

## CICR

### Debate : the role of international criminal justice in fostering compliance with international humanitarian law / Chris Jenks and Guido Acquaviva

Document type:	Article
Title:	Debate : the role of international criminal justice in fostering compliance with international humanitarian law
Author zone:	Chris Jenks and Guido Acquaviva
Host item entries:	International review of the Red Cross,
Languages:	English
Abstract:	<p>The Review invited two practitioners to share their perspectives on the concrete effects of international criminal justice on fostering compliance with international humanitarian law. Chris Jenks questions the “general deterrence” role of international criminal justice, contending that the influence of complicated and often prolonged judicial proceedings on the ultimate behaviour of military commanders and soldiers is limited. Guido Acquaviva agrees that “general deterrence”, if interpreted narrowly, is the wrong lens through which to be looking at international criminal justice. However, he disagrees that judicial decisions are not considered by military commanders, and argues that it is not the individual role of each court or tribunal that matters; rather, it is their overall contribution to an ever more comprehensive system of accountability that can ultimately foster better compliance with international humanitarian law.</p>
Authors:	Jenks, Chris Acquaviva, Guido
Keyword in English:	INTERNATIONAL CRIMINAL LAW IHL (INTERNATIONAL HUMANITARIAN LAW) RESPECT FOR THE LAW CRIMINAL COURT INTERNATIONAL JURISDICTION
Keyword in French:	DROIT INTERNATIONAL PENAL DIH RESPECT DU DROIT TRIBUNAL PENAL JURIDICTION INTERNATIONALE
Go to:	International review of the Red Cross / ICRC International review of the Red Cross [Vol. 96, no. 895/6, Autumn/Winter 2014] / ICRC