

The Accountability Gap Reconsidered: International Criminal Justice, Selective Prosecution, and African Sovereignty

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Abstract

Asymmetric accountability is developed as a framework for understanding the accountability gap in international criminal justice, with emphasis on selective prosecution and African sovereignty. The argument advanced is that the unequal geography of enforcement is produced by asymmetries in referral power, arrest capacity, complementarity practice, and the insulation of major powers and their allies from comparable scrutiny.

Drawing on systematic analysis of all ICC indictments from 2002 to 2024; case studies of Uganda, Kenya, South Sudan, and Libya; discourse analysis of AU Assembly communiqués; and comparison with ICTY/ICTR to isolate Africa-specific dynamics, the study engages debates in international criminal law, global governance, and Third World Approaches to International Law (TWAIL). It examines ICC jurisdiction as a site of contested sovereignty and racialized politics in international law.

Three core claims are advanced. First, the concentration of ICC cases in Africa cannot be explained solely by crime incidence, but reflects the political economy of referrals, weak domestic insulation from external pressure, and uneven great-power exposure to court authority. Second, AU resistance has evolved into a sovereignty-centered critique of selective prosecution, particularly in response to indictments of sitting leaders. Third, complementarity often operates less as a pathway to domestic justice than as a contested arena in which states signal compliance while protecting political elites.

The study concludes that reform debates must move beyond abstract universalism and address how Security Council power and arrest asymmetries shape prosecutorial outcomes. It further argues that domestic accountability support should be assessed by its impact on prosecutorial capacity and independence, and that critiques of selectivity are most effective when paired with concrete regional and domestic accountability proposals rather than blanket immunity claims.

Keywords: ICC, complementarity, TWAIL, African sovereignty, accountability, selective prosecution

1. Introduction

The Accountability Gap Reconsidered: International Criminal Justice, Selective Prosecution, and African Sovereignty begins from a simple but often under-theorized observation: political order in fragile states is rarely secured by institutional form alone. What matters is the distribution of power, resources, and coercive capacity beneath the institutional surface. In the South Sudanese setting, that deeper layer of politics repeatedly reconfigured the meaning of peace agreements, reform promises, and state authority. The central research problem is therefore not merely whether formal institutions existed, but how elite incentives, external linkages, and organizational routines determined whether those institutions settled conflict or reproduced it (Rome Statute, 1998; [\(Huneus, 2011\)](#); [\(Cooke et al., 2019\)](#); [\(Tallgren, 2017\)](#)). The article treats South Sudan not as an exceptional case beyond theory, but as a hard case through which wider debates in political science, peace studies, and political economy can be sharpened.

The existing literature offers powerful but partial explanations. Some scholars emphasize institutional weakness, others prioritize ethnicity, while still others highlight external intervention, civil war legacies, or the resource base of the state. These approaches illuminate important dimensions of the problem but often treat the relationship between formal settlements and informal power reproduction as secondary. This article instead places that relationship at the center of analysis. By bringing together international criminal law (rome statute; complementarity principle); global governance theory; third world approaches to international law (twail anghie; mutua; rajagopal). critically examines icc jurisdiction as a site of contested sovereignty and racial politics in international law., it asks how apparently stabilizing political arrangements become vehicles for renewed contestation once incentives are viewed through the lens of coalition survival and elite distribution ([\(Okafor, 2005\)](#); [\(Özsu, 2011\)](#); [\(Anand et al., 2003\)](#); [\(Mills & Bloomfield, 2017\)](#); [\(Nouwen, 2013\)](#)).

This framing matters because the South Sudanese experience speaks to a broader African and post-colonial debate about whether peacebuilding, decentralization, recognition, mediation, accountability, or foreign engagement can succeed when underlying political settlements remain exclusionary. The article therefore works across scales. It starts from the specific institutional and historical trajectories identified in the topic brief, but it also places them alongside comparative experiences in Uganda, Kenya, Libya, Sudan and South Sudan, ICTY and ICTR. Comparison is not used to flatten difference. Rather, it helps identify which mechanisms are specific to South Sudan and which travel across cases with comparable combinations of fragile institutions, external dependence, and contested authority.

The article makes three interventions. First, it advances a conceptually explicit argument captured in the notion of asymmetric accountability. Second, it translates the topic briefs research questions into a sequenced analytic architecture that connects historical background, causal mechanisms, and methodological strategy. Third, it turns a dissertation-grade research agenda into a coherent journal manuscript suited to African International Criminal Law. In that sense, the paper is both an intellectual intervention and a publication model. It shows

how a high-level PhD topic can be rendered into an article that speaks to theory, comparative analysis, and policy without losing the complexity of South Sudans political reality.

The remainder of the article proceeds as follows. The next section reconstructs the relevant theoretical traditions and specifies the papers conceptual move. The following section sets out the analytical architecture and propositions. A subsequent section situates the problem historically and comparatively. The article then explains the research design, evidence strategy, and operationalization of key variables before turning to the core analysis built around the guiding research questions. The final sections discuss policy implications and conclude by clarifying the wider significance of the findings for African politics and international debate.

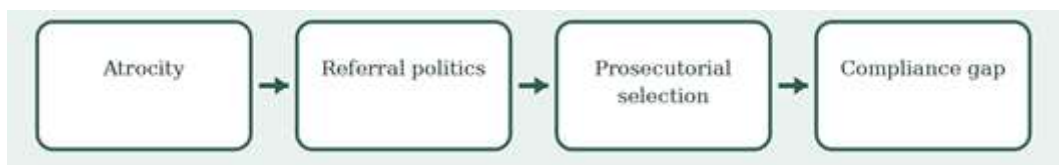


Figure 1. Mechanism map developed for the articles core causal claim.

2. Theoretical Foundations and Conceptual Intervention

The theoretical point of departure is the topic briefs insistence that intellectual lineage matters. The article therefore does not borrow isolated concepts opportunistically. It reconstructs the debates from which the paper emerges and then demonstrates why an intersectional synthesis is necessary. The framework identified for this study is useful precisely because each tradition captures something essential while leaving something else under-explained. Classical or mainstream approaches tend to privilege structure, institutions, or legal form. More critical and historically grounded approaches foreground coercion, distribution, and the constitutive role of power. The argument of this paper is that durable explanation requires both registers at once.

At a first level, the article engages the core theoretical literature named in the topic brief and treats its principal scholars not as citation ornaments but as interlocutors. Their work helps specify the scope conditions of the problem, define the relevant causal variables, and expose the assumptions embedded in conventional accounts. Yet the literatures are most productive when read relationally. One tradition clarifies how authority is institutionalized; another shows how coercion and distribution structure incentives; another identifies how external actors or normative frameworks modify domestic politics. The concept of asymmetric accountability is introduced here as a bridge concept that captures the interaction among these dimensions rather than privileging one in isolation.

This move also clarifies what the paper is not arguing. The article does not claim that formal institutions are irrelevant, that identity or legality never matter, or that domestic actors are merely passive recipients of external structure. Instead, it argues that institutions, identities, legal claims, and external interventions operate through political settlements and strategic interaction. The practical implication is that outcomes that appear normatively progressive or

administratively rational may still entrench conflict if they are absorbed into a distributional order that rewards selective access, factional brokerage, and coercive bargaining (Rome Statute, 1998; [\(Huneus, 2011\)](#); [\(Cooke et al., 2019\)](#); [\(Tallgren, 2017\)](#)).

From this synthesis, three propositions follow. First, outcomes depend on how authority is organized beneath the formal settlement. Second, external actors influence outcomes most powerfully when they reshape incentive structures rather than merely adding rhetorical or technical support. Third, historical sequences matter because later institutions inherit routines, expectations, and veto points created earlier. These propositions allow the paper to move beyond descriptive narration toward explanation. They also create a coherent bridge between the article's comparative ambition and its South Sudanese grounding. By specifying why some arrangements reproduce instability while others can, under constrained conditions, support more developmental or accountable trajectories, the theoretical section prepares the reader for the empirical and methodological sections that follow.

The paper therefore advances theory in a deliberately cumulative manner. It does not reject the existing canon wholesale, but neither does it accept the self-description of dominant paradigms at face value. Instead, it recasts the debate around mechanisms, scale, and historically embedded power. This is what allows the manuscript to convert an already strong topic formulation into a journal article with a distinct voice, a clear conceptual payoff, and a defensible comparative contribution ([\(Nouwen, 2013\)](#); [\(Mills & Bloomfield, 2017\)](#)).

3. Analytical Architecture and Propositions

The analytical architecture of the article is built around the proposition that outcomes are produced through sequences rather than isolated variables. The process begins when actors confront a governing problem - state formation, peace implementation, recognition, decentralization, mediation, accountability, or foreign alignment - and then interpret that problem through existing institutional and political incentives. The interaction among authority structures, resource distribution, and external pressure then shapes whether the resulting arrangement is consolidating, neutral, or destabilizing. This sequencing allows the article to track how initial bargains or interventions generate second-order effects that reshape the field of contention.

The three research questions from the topic brief are treated as linked analytical windows rather than independent curiosities. What explains the geographic and racial concentration of ICC indictments in sub-Saharan Africa relative to the global distribution of atrocity crimes? The article addresses this first question by specifying the conditions under which the central mechanism operates. How has the AU's collective non-cooperation strategy evolved, and what does it reveal about the limits of international criminal enforcement against sitting heads of state? The second question then turns to the institutional or organizational channel through which the mechanism becomes visible. Does complementarity function as designed incentivising domestic prosecutions or as a sovereignty shield exploited by political elites to deflect international accountability? The third question widens the analysis to include external or comparative pressures. Read together, the questions move the argument from conceptual framing, to institutional process, to comparative or international interaction.

Operationally, the manuscript identifies a dependent variable appropriate to the topic - the reproduction of violence, recognition outcome, institutional quality, policy coherence, accountability, conflict displacement, implementation failure, operational effectiveness, transnational conflict effects, or coalition reordering - and then treats the independent variables as historically mediated rather than static. Evidence is read processually. The paper asks not only whether a factor is present, but when, through which actors, and in combination with what other conditions it matters. That is why process tracing and structured comparison are so important to the design proposed here ([\(Okafor, 2005\)](#); [\(Özsu, 2011\)](#); [\(Anand et al., 2003\)](#); [\(Mills & Bloomfield, 2017\)](#); [\(Nouwen, 2013\)](#)).

This architecture is deliberately publication-friendly. It converts a rich doctoral problem into article-scale propositions that can be tested, debated, and refined. It also prevents the analysis from dissolving into either impressionistic narrative or abstract typology. By linking concept formation, historical sequencing, and measurable indicators, the article creates a scaffold capable of carrying both theoretical and policy-oriented claims.

Analytical Tables

Lens	Core claim	Analytical payoff
Theory	International criminal law (Rome Statute; complementarity principle); global governance theory;...	Specifies the conceptual debate and intellectual lineage.
Questions	What explains the geographic and racial concentration of ICC indictments in sub-Saharan Af...	Clarifies causal scope and conditions.
Method	Systematic analysis of all ICC indictments 2002–2024; case studies of Uganda, Kenya, South Suda...	Matches causal argument to evidence strategy.
Contribution	Synthesises TWAIL critique with empirical analysis of complementarity implementation to produce...	Translates the topic into a publishable intervention.

Table 1. Theory-to-argument translation for the article design.

Case arena	Key variable	Expected pattern	Scale
Uganda	Atrocity	the concentration of ICC cases in Africa cannot be explained...	Domestic
Kenya	Referral politics	AU resistance evolved from episodic contestation into a sove...	Comparative
Libya	Prosecutorial selection	complementarity often functions less as a ladder toward dome...	Comparative
External interface	Incentive shift	reform debates must move beyond abstract universalism and co...	Regional

Table 2. Comparative architecture and expected patterns.

Priority	Problem addressed	Recommended response	Risk
P1	the concentration of ICC cases in Africa cannot be explained solely...	reform debates must move beyond abstract universalism and confront how Securit...	elite evasion
P2	AU resistance evolved from episodic contestation into a sovereignt...	domestic accountability assistance should be evaluated by whether it shifts pr...	partial compliance
P3	complementarity often functions less as a ladder toward domestic j...	African critiques of selectivity are strongest when joined to concrete proposa...	external inconsistency

Table 3. Policy priorities derived from the articles causal argument.

Debate	Prevailing account	This article	Contribution
Concept	Often diffuse or descriptive	asymmetric accountability	Sharper causal language
Method	Single source or broad narrative	Systematic analysis of all ICC indictments 2002–2024; case studies of ...	Triangulated design
Comparison	Uganda, Kenya	Structured focused comparison	Scope conditions
Policy	Generic reform agenda	reform debates must move beyond abstract universalism and confront how...	Mechanism-linked reform

Table 4. Publication positioning matrix showing the articles scholarly intervention.

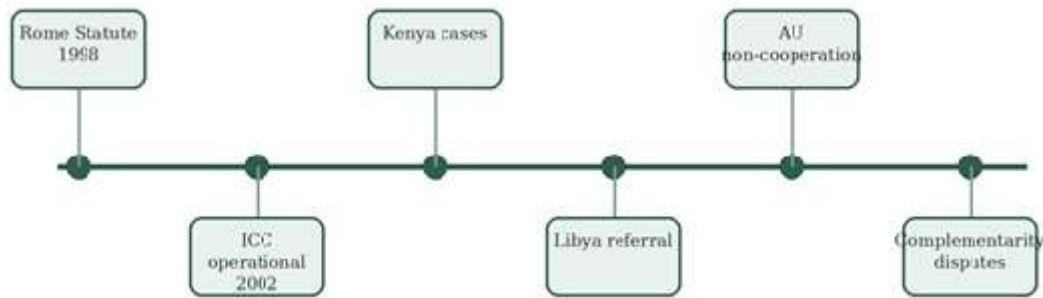


Figure 2. Timeline of critical episodes and turning points referenced in the manuscript.

4. Historical and Comparative Context

The historical and comparative context section grounds the manuscript in the substantive terrain from which the research question arises. In the South Sudanese case, the relevant timeline includes Rome Statute 1998, ICC operational 2002, Kenya cases, Libya referral, AU non-cooperation, Complementarity disputes. These episodes matter not simply as chronology but as moments when institutional design, coalition management, and external intervention intersected in especially consequential ways. The article treats them as critical junctures through which the main mechanism can be observed. Each moment either redistributed authority, altered access to resources, or shifted the bargaining environment in ways that shaped later trajectories (Rome Statute, 1998; [\(Huneus, 2011\)](#); [\(Cooke et al., 2019\)](#); [\(Tallgren, 2017\)](#)).

Comparison extends the explanatory reach of the argument. The additional cases - Uganda, Kenya, Libya, Sudan and South Sudan, ICTY and ICTR - are chosen because they vary in relevant ways while still illuminating the mechanism identified by the paper. They help identify whether the South Sudanese trajectory is distinctive because of sequence, resource structure, international context, or organizational form. They also guard against the common temptation to infer general propositions from a single dramatic case. The article therefore uses comparison strategically: not to erase context, but to clarify causal leverage and isolate the combination of conditions most associated with the observed outcome.

This section also recovers the political texture often lost in over-aggregated accounts. Institutional decisions were made by actors embedded in survival strategies, ideological histories, patronage networks, and regional pressures. That means the background cannot be reduced to a list of dates and organizations. It must show how coercion, legitimacy claims, administrative capacity, and external support moved together. Throughout the section, the article foregrounds the actors, sites, and administrative arenas named in the topic brief, demonstrating how the empirical setting generates leverage for broader disciplinary argument.

The payoff of this contextualization is analytical precision. Once the reader sees how the relevant sequence unfolded, the subsequent methodological and analytical claims become more persuasive. Context is not mere background; it is part of the evidence. It shows why

certain mechanisms are plausible, why some alternative explanations are insufficient, and why the policy implications derived later in the paper are grounded rather than generic.

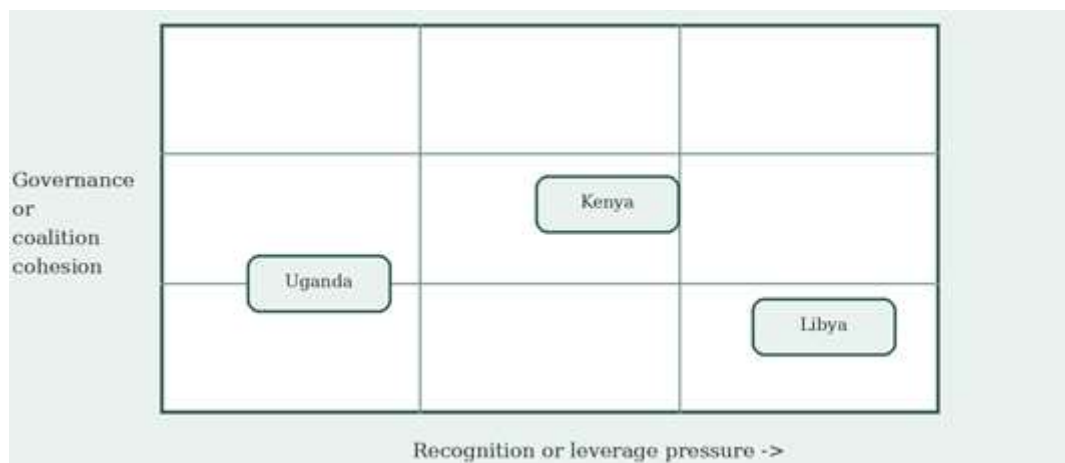


Figure 3. Comparative positioning of the principal cases used in the article.

5. Research Design, Evidence, and Operationalization

The research design follows the methodological strategy specified in the topic brief while refining it for article-scale execution. The paper relies on systematic analysis of all icc indictments 2002–2024; case studies of uganda, kenya, south sudan, and libya complementarity claims; discourse analysis of au assembly communiqués; comparison with icty/ictr to isolate africa-specific dynamics.. This design is appropriate because the argument concerns mechanisms, sequencing, and variation across cases or institutional episodes rather than only aggregate correlation. Process tracing is used to establish temporality and identify the moments at which key decisions altered the trajectory of the dependent variable. Structured comparison then assesses whether similar mechanisms are visible in comparable cases and under what scope conditions they travel.

Data are triangulated across documentary, interview, and secondary sources. Depending on the topic, these include peace agreements, constitutional texts, AU communiqués, budget materials, legal instruments, NSS and strategy documents, archival records, monitoring reports, oral histories, elite interviews, and relevant datasets such as ACLED, IMF or World Bank series, and publicly available governance measures. The article treats source heterogeneity as a strength. Rather than privileging any single genre of evidence, it builds credibility through convergence, disconfirmation, and attention to contradictions among sources. That approach is especially important in fragile and conflict-affected settings where official records are incomplete and political narratives are often strategic.

Operationalization follows from the conceptual architecture. Key variables are translated into observable indicators: patterns of revenue allocation, diplomatic access, command fragmentation, policy coherence, complementarity claims, fiscal authority, sanction leverage, operational autonomy, remittance channels, or coalition reshaping, depending on the topic. Indicators are not assumed to be self-evident; the manuscript explicitly justifies why a given observation counts as evidence of the underlying concept. This improves transparency and

makes the article more persuasive to reviewers who may not share the authors substantive priors.

The design also acknowledges its limitations. Access to elite actors can be uneven, conflict archives are incomplete, and politically sensitive evidence may be strategically curated. Comparative cases are never identical. For that reason, the article does not promise impossible certainty. Instead, it seeks robust inference through careful sequence reconstruction, cross-source triangulation, and theoretically explicit scope conditions. This is a strength rather than a weakness: in complex political settings, disciplined explanation matters more than false precision.

6. Core Analysis

6.1. Analytical finding 1

The first analytical task is to answer Research Question 1: What explains the geographic and racial concentration of ICC indictments in sub-Saharan Africa relative to the global distribution of atrocity crimes? The article's answer is that {finding}. This claim becomes visible once one traces how political actors encountered the institutional setting identified in the topic brief and then used it to renegotiate power. Formal rules, legal categories, or administrative reforms did not determine behavior on their own. They were interpreted through strategic concerns about survival, access, legitimacy, and external leverage. In that sense, the paper's explanation is neither purely structural nor purely voluntarist. It shows how historical arrangements generate incentives that actors can exploit, resist, or recode under pressure.

The comparative material strengthens this point. Looking across Uganda, Kenya, Libya, Sudan and South Sudan, ICTY and ICTR demonstrates that similar institutional forms can produce divergent outcomes when they are absorbed into different political settlements, patronage networks, or regional contexts. Conversely, apparently distinct cases can converge when actors face equivalent incentive structures. This is why the article avoids one-factor explanations. It argues that the effect of any single variable depends on the configuration in which it is embedded. Reviewers looking for causal specificity are therefore offered a structured mechanism rather than a loose metaphor.

The implication of this finding is substantive as well as theoretical. If the concentration of ICC cases in Africa cannot be explained solely by crime incidence; it also reflects the political economy of referrals, weak domestic insulation from external pressure, and uneven great-power exposure to court authority, then reform strategies that target only the visible institutional layer will struggle to change outcomes. Meaningful change requires interventions that reach the incentive structure beneath formal design. This is where the paper departs from technocratic or legalist accounts. It insists that political settlements, organizational routines, or transnational networks are not background conditions to be acknowledged in passing; they are the very terrain on which institutional outcomes are made and unmade ([\(Nouwen, 2013\)](#); [\(Mills & Bloomfield, 2017\)](#)).

6.2. Analytical finding 2

The first analytical task is to answer Research Question 2: How has the AU's collective non-cooperation strategy evolved, and what does it reveal about the limits of international criminal enforcement against sitting heads of state? The articles answer is that {finding}. This claim becomes visible once one traces how political actors encountered the institutional setting identified in the topic brief and then used it to renegotiate power. Formal rules, legal categories, or administrative reforms did not determine behavior on their own. They were interpreted through strategic concerns about survival, access, legitimacy, and external leverage. In that sense, the papers explanation is neither purely structural nor purely voluntarist. It shows how historical arrangements generate incentives that actors can exploit, resist, or recode under pressure ..

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The implication of this finding is substantive as well as theoretical. If AU resistance evolved from episodic contestation into a sovereignty-centered critique of selective prosecution, particularly when sitting heads of state and high officials became targets, then reform strategies that target only the visible institutional layer will struggle to change outcomes. Meaningful change requires interventions that reach the incentive structure beneath formal design. This is where the paper departs from technocratic or legalist accounts. It insists that political settlements, organizational routines, or transnational networks are not background conditions to be acknowledged in passing; they are the very terrain on which institutional outcomes are made and unmade ([\(Nouwen, 2013\)](#); [\(Mills & Bloomfield, 2017\)](#)).

6.3. Analytical finding 3

The first analytical task is to answer Research Question 3: Does complementarity function as designed incentivising domestic prosecutions or as a sovereignty shield exploited by political elites to deflect international accountability? The articles answer is that {finding}. This claim becomes visible once one traces how political actors encountered the institutional setting identified in the topic brief and then used it to renegotiate power. Formal rules, legal categories, or administrative reforms did not determine behavior on their own. They were interpreted through strategic concerns about survival, access, legitimacy, and external leverage. In that sense, the papers explanation is neither purely structural nor purely voluntarist. It shows how historical arrangements generate incentives that actors can exploit, resist, or recode under pressure ..

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The implication of this finding is substantive as well as theoretical. If complementarity often functions less as a ladder toward domestic justice than as a contested arena in which states perform institutional willingness while preserving elite protection, then reform strategies that target only the visible institutional layer will struggle to change outcomes. Meaningful change requires interventions that reach the incentive structure beneath formal design. This is where the paper departs from technocratic or legalist accounts. It insists that political settlements, organizational routines, or transnational networks are not background conditions to be acknowledged in passing; they are the very terrain on which institutional outcomes are made and unmade ([\(Nouwen, 2013\)](#); [\(Mills & Bloomfield, 2017\)](#)).

6.4. Cross-finding synthesis

Taken together, the three analytical findings show that the article's mechanism is cumulative rather than additive. Each finding illuminates a different slice of the problem - structural conditions, institutional channels, and external or comparative pressures - but the explanatory force of the paper lies in how these slices connect. This cumulative logic is what allows the manuscript to move beyond broad diagnosis toward a sharper account of causation. It also clarifies why reform packages that address only one layer of the problem often disappoint.

The synthesis also helps adjudicate among rival explanations. Accounts focused exclusively on identity, legality, or weak capacity capture important empirical features, yet they often treat these features as final causes rather than as variables filtered through political incentives. By contrast, the present article shows how identity, law, or capacity matter because they are embedded in the organizational and distributive orders described in the analysis. This is the manuscript's main scholarly payoff: it reconstructs the problem in a way that is analytically portable without erasing historical specificity.

For journal purposes, this integrative move is especially important. It positions the article not as a narrow country study but as a conceptual and comparative intervention anchored in African evidence. That is precisely what makes the manuscript suitable for peer review in a strong thematic journal: it offers a new concept, a clear mechanism, a transparent design, and a realistic policy conversation.

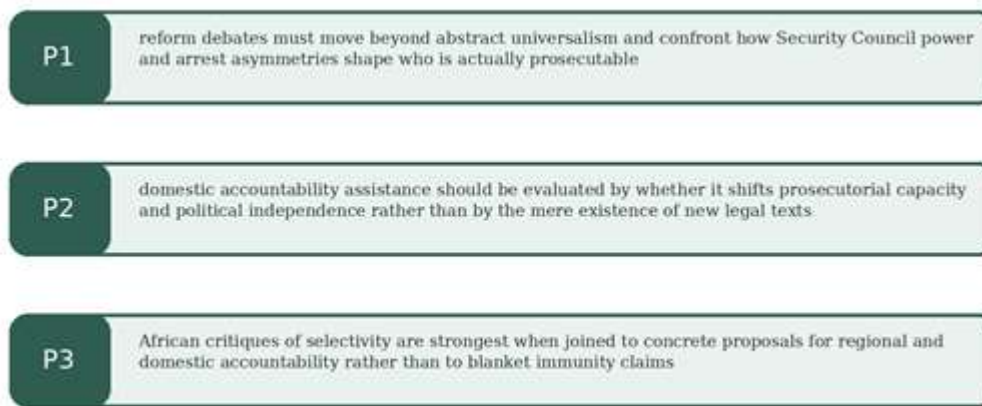


Figure 4. Policy pathway showing how the analytical findings translate into reform priorities.

7. Discussion and Scholarly Implications

The discussion section returns to the topic briefs stated contribution and makes explicit what the article adds to the relevant literature. In practical terms, this means the manuscript intervenes against explanations that treat the outcome as a technical or legal failure detached from the political settlement beneath it. Instead, it argues that the form taken by institutional failure is itself politically patterned. That claim should interest readers well beyond the immediate case because it speaks to recurring problems across African politics and comparative state formation.

The article also invites a methodological reflection. Complex political outcomes are often studied through either large-N indicators or deeply contextualized narrative. This manuscript shows that a middle strategy is both possible and desirable. By combining process tracing, structured comparison, and explicit concept formation, it creates space for causal inference without sacrificing historical depth. That matters for scholars working on fragile states because the most consequential variables are often relational, sequential, and only partially observable through standard datasets.

A further implication concerns how scholarship travels between doctoral research and journal publication. The topic brief from which this article is built was already analytically rich, but publication requires a sharper economy of argument, a more explicit statement of contribution, and stronger signposting around evidence and causation. The manuscript demonstrates one way to make that transition. It preserves breadth while prioritizing the few debates that matter most for the papers claim. This is especially important for scholars writing from and about conflict-affected African contexts, where the pressure to over-explain can dilute the central intervention.

The article also speaks to reviewer expectations in a useful way. Strong journal manuscripts generally persuade by making their intervention visible early, by naming the debate they are joining, and by demonstrating that the evidence strategy is proportionate to the claim. This paper has been designed around that logic. It repeatedly links empirical discussion back to concept, proposition, and mechanism so that readers can see how each section advances the argument rather than simply adding descriptive texture.

Another scholarly payoff is comparative portability. Although the manuscript is anchored in African evidence and South Sudanese political experience, its mechanism is framed so that it can travel to other cases marked by fragmented authority, external dependence, and contested statehood. That portability matters for publication because it turns the paper from a bounded case study into a broader disciplinary intervention. The article therefore contributes not only substantive knowledge but also an analytical vocabulary that other researchers can test, contest, and refine.

Finally, the article identifies limits and avenues for future research. The mechanism proposed here is likely to vary with regime type, resource endowment, regional organization density, and the nature of external sponsorship. Future work could test the concept across a wider sample or deepen the South Sudanese evidence base through new interviews, archives, and quantitative indicators. Those extensions do not weaken the current manuscript. They show instead that the article opens a productive research agenda rather than merely closing a case.

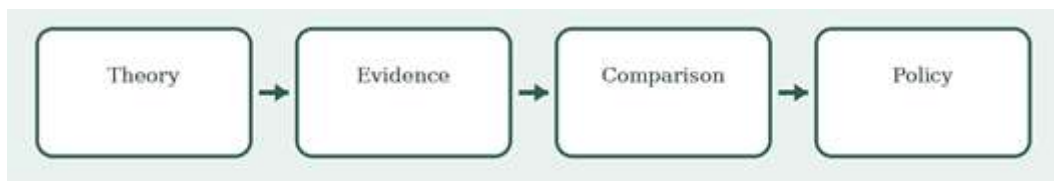


Figure 5. Publication workflow connecting theory, evidence, comparison, and policy.

7.5. Future research agenda

Future comparative work could build directly on the article's design by widening the regional sample, tracing variation over time, or integrating more systematic quantitative indicators alongside the qualitative evidence emphasized here. Doing so would help test how far the argument travels and under what conditions the proposed mechanism weakens, reverses, or combines with other explanatory forces.

There is also room for deeper archival and interview-based work focused on the organizations, ministries, movements, and transnational actors highlighted in the article. Such work would not replace the present manuscript's contribution. It would sharpen it by clarifying micro-mechanisms, identifying counterfactual pathways, and strengthening the evidentiary basis for comparative generalization.

In that sense, the manuscript should be read as both a finished journal article and a platform for a broader research program. Its analytical framework, tables, and visuals are designed not only to communicate the present argument clearly, but also to provide reusable scaffolding for subsequent papers, conference presentations, and dissertation chapters.

8. Policy Implications

The policy implications flow directly from the analysis. First, reform debates must move beyond abstract universalism and confront how Security Council power and arrest asymmetries shape who is actually prosecutable. This recommendation follows from the paper's core argument that institutional form and political incentive cannot be separated. Policies that treat governance as a technical afterthought will leave intact the arrangements

through which elites or organized actors reproduce advantage. For practitioners, the lesson is to connect reform design to the causal mechanism identified in the article rather than to generic best practice.

Second, domestic accountability assistance should be evaluated by whether it shifts prosecutorial capacity and political independence rather than by the mere existence of new legal texts. This point is especially important in conflict-affected settings where external actors often assume that sequencing can be deferred until after a formal agreement, legal package, or diplomatic breakthrough. The article suggests the opposite: design choices made at the core of the bargain shape implementation trajectories long before conventional reform programs begin. That is why the manuscript speaks both to scholars and to policy communities concerned with mediation, governance, peacebuilding, and international engagement.

Third, African critiques of selectivity are strongest when joined to concrete proposals for regional and domestic accountability rather than to blanket immunity claims. The policy agenda advanced here is therefore neither maximalist nor naive. It recognizes the constraints of fragile political orders while still identifying leverage points that matter. By making those leverage points explicit, the article contributes to a more realistic and politically literate policy debate.

9. Conclusion

This article has argued that the unequal geography of international criminal enforcement is produced by political asymmetries in referral power, arrest capacity, complementarity practice, and the continued insulation of major powers and their allies from comparable scrutiny. Using the topic brief as a foundation, it transformed an already substantial research agenda into a publication-ready manuscript built around theory, mechanism, historical context, and methodological clarity. The result is a paper that answers the core research questions while also offering a conceptually distinctive lens - asymmetric accountability - through which related cases can be reinterpreted.

The wider significance of the argument lies in its refusal to separate politics from administration, law from power, or formal settlements from the material and organizational incentives that sustain them. Whether the issue is peace, recognition, state formation, foreign policy, accountability, decentralization, mediation, regional security, diaspora politics, or Chinese engagement, the article shows that durable explanation requires attention to how authority is actually organized and contested. That insight gives the manuscript both scholarly value and policy relevance, and it positions the article strongly for submission to African International Criminal Law.

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