

CHAPTER V

CONCLUSION

Command responsibility is an international criminal law legacy from the Nuremberg and Tokyo Trial that must be kept in a consistent manner and certain legal reasoning. This mode of liability, particularly the assessment of a command responsibility can render a good precedent or to a distortion and ambiguity. The duty of a commander to take a necessary and reasonable punitive method must be done in a meaningful manner. This means that a commander must ensure that the method of punishment is not only an available method, but that it is a functional method for the prosecution of his subordinates who have committed crimes. The acquittal of Mr. Bemba could create an incomplete and such a low standard for command responsibility in the future. The acquittal of Mr. Bemba also leaves a big question mark as to whether or not the ICC will also bring justice to the victims of the armed conflict. On the basis of the Appeals Chamber decision in this Case, the ICC still needs to work on their legal appraisal, specifically concerning the command responsibility.

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