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Prospects of Justice for Crimes Against Human Peace and Security

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Abstract The scientific article is devoted to the determination of the perspective of justice for crimes against the peace and security of mankind. It is emphasized that the international normative and legal regulation of crimes against the world and the security of humanity is characterized by the advantage of the position of political prohibition, which increases the possibility of an objective criminal-legal assessment of the specified socially dangerous acts at the national level, which has declarative elements and requires the development of effective methods, methods. and means aimed at countering and preventing crimes of this type. Arguments are presented regarding the improvement of the methods of combating and preventing the investigated type of crime, which should be systematic and methodical, implemented in such areas as the improvement of the legal foundations and methods of combating crimes against the peace and security of mankind, taking into account the leading international norms and principles in this area, the organization of systematic, large-scale, effective international cooperation in documenting and investigating the specified socially dangerous acts. It was concluded that considering the placement of the International Criminal Court as an international mechanism for the implementation of justice for violations of international law, the ratification of the Rome Statute is a priority task for many European countries, which legalizes the possibility of appealing to some international judicial bodies.

Index Terms crime, justice, law, security

I. Introduction

Unfortunately, even in very progressive and democratic states, in today's conditions, military conflicts break out, which lead to the commission of such bloody and cruel crimes as genocide, torture, abuse, crimes against humanity. Compared with the last century, the second half of which was characterized as the period of formation of the modern system of international law, the beginning of the XXI century. was marked by processes and problems that entail the objective necessity of reforming the normative and institutional components of international law. It is primarily about the security of the world legal order, about the effectiveness of international law as a normative regulator that ensures the stability of the system of international relations and international cooperation, the safe coexistence of the states of the civilized world as a whole.

The need for the creation and functioning of a special international institution capable of bringing to justice those responsible for the most serious crimes remains relevant today, despite the fact that almost a century has passed since the creation of the Nuremberg and Tokyo tribunals, which were called to punish the criminals of the Second World War. The urgent need for the functioning of an international criminal institution, which today is the International Criminal Court (hereinafter – the ICC), is also caused by the fact that states are sometimes unable or unwilling to independently bring specific individuals to justice for political reasons, or the incapacity of the law enforcement and judicial system.

For many countries, the issue of implementing the jurisdiction of the ICC, which is carried out through the ratification of the Rome Statute, is extremely important and requires a detailed study, as well as an analysis of the experience of ratifying the Rome Statute by other European states. The ICC functions as an additional tool to national criminal jurisdiction, which it has only in cases where national legal systems do not function or are ineffective. According to Art. 4 of the Rome Statute, the Court has international legal personality and can exercise its functions and powers, as provided for in the Statute, in the territory of any participating state, and also, with special consent, in the territory of any other state [1].

Without cooperation with state bodies, the ICC simply cannot function fully. In addition, the need to investigate the

specified issue is due to the actualization of relations between the ICC and Ukraine in the context of the investigation of evidence regarding events on its territory by the Prosecutor of the specified court.

The aim of the article is to clarify the organizational and legal aspects of the International Criminal Court's cooperation with states in the implementation of international criminal justice for crimes against the peace and security of mankind.

II. General Characteristics of Crimes Against Peace, Human Security and International Legal Order in International Criminal Law

The normative formalization of the concept of "crimes against humanity" was already established in Art. 6 of the Statute of the Nuremberg Tribunal, which dealt with murder, extermination, enslavement, exile and other cruelties committed against the civilian population before or during the war, or persecution on political, racial or religious grounds for the purpose of carrying out or in connection with any a crime subject to the jurisdiction of the tribunal, regardless of whether the acts were in violation of the domestic law of the country where they were committed or not." In Art. 6 of the Statute of the Nuremberg Tribunal, crimes against humanity are classified for the first time into: 1) crimes against humanity (such as murder) – murder, destruction, enslavement, deportation and others committed against the civilian population before or during the war; 2) crimes against humanity (such as persecution) – persecution on political, racial or religious grounds for the purpose of committing or in connection with any crime subject to the jurisdiction of the Nuremberg Tribunal.

According to Art. 7 of the Rome Statute, "crimes against humanity" are acts committed as part of a widespread or systematic attack directed against any civilian population, and such an attack is committed knowingly [1]. The Rome Statute refers to crimes against humanity: murder, extermination, enslavement, deportation, torture, sexual crimes, enforced disappearance of persons, the crime of apartheid and other inhuman acts that lead to human suffering.

Today, crimes against the peace and security of mankind mean any of the following acts when they are committed as part of a large-scale or systematic attack directed against any civilian population, and such attack is committed knowingly: murder; extermination; conversion to slavery; deportation or forced displacement of the population; imprisonment or other severe deprivation of physical freedom in violation of fundamental norms of international law; torture; rape, sexual slavery, forced prostitution, forced pregnancy, forced sterilization or any other form of sexual violence of similar severity; harassing any identifiable group or community on political, racial, national, ethnic, cultural, religious or gender grounds; enforced disappearance of persons; the crime of apartheid; other inhumane acts of a similar nature, intentionally causing great suffering or serious harm to mental or physical health [2].

Crimes against the peace and security of humanity are part of the widespread practice of the most brutal violations of human rights or occur within the framework of the policies of the state authorities or state-organized political groups. The specified illegal acts are prohibited at any time, regardless of the existence of an armed conflict in the relevant territory. At the same time, when investigating these crimes, it is also necessary to take into account the practice of the ICC, the ICTY (hereinafter – the International Tribunal for the former Yugoslavia) and the ICTR (hereinafter – the International Tribunal for Rwanda), which include in the category of crimes against humanity: murder, destruction (extermination), enslavement, deportation, torture, persecution on political, racial, national, ethnic, cultural, religious, gender grounds, the crime of apartheid, other inhuman acts of a similar nature [1]. The basis for such a list was the previous version of the draft Code of Crimes against the Peace and Security of Humanity of the UN International Law Commission, adopted in 1996. Also, this list is not exhaustive.

To define the contextual element of crimes against humanity, there are 3 main concepts: civilian population; large-scale or systematic attack; state or organization policy [3].

Increasing the effectiveness of international criminal legislation is possible through the criminalization of relevant acts in the national norms of the criminal law. Therefore, the need to apply the relevant norms of the domestic criminal law taking into account and complying with the requirements of international criminal law is of primary importance. In particular, the norms of the criminal law of Ukraine, which reflect crimes against peace, human security and international legal order (Articles 436 447 of the Criminal Code of Ukraine), were the result of implementation from similar provisions of international criminal law and have a blanket character [4].

III. Cooperation of States in Preventing and Countering Crimes Against Peace, Human Security and International Legal Order

Since a stable state of international peace is a universal good, this explains the specificity and peculiarity of the political and legal mechanism for the protection of this phenomenon both in the international arena and within the framework of national legislation. The leading task in the system of providing protection and protection of this institute is the criminalization of actions that pose a threat to international peace. Among the criminally punishable acts, crimes against the peace and security of mankind are undoubtedly the most dangerous and cruel.

In the modern world, the number of such crimes, including those of an international nature, has objectively increased. The modern international situation with frequent acts of a terrorist nature, murders, enslavement, extermination of the population and many other facts obliges the entire civilized international community to consistently and coherently, resolutely fight against such crimes. Therefore, states are forced to coordinate their actions to fight crime. Within the framework of such cooperation, contracts and agreements are concluded with the aim of fighting international level crime and legal assistance in the criminal sphere, measures are implemented to jointly

prevent crime in this area of social relations, and the level of measures to apply the institution of responsibility is increased.

The United Nations (hereinafter – the UN) noted that there is a need for coordination of measures and cooperation of states to solve global problems related to international crime, emphasizing the fact that the fight against crime is joint and therefore it is a joint duty.

It should be noted that the sources of international criminal law include: conventions on combating crimes of an international nature (international terrorism, propaganda of war, piracy, etc.); contractual norms relating to legal cooperation and assistance in the criminal law field; agreements between international organizations authorized to fight crime. By implementing such treaties, states assume obligations to recognize and define international criminal acts (unification of criminal legislation); obligations to implement measures to prevent the commission of international crimes in the future and stop them; establishment of rules of jurisdiction; obligations regarding the settlement of issues requiring legal assistance in criminal cases and the interaction of domestic law enforcement structures and international organizations in the field of law enforcement. Also, responsibility for criminals should have the character of inevitability.

Consolidation of crimes against the peace and security of humanity and the international legal order by criminal law at the national level obliges to turn to the sources that first formulate the criminality of these acts. As a result of the active integration of developing countries into the geopolitical space, the norms of international law are basic. The fundamental international documents clearly emphasize the need to maintain international peace and security. In this regard, there is a need to take a set of effective collective measures to prevent or eliminate the threat to international peace.

The Charter of the United Nations of June 26, 1945 established that "the specified goals are achieved through the development of international cooperation in solving problems of an economic, social and humanitarian nature" [5]. Legal prescriptions developed by the international community have the primary goal of preventing the commission of criminal acts that threaten the peace and security of mankind. At the same time, it is necessary to pay attention to the prevention of such crimes, as this is equivalent to maintaining the world legal order in general. International criminal law is designed to solve the task of all kinds of repression of a person who has committed a crime, which cannot be achieved without fixing in the norms of international criminal law responsibility for committing the analyzed crimes.

In Art. 2 of the UN Declaration on Crime and Public Security dated December 12, 1996 states: "Member States shall promote the expansion of cooperation and assistance in the field of law enforcement on a bilateral, regional, multilateral and global basis, including the conclusion of agreements on mutual legal assistance in appropriate cases, in order to facilitate the identification, detention and prosecution of persons who commit dangerous transnational crimes or are otherwise responsible for them, and to ensure effective international cooperation of law enforcement and other competent authorities" [6].

The end of the 20th century and the first years of the XXI century. clearly make it clear that not all subjects of international law aspire to a peaceful existence, the events in the former Yugoslavia, Rwanda, Afghanistan, the United States of America (hereinafter – the USA), in Chechnya, in Syria, as well as those events taking place in The East of Ukraine and other countries should contribute to intensifying the development of international norms regarding the fight against such acts. Ukrainian law enforcement practice cannot yet speak about the effectiveness of this institute. VI The principles of international law recognized in the Statute of the Nuremberg Tribunal define crimes against peace as "the planning, preparation, initiation or waging of an aggressive war or a war in violation of international treaties, agreements or assurances; participation in a general plan or conspiracy directed to the realization of each of the above actions" [7].

Considering the goals of cooperation between states in preventing and countering crimes against peace, human security, and the international legal order, we note that the forms of such cooperation can be assistance in the investigation of criminal cases; responses to requests from interested parties; facilitating the search for a person hiding from criminal prosecution or serving a sentence; informational cooperation on issues of preparation or committed crime and persons involved in them; joint operations aimed at stopping crimes and the activities of persons who have committed or intend to commit them, etc. Only a contractual form of cooperation will help to specify and develop cooperation in the provision of legal assistance. In this direction, a major role is assigned to interstate and interdepartmental agreements concerning cooperation in combating criminal encroachments on international peace.

Therefore, in the international normative legal regulation of the examined type of crimes, provisions of a political color prevail, which eliminates the possibility of an objective criminal legal assessment of a criminal act in the field of crimes against peace at the national level. In our opinion, the national criminal law policy of combating crimes against peace and international security of many countries has declarative elements and requires the development of effective methods, methods and means aimed at combating and preventing crimes of this type.

IV. The Genesis of Legal Cooperation Between International Criminal Courts and States in the Fight Against Crimes Against the Peace and Security of Mankind

The ICTY and ICTR were created on the basis of resolutions of the UN Security Council, which, acting in accordance with Chapter VII of the UN Charter, decided that states should fully cooperate with these bodies of international criminal justice. Cooperation concerns various issues: ensuring the fulfillment of requirements for assistance in gathering evidence, listening to witnesses, suspects; identification, location of persons, delivery of documents, execution of arrest warrants, etc. [8]. In

order to fulfill these obligations, states are obliged to take any measures necessary within the limits of their domestic legislation to implement the provisions of the UN Security Council resolutions on the ICTR and ICTY and the Statutes of these justice bodies. For example, in paragraph 4 of Resolution 827 (1993) of the UN Security Council of May 25, 1993, which established the ICTY, it is established that "all states must fully cooperate" with the Tribunal and its bodies and "accept within the framework of their domestic law any measures necessary to implement the provisions of the Statute, and to comply with requests for relief or orders of the Trial Chamber [9]. A similar norm is enshrined in paragraph 2 of Resolution 955 (1994) of the Security Council of November 8, 1994, which establishes the ICTR [10].

For successful cooperation with the ICTY, many states have taken measures to harmonize their legal systems with the requirements of the legal acts establishing and regulating the Tribunal's activities: Greece, Belgium, France, Finland, Romania, etc. In relation to the ICTR, such states became: Senegal, Sweden, Italy, France, Benin, Mali, Tanzania [11].

The specific examples of states' cooperation with the ICTR and ICTY are not exceptional. Yes, according to Art. 27 of the Statute of the ICTY, states cooperate with the Tribunal in matters of sentence execution, since convicted persons must serve their prison terms in states that are included in the list of states that have declared their readiness to accept such persons [12]. The ICTR Statute contains a similar provision (Article 26) [11].

The cooperation of states in financial assistance to the Tribunals also became a guarantee of their successful functioning. According to Art. 32 of the Statute of the ICTY, all its expenses are charged to the regular budget of the UN in accordance with Art. 17 of the UN Charter [12]. A similar norm is provided by Art. 30 of the Statute of the ICTR (Statute of the International Tribunal for Rwanda, 1994). Throughout the existence of the ICTY and ICTR, with the approval of the UN General Assembly, various member states and interested parties made voluntary contributions to the financing of the Tribunals, both in cash and in the form of services and supplies acceptable to the Secretary General. So, for example, in the first years of the operation of the ICTY, the United States made a contribution in the form of computer equipment for the Office of the Prosecutor in the amount of 3 million US dollars, and also allocated 22 employees of the category of specialists to the Office of the Prosecutor on secondment. In turn, the United Kingdom contributed computer systems worth approximately £20,000 [13].

In terms of financial assistance to the ICTY, it should be noted that the USA and Belgium, which since 2002 have helped in the implementation of the program of payment of compensation for providing information that contributes to the investigation and detection of crimes in the cases initiated in the Tribunal against high-ranking officials [8].

Article 29 of the Statute of the ICTY specifically provides that all States must comply without any undue delay with any requests for assistance or orders of the Trial Chamber, including in relation to the recognition and location of persons, the taking of witness statements and the production of evidence-gathering actions, delivery of documents, arrest or detention of persons and transfer of the accused to the International Tribunal [12].

The ICTY is a body created by the UN Security Council under Chapter VII of the UN Charter in response to a specific situation at the time. Thus, UN member states have an obligation to cooperate, which follows from the high status of the UN Charter and the responsibility and powers of the UN Security Council in maintaining international peace and security. Accordingly, the UN Security Council plays the most important role in the question of the obligation to cooperate assumed by the states. That is why Bosnia and Herzegovina takes an extremely active position in relation to the judicial activities of the ICTY on its territory. This state concluded a special cooperation agreement with the ICTY Prosecutor's Office, granting ICTY personnel free access to Bosnia and Herzegovina to conduct investigations and gather evidence [14].

Article 13(4) of Annex 6 to the Dayton Agreement, which deals with human rights, specifically provides that all competent authorities in Bosnia and Herzegovina shall facilitate and provide unrestricted access to the organizations listed in that Agreement; any international human rights monitoring mechanisms created for Bosnia and Herzegovina; supervisory bodies established by any international agreements listed in the annex to this Annex; International Tribunal for the former Yugoslavia; and any other organizations authorized by the UN Security Council and given a mandate in the field of human rights or humanitarian law [14].

The Statute of the ICTY stipulates that "The Prosecutor is authorized to interrogate suspects, victims and witnesses, collect evidence and conduct on-site investigations. In carrying out these functions, the Prosecutor may, if necessary, seek help from the relevant state representatives of the authorities" [12]. Therefore, if the ICTY operates in other states, executing a search warrant, it collects and studies documents related to the judicial process in cooperation with local authorities. However, although an on-site investigation is conducted with such cooperation, the Tribunal considers that due to the "priority" provided for by the Statute of the ICTY, such an on-site investigation does not require either the prior consent of the requested state or the presence of representatives of local authorities.

The principle of cooperation between international criminal courts and states was absolutely established in the Rome Statute (hereinafter – the Rome Statute) of 1998, which established the ICC. In contrast to the obligation of all states to cooperate with the international tribunal and the ICTR, the norms of the Rome Statute of the International Criminal Court are addressed to the states parties to the treaty, which, in accordance with the provisions of the ICC Statute, are obliged to fully cooperate with the Court in its investigation of crimes under its jurisdiction Court, and criminal prosecution for these crimes (Article 86) [14].

V. Prospects of Implementing the Provisions of the Rome Statute of the International Criminal Court Into the National Legislation of Ukraine

In connection with the armed aggression of the Russian Federation against Ukraine, which began back in 2014 and reached its full scale on February 24, 2022, the world community, in particular the UN and other international organizations of a universal and regional nature, faced the question of the real provision of those goals and tasks for which they were created. Under such objective conditions, the interaction and cooperation of Ukraine with the ICC is quite relevant and necessary to avoid the inadmissibility of impunity for crimes against humanity committed by the Russian Federation.

The active development and transformation of social relations, which are characteristic of Ukrainian society and the state during the last decade, is characterized by the rapid development of various forms and methods of interaction of Ukraine with the world community in the form of states, international organizations, etc. The armed conflict started by the Russian Federation back in 2014 created and led to new problems for the national and international justice system. The consequences of the military aggression of the Russian Federation, which is a huge number of the most serious international crimes committed, as well as the problems of bringing to justice the criminals who caused colossal damages of various kinds to the Ukrainian people with their illegal actions, should fall under the jurisdiction of the ICC. Currently, the Office of the Prosecutor General of Ukraine, as of May 10, 2023, provides data that during the period of the full-scale invasion of the Russian Federation, the law enforcement agencies of Ukraine recorded more than 85,000 war crimes and crimes of aggression [15].

In fact, the Rome Statute of the ICC includes the crime of genocide, crimes against humanity, war crimes, and the crime of aggression among the crimes that cause the greatest concern of the entire international community. All these crimes are a type of international crime, i.e. acts prohibited both by treaty and by customary international humanitarian law. The modern criminal law of Ukraine against the background of the military aggression of the Russian Federation (hereinafter referred to as the Russian Federation) needs additional analysis and improvement. First of all, this is connected with the massive commission of crimes against humanity on the territory of Ukraine. Even a large-scale update of certain provisions of the Criminal Code of Ukraine could not solve the problematic issues of qualification of criminal illegal acts that are committed en masse against peace, human security and the international legal order. As for the criminal acts committed since the full-scale invasion of the Russian Federation, they must receive legal qualification both under the norms of national (criminal) and international law. However, for the national justice system, in accordance with the requirements of criminal and criminal procedural legislation, various problems arise in the process of investigating international crimes, which are quite objective, since the most serious international crimes committed during armed aggression, peculiarities, their binding to norms international law, need a special mechanism of prosecution [16].

In the context of the above, if we focus on the mechanism of implementation of the norms of national and international law, it is worth emphasizing certain differences. In the field of national law, the role of coercion in the legal process is not disputed by many. Although it is noted here that excessive emphasis on the use of force leads to an unjustified exaggerated influence of the mechanism of criminal law regulation on the national legal system as a whole, distorting its true nature. However, in the field of modern international relations, a system of international norms, recognized by the entire world community as imperative and subject to enforcement without the use of coercion due to the lack of international legal mechanisms that would perform the role of police and bailiff in national law, has developed. The absence of the use of coercion in international law can be explained to a certain extent by the fact that the implementation of these imperatives should be based not on the fear of the use of force, but on respect.

Regarding the convention regulation, it is worth emphasizing that there is no international act on crimes against humanity, unlike war crimes, the crime of genocide, etc. The Criminal Code of Ukraine also does not contain a definition of crimes against humanity.

The Rome Statute entered into force for Ukraine on July 1, 2002. However, it has not yet been ratified, since, in accordance with Opinion No. 3-v/2001, the Constitutional Court of Ukraine recognized the Rome Statute of the ICC as inconsistent with the Constitution of Ukraine [17]. However, justifying the changes to Art. 124 of the Constitution of Ukraine, in the explanatory note to the draft law it was stated that "The draft law proposes in Art. 124 of the Constitution of Ukraine to establish that Ukraine can recognize the jurisdiction of the ICC under the conditions stipulated by the Rome Statute of the ICC, since according to Article 1 of the Statute the jurisdiction and functioning of the ICC is regulated by the provisions of this Statute, then the norms of the internal legislation of Ukraine will not apply to it. The specified addition will fully reflect the principle of complementarity (additionality) and will emphasize the legal basis of the ICC's activity" [18].

It can be argued that the legal framework for effective cooperation with the ISS has been developed. Evidence of this is the adoption of a number of legal acts, in particular, on February 4, 2015, the Parliament of Ukraine approved the Resolution of the Verkhovna Rada of Ukraine "On the Statement of the Verkhovna Rada of Ukraine "On Ukraine's recognition of the jurisdiction of the International Criminal Court regarding the commission of crimes against humanity and war crimes by high-ranking officials of the Russian Federation and leaders of the terrorist organizations "DPR" and "LPR", which led to particularly severe consequences and the mass murder of Ukrainian citizens". With this statement, on behalf of the Ukrainian people, the Verkhovna Rada of Ukraine, as the sole body of the legislative power of Ukraine, recognizes the jurisdiction of the International Court of Justice

for the purpose of criminal prosecution in the International Court of Justice in relation to the provisions of Art. Art. 7 and 8 of the Rome Statute of the International Criminal Court for crimes against humanity and war crimes committed on the territory of Ukraine from February 20, 2014 to today by high-ranking officials of the Russian Federation and leaders of the terrorist organizations "DPR" and "LPR", who will be determined by the prosecutor of the International Criminal Court [19].

Currently, the provisions of the Rome Statute are used in lawmaking practice at the national and international levels. For example, only in March 2023, a number of documents were adopted in the field of interaction between Ukraine and the ISS, in particular: the Agreement between the Cabinet of Ministers of Ukraine and the ISS on the establishment of the ISS Office in Ukraine dated 03.23.2023 refers to the regulation of issues related to or arise in connection with the creation and proper functioning of the Office of the International Court of Justice for the purpose of facilitating the work of the International Court of Justice on the territory of Ukraine in connection with all situations and cases pending before the Court. In all cases where this Agreement imposes obligations on the competent authorities of Ukraine, the final responsibility for the fulfillment of such obligation's rests with the Government of Ukraine [20].

Also, in the resolution of the Verkhovna Rada of Ukraine "On the statement of the Verkhovna Rada of Ukraine on the need to ensure the responsibility of persons guilty of the most serious crimes in the sphere of responsibility for crimes against humanity in the territory of Ukraine" dated March 20, 2023, it is noted that with regard to international cooperation, Ukraine calls parties to the Rome Statute to implement all possible measures to implement the decision of the Pre-Trial Chamber of the International Criminal Court to issue an arrest warrant for the President of the Russian Federation Vladimir Putin and the Commissioner for Children's Rights under the President of the Russian Federation Maria Lvova-Belova and their further transfer to the Court in accordance with the obligations under the Rome Statute [21]; in the resolution of the Verkhovna Rada of Ukraine "On the Report of the Temporary Special Commission of the Verkhovna Rada of Ukraine on International Humanitarian and International Criminal Law in the Conditions of Armed Aggression of the Russian Federation against Ukraine on the Work Done" on March 20, 2023, it is stated that at the request of the member states of the Rome Statute 2 March 2022, the ICC Prosecutor's Office announced the opening of an investigation into the situation in Ukraine regarding the commission of war crimes, crimes against humanity and genocide on the territory of Ukraine. However, the mechanism for conducting procedural actions on the territory of Ukraine needed to be improved, taking into account the norms of the provisions and powers of the Prosecutor's Office of the ICC, provided for by the Rome Statute [22].

Ukraine should be interested in ratifying the Rome Statute because: firstly, it will not acquire any new risks by joining the ISS; secondly, the ratification will give Ukraine not only the obligation to cooperate with the ICC, but also additional organizational and procedural rights, which it does not currently have; thirdly, the ratification is important as a mechanism to hold Putin, the highest echelon of the military command, and other top officials of the aggressor country accountable at the international level for the most serious crimes committed in Ukraine. Regardless of whether the aggressor country has ratified the Rome Statute or not, it will not protect the highest echelon of the aggressor country's military command from criminal prosecution if there is sufficient evidence that they gave criminal orders [23].

At the same time, in those cases when, for objective reasons, Ukraine will not be able to ensure the prosecution of persons who have committed international crimes on its territory (for example, due to their hiding in the territory of other countries), our state will be able to count on the help of the ICC, which will have jurisdiction over of all events on the territory of Ukraine. In order to ensure the existence of such jurisdiction, it will be advisable for Ukraine to use paragraph 3 of Article once again during the ratification of the Rome Statute. 12 of this document, extending recognition of the Court's jurisdiction to all crimes committed on the territory of Ukraine since February 22, 2014 [24], [25].

VI. Conclusions

Based on the principles of humanity, society cannot put up with immeasurable suffering, heavy human and material losses, which are the result of the violation of these principles. The international legal regulation of crimes, crimes against the peace and security of mankind, is characterized by the predominance of provisions of a political color, which eliminates the possibility of an objective criminal-legal assessment of the specified socially dangerous acts at the national level, which has declarative elements and requires the development of effective methods, methods and means. aimed at combating and preventing crimes of this type.

Full legal personality of many countries on the international map is impossible without the further creation of appropriate mechanisms that would protect states from criminal encroachments and justly punish guilty persons for crimes committed against the peace and security of mankind. The improvement of the methods of combating and preventing the investigated type of crime should be systematic and methodical, implemented in such directions as the improvement of the legal foundations and methods of combating crimes against the peace and security of mankind, taking into account the leading international norms and principles in this area, the organization of a planned, large-scale, effective international cooperation regarding the documentation and investigation of the specified socially dangerous acts.

Considering the fact that the International Criminal Court was created as an international mechanism for the implementation of justice for violations of the norms of international law, in the event that the state is unable to properly bring individuals to criminal responsibility for international crimes,

the ratification of the Rome Statute is a priority task for many European countries. The Rome Statute gives the right of appeal to the International Criminal Court to the state that signed and ratified it.

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