

PERMANENT INTERNATIONAL CRIMINAL JUSTICE BODY

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Abstract. *The effective role of the International Criminal Court in bringing to legal responsibility persons who have committed the most serious crimes against the peace and security of mankind is shown. Genocide is defined as a number of prohibited acts (murder, infliction of serious bodily harm, destruction in whole or in part, of any national, ethnic, racial or religious group). The terms of the main crimes against man and humanity are defined.*

Keywords: *international court of Justice, justice, criminal law, crime, genocide, human rights, convention, participating States, aggression, war crimes.*

Currently, there is a special body of international criminal justice, the International Criminal Court [1].

The International Criminal Court (ICC) is the first permanent international criminal justice body whose competence includes the prosecution of persons responsible for genocide, war crimes, crimes against humanity and aggression [2].

Genocide is an action aimed at the complete or partial destruction of a national, ethnic, racial or religious group by causing serious bodily injury or mental disorder to members of such a group, forcibly transferring children from one human group to another, killing members of this group, etc.

Aggression is a crime against the State, as well as a crime against persons who were killed or injured as a result of the war.

In international criminal law, aggression is one of the main crimes along with genocide, crimes against humanity and war crimes.

List of acts of aggression: invasion, occupation, annexation by force, bombing and military blockade of ports.

Crimes against humanity are acts committed as part of a large-scale or systematic deliberate attack on any civilians.

Criminal acts: murder; extermination; enslavement; deportation or forced displacement of the population; imprisonment or other cruel 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 forms of sexual violence of comparable severity; enforced disappearance people; the crime of apartheid and other inhumane acts of intentionally causing severe suffering or serious bodily injury or serious damage to mental or physical health.

A war crime. These are acts against persons or property protected under the provisions of the relevant Geneva Convention:

- premeditated murder;

- *biological experiments;*
- *intentional infliction of severe suffering or serious bodily injury or damage to health;*
- *illegal, senseless and large-scale destruction and appropriation of property not caused by military necessity;*
- *serious violations of laws and customs applicable in international armed conflicts within the established framework of international law, namely any of the following acts;*
- *deliberate attacks on the civilian population as such or individual civilians who are not directly involved in hostilities;*
- *deliberate attacks on civilian objects, that is, objects that are not military targets;*
- *an attack on unprotected and non-military targets of cities, villages, dwellings or buildings or their shelling with the use of any means, etc.*

We will note some historical stages that led to the creation of the International Criminal Court, as well as its structure and some facts of its activities.

The first steps were taken in 1948 by the UN General Assembly, which decided on the expediency of creating a special legal body that would permanently prosecute those responsible for committing genocide [3].

And only almost fifty years later, in 1998, the International Criminal Court was established on the basis of the Rome Statute, and entered into force on July 1, 2002 after its ratification by 60 countries, that is, only after a three-year process of its formation.

The establishment of such a body was held in Rome on the basis of the above-mentioned resolution of 1948 of the UN General Assembly and in the presence of representatives of 120 States participating in a Diplomatic Conference under the auspices of the UN. The signed document, which became the legal basis for the creation of a permanent International Criminal Court, was called the Rome Statute [4].

Since then and until March 2023, 137 States have signed the treaty, and only 124 have ratified it. Below is a list of them.

<i>20 States of the Asia-Pacific region</i>	<i>18 – Eastern Europe</i>
<i>28 Latin America and the Caribbean</i>	<i>33 African States</i>
<i>25 - Western Europe and other regions</i>	<i>Total 124 states</i>

Two States on October 27, 2017 and March 17, 2019, respectively, renounced the Roman Status (Burundi and the Philippines).

From the countries of the former Soviet Union, Estonia, Latvia, Lithuania, Moldova, Georgia, Tajikistan and Armenia signed and ratified the Rome Statute.

Signed but not ratified by Ukraine (January 20, 2000), Uzbekistan (December 29, 2000) and Kyrgyzstan (December 8, 1998).

Belarus, Azerbaijan, Kazakhstan and Turkmenistan have not signed and, accordingly, have not ratified.

The States Parties that have ratified the Rome Statute are divided into the following regional groups:

- Latin American and Caribbean States,
- African States,
- Eastern European States,

- Western European States,
- Latin American and Caribbean States,
- Asian States, including Pacific Ocean countries
- and other states.

When a State ratifies the Rome Statute, it agrees to recognize the jurisdiction of the International Criminal Court with respect to the crimes listed therein. This is in situations that meet one of the following conditions:

- one or more parties are the participating States;
 - the accused is a national of the State party;
 - the crime was committed in the territory of the State party;
 - the crime was committed on the territory of a State that is not a party to the Statute, but has decided to recognize the jurisdiction of the International Criminal Court in respect of a specific crime committed on its territory or by its citizen [6].
- The seat of the International Criminal Court is The Hague, but the sessions may be held in any other place at the request of the Court.

The International Criminal Court is not part of the official structures of the United Nations, although it can initiate cases on the recommendation of the UN Security Council.

The International Criminal Court has the status of an independent international organization and is not part of the UN structure. The Court's expenses are financed by its member States, and voluntary contributions from Governments, international organizations, individuals, corporations and other entities are also possible.

The existence of the International Criminal Court may well be explained historically, as well as in modern conditions, especially in connection with the growth of terrorist crimes and the aggravation of the situation in a number of regions of the planet.

The creation of the International Criminal Court gave hope that it would deter potential war criminals, rulers, individual States, juntas and armies from any unpunished violations of human rights.

States parties to the Rome Statute should assist and cooperate fully with the International



New residence of the Court in The Hague (Netherlands)

Criminal Court at all stages of its work, and respect international standards concerning the rights of victims, suspects and accused during investigations, prosecutions and proceedings. If a State Party refuses to comply with a request for cooperation, the Assembly of States Parties or the Security Council should request and examine the appropriate justification for such refusal.

Implementation of international criminal justice in the Republic of Uzbekistan.

Let us consider the applicability of international criminal justice in the Republic of Uzbekistan, whose criminal legislation contains criminal law norms establishing responsibility for crimes against the peace and security of mankind. This is the subject of section II of the Criminal

Code of the Republic of Uzbekistan [5]. It establishes responsibility not only for crimes within the jurisdiction of the International Criminal Court, but also includes among the most serious acts in the sphere of peace and security of mankind violation of the laws and customs of war (Article 152) and a number of other crimes.

The Court may exercise its jurisdiction only if the national court is unable or not ready to actually exercise it itself. Priority is always given to national courts.

Although Uzbekistan has not ratified the Rome Statute, another similar document was ratified by the resolution of the Oliy Majlis of the Republic of Uzbekistan: "On ratification of the agreement between the Government of the Republic of Uzbekistan and the Government of the United States of America regarding the transfer of persons to the International Criminal Court" dated December 13, 2002 No. 448-II.

On September 18, 2002, an Agreement between the Government of the Republic of Uzbekistan and the Government of the United States of America was ratified in Washington. dated December 13, 2002 No. 448-II

Conclusion. In general, it can be said that the International Criminal Court is an effective body of international justice and makes it possible to bring to legal responsibility persons who have committed the most serious crimes against the peace and security of mankind. Since these crimes encroach on the very existence of individual States, we can say that the International Criminal Court is a body that deals with cases against persons who have violated the principle of peaceful settlement of international disputes. Such a mechanism for protecting this principle implies its universal recognition.

Genocide is defined as a number of prohibited acts, such as murder or infliction of serious bodily harm, committed with the intent to destroy, in whole or in part, any national, ethnic, racial or religious group.

The definition of the term war crime is given in part 2 of Article 8 of the Rome Statute (Charter) The International Criminal Court, according to which war crimes include:

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