Conference Identifies the Origins of International Criminal Law in Universal and Indian Values

A conference on the Historical Origins of International Criminal Law, attended by leading practitioners, judges and scholars of international criminal justice, was held in Delhi’s Imperial Hotel on 29 and 30 November 2014. The conference was organized by the Centre for International Law Research and Policy, in collaboration with numerous Indian and foreign institutions, including NALSAR University of Law, O.P. Jindal Global University, Asian-African Legal Consultative Organization and the Indian Society of International Law.

Professor Claus Kreß – a prominent scholar and a key negotiator of the International Criminal Court - was honoured at the conference with the 2014 M.C. Bassiouni Justice Award. Professor Kreß emphasized in his keynote address that accountability for the most grave international crimes such as genocide and crimes against humanity is an aspiration of all civilizations. Far from being a western construct, the origins of international criminal law reflect its cosmopolitanism and cultural pluralism. India too has contributed to the foundations of international criminal justice. Due not least to the powerful dissenting opinion by the Indian Judge Radha Binod Pal before the Tokyo Tribunal, the legacy of International Military Tribunal for the Far East is more ambiguous than that of its European counterpart. In particular, Judge Pal questioned whether the Allies, in
creating the Tribunal, had been guided by universal values or rather by their narrow interest in maintaining the colonial status quo. As international criminal justice comes of age, it must continue to reflect a robust consensus of the international community as a whole and to address the very real constraints on its ability to provide even-handed justice for all victims of international crimes. In order to end impunity, it is also vital to empower States to undertake domestic measures to address the consequences of atrocity crimes.

Other participants in the seminar included Mr. Narinder Singh, Secretary General of the Indian Society of International Law; Judge Li Daqun of the International Criminal Tribunal for Yugoslavia; Serge Brammertz, Chief Prosecutor, ICTY; Professor Morten Bergsmo, Director of the Centre for International Law Research and Policy; Professor Claus Kreß, University of Cologne; Ambassador João Gomes Cravinho, Delegation of the European Union to India; Deputy Ambassador Sigvald T. Hauge, Royal Norwegian Embassy in Delhi and Professor Susan Lamb, Jindal Global Law School.