


# Prosecutorial Policy Indicators of the Prosecutor of the International Criminal Court

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## 1. Round 1

### 1.1. Reviewer 1

Reviewer:

The sentence “The Prosecutor is not only responsible for selecting cases and directing investigations...” could be better supported by citing primary ICC documents (e.g., Rome Statute provisions). This will reinforce legal accuracy.

The manuscript states “The prosecutorial policy not only determines the path for case selection and prioritization...”. Please add a comparative note showing how prosecutorial policies differ from administrative strategies in other international tribunals.

The description of the principle of selectivity is strong but somewhat repetitive of case prioritization discussed elsewhere. To improve coherence, merge or cross-reference with judicial indicators in section 5.2.2.

The sentence “The combination of these theories and approaches shows that the Prosecutor’s policy is not merely a legal process...” is a good synthesis, but you should briefly map which theory corresponds to which type of indicator (legal, political, ethical) to enhance analytical clarity.

The statement “The Prosecutor is required to examine whether the case... falls within the subject-matter, temporal, and territorial jurisdiction” is accurate but descriptive. Strengthen by explaining why jurisdictional disputes (e.g., Palestine, Afghanistan) complicate prosecutorial discretion.

You write “The Prosecutor is required to select cases... whose prosecution can yield the strongest deterrent effect”. Consider adding evidence or studies on whether ICC prosecutions have actually had measurable deterrent effects, as this claim is contested in scholarship.

The phrase “The ability of the Prosecutor to safeguard independence ensures that prosecutorial policy remains both lawful and impartial” could be misleading. Independence has often been challenged (e.g., accusations of selective justice in Africa). Please balance this with critical perspectives.

The sentence “The effective deployment of specialized staff, legal experts, and intelligence analysts...” implies resource adequacy. Revise to stress actual constraints (limited staffing, budgetary shortfalls) that the ICC faces.

In “Prosecutorial decisions, including case selection... must be justifiable and transparent to preserve public and international trust”, please propose concrete mechanisms (e.g., OTP annual reports, policy papers) rather than general statements.

The claim “Adopting effective strategies for resource allocation, optimizing human capital, and employing advanced information technologies...” is constructive. However, the text would benefit from practical examples of “advanced technologies” (e.g., digital forensics, AI-assisted evidence analysis).

The sentence “One of the most complex challenges... is the tension between the principles of criminal justice and political considerations” is accurate but abstract. Strengthen by adding one specific case (e.g., Kenya post-election violence) where such tension manifested.

Authors revised the manuscript and uploaded the document.

## 1.2. Reviewer 2

Reviewer:

When you write “Political and international indicators... reveal that prosecutorial policy is executed within a complex context of diplomatic and international considerations”, this is conceptually strong but abstract. Provide at least one concrete example (such as Libya or Sudan/Darfur) here instead of later.

The sentence “Experiences from the situations in Uganda, the Democratic Republic of Congo, and Libya illustrate...” provides useful cases. However, consider briefly noting key outcomes (e.g., indictments issued, cooperation challenges) to preview the empirical analysis.

The section is limited to one sentence: “This study employed a descriptive–analytical method and relied on library sources...”. This is insufficient for methodological transparency. Please expand by specifying search strategy, databases used, years covered, and criteria for inclusion of sources.

The discussion of Articles 15 to 53 of the Rome Statute is accurate, but the claim “This collection of provisions not only reinforces the independence of the Prosecutor...” needs nuance. Independence is conditional and often contested. Please acknowledge scholarly debate here.

The manuscript notes “By focusing on the leaders of armed groups, the Prosecutor allocated...”. Please critically evaluate whether this strategy succeeded, given criticisms that low-level perpetrators and victims’ broader justice needs were neglected.

The phrase “Any weakness in this area can affect the speed, quality, and depth of investigations” is vague. Specify which weaknesses (e.g., lack of field investigators, weak witness protection) to make the conclusion more robust.

Authors revised the manuscript and uploaded the document.

## 2. Revised

Editor’s decision: Accepted.

Editor in Chief’s decision: Accepted.