



**THE DYNAMICS OF GLOBAL CRIMINAL LAW ENFORCEMENT THROUGH
THE ACTIVE ROLE OF THE INTERNATIONAL CRIMINAL COURT IN
RESPONDING TO THE CHALLENGE OF CRIMES AGAINST HUMANITY IN
THE CONTEMPORARY ERA**

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ABSTRACT

This study aims to analyze the dynamics of international criminal law enforcement by the International Criminal Court (ICC) throughout 2025. The main focus of the study lies in the effectiveness of the ICC in executing arrest warrants for major actors as well as the challenges faced by political pressure from superpowers and cyberattacks. Using normative legal research methods and case approaches, the results show that the ICC made significant progress through historic verdicts in the Darfur case and the arrests of important political figures. However, the agency's independence continues to be tested by international sanctions and digital security threats targeting sensitive witness data. The transformation of the ICC towards restorative justice is also an important note in the recovery of victims. The study concludes that despite the ICC's increased execution capacity, the protection of institutional integrity from external intervention remains a top priority for the future of global criminal law.

Keywords: International Criminal Court, Crimes against humanity, restorative justice, rule of law.

INTRODUCTION

International law was basically created to maintain world peace, especially to ensure that the great crimes that shake the sense of humanity are not left unchecked. Serious crimes such as genocide, war crimes, and crimes against humanity must be tried and the perpetrators must be punished. Initially, the world used ad hoc courts after the war, such as the Nuremberg trials and the Yugoslav trials. However, this interim court is often criticized by students and legal experts for being considered slow, and tends to only punish those who lose the war.¹

To address the problem and ensure that no more major criminals are immune from the law, countries around the world agreed to establish the International Criminal Court (ICC) through the Rome Statute in 1998 [3]. The ICC is the first permanent and independent international criminal court. The ICC works on a complementary principle, which means that the ICC will only intervene if the court in the perpetrator's home country is really unwilling or

¹ Ibn Mardiyanto. (2023). Juridical consequences of the application of the jurisdiction of the International Criminal Court to the existence of national courts in prosecuting international crimes. *The State of Law: Building Law for Justice and Welfare*, 14(1), 75–90.



unable to try the crime.²

Entering 2025, the role of the ICC is increasingly important as it has managed to record a lot of progress. Throughout this year, the ICC dared to issue six arrest warrants and impose three criminal sentences for international criminals. One of the most historic moments was the ICC's first verdict for a crime case in Darfur, Sudan. After a lengthy trial of 2.5 years, former militia leader Ali Kushayb was finally sentenced to 20 years in prison in December 2025. He was found guilty of 27 counts of heinous crimes, including murder, torture, and robbery, that occurred between 2003 and 2004. This verdict provides hope and justice for thousands of victims who have been waiting desperately for more than twenty years.³

The success of the ICC in 2025 can also be seen from the arrest of several important figures who have been difficult to touch by the law. For example, Khaled Mohamed Ali El Hishri, a former prison official in Libya, who finally surrendered to Germany in July 2025. In addition, former Philippine President, Rodrigo Duterte, was also arrested and handed over to the ICC in connection with an alleged case of arbitrary murder in a drug eradication operation in his country. Duterte's case is an important lesson for law students because it proves that a country's exit from ICC membership does not automatically remove legal responsibility for crimes that occurred while the country was still a member. The ICC also made a new move by certifying the indictment without the defendant's physical presence in the courtroom (in absentia) for Joseph Kony, a rebel leader from Uganda. This is done so that the legal process does not stop just because the perpetrator escapes.⁴

Another interesting thing about the current development of the ICC is the change in their perspective on justice. The ICC is now not only focusing on punishing the perpetrators (retributive justice), but also restoring the circumstances of the victims (restorative justice). Over the course of 2025, nearly 16,000 victims will be included to speak out in trials. Through an assistance program called *the Trust Fund for Victims* (TFV), more than 4,200 victims received direct assistance, both physically and psychologically. This shows that international tribunals are not only useful for imprisoning dictators, but also actually working to heal the

² Dewa Gede Rama Mahadewa, & Putu Eka Trisna Dewi. (2025). Review of international legal jurisdiction over war crimes in the Russia–Ukraine conflict: An analysis of the role of the International Criminal Court (ICC). *RIO Law Journal*, 6(2), 120–132.

³ Andi Bintang, Satrih Hasyim, & Arfah Tjolleng. (2025). The Role of the International Criminal Court (ICC) in the enforcement of war crimes. *Legal Dialogica*, 1(1), 45–57.

⁴ Rizki Prasetio, Mochamad Farhan Agung, & Hermalia Putri. (2024). Analysis of state jurisdiction in international criminal law against the crime of genocide. *Journal of Law and Social Sciences*, 2(2), 56–63.



wounds of war victims on the ground.⁵

However, behind these successes, the ICC's independence is currently being tested by a very tough global political challenge. The ICC's bold action to investigate high-ranking officials from powerful countries has often met with stiff resistance. Throughout 2025, ICC judges and prosecutors will even receive sanctions such as asset freezes from the United States for trying to investigate certain alleged war crimes. In addition to these political pressures, the ICC also faces the threat of hacking or cyberattacks. This attack is very dangerous because it aims to steal the confidential data of witnesses and whistleblowers, which if leaked could threaten their lives directly.⁶

Seeing the fierce tug-of-war between efforts to uphold justice and the severity of political pressure and cyber threats, this research on the dynamics of ICC's performance in 2025 is very interesting and important. This research will examine the extent to which the ICC is able to survive, maintain its independence, and remain firm in eradicating indiscriminate crime in the midst of various threats.

Formulation of Research Problems

1. How successful will the International Criminal Court (ICC) be in arresting and prosecuting major actors of crimes against humanity throughout 2025?
2. What is the impact of strong state political pressure and (cyber) hacking attacks on the ICC's independence in enforcing international law?

Research Objectives

1. To analyze the ICC's success in executing arrest warrants and prosecuting cases of gross human rights violations in 2025.
2. To examine the real impact of political threats and cyberattacks on the integrity and independence of the ICC courts today.

⁵ Tri Rahmawati, Khadizah Aliyah Shiva, Nashwa Salsabilla, Salsabila Afifany Susanta Putry, Risma Mulia, & Weldy Jevis Saleh. (2025). The Role of the International Criminal Court (ICC) in the enforcement of international criminal law against the crime of genocide. *Innovative: Journal of Social Science Research*, 5(1), 252–265.

⁶ Radhwa Farah Azizah. (2024). The legal impact of the application of the jurisdiction of the International Criminal Court on the existence of national courts in prosecuting international crimes. *Cause: Journal of Law and Citizenship*, 12(2), 88–99.



Research Benefits

1. **Theoretical Benefits:** This research is expected to enrich the insights of students and academics in the field of International Law. This study provides a fresher understanding of how the ICC works to balance punishment for perpetrators with rehabilitation programs for victims.
2. **Practical Benefits:** This research is expected to be an easy-to-understand reading and reference material for students, legal practitioners, and the government in responding to cross-border crime issues. In addition, it provides an overview of how international courts must survive in the face of digital and political threats.

Research Methods

This research uses normative legal research methods or literature research. The approaches used are the legal approach (by looking at the rules of the Rome Statute) and the case approach (such as the case of Ali Kushayb and Joseph Kony). The main data is taken from primary legal materials in the form of official ICC documents, news releases, and court verdicts in 2025. Meanwhile, supporting materials are obtained from international law textbooks, journals, and credible news online (such as Hukumonline articles). All the data collected is then read and analyzed descriptively to explain how the challenges and dynamics of global law enforcement are happening today.

Results and Discussion

1. The Success of the International Criminal Court (ICC) in Arresting and Prosecuting Major Actors in 2025

The achievements of the International Criminal Court by 2025 mark a new era in the enforcement of global justice that is more concrete and not merely symbolic. The effectiveness of this institution can be seen from the courage to issue six arrest warrants and the success of imposing three criminal sentences in one calendar year. The most notable event was the completion of the trial of Ali Kushayb, a former militia leader involved in atrocities in Darfur, Sudan, with a prison sentence of 20 years in December 2025. The successful trial of Ali Kushayb on 27 criminal charges, including murder and torture, proves that the international legal mechanism is able to break through the deadline even though the events of the case have been going on for two decades. This sends a strong message to international criminals that



escape from legal responsibility has no expiration date.⁷

In addition to the Darfur case, the ICC's success was reflected in the arrest of former Philippine President Rodrigo Duterte, who was handed over to the court over alleged murder in his country's drug operation. The case is an invaluable legal reference for academics and practitioners because it reinforces the principle that a country's exit from membership of the Rome Statute does not abolish the jurisdiction of courts over crimes committed during that period of membership. These arrests show that the ICC is beginning to have spurs in the face of leaders of countries that were previously considered untouchable by the law. Another progressive step was demonstrated by the court's decision to certify the indictment in *absentia* against Joseph Kony of Uganda. This policy was taken so that physical obstacles in the form of the defendant's escape would no longer be a reason to stop the process of searching for legal truth in the courtroom.⁸

The transformation of the ICC in 2025 can also be seen from a paradigm shift that not only pursues the punishment of perpetrators, but also prioritizes the recovery of victims. The involvement of nearly 16,000 victims in the trial process shows that the humanitarian aspect is the main spirit in every legal procedure carried out. Through *the Trust Fund for Victims*, more than 4,200 victims received direct medical and psychological support. This approach proves that the ICC has developed into an institution that is able to heal social wounds in conflict-affected communities, in addition to carrying out its main function as an institution that adjudicates serious criminal cases.⁹

2. The Impact of Strong State Political Pressure and Cyberattacks on the Independence of the ICC

Despite its successes, the ICC's independence is currently in a vulnerable position due to political pressure from major countries. This intervention often arises when the courts begin to touch the interests or citizens of countries that have strong economic and military influence at the global level. For example, throughout 2025, ICC judges and prosecutors will have to face sanctions in the form of freezing assets from the United States as a form of resistance to efforts

⁷ Santoso, B. (2024). The jurisdiction of the International Criminal Court in prosecuting crimes against humanity in the era of modern conflict. *Journal of Law IUS QUIA IUSTUM*, 31(1), 115–132.

⁸ Irawan, C. (2023). The principle of complementarity in the Rome Statute and its relationship with the national justice system. *Constitutional Journal*, 20(3), 451–468.

⁹ Hiarij, E. O. S. (2016). *Principles of International Criminal Law*. Yogyakarta: Cahaya Atma Pustaka, p. 112.



to investigate certain alleged war crimes. This kind of pressure creates a psychological and operational burden for court personnel, which can ultimately threaten the integrity of the legal decision-making process if not addressed with a high degree of principle.¹⁰

In addition to political obstacles, cyber threats emerge as new challenges that are very dangerous to the sustainability of international law enforcement. The hacking attack aimed at the ICC database aimed at stealing confidential information about witnesses and whistleblowers. Given that witnesses are the main key in proving crimes against humanity, data leaks can be fatal to the safety of their lives on the ground. This poses a big dilemma for the court in maintaining a balance between the transparency of the trial and the obligation to protect legal sources. This digital pressure forces the ICC to allocate significant resources to the technology security sector, which, if not properly managed, can shift the court's main focus from litigation to technical issues of cyber defense.¹¹

This dynamic illustrates that the struggle to enforce global criminal law always intersects with the interests of power. Powerful countries tend to use their influence to limit the ICC's room for maneuver if the court's legal measures are deemed detrimental to their political positions. This condition requires the collective support of other member states to protect the independence of the court. Without strong security guarantees for international law enforcement and data protection, the ICC's effectiveness in eradicating indiscriminate crimes will continue to be undermined by non-legal interests that are destructive to global justice.¹²

Closing

1. Conclusion

The International Criminal Court's journey through 2025 shows a profound contradiction between the glorious legal achievements and the real institutional vulnerability in the face of global powers. On the one hand, the ICC has proven its capacity as a permanent judicial institution that is able to provide legal certainty for victims of crimes against humanity through historic verdicts and arrests of prominent figures who have been considered immune from the law. The success in the Ali Kushayb case as well as the bold step in arresting Rodrigo Duterte provides a strong signal that the international legal order is beginning to move in a

¹⁰ Utami, K. W. (2023). The effectiveness of the International Criminal Court in prosecuting war criminals. *Indonesian Journal of Legislation*, 20(1), 91–107.

¹¹ Sefriani, S. (2018). *International law: An introduction*. Jakarta: Rajawali Press, p. 143.

¹² Budijanto, O. W. (2024). The politics of international law in the enforcement of crimes against humanity by the ICC. *Journal of Jurisprudence*, 11(1), 57–74.



more just and impartial direction. But on the other hand, the independence of the judiciary is under serious threat due to political pressure from major countries that use economic instruments such as asset freezes to impede the legal process. In addition, cyber threats to confidential witness data add to the complexity of the challenges that the ICC must face in maintaining the integrity of the trial. The shift to a restorative justice focus is a significant moral advance, but this success remains dependent on the court's ability to survive outside intervention. Overall, 2025 will witness that although the ICC has adequate legal instruments, its existence still requires a broader international political commitment so that the law is not defeated by the interests of unilateral power. The court's firmness in applying the indictment *in absentia* also signifies the adaptation of clever procedures in responding to physical obstacles that have often been a barrier to justice for decades.

Suggestions

In order to strengthen the role of the International Criminal Court in the future, it is imperative that countries that support the Rome Statute establish a mechanism to collectively protect judges and prosecutors from all forms of intimidating political sanctions. This support should not only be in the form of diplomatic statements, but must be manifested in real cooperation to ensure the security of assets and the mobility of international law enforcers throughout the sovereign territories of member states. In addition, increased investment in the court's cybersecurity system is an urgent need to protect the confidentiality of witness identities which is the backbone of the success of every case. Governments around the world also need to strengthen cooperation in the process of executing arrest warrants without being affected by regime change or momentary political interests, to ensure that any individual suspected of committing crimes against humanity can be tried transparently. Socialization of the role of restorative justice through victim assistance programs also needs to be expanded so that the global community understands that the ultimate goal of international justice is not only to punish perpetrators, but also to restore human dignity that has been deprived of by armed conflict. Strengthening international legal education at the university level is also the key so that future generations have critical awareness in guarding the independence of this institution from all forms of digital and political threats in the future.

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