

## Summary

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**Subject matter:** International Criminal Justice

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**Specialty / direction of training:** 40.04.01 - Jurisprudence

**Level of study:** Master's degree

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**Relevance of the research topic.** In the history of mankind, the twentieth century will be remembered not only as a century of rapid material and technical development, but also as a century of lawlessness and inhumane acts that repeatedly violated international security and the rule of law.

The process of globalization, in addition to positive phenomena, leads to negative consequences, such as: the Association of criminal force, criminal syndicates, gangs, etc. the Concern of the international community are not only intra-state conflicts and terrorist acts that pose a danger not only to individual States but to the whole of humanity, which requires the adoption of joint efforts and maintain a daily cooperation in the fight against them.

The existence of such crimes has led to the establishment of international criminal tribunals to deal with complex issues of an international legal nature.

During the XX century was carried out the formation of the organs of international criminal justice. So, in 20-ies started active research on a theoretical level the problems of creating an international criminal justice system. A number of projects have been put forward to institutionalize international criminal justice. An increasing number of lawyers, politicians in Europe and America have come to support the idea that the emergence of the international criminal court (ICC) will have a great positive impact on the development of international relations and will contribute to the strengthening of international law. International criminal justice bodies such as the Permanent court of International Justice (1922-1940), the international military Tribunal for the trial of major German war criminals - the Nuremberg Tribunal (1945-1946), the international military Tribunal for the trial of major Japanese war criminals - the Tokyo Tribunal (1946-1948) were established. In accordance with security Council resolutions, the current international tribunals for the former Yugoslavia and Rwanda were established in 1993-1994. At the same time, the statutes of both tribunals were approved.

**The object of the study** is the legal basis for the formation and development of international criminal tribunals (international criminal justice bodies).

**The subject of the study** is the international legal norms and national legal norms establishing the legal status and establishing the basis for the activities of international criminal tribunals (international criminal justice bodies).

**The purpose and objectives of the study** are a comprehensive analysis of the problems of the legal status, formation and development of international criminal justice.

To achieve this goal, the following **tasks** are formulated:

1. to formulate the concept of international criminal justice in the system of international criminal law;
2. to analyze the principles of the Nuremberg international military Tribunal and to update its contribution to the development of international criminal law;
3. to consider the Tokyo international military Tribunal from the standpoint of its international legal essence and significance;
4. to study the institutional and legal framework for the establishment and operation of the International criminal Tribunal for the former Yugoslavia;
5. to analyze the institutional and legal framework for the establishment and operation of the International criminal Tribunal for Rwanda.

**Conclusions:** Analyzing the impact of international tribunals in the international community as a whole, it should be noted that, despite the fairly successful implementation of the principle of international responsibility in the creation of tribunals raises the problem of lack of legitimacy in the administration of justice. This is due to the dependence of the tribunals on the decisions of the security Council laid down in the UN Charter. The Prosecutor's initiative to initiate criminal proceedings depends entirely on the decision of the security Council, especially in situations of aggression and peacekeeping (Chapter VII of the UN Charter). At the same time, the decisions of the security Council are heavily influenced by the major powers of the world, and if their views coincide, a decision can be taken, although not always justified - this is not enough to implement the principle of collective security, on the basis of which a decision on bringing to international responsibility is taken. In cases where the aggressor is a great power, the security Council is virtually unable to take a decision in accordance with its view, because the veto will be applied immediately and no decision will be taken.