ABSTRACT

The settlement of international disputes by peaceful means has been described as one of the principles basic to the whole structure of the international system. It has been contended that this principle is the natural corollary for the prohibition of the use of force in settlement of international disputes enshrined in Art. 24 of the United Nations Charter, and embodied in Art. 2 (3). The UN's organ assigned this mediation role is the International Court of Justice (ICJ) for matters with respect to state responsibility. The International Criminal Court (ICC), the International Criminal Tribunal for Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), and the Special Court of Sierra Leone are international tribunals with jurisdiction to try matters relating to individual criminal responsibility. At continental as well as at regional levels, some states have set up their own institutions to peacefully manage conflict amongst them and in the broader region. Nevertheless, the question—*in a world where dispute settlement institutions and processes are supernumerary relative to conflicts, can they effectively serve as key to conflict prevention?* remains a major concern. Based on critical research, this report inquires whether conflict prevention is mythical or an attainable objective and whether the international judiciary which is *prima facie* a conflict mediation body can catalyze conflict prevention. In attempting to answer these questions, an understanding of the concepts of free and fair trial is preponderant; coupled with understanding current debates about the undermining of international justice by the states.