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# JUSTICE BEYOND THE BENCH: A LEGAL AND PSYCHOLOGICAL ANALYSIS OF THE INTERNATIONAL CRIMINAL COURT'S ROLE IN ENFORCING HUMAN RIGHTS IN INDIA AND LIBERIA

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## ABSTRACT

The International Criminal Court (ICC) serves as a global arbiter for the most heinous crimes, yet its efficacy in enforcing human rights is often dictated by a state's level of engagement. This paper presents a dual-lens analysis; legal and psychological, of the ICC's role in India and Liberia. Legally, the study examines the "Principle of Complementarity" and jurisdictional boundaries, noting that while Liberia's status as a State Party facilitates direct intervention, India's non-signatory stance highlights the tension between national sovereignty and international accountability.

Beyond formal statutes, the research explores the psychological impact of international justice on victim-survivors and societal healing. By investigating mechanisms such as the Trust Fund for Victims, the paper evaluates how the ICC addresses transgenerational trauma and provides symbolic reparations that domestic systems often overlook. In Liberia, the Court's influence is measured by its ability to break the "psychology of impunity" and foster communal reconciliation. Conversely, in India, the absence of ICC jurisdiction shifts the focus to how international norms psychologically influence domestic judicial "willingness" to prosecute grave violations. Through a comparative methodology, the study evaluates the ICC's impact on domestic legal frameworks and the collective mental health of affected populations. Findings indicate that while ICC membership provides a robust legal architecture for accountability, its true success depends on its psychological resonance; specifically, the restoration of victim dignity and the perceived legitimacy of justice. The paper concludes that the ICC's role in enforcing human rights is not merely a matter of legal

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enforcement but a transformative psychological process. In both India and Liberia, the practical impact of the Court remains contingent upon a state's political commitment to aligning domestic laws with the evolving standards of international criminal justice and rehabilitative care.

**Keywords:** International Criminal Court (ICC), Human Rights Enforcement, Psychology of Impunity, Transgenerational Trauma, Principle of Complementarity, Victim Reparations, Sovereignty vs. Accountability and Comparative Jurisprudence.

## INTRODUCTION

The quest for global justice is often caught between the rigid structures of international law and the fluid, deeply personal reality of human suffering. At the center of this tension is the International Criminal Court (ICC), an institution designed not only to punish the world's gravest offenses but to transform the global culture of violence. This paper explores the dual-function of the Court as both a legal arbiter and a psychological catalyst, specifically within the contrasting domestic landscapes of India and Liberia.

From a comparative jurisprudential standpoint, the ICC operates on the Principle of Complementarity, serving as a "court of last resort" when national systems fail. In Liberia, a State Party to the Rome Statute, the Court represents a tangible mechanism for human rights enforcement following decades of civil unrest. Conversely, in India, the refusal to ratify the treaty highlights a persistent friction between sovereignty vs. accountability. While India maintains that its domestic judiciary is sufficient, the absence of ICC oversight raises questions about the "willingness" of state institutions to address internal atrocities.

However, the impact of the ICC extends beyond courtroom verdicts. A critical component of its mission is dismantling the psychology of impunity, the collective belief that power shields perpetrators from consequences. When the law fails to intervene, societies often suffer from transgenerational trauma, where the psychological scars of injustice are passed down to future descendants. Through victim reparations, the ICC attempts to address these invisible wounds, offering symbolic and material redress that domestic courts often overlook.

By analyzing these two nations, this research argues that the ICC's success is not merely measured by legal convictions. Instead, it is found in the Court's ability to foster a global shift in perception, moving from a world where mass violence is tolerated to one where the

restoration of victim dignity is a prerequisite for lasting peace.

## **RESEARCH QUESTIONS**

Building upon this legal and psychological framework, the research seeks to answer the following questions:

1. How do the legal frameworks of the ICC interact with domestic sovereignty to shape the accountability landscape in India and Liberia?
2. Beyond formal prosecution, what role do symbolic reparations and international norms play in the psychological restoration of societies affected by grave human rights violations?
3. How can the ICC's influence be measured as a transformative psychological process rather than just a mechanism of legal enforcement?
4. To what degree does a state's political commitment to rehabilitative care dictate the practical efficacy of international criminal justice?

## **RESEARCH METHODOLOGY**

This study uses a qualitative and comparative research methodology. Instead of focusing solely on numbers, this approach allows us to compare the real-world experiences of India and Liberia. By looking at these two different countries, we can see how international laws are applied or ignored, depending on a nation's specific legal and political situation. To build a complete picture, the research is based on secondary sources. These are existing records and expert writings rather than new interviews or surveys. These sources include: Peer-reviewed books and articles written by legal scholars, the official "rulebooks" of international justice, such as the Rome Statute, data from the United Nations (UN) and other global organizations, blogs and official publications that provide up-to-date perspectives on human rights. A key part of this study is doctrinal analysis. In simple terms, this means we "divided" the legal rules of the International Criminal Court (ICC) to understand exactly how much power it has. We specifically looked at the following parts of the Rome Statute: Jurisdiction, admissibility, Complementarity (how the ICC decides to act only when a country's own courts are "unwilling or unable" to prosecute crimes) and prosecution.

## LITERATURE REVIEW

The International Criminal Court (ICC) is a permanent international tribunal that prosecutes individuals for the most serious crimes affecting the international community. It is based in The Hague, in the Netherlands, and began functioning in 2002. It was created by the Rome Statute of the International Criminal Court, which serves as the court's founding treaty.

The International Criminal Court was established to prosecute individuals responsible for the most serious international crimes and ensure justice when national courts fail or are unwilling to act. Its purpose is to end impunity for crimes such as genocide, crimes against humanity, war crimes, and the crime of aggression. Created by the Rome Statute of the International Criminal Court, the ICC promotes international justice, accountability, and the rule of law. It also aims to deter future atrocities, protect victims' rights, and contribute to global peace and security by holding perpetrators personally responsible for grave violations of international law. The ICC's main goal is to end impunity for serious international crimes and ensure accountability when national courts are unwilling or unable to prosecute. The court prosecutes individuals responsible for: Genocide, Crimes against humanity, War crimes, and Crime of aggression. These crimes usually involve mass atrocities, such as systematic killings, torture, rape during conflicts, or illegal military invasions.

National sovereignty and sovereignty vs. accountability are the primary drivers of India's non-signatory status. India argues that the Rome Statute grants the UN Security Council excessive power to refer cases, potentially binding non-States Parties in violation of the *Vienna Convention on the Law of Treaties*<sup>3</sup>. Indian delegates have expressed anxieties that the ICC might intervene in internal "non-international" armed conflicts, such as those in Kashmir or the North-East, challenging the primacy of the Indian judicial system.

A critical factor in India's decision to abstain from the Rome Statute was the rejection of its proposal to include international terrorism as a core crime within the International Criminal Court's Jurisdiction. India, having been a long-standing victim of cross-border and state-sponsored terrorism, viewed its exclusion as a significant flaw that ignored a primary threat to global peace and human rights. The country argued that if the ICC was intended to address "crimes of concern to the international community as a whole," it could not logically omit

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<sup>3</sup> Vienna Convention on the Law of Treaties, May 23, 1969, 1155 U.N.T.S. 331

terrorism. The Indian delegation submitted two proposals: one to classify terrorism as a crime against humanity and another to list it as a distinct core crime. The rejection of these proposals was perceived as a failure of the Statute to adopt a truly universal and objective legal framework.

India's insistence on including terrorism was rooted in the need to dismantle the "psychology of impunity" enjoyed by non-state actors and their sponsors. By denying terrorism a place in the Statute, the ICC, in India's view, failed to provide a restorative "moral anchor" for millions of victims of terror who remain outside the reach of international justice. India remains wary that without a clear, universally agreed-upon definition of terrorism, the ICC's jurisdiction could be misused for political reasons. The Indian establishment fears that an "overzealous" prosecutor might target national security forces involved in counter-terrorism operations while failing to address the underlying acts of terror themselves. Despite these objections, the Rome Statute has influenced Indian domestic discourse. For instance, the *proposed 2014 bill on communal violence*<sup>4</sup> drew heavily from ICC definitions of widespread or systematic attacks, showing that while India remains a non-signatory, it continues to monitor the Court's legal evolutions.

## **POST-CONFLICT PSYCHOLOGICAL LANDSCAPE IN LIBERIA**

Liberia's post-conflict landscape is defined by transgenerational trauma and the enduring psychological scars of two decades of civil war. This collective trauma acts as a "hidden thread" that pulls at the fabric of national development, impairing cognitive functioning, eroding social trust, and weakening community cohesion. When the mental health of a population is compromised by historical violence, the ability to build stable economic and political institutions is significantly diminished.

A central obstacle to recovery is impunity fatigue. This occurs when survivors see known perpetrators maintaining positions of political or economic power, creating a psychological environment where justice feels unattainable. This sense of unfairness leads to "institutional betrayal," where citizens lose faith in the state's ability to protect them. The resulting psychology of impunity prevents genuine societal healing, as reconciliation cannot occur in a vacuum of accountability. The International Criminal Court (ICC) and its Trust Fund

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<sup>4</sup> The Prevention of Communal and Targeted Violence (Access to Justice and reparations) Bill, 2014, (India)

for Victims play a vital role in addressing these invisible wounds. By providing a platform for truth-telling and offering symbolic reparations, such as public acknowledgments and rehabilitative care, the ICC helps restore the dignity of survivors. Legal intervention serves as a psychological "moral anchor," signaling that the era of lawlessness has ended. For Liberia, the path to peace requires a dual approach: a robust legal framework to prosecute grave crimes and a psychological strategy to repair the shattered psyche of its people, ensuring that the trauma of the past does not dictate the potential of the future.

### **THE ICC'S REPARATIVE MECHANISMS TO BRIDGE THESE LEGAL AND PSYCHOLOGICAL GAPS IN POST-WAR LIBERIAN LANDSCAPE**

The Trust Fund for Victims (TFV) is recognized for delivering community-based reparations that address mental health impacts, stigma, and gender inequality in post-conflict settings. The ICC faces "procedural and substantive deficiencies" leading to delays, its role in providing a platform for victim-survivors is critical for psychological redress.

Beyond formal prosecution, symbolic reparations and international norms are crucial for the psychological restoration of societies by validating victims' experiences, restoring their dignity, and fostering civic trust, often acting as a necessary component of the healing process<sup>5</sup>. While prosecutions offer retribution, symbolic measures, including public apologies, memorials, truth-seeking, and commemoration address the social and moral injuries that monetary compensation cannot repair.

A critical step in victim recovery is the formal recognition of their victimization. Symbolic reparations, such as public apologies by states or the naming of perpetrators, validate the suffering of victims, transforming them from forgotten individuals into recognized citizens and rights holders. Memorials, museums, and re-naming public spaces serve to permanently anchor the memory of past injustices, ensuring that atrocities are not forgotten and preventing revisionist narratives. For example, "stumbling stones" in Germany (Stolpersteine) have been linked to decreasing local support for far-right, revisionist parties.

By making the memory of victims a public matter, symbolic reparations relieve families from

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<sup>5</sup> Michelle Maiese: Compensation and Reparations, Beyond Intractability, Sept. 2003  
<https://www.beyondintractability.org/essay/compensation#:~:text=Restitution%20paid%20to%20the%20victim,of%20such%20acts.%5B15%5D>

the private burden of keeping the memory alive, allowing for collective grieving. When states acknowledge wrongdoing, it helps rebuild trust between citizens and state institutions, which is often shattered by gross human rights violations. International instruments, such as the UN Basic Principles on the Right to a Remedy and Reparation, reinforce that victims have a right to justice, truth, and reparation, regardless of local political conditions. International law increasingly demands that states do not merely compensate but also reform institutions (judiciary, police, military) to prevent future violence. Cases heard by international bodies, such as the Inter-American Human Rights System, provide victims with a platform to be heard, offering a sense of justice even if personal accountability of perpetrators is delayed or impossible.

### **NUREMBERG TRIALS (1945–46)**

The *Nuremberg Trials*<sup>6</sup> were a series of international military tribunals held in Nuremberg after World War II. Leading Nazi Party officials were prosecuted for war crimes, crimes against humanity, and crimes against peace, establishing important principles of international law and accountability. The International Military Tribunal for the Far East was held in Tokyo after World War II to prosecute Japanese leaders for war crimes. Established by Allied powers, it tried military and political officials for crimes against peace, war crimes, and crimes against humanity, helping shape modern international criminal law and justice. These tribunals tried leaders responsible for atrocities during World War II. However, they were temporary courts. The ICC was created as a permanent institution to prosecute similar crimes in the future.

### **HUMAN RIGHTS ENFORCEMENT**

Human rights enforcement refers to the mechanisms and actions used to ensure that the fundamental rights and freedoms of individuals are protected and respected by governments, institutions, and society. These rights include civil, political, economic, social, and cultural rights, such as the right to life, freedom of expression, equality before the law, and protection from discrimination.

Enforcement of human rights occurs at both national and international levels. At the national

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<sup>6</sup> Judgement of 1 Oct. 1946, in 1 Trial of German Major War Criminals: Proceedings of the International Military Tribunal sitting at Nuremberg, Germany 171 (1947)

level, governments are responsible for protecting human rights through constitutions, laws, and policies. Courts play a key role by interpreting laws and providing remedies when rights are violated. Independent institutions such as human rights commissions, ombudsmen, and civil society organizations also monitor violations and advocate for justice. At the international level, various treaties, conventions, and organizations help promote and enforce human rights standards. Countries that sign international agreements commit themselves to respect and implement these rights. International bodies review compliance, investigate violations, and sometimes impose diplomatic pressure or sanctions on states that fail to uphold their obligations. Civil society, including non-governmental organizations, activists, and the media, also contributes significantly to human rights enforcement. They raise awareness, document abuses, and support victims seeking justice.

Despite these mechanisms, enforcement often faces challenges, including political resistance, weak legal systems, resource constraints, and limited international authority. However, continuous advocacy, stronger institutions, and global cooperation can improve accountability and protection of human rights worldwide. Overall, human rights enforcement is essential to ensuring dignity, justice, equality, and freedom for all individuals.

## **THE SIGNIFICANCE OF HUMAN RIGHTS ENFORCEMENT**

Human rights enforcement is essential to ensure that the fundamental rights and freedoms of individuals are protected in practice. While many rights are guaranteed in constitutions and international agreements, their true value depends on effective implementation. Enforcement mechanisms such as courts, human rights commissions, and international bodies help prevent discrimination, abuse of power, and injustice. They also hold governments and institutions accountable for violations. According to the *Universal Declaration of Human Rights (1948)*<sup>7</sup> and the *International Covenant on Civil and Political Rights (1966)*<sup>8</sup>, states have a responsibility to protect and uphold these rights. Strong enforcement, therefore, promotes justice, equality, democratic governance, and lasting social stability.

Human rights enforcement ensures that governments, institutions, and individuals respect and protect the rights of others. Legal systems, independent courts, and human rights commissions play a vital role in addressing violations and providing justice to victims. In many countries,

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<sup>7</sup> Universal Declaration of Human Rights, G.A. Res. 217A (III), U.N. Doc. A/810, at 71 (Dec. 10, 1948)

<sup>8</sup> International Covenant on Civil and Political Rights, Dec. 19, 1966, 999 U.N.T.S. 171, (ICCPR)

constitutional provisions allow citizens to approach courts if their fundamental rights are violated. Such mechanisms strengthen the rule of law and prevent the misuse of power by authorities. International organizations and treaties also contribute to the enforcement of human rights. The United Nations and various international conventions establish standards that guide countries in protecting human rights. Monitoring bodies, reporting procedures, and international courts help hold states accountable when violations occur. These systems encourage governments to adopt fair policies and improve their human rights practices.

Effective enforcement of human rights also promotes social justice, equality, and peace in society. When people feel that their rights are protected, trust in institutions increases, and conflicts are reduced

## THE ROME STATUTE

The *Rome Statute*<sup>9</sup> was adopted on 17 July 1998 in Rome, Italy, during a United Nations diplomatic conference and came into force on 1 July 2002. The statute provides the legal foundation, jurisdiction, and functioning of the ICC, which prosecutes individuals responsible for the most serious international crimes. The main purpose of the Rome Statute is to ensure that perpetrators of grave international crimes do not escape punishment. It aims to promote international justice and deter future crimes by holding individuals personally accountable. The statute gives the ICC jurisdiction over four major international crimes: Genocide (acts committed with the intent to destroy, wholly or partly, a national, ethnic, racial, or religious group), the term was defined in the *Convention on the Prevention and Punishment of the Crime of Genocide*<sup>10</sup>, adopted by the United Nations in 1948, making genocide an international crime punishable under international law. Acts intended to destroy, wholly or partly, a national, ethnic, racial, or religious group.

Crimes against Humanity involve heinous acts, such as murder, torture, enslavement, and persecution, committed as part of a widespread or systematic attack against a civilian population. Unlike isolated crimes, these are state-sponsored or organized atrocities that shatter societal trust and inflict transgenerational trauma. They are prosecuted by the International Criminal Court (ICC) to ensure that no individual is above the law. War Crimes are serious violations of the laws and customs of war during armed conflicts. Governed by the Geneva

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<sup>9</sup> Rome Statute of the International Criminal Court, July 17, 1998, 2187 U.N.T.S. 3

<sup>10</sup> Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277

Conventions, these include the intentional killing of civilians, torture of prisoners, and the destruction of property without military necessity. Legally, these are prohibited under International Humanitarian Law. Psychologically, the prosecution of war crimes is essential to dismantle the psychology of impunity that often thrives in the chaos of battle. The Crime of Aggression involves the planning, initiation, or execution of an act of force by one state against the sovereignty of another. It is a fundamental violation of international law that destabilizes global peace. By holding leaders personally accountable, the ICC aims to deter future aggression and protect the fundamental human rights of global citizens.

### **KEY PRINCIPLES OF THE ROME STATUTE**

The Rome Statute of the International Criminal Court establishes several key principles that guide the Court's operations. One important principle is complementarity, which means the ICC acts only when national courts are unwilling or unable to prosecute serious international crimes. Another principle is individual criminal responsibility, where individuals, not states, are held accountable for crimes such as genocide and war crimes. The statute also guarantees fair trial rights, ensuring due process for the accused. Additionally, the principle of non-applicability of official position states that even heads of state can be prosecuted. These principles promote accountability, justice, and respect for international law. Complementarity: The ICC acts only when national courts are unwilling or unable to prosecute crimes. Individual criminal responsibility<sup>11</sup>: The court prosecutes individuals, not states or organizations. Fair trial rights: The statute guarantees due process and protection for the accused and victims.

The Rome Statute of the International Criminal Court is significant because it established the permanent International Criminal Court to prosecute serious international crimes such as genocide, war crimes, crimes against humanity, and aggression. It promotes accountability, strengthens international justice, deters grave crimes, and protects human rights by ensuring that perpetrators cannot easily escape punishment under international law

### **INTERNATIONAL CRIMINAL LAW**

International criminal law ICL is a body of public international law designed to prohibit and

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<sup>11</sup> Bukhan Purvan Zayabat, Mar. 9, 2026: Nuremberg Tribunal Model for the 21<sup>st</sup> Century and Beyond: Applying the Nuremberg Model to crimes Against humanity in Post-Authoritarian States <https://medium.com/@khutugholding/nuremberg-tribunal-model-for-the-21st-century-and-beyond-applying-the-nuremberg-model-to-crimes-49f5205694b3>

punish the most serious atrocities- genocide, war crimes, crimes against humanity, and aggression- by holding individual perpetrators personally accountable. It operates through international courts such as the International Criminal Court ICC and domestic jurisdictions, primarily relying on treaties like the Rome Statute.

International Criminal Law is a branch of international law that deals with crimes of serious concern to the international community. It establishes rules and institutions to prosecute individuals responsible for grave offenses such as genocide, war crimes, crimes against humanity, and aggression. Unlike traditional international law, which regulates relations between states, international criminal law focuses on individual criminal responsibility. International criminal law developed significantly after the *Nuremberg Trials* and the Tokyo War Crimes Tribunal, which prosecuted leaders responsible for atrocities during World War II. These trials established the principle that individuals, including political and military leaders, can be held accountable for international crimes. The main sources of international criminal law include treaties, customary international law, judicial decisions, and general principles of law. Important treaties include the *Geneva Conventions*, the *Convention on the Prevention and Punishment of the Crime of Genocide*, and the *Rome Statute of the International Criminal Court*.

## **THE INTERNATIONAL CRIMINAL COURT ICC AND HUMAN RIGHTS ENFORCEMENT IN LIBERIA**

The International Criminal Court (ICC) plays an important role in enforcing international justice by prosecuting individuals responsible for serious human rights violations such as genocide, war crimes, and crimes against humanity. Although Liberia is not a state party to the Rome Statute, the principles of international criminal justice have influenced accountability efforts related to the country's civil conflicts.

Liberia experienced two devastating civil wars between 1989 and 2003, during which widespread human rights violations occurred, including mass killings, child soldier recruitment, torture, and sexual violence. One of the most notable figures associated with these crimes was Charles Taylor, who was later prosecuted not by the ICC but by the Special Court for Sierra Leone. In 2012, *Charles Taylor*<sup>12</sup> was convicted for aiding and abetting war crimes

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<sup>12</sup> Prosecutor v. Taylor, Case No. SCSL-03-01-A, Judgement (Sept. 26, 2013)

and crimes against humanity during the Sierra Leone civil war. This conviction was a landmark moment for international justice and demonstrated that even former heads of state can be held accountable. The ICC contributes to human rights enforcement by setting international standards of accountability and deterring future crimes. Its principle of complementarity encourages national courts to prosecute offenders domestically. In Liberia, discussions about establishing a war crimes court have been influenced by international criminal law and ICC principles.

In conclusion, while the ICC has not directly prosecuted crimes committed within Liberia, its legal framework and global influence have strengthened efforts toward justice, accountability, and the protection of human rights in the region. Liberia ratified the Rome Statute in 2004, thereby recognizing the jurisdiction of the ICC<sup>13</sup>. The country's history of violent conflict makes international accountability particularly relevant. During the Liberian civil wars, numerous atrocities were committed by armed groups and government forces. These included mass killings, recruitment of child soldiers, sexual violence, and destruction of civilian communities. Although Liberia has not yet had a case directly prosecuted by the ICC, the country's membership has influenced its legal and institutional framework. The presence of international accountability mechanisms has encouraged reforms aimed at addressing past abuses and strengthening human rights protections.

The Truth and Reconciliation Commission (TRC), established in Liberia after the civil war, documented thousands of human rights violations and recommended legal action against perpetrators. While implementation of these recommendations has been slow, international legal standards, including those promoted by the ICC, have shaped discussions on justice and accountability. Liberia's ICC membership also demonstrates its formal commitment to international human rights norms. However, challenges remain, including political resistance, limited judicial capacity, and societal divisions resulting from the civil conflict.

## **THE ICC AND HUMAN RIGHTS ENFORCEMENT IN INDIA**

The International Criminal Court (ICC) plays a limited but important role in discussions of human rights enforcement in India. The ICC was established under the Rome Statute of the

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<sup>13</sup> ICC: Liberia Ratifies the Rome Statute of The International Criminal Court: International criminal court, Sept. 22, 2004, Last Visited April. 1, 2026  
<https://www.icc-cpi.int/news/icc-liberia-ratifies-rome-statute-international-criminal-court>

International Criminal Court to prosecute individuals responsible for genocide, war crimes, and crimes against humanity. However, India is not a member of the ICC and has not ratified the Rome Statute.

Despite this, the ICC still influences human rights discourse in India by promoting international standards of justice and accountability. India mainly enforces human rights through its domestic institutions, such as the National Human Rights Commission of India and the judicial system. Overall, while the ICC does not directly exercise jurisdiction in India, it contributes indirectly by shaping global norms on human rights protection. India signed but never ratified the Rome Statute and therefore remains outside the jurisdiction of the ICC. The Indian government has expressed several concerns about joining the Court. One major concern is the potential impact on national sovereignty. Indian policymakers argue that international courts should not override domestic judicial authority.

## **CONCLUSION**

The effectiveness of the International Criminal Court (ICC) is frequently measured by its caseload or the successful execution of arrest warrants. However, as this study has demonstrated through a comparative analysis of India and Liberia, the Court's true impact transcends mere courtroom victories. The ICC functions as both a legal sentinel and a psychological catalyst, whose influence is filtered through the specific political and sovereign realities of the states it engages.

In Liberia, the legal framework provided by the Rome Statute has offered a pathway to address the "psychology of impunity" that followed years of civil strife. By utilizing the Principle of Complementarity, the ICC does not merely replace domestic courts but sets a standard for accountability that local systems are incentivized to meet. Psychologically, the existence of mechanisms like the Trust Fund for Victims serves a critical role in addressing transgenerational trauma. In the Liberian context, justice is not achieved solely through the incarceration of perpetrators but through the restoration of victim dignity and the provision of symbolic reparations. These reparations bridge the gap between abstract legal statutes and the lived reality of survivors, facilitating a communal shift toward reconciliation.

Conversely, the situation in India presents a different dimension of international justice. As a non-signatory, India's engagement with the ICC is defined by a fierce protection of national

sovereignty. Yet, the research suggests that the ICC's influence persists through "normative diffusion." Even without direct jurisdiction, the psychological resonance of international human rights standards exerts pressure on the Indian domestic judiciary. The study reveals that while the legal architecture for ICC intervention is absent, the psychological expectation for accountability remains. This creates a tension where domestic systems must increasingly align with global standards to maintain perceived legitimacy.

Ultimately, the study concludes that the ICC's role is a transformative psychological process. Its success is contingent upon "psychological resonance", the degree to which affected populations perceive the justice delivered as legitimate and restorative. Whether through direct intervention in Liberia or normative influence in India, the ICC's most significant contribution is its ability to shift the global consciousness from a culture of silence to one of rehabilitative accountability.

### **RECOMMENDATIONS TO STRENGTHEN THE ICC'S GLOBAL EFFECTIVENESS**

To enhance the practical and psychological impact of the ICC in diverse geopolitical contexts, the ICC should move beyond a purely punitive model by integrating psychological benchmarks into its performance evaluations. This includes measuring "victim satisfaction" and "communal healing" alongside conviction rates. By prioritizing the Trust Fund for Victims even in preliminary examination stages, the Court can provide immediate symbolic reparations that foster trust in international law. For states like Liberia, the ICC should focus on "Positive Complementarity", actively assisting domestic legal systems in upgrading their forensic and judicial capabilities. This reduces the need for direct intervention and empowers local institutions to handle grave violations, which psychologically reinforces a sense of national ownership over the justice process.

In the case of India and other non-signatories, the ICC and the Assembly of State Parties should foster a "normative dialogue" rather than a purely adversarial jurisdictional stance. By emphasizing the rehabilitative aspects of the Rome Statute, such as victim support and witness protection, the ICC can encourage non-signatory states to adopt these specific standards into their domestic frameworks without a perceived loss of sovereignty. Future ICC interventions must include long-term psychological monitoring. Reparations should not be one-time financial payments but sustained rehabilitative care programs. Addressing the transgenerational nature of trauma ensures that the "break in the cycle of violence" is

permanent, preventing the resurgence of conflict in post-conflict societies like Liberia.

Finally, the international community must incentivize political commitment. States should be encouraged to domesticate the Rome Statute's definitions of crimes. This alignment ensures that even if the ICC does not intervene directly, the "legal shadow" it casts is sufficient to compel domestic courts to act with transparency and strength.

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