frameworks and instruments not included in the Rome Statute and whether it may be applied as a lens to reform the ICC's reaction to noncooperation. The topic of whether general iinternational law provides extra tools that could enhance or supplement current responses to noncooperation is also raised by Jacobs (2025). Jacobs (2025) also outlines the study's goals, which include determining the duties associated with noncooperation under general iinternational law and the possible contribution of R2P to strengthening the Court's frameworks for cooperation. The author concludes by outlining the possibility

of institutional reform in the UN Security Council and the ICC to support better responses and remedies for dealing with noncooperation.

It has long been the goal of the iinternational community to establish a permanent criminal court and prosecute war criminals. However, the evolution of iinternational criminal law and procedures, as well as iinternational human rights and humanitarian law, entered a new phase following World War II. One should note that the Nuremberg and Tokyo Tribunals, however, centered mostly on the accused and their penalty. Their contempt for the victim's role in the criminal case was evident. As a result, a new iinternational criminal court that was unaffected by the defects and followed the new rules for human rights protection had to be established. In reality, an endeavor was made to make the Statutes and Rules of Procedure and Evidence of the Iinternational Criminal Tribunals for the former Yugoslavia (further—ICTY) and Rwanda (ICTR) more equal and reflective of iinternational human rights values. However, the founding of the ICC marked a watershed moment, as its statutes upheld victims' dignity while also reflecting basic human rights standards and case law from human rights tribunals and organizations. Furthermore, the ICC must uphold iinternationally recognized human rights and rely on treaties and other iinternational law sources.

In light of this, the study aims to further discuss how iinternational law affects iinternational criminal procedures evolving from the perspective of human rights standards. It also seeks to illustrate how iinternational criminal law, iinternational criminal procedures, iinternational human rights, and humanitarian law are closely related but complex subbranches of iinternational law, as well as how iinternational human rights law affects iinternational criminal proceedings. Additionally, it attempts to demonstrate whether iinternational criminal proceedings have been impacted by the distinctive features of iinternational law.

Grave breaches are among the most serious infractions of IHL. These specific acts, which include torture, willful killing, and inhuman treatment, as well as willfully causing serious physical or health injury, are listed in the Geneva Conventions and Protocol I. War crimes are considered serious transgressions. War crimes can also arise from noniinternational military conflicts. Both the Conventions and the Protocol documents expressly declare that serious infractions should be punished. Moreover, these texts do not outline concrete penalties. Additionally, they do not establish jurisdiction to bring criminals to trial. To hold individuals who committed sound violations of humanitarian law accountable, states must pass the necessary legislation.

Overall, a state's criminal code covers only crimes committed by or against its citizens on its soil. IHL goes farther because it mandates that states track down and punish anyone who has committed major violations, regardless of the offender's nationality or the location of the offense. This idea, sometimes referred to as the universal jurisdiction principle, is necessary to guarantee that major violations are successfully prosecuted and punished. With respect to serious violations, IHL requires states to adopt the following particular actions (Vento, 2024).

First, by either passing new legislation or changing current legislation, the State must establish national laws that forbid serious violations and provide for their prosecution and punishment. These laws must apply to anyone, regardless of nationality, who commits or orders others to commit serious violations, including situations in which the violations were caused by a responsibility to act that was not fulfilled. Acts undertaken both inside and outside the state's borders must be covered by the laws.

Second, those accused of serious violations must be sought out and prosecuted by the state. These individuals must be prosecuted by it or extradited to another state for trial. Third, the state needs to make it mandatory for its military leaders to stop serious violations when they happen, prevent them from occurring in the first place, and take action against those who violate the law. Fourth, in any proceedings pertaining to major violations, states are required to offer judicial support to one another. In times of both armed conflict and peace, states are required to fulfill these responsibilities. To be effective, the aforementioned actions must be taken prior to serious violations. Finally, it may be confirmed that the same responsibilities apply to crimes against humanity and genocide, with a few minor exceptions.

Although the Geneva Conventions are almost universally adhered to and ratified, many states' national legislation does not meet the abovementioned IHL requirements. In particular, numerous nation-states have not included in their criminal law the requirements necessary for the prosecution and punishment of iinternational crimes, particularly serious violations, and the applicable penalties.

The solutions chosen in cases when action has been taken differ from nation to nation. Numerous implementing texts (penal codes, codes of military discipline, codes of military justice, and special laws) contain the majority of the rules pertaining to the application of IHL, especially those pertaining to the prosecution and punishment of the most serious violations (Bartels, 2018). Seldom do these clauses appear in a single paragraph. The pertinent offenses are occasionally covered in military or ordinary criminal law sources, or both. Some countries, such as South Africa, Canada, Belgium, and several Central European nations, such as Bosnia and Herzegovina, Lithuania, Estonia, Serbia, Montenegro, Macedonia, and Slovenia, have military courts endowed with the sole authority to try those who commit these crimes, while other countries, such as Switzerland and DRC, have military courts that have jurisdiction over civilians as well. Concurrent jurisdiction and the division of labor based on the accused's status (military or civilian) or whether he was on duty have been implemented in other systems (Andriyiv et al., 2021).

Even for states that have not joined the Rome Statute, there is a propensity for countries to exploit the crimes covered by the Statute as a means of carrying out a significant portion of their obligations under IHL. In regard to the application of the criminal code rules of war crimes in noniinternational armed conflicts, this trend is especially noticeable.

It is also intriguing to note that whether the state has appropriate practical experience may have an impact on how clear the system adopted is, especially with regard to the division of jurisdiction between military and civil courts (Colombia, Peru). For example, it is explicitly stated in the Columbia case that iinternational crimes may be committed while on duty and are thus subject to civilian tribunal jurisdiction. The same can be said about how iinternational technical assistance affects how closely local legislation conforms to iinternational law (Rwanda, Cambodia, Timor Leste) (Gallant, 2022).

It should be noted, however, that the actions performed are unfortunately frequently insufficient. For instance:

– frequently, the list of crimes covered by national legislation is not comprehensive;

– the general rules of ICLs are frequently not mentioned in the laws. As a result, the overall rules of national criminal law continue to apply to crimes committed abroad and serve as justifications for putting barriers in the way of criminal prosecution. These barriers could be against iinternational law, such as the defense of superior orders (Nicaragua, Guatemala, Brazil, Thailand) or the application of a statute of limitations (Peru, Argentina, Kenya, and Poland);

– sometimes, all of the pertinent texts—especially those that pertain to military personnel —does not receive the appropriate revisions and alterations. This leaves the door open for parallel prosecution under both iinternational crime legislation and the military offense statute on the basis of the same facts. Such crimes are typically tried by different tribunals and carry very differentiated penalties (for instance, a serious violation against civilians may result in life in prison, whereas a military offense against civilians based on the same facts may result in only a maximum sentence of two years in prison).

According to experts, national systems have historically repeatedly shown themselves unwilling or unable to take action in the face of the worst atrocities. This has occurred, for example, when the domestic judicial system has partially or completely collapsed or when the suspected perpetrators are high-ranking individuals close to the nation's leadership for political reasons (Teles, 2017). Because of these circumstances, most independent nations in the world have willingly created the ICC, a court of last resort that has the authority to try those suspected of committing war crimes, crimes against humanity, or genocide when the relevant national jurisdiction is unable to do so.

The complementarity principle refers to the structural link between the ICC and the national authorities. Since there is no clause granting the ICC exclusive jurisdiction over nuclear crimes, the Court's model of action is predicated on the idea that states have an auxiliary role and are therefore still competent to investigate and decide on their own the nuclear crimes covered by the Statute. In contrast, an inverse relationship exists between the procedures to be taken into consideration, favoring the national scope because of complementarity. According to this theory, the ICC's function is to support national criminal courts. Without the State opening an investigation or starting proceedings, the Court cannot exercise its jurisdiction (i.e., the matter cannot be admitted) (Schmid & Drif, 2022). In this sense, a state party that complies with its ICC duties and enacts laws inside its own internal order enhances the efficacy of the court, which will take action only in Article 17 situations. According to complementarity, which holds that states are believed to be in charge of prosecuting suspects discovered on their own soil, the nations thereby plan to arrange for collaboration in their internal order prior to official ratification. Additionally, many need to align their substantive criminal law (de Lima & Lage, 2023).

In fact, this is the most crucial pillar, the cornerstone of the Rome Statute's entire ICC system. By upholding and reaffirming state sovereignty while bolstering the worldwide defense of basic human values, the Rome Statute system is able to advance the fight against impunity on two fronts at once because of the complementarity principle. The ICC has revolutionary potential to help victims achieve their human rights through its innovative regulations on victim participation and recompense, in addition to punishing offenders and preventing future crimes.

It should be noted that it appears to be fairly simple to defend iinternational law's prescriptive jurisdiction to define the laws of armed conflict. Armed conflict should ideally be governed by a common set of laws that apply to all possible parties, but this cannot be accomplished just by domestic laws and military doctrine. A race to the bottom, in which armed conflict parties obtain a tactical edge by adopting or legally allowing military tactics and means that their opponent forbids or otherwise forgoes, can be avoided only by establishing such a common standard.

Similarly, there are a number of tenable arguments in favor of iinternational tribunals having adjudicative jurisdiction over trial defendants for crimes committed during armed conflict. States frequently lack the capacity to prosecute wrongdoing by enemy forces and are hesitant to prosecute war crimes perpetrated by their own forces. Furthermore, regimes that prosecute their own armed forces may use low-ranking employees as scapegoats while allowing the highest-ranking officials who commit war crimes to go free. Finally, states that prosecute enemy forces may impose (or seem to impose) "victory's justice", which may lead to excessive penalties, erroneous convictions, and due process breaches (Yanev & van der Wilt, 2025).

However, according to McMahan (2009), the most compelling arguments against holding fighters accountable for fighting for an unfair cause are pragmatic and epistemic in nature rather than profoundly moral. McMahan contends that to discern between causes that are right and those that are not, we lack authoritative legal authorities and clear legal regulations. Moreover, because both sides of an armed conflict believe that they are fighting for a just cause, they disregard any legal limits

placed on those fighting for an unjust cause and take advantage of any legal permits given to those fighting for a just cause. McMahan concludes that actions that are rarely required to accomplish a fair cause and that would be unacceptable if employed to promote an immoral cause, such as harming civilians, should not be allowed by iinternational law (McMahan, 2009).

State parties in Rome Statute have been required since 2002 to cooperate with the Court and to take steps to approve internal laws and regulations that specify how this cooperation will take place. For the Court to be effective, worldwide impunity must be avoided, and justice must be served. However, the serious issue of "noncooperation" has become more apparent in recent decades.

Even before the ICC was founded, its struggle against noncooperation was envisaged (Rastan, 2008). The challenges experienced by the ad hoc Tribunals had previously demonstrated how important state cooperation is for the pursuit of iinternational criminal justice under a system that lacks its own enforcement agency. In fact, the ad hoc tribunals appeared theoretically in a good position to gain state cooperation because they were established using the UNSC's Chapter vii jurisdiction under the UN Charter. Additionally, they had the advantage of having the UNSC impose sanctions if states refused to cooperate. However, states, especially those not directly involved in the relevant wars, showed "considerable resistance and obstruction" to the Tribunals. Their fight for collaboration has greatly increased the longevity of institutions, especially in regard to the capture and surrender of high-level suspects (Wald, 2012).

In regard to achieving state cooperation, the ICC is in a much worse position than the ad hoc tribunals are. This is because, unlike the UNSC's Chapter VII UN Charter powers, the Court's legal foundation is found in a multilateral treaty. The ICC's treaty foundation has multiple ramifications. First, unlike the ad hoc Tribunals, which required cooperation from all states, the ICC only requires cooperation from state parties. This is unless a requirement to collaborate is included in a resolution referring to a situation to the ICC under Art. 13 ICC Statute, or unless the relevant non-State Party has consented to cooperate with the Court under Art. 87(5) ICC Statute. Second, the ICC cannot impose penalties from the UNSC in cases of noncompliance until the UNSC refers the matter to the Court, although the ad hoc Tribunals might theoretically profit from doing so.

When there is noncooperation, the Court's most drastic remedy is to issue a court judgment of noncooperation and apply diplomatic pressure through the ASP and its legislative and management body. Third, the ICC Statute's cooperation clauses recognize a number of reasons why cooperation with the Court may be delayed or refused (Sterio, 2020). Given these clauses, there is an argument that the ICC's collaboration regime exhibits more "horizontal" aspects of voluntary, interstate cooperation than "vertical" aspects of cooperation between states and ad hoc tribunals (Bocchese, 2020). A model of consensual cooperation is also reflected in the wording of the ICC's cooperation provisions, which refer to "requests" for cooperation rather than "orders".

In the initial period of the Court's existence, the shortcomings of the ICC's cooperation regime were often revealed. After the Prosecutor decided to start looking into the situation in Darfur, Sudan, major problems started to surface, even though the Court had been able to obtain a reasonable amount of cooperation from the states that had brought their respective cases before it. In January 2005, the UNSC referred to the Darfur situation as the ICC. The referral came after the Iinternational Commission of Inquiry on Darfur's report, which reported that government forces and militias had participated in grave breaches of iinternational humanitarian and human rights law, which amounted to crimes under iinternational law.

A solid foundation for collaboration was established when the UNSC referred the case to the ICC, providing the Court with "the legal and ostensible political backing of the world body" (Peskin, 2009). Both State Parties to the ICC Statute and nonstate Parties were required to cooperate with the Court by the resolution that referred the matter to the ICC, which urged "all States" to "cooperate fully" with the Court. However, this was the first case in which the prosecutor had started looking into without the territorial state's help. Additionally, it was the first time the court had issued an arrest warrant against President Al Bashir, who was the head of state at the time. The Darfur case was a crucial test for the ICC's cooperation regime because of these realities.

Six years after President Al Bashir was the target of an arrest order, the accused is still at large. Ali Muhammad Ali Abd-Al-Rahman (Ali Kushayb), the alleged leader of the Janjaweed Militia; Ahmad Muhammad Harun (Ahmad Harun), the former Minister of State for the Interior of the Government of Sudan and the Minister of State for Humanitarian Affairs of Sudan; and Abdel Raheem Muhammad Hussein (Minister of National Defense, former Minister of the Interior, and former Sudanese President's Special Representative in Darfur), have also evaded capture and surrender (Bilkova & Criatani, 2025).

The ICC's Pre-Trial Chamber has issued a number of noncooperation findings in relation to the Darfur crisis. In May 2010, the Pre-Trial Chamber notified the UNSC in the case of Prosecutor v. Ahmad Muhammad Harun and Ali Muhammad Ali Abd-Al-Rahman that Sudan had failed to comply with the Court in the arrest and surrender of the accused, in contrast to its obligations under UNSC Resolution 1583 (2005). In the cases of Prosecutor v. Omar Hassan Ahmad Al Bashir in March 2005 and Prosecutor v. Abdel Raheem Muhammad Hussein in June 2015, the Chamber reached additional conclusions regarding noncooperation with regard to Sudan (Van Schaack & Slye, 2020).

With respect to the noncooperation of Chad, Kenya, Djibouti, Malawi, and the DRC, the Pre-Trial Chamber has rendered additional rulings. Each ruling dealt with the respective state's inability to assist in President Al Bashir's capture and surrender after he had entered its territory. It is important to remember that each of these nations is a signatory to the ICC Statute and

is required by both the Statute and UNSC Resolution 1583 to cooperate with the Court. Each time, the Court has submitted the issue to the UNSC, enabling it to take necessary action. However, the UNSC has not formally sanctioned states who have disregarded their duty to assist with the Court, despite petitions from the ICC's current and former Prosecutors. In December 2014, the ICC Prosecutor stated that she would have to halt her investigations in Darfur if the UNSC did not support her (Bilkova & Criatani, 2025).

One recent example is the ICC issuing arrest warrants for Russian President Vladimir Putin on March 17, 2023, as a result of investigations into war crimes, crimes against humanity, and genocide. The ICC claimed that Putin was responsible for the war crime of unlawfully deporting and transferring children in the Russo-Ukrainian War. Putin is the first leader of a permanent member of the UN Security Council to be the target of a warrant. However, President Putin has since visited the nations that have ratified the ICC Statute on multiple occasions without being arrested (Bilkova & Criatani, 2025).

In addition, on November 21, 2024, the Iinternational Criminal Court (ICC) issued arrest warrants against Israeli Prime Minister Netanyahu and his then-defense minister Yoav Gallant for war crimes and crimes against humanity committed in the Gaza Strip beginning on October 8, 2023. These include killing, persecuting, purposefully targeting civilians with attacks, and starving civilians. Netanyahu did not, however, face imprisonment during his visit to Hungary in April 2025. "Hungary should fulfill its legal obligations as a party to the ICC and arrest Netanyahu if he sets foot in the country", stated the director of iinternational justice at Human Rights Watch. Hungary is required to assist in ensuring the arrest and surrender of any suspects who enter its jurisdiction as members of the ICC. Hungary was accused by the court of breaching its duties by not detaining Netanyahu despite an official request that the court submitted to Budapest on April 3, the day the PM arrived in the nation. Hungary was given until May 23 by the ICC to submit its responses. Hungarian Prime Minister Viktor Orban announced Hungary's withdrawal from the ICC just before a meeting with Netanyahu in Budapest (Global Initiative Against Impunity for Iinternational Crimes and Serious Human Rights Violations, n. d.).

Today, experts correctly assert that the Court must demonstrate that it is an effective and efficient institution that can provide fair and impartial justice following the conduct of iinternational crimes to increase levels of state cooperation (Bekou, 2019). The Court can promote higher levels of support for its operations and discourage cases of noncooperation by increasing the reputational costs associated with them. Consequently, fewer cases of noncooperation can improve the ICC's effectiveness and inspire more worldwide support for its cyclical operations. Additionally, it is critical that the ICC reacts promptly and reliably to noncooperation cases. To maximize the pressure placed on states to comply with the Court's requests for cooperation and capitalize on the reputational costs of noncompliance, a swift response is needed (Khan & Bhuiyan, 2022). Evidence, however, indicates that it is unlikely to be accomplished in the purely legislative domain and that any mandatory regulations can be established without efficient means of ensuring their obedience (Antai et al., 2024).

The relationship between iinternational criminal law and iinternational human rights law in this context may be described as the result of a process of normative convergence on both the substantive and procedural levels. Iinternational criminal law, on its substantive level, is grounded upon the human rights norm by making the gravest breaches of these rights criminal offences including genocide, crimes against humanity and war crimes. At the procedural level, human rights law affects the proceedings of iinternational criminal tribunals in terms of its influence on fair trial rights, victim participation, and evidential standards.

Moreover it is an important part of the institutional interaction on the substantive level, as iinternational criminal tribunals are borrowing increasingly from the jurisprudence of human rights courts to interpret legal norms and to determine whether they meet iinternationally accepted standards. Such cross-fertilization enables a more coherent legal framework to emerge, where human rights safeguards are not only sufficiently protected, but are actively integrated in the machinery of iinternational criminal justice.

Yet this relationship is complicated and far from being fully harmonized. With iinternational criminal law concerned with the responsibility for the most serious crimes, human rights law has a wider scope of protection, which gives rise to certain lacunae and duplications between them. Grasping this duality is critical in order to evaluate the success of the legal protection of human rights in the field of iinternational crimes.

Effective stakeholder management is essential in the prosecution of iinternational crimes under such circumstances, necessitating cooperation and communication between multiple actors to guarantee successful investigations and prosecutions. To exchange information, coordinate actions, and develop capacity, this entails interactions with victims, civil society organizations, national authorities, and iinternational organizations. Iinternational criminal justice initiatives can more successfully hold offenders accountable for transnational crimes and guarantee justice for victims by controlling stakeholders and encouraging cooperation (Sarkany, 2024).

In the meantime, the ICC Trial Chamber in the Dominic Ongwen case made multiple allusions to the human rights courts' precedent, documents, and instruments in its most recent ruling on February 4, 2021. Citations of the European Court of Human Rights and the Inter-American Court of Human Rights are among them, as are references to various reports by the UN High Commissioner for Human Rights, the Universal Declaration of Human Rights, 1948, the Iinternational Covenant on Civil and Political Rights, 1966, the Convention on Consent to Marriage, and the Minimum Age for Marriage and Registration of

Marriages, 1962. These references highlight how crucial human rights law is to the ICC's decision-making process when iinternational criminal cases are being decided (Sarkany, 2024).

Moreover, the concept of human rights itself suggests a procedural claim to an effective remedy in addition to a substantive claim (to the protection of the right to life, liberty, education, employment, etc.). In light of this, the road to full human rights protection necessitates ongoing commitment and cooperation. Addressing cross-border issues and advancing a global human rights agenda require iinternational solidarity and cooperation. Encouraging journalists, human rights advocates, and civil society organizations is essential to creating an atmosphere that supports the defense of human rights. "The Global Initiative Against Impunity for Iinternational Crimes and Serious Human Rights Violations: Making Justice Work" emerged recently, in particular (Antai et al., 2024).

Each of the organizations that comprise this organization will share its expertise with their networks of partners on national and regional scales to advance victim-centered, trauma-informed, and gender-sensitive justice and accountability for major fundamental iinternational crimes, including crimes against humanity, war crimes, and genocide, and the crime of aggression, as well as major human rights violations, including torture and enforced disappearance. This strategic partnership comprises a consortium of organizations, including Women's Initiatives for Gender Justice, Parliamentarians for Global Action, the European Center for Constitutional and Human Rights, the Iinternational Federation for Human Rights, Impunity Watch, Civil Rights Defenders, REDRESS, the Coalition for the Iinternational Criminal Court, and Congress. They have two affiliate partners: the Auschwitz Institute for the Prevention of Genocide and Mass Atrocities and the Iinternational Commission of Jurists (Global Initiative Against Impunity for Iinternational Crimes and Serious Human Rights Violations, n.d.).

By focusing on two key areas, the Global Initiative against Impunity has created a comprehensive strategy aimed at ensuring that survivors and victims receive extensive justice and accountability (Van Schaack & Slye, 2020):

1. Improving the agency and involvement of victims and civil society in forming inclusive justice and accountability procedures, since their marginalization jeopardizes the likelihood of attaining substantive justice and long-lasting transformation;
2. Increasing the efficacy of accountability frameworks and processes to combat impunity by means of communication, advocacy, and awareness-raising between duty-bearers and justice providers and civil society organizations and survivors.

Widespread human rights breaches have resulted from the current conflicts in Syria, the dispute between Russia and Ukraine, and the fight between Hamas and Israeli forces in Gaza. This underscores the necessity of addressing human rights violations that go beyond state sovereignty. In the meantime, there is a global tension between upholding human rights and state sovereignty (Antai et al., 2024). Although iinternational law provides mechanisms such as the United Nations human rights system, politics limits their efficacy; hence, it seems appropriate to gradually shift to other kinds of multilateralism.

A "new multilateralism", which is defined by a move away from exclusive reliance on centralized iinternational courts and toward a hybrid model of decentralized, cooperative, and regional justice, is driving a significant transformation of criminal law mechanisms for protecting human rights in the context of iinternational crimes. As of late 2025 and early 2026, this changing environment highlights the expansion of universal jurisdiction, the addition of new, thematic areas of criminal liability, and the complementarity between the Iinternational Criminal Court (ICC) and national authorities. We can say that the global community observes a new politics of iinternational criminal justice.

We believe that the new multilateralism and neorealism agenda, which represents a type of stakeholder interest management, can successfully address the issue of noncooperation. There should be a new kind of multilateralism that focuses on using both national and iinternational legal systems to protect human rights and prosecute transnational crimes. This entails giving national courts the authority to have universal jurisdiction over serious crimes and enhancing iinternational cooperation, especially in areas such as extradition and evidence sharing. A wider network of actors, such as national authorities, iinternational organizations, and civil society, also contributes to this changing landscape so that the ICC can fulfill its intended role. For practical gradual building of such a new multilateralism model, we suggest applying the Gartner model of governance as a basis, with its core ('nuclei') capable of incrementing new elements as it grows and develops (see Figure 2).

A complex interaction between power dynamics and cooperation is presented by the idea of new multilateralism in iinternational justice, especially when analyzed through a neorealist lens. The concept of a new multilateralism proposes a change toward increased cooperation and shared governance, whereas neorealism stresses state self-interest and the quest for power in anarchic iinternational systems.

For the purpose of this paper, new multilateralism is conceived as a general organizing principle of iinternational cooperation that transcends the traditional reliance on centralized judicial bodies. In contrast to the traditional models of multilateralism based on the primacy of formal intergovernmental agreements and hierarchical systems, the approach

presented here focuses on the decentralized relations among iinternational courts, national legal systems, regional mechanisms, and non state actors.

This is a new idea based on its application to the legal and political aspects of iinternational justice, especially relating to the ongoing issue of state noncooperation. While states continue to be key actors driven by national interests from a neorealist perspective, the "new multilateralism" framework purports to manage these interests by taking into account mechanisms of flexible cooperation, reputational incentives and strategies of stakeholder engagement. Not in the sense that it runs contrary to neorealism, but in that it applies the latter within the field of iinternational criminal justice.

Utilizing the Gartner governance model illustrates the process and points of leverage of this dynamic and scalability based framework. Its "core–expansion" logic enables the inclusion of new actors, legal instruments and forms of cooperation in one by one, mirroring the development of global justice systems. Consequently, the suggested framework is not to be seen as a static institutional design, but as a dynamic analytical model that outlines changes in multilateral cooperation in the area of human rights protection.

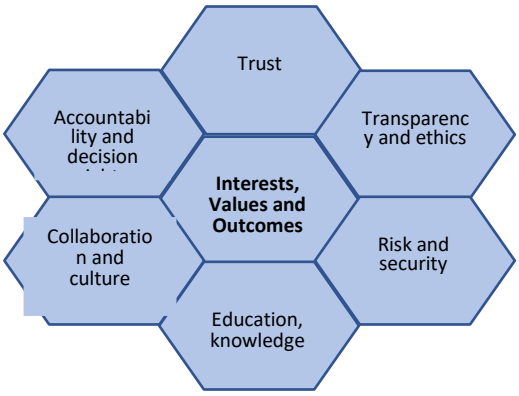


Figure 2 Conceptual model of new multilateralism for iinternational justice. *Source:* Gartner (2025).

However, to achieve real cooperation, an integration of the neorealism lens into a new multilateralism paradigm is needed. Without addressing their interests, states will continue to manifest noncooperation in iinternational justice.

4. Conclusion

Political instability, violent conflicts, weak institutions, and the complexity of iinternational law are just a few of the many barriers that must be overpowered to protect human rights in the context of iinternational crime. These efforts are made more difficult by the conflict between national sovereignty and iinternational justice, the difficulty of obtaining evidence in conflict areas, and the impunity for offenders. New issues are also brought about by the emergence of new technology and the possibility of human rights abuses in the digital era.

There are many obstacles to prosecuting iinternational crimes while upholding human rights. Jurisdictional problems, evidence collection hurdles, political meddling, and victim and witness protection are some of these concerns. Additionally, the vocabulary used in iinternational law is unclear, which can result in differing interpretations and even conflicts between various legal systems. In actuality, it did not seem that the ICC could effectively prosecute iinternational crimes that violated human rights.

Moreover, the Rome Statute criminalizes fundamental human rights violations by combining crimes against humanity with other basic human rights abuses. The domains of ICL and iinternational human rights law are different and should be treated as such, although they overlap in many areas. Not all violations of human rights are crimes under ICLs. Furthermore, the ICC was never meant to operate as a human rights agency but rather as a criminal court, although it dealt with serious human rights violations. This gap is significant because it calls into question whether the ICC has consistently and morally interpreted its substantive and procedural laws from an explicit human rights perspective.

Moreover, a new generation of multilateralism in iinternational justice emphasizes a more successful and inclusive approach to global governance, particularly in regard to addressing issues such as atrocity prevention, human rights, and iinternational law. This means encouraging more diverse players to participate, ensuring that iinternational law is enforced more consistently and fairly and modernizing long-standing organizations such as the UN.

The novelty of this article is that it brings together international criminal law, human rights law and modern day geopolitics into one analytical lens. Through a narrative review with the incorporation of elements typical of grounded theory, the study develops core categories shaping the functioning of mechanisms of international justice, with special emphasis on state noncooperation and the institutional constraints of the ICC.

The idea of "new multilateralism" presents a new outlook on the development of international criminal justice as it focuses on flexible multilevel cooperation among international organizations, national jurisdictions and non-state actors.

Rather than being a model state behaviour, this is a model that recognizes the political realities of state actions and provides mechanisms through which states can be held more accountable and human rights protection can be increased.

From a practical point of view, the findings indicate that promoting international cooperation involves not only legal changes but also the construction of incentives and reputational mechanisms that promote state compliance. Future studies may include the empirical investigation of the model as well as its application in particular regional contexts and conflict situations. This could help to revise the framework further and lead to the establishment of more effective systems of global justice.

5. Declarations

5.1. Ethical considerations

Not applicable.

5.2. Use of artificial intelligence (AI)

The authors declare that no generative artificial intelligence tools were used in the preparation, analysis, or writing of this manuscript.

5.3. Conflict of interest

The authors declare that they have no conflicts of interest.

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