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A disconnection has historically existed between international and domestic justice. In China, international justice and domestic justice were long treated as two autonomous yet interconnected systems, akin to the concept of Yin and Yang. With the establishment of the International Criminal Court (ICC) in 2002, the two systems began to increasingly work in tandem. The principle of complementarity is one of the cornerstones of the ICC's architecture, according to which states have primary jurisdiction over the ICC. So long as the legal system of a state can efficiently investigate and prosecute the core international crimes prohibited in the Rome Statute, the ICC will not intervene. However, if a state is unwilling or unable to investigate and prosecute these crimes, the ICC will invoke the principle of complementarity to step in. Thus, the principle of complementarity has an impact on the national implementation of international criminal law, as well as on its exercise of jurisdiction in many aspects, including for third party states. As a third party state to the ICC, China has ratified a number of international conventions, including those on genocide and torture; China is therefore obliged to prosecute these international crimes by implementing these international conventions into national law. However, the core crimes have thus far not been incorporated into Chinese criminal law. This research work focuses on the possible impact of the principle of complementarity on the implementation of international criminal law in China as a third party state and the future prospects of the relationship between China and the ICC based on this analysis. By so doing, it aims to contribute to the discourse on complementarity for both scholars and practitioners.

ISBN 978-3-86113-266-0 (Max-Planck-Institut)
ISBN 978-3-428-15195-0 (Duncker & Humblot)



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The Principle of Complementarity
and National Implementation of
International Criminal Law

Schriftenreihe des Max-Planck-Instituts
für ausländisches und internationales
Strafrecht

Interdisziplinäre Forschungen aus Strafrecht
und Kriminologie
Herausgegeben von Hans-Jörg Albrecht
und Ulrich Sieber

Band 125

The Max Planck Institute for Foreign and International Criminal Law in Freiburg is part of the Max Planck Society, an organization dedicated to the advancement of basic research. The Institute is composed of a Department of Criminal Law, led by Prof. Dr. Dr. h.c. mult. Ulrich Sieber, and a Department of Criminology, headed by Prof. Dr. Dr. h.c. mult. Hans-Jörg Albrecht. In addition to the study of basic questions of criminal law, comparative law, and criminology, the Institute's research agenda focuses primarily on three central challenges epitomized by the terms "global society", "information society", and "new risk society". As crime becomes more global, it makes increasing use of international data networks; through the employment of technology and organization, its consequences for society as a whole – even in seemingly isolated cases – can be significant. Thus, the Institute's current research program encompasses the goals and methods of comparative legal research and legal harmonization, model criminal laws, European criminal law, international criminal law, Internet and information law, money laundering, organized crime, terrorism, crime in post-conflict societies, as well as empirical studies on criminal procedure, alternative methods of crime prevention, reactions to dangerous offenders, and victimology.

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