

DOI: <http://dx.doi.org/10.34069/AI/2020.28.04.57>

Implementation of international crimes under the Rome Statute into national legal systems

Імплементация норм Римського Статуту щодо Міжнародних злочинів у внутрішньодержавні правові системи

Received: February 10, 2020

Accepted: March 19, 2020

Written by:

Nadiia Shulzhenko²³¹<https://orcid.org/0000-0002-9961-7574>**Snizhana Romashkin**²³²<https://orcid.org/0000-0002-2459-8727>**Oleksii Shulzhenko**²³³<https://orcid.org/0000-0001-7996-9516>**Sergii Mokhonchuk**²³⁴

Abstract

The present research paper describes the most traditional ways of Implementation of Rome Statute. The main section of the paper concerns the effect of adopting Core crimes in different countries as well as determine key way of such implementation and its practical results. Such description aims to comprehend and compare the practical questions which arise in the prism of implementation of International Crimes, as well as find good practical answers which are based on states' experience. Most issues, which will be introduced in this article should answer following important questions: first is whether the states have to implement international regulations on genocide crimes, terrorism, war crimes with crimes against humanity, and second question is arisen due to the definition of International Crimes in national laws. At main part of the research, we discuss the national legal background to implement the regulations of Rome Statute, as a part of International law, as well as analyze foreign countries experience in this direction. In this legal research, three categories of methods were used: philosophical methods, general scientific methods and legal methods. All the methods, including dialectic method, method of analysis and synthesis, historical, sociological and comparative, the method of the general theory of scientific knowledge of social and legal phenomena, as well as, method of systematic analysis,

Анотація

У дослідженні описані найбільш традиційні способи імплементації Римського статуту до національних законодавств. Основний розділ статті стосується вивчення досвіду Фінляндії, Німеччини та Канади по імплементації норм Римського Статуту щодо міжнародних злочинів. Стаття має на меті висвітлення основних практичних питань, що виникають при впровадженні положень щодо міжнародних злочинів. Проаналізовано такі основні проблеми: чи має національне кримінальне законодавство приймати окремі закони щодо військових злочинів, злочинів проти людства, агресії та геноциду? Який склад цих злочинів відповідно до норм національного законодавства? У статті акцентується увага на особливостях правового регулювання та діяльності країн щодо імплементації міжнародного права в цілому та Римського статуту Міжнародного кримінального суду зокрема. У дослідженні були використані три категорії методів: філософські методи, загальнонаукові методи та спеціально-юридичні методи. Усі методи, включаючи діалектичний метод, метод аналізу та синтезу, історичний, соціологічний та порівняльний, метод загальної теорії наукового пізнання соціальних та правових явищ, а також метод систематичного аналізу, порівняльно-правовий метод та логічно-правовий метод були використані для розгляду традиційних

²³¹ PhD, Assistant of the Department of Criminal Law, Yaroslav Mudryi National Law University, Kharkiv, Ukraine.

²³² PhD student of Academician Stashis Scientific Research Institute for the Study of Crime Problems, National Academy of Law Sciences of Ukraine, Kharkiv, Ukraine.

²³³ PhD, Associate Professor of Law at Volodymyr Dahl East Ukrainian National University, Severodonetsk, Ukraine.

²³⁴ PhD, Professor of Yaroslav Mudryi National Law University, Kharkiv, Ukraine.

comparative legal method, and logically legal method were used to consider the most traditional ways of Application of the Rome Statute in domestic laws together with all the regulations of international law in general.

Key words: adaptation of national law, International core crimes, ICC jurisdiction, implementation of International law in domestic legislation, Rome Statute, Ways to implement of ICC.

Introduction

Most importantly, that legal acts, just court and peace are those significant instruments for a negotiated international settlement, and as a consequence the International Criminal Court (date of establishment 1998) is an effective tool for combating International crimes and for spreading justice all over the world.

In today's conditions of integration of Ukraine into the world community, and with the effective and close cooperation with the foreign governments as well as with the international organizations, the importance of effective legal implementation is highly important. This involves, first and foremost, setting a national legislation mechanism into a strong line with international law.

Furthermore, every civilized country seeks to align its framework of legislation based on the most recent international updated laws and treaties. However, the theory or even the conception of the priority of national law over international law has long prevailed within legal science, hence why the issue of the application of international legislation has not been sufficiently studied.

Considering that Ukraine has chosen European vector of integration, the need for implementation of international law into national law, and its study is clearly becoming an urgent issue.

In the situation of armed conflict with the Russian Federation, and the military occupation of a large area, the massive destruction and record losses of the military and civilians - all of which our country has faced in the last few years. Such circumstances have brought the issue of international legal protection of Ukraine's interests to a new level, which requires proper theoretical and practical justification.

способів імплементації Римського статуту та норм міжнародного права у внутрішньодержавних правових системах.

Ключові слова: адаптація національного права, міжнародні злочини, юрисдикція міжнародного кримінального суду, імплементація норм Міжнародного права в національне законодавство, Римський статут, шляхи імплементації норм Римського статуту.

In view of the above, we are convinced that in the current Ukrainian context, the issue of the perception or it is better to mention the issue of acceptance of the jurisdiction of the International Criminal Court (hereinafter - the ICC) is extremely important.

This article seeks to illustrate the practical questions which arise in the prism of domestication of Core International Crimes, as well as find good practical answers which are based on states' experience of implementation. The key questions of the article are whether the states have to implement international regulations on crimes against humanity, terrorism, war crimes, and genocide crimes and in particular the definition of International Crimes by national laws. It is obviously, that such National Law have to move further than the penal regulations of the Rome Statute and should comply also with other parts of International law. Familiarizing with the deep knowledge of the methods of applying the definitions for international crimes in the context of national criminal law, we would like, first of all, to identify the main methods of reflecting key international crimes in national legislation, then, to lay down the legal bases for the exercise of national jurisdiction and, finally, to illustrate foreign experience in the scope of their practical contribution to the highlighted topic.

Theoretical framework

The theoretical basis of our study is existing national and International laws as well as the researches of national and International scientists in area of Implementation of International regulations, and in particular the Rome Statute.

In the concept development of implementation, ratification and adaptation of international law into domestic legislation, indispensable role is made by the following scholars: Daley J Birkett,

F. Lafontaine, Morten Bergsmo, Hesenov R, Mads Harlem, Nobuo Hayashi, Roozbeh Baker, Schmalenbach Kirsten, etc.

The author Fannie Lafontaine in her legal article "Canada's Crimes against Humanity and War Crimes Act on Trial: An Analysis of the Munyaneza Case" determined Canadian experience of implementation the regulations of Rome Statute by adopting separated act – the Canada's Crimes Against Humanity and War Crimes Act, as well as provided detailed analyze of first national court hearing and its case – Munyaneza Case. The researcher Rahim Hesenov depicted the main key elements of the concept of universal jurisdiction in his article "Universal Jurisdiction for International Crimes", mentioning that the only solution can be made in case of the international agreement between all the countries and International Criminal Court. Morten Bergsmo, Mads Harlem and Nobuo Hayashi in their legal paper "Importing Core International Crimes into National Criminal Law" provided full and detailed analyze of main ways of the implementation of the definitions of international crime – under international regulations into national legal systems. On contrary, Daley Birkett in his article "Twenty Years of the Rome Statute of the International Criminal Court" described crucial achievements of the activity of Rome Statute and with the main references to case law. The author Schmalenbach Kirsten, in the article "International Criminal Law in Germany" provide the evaluation of the German legal system, description of national approach of Implementation of Rome Statute by adopting amendments to German Criminal Code.

Findings from the study reveal a connection between the law level of knowledge, understanding, and identification through the prism of theoretical framework. The article discusses the practical questions, which arise in the prism of domestication of Core International Crimes, practical answers which are based on states' experience of implementation. Most of the issues to be examined in this research are related to the acceptance, adoption, implementation, ratification, and application of the Rome Statute and the appropriate foreign experience.

Methodology

The methodological basis of the study consists of philosophical, general scientific and special legal methods.

The philosophical (dialectical) method, which allowed to comprehensively and fully formulate the mechanism of implementation of the norms of the Rome Statute, as well as to reveal the main aspects of implementation, became the one of the main methods of scientific research.

The use of the system-structural method has revealed the key elements of international mechanisms for the implementation of international law in national law.

The use of an axiological method has allowed to substantiate the importance of implementation in domestic state legal systems.

In order to analyze and find out the content of the relevant rules of international treaties and acts of international organizations in the field of research, certain methods of interpretation of law were applied, which facilitated a comprehensive and comprehensive study of the issue of implementation.

Also, the study used such special methods as the method of comparative legal analysis (to study the legal regulation of the mechanism of implementation of international law and the Rome Statute in the domestic law of the States). The formal legal method was used to study the national regulations of Germany, Canada and Finland.

The functional method helped to examine the experience of foreign states in the implementation of the norms of the Rome Statute into national law from a practical point of view.

Results and discussions

Implementation literally means ensuring practical results and actual implementation by specific means. The legal dictionary defines it as the actual implementation of international obligations at the domestic level by the transformation of international legal norms into national laws and regulations.

This term has been reflected in numerous UN General Assembly resolutions, international conventions, and other legal instruments.

Accordingly, to the Daley J Birkett, the procedure of application of International law into domestic law has to be discussed as two-way process, a set of rules which will lead to effective justice in general. As a consequence, we have to do to key things: to implement the international regulation in national codes, legal act, general

provisions, etc., and also we have to improve the rules of the national legal system in accordance with the updated foreign experience and international regulations as well. (Daley J Birkett, 2019).

Based on this statement, we have follow both international level, linked with the evaluations and elaboration of international norms adopted by International community and national level of implementation, aimed to achieve the goals of international obligations.

In case of the national mechanisms of implementation, it should be mentioned that the it consists of development of norms only within national law, which, firstly, establish the procedural mechanism for the implementation of international legal norms, secondly, regulate the organizational and legal activity of governmental institutions and law enforcement bodies in the connection with the implementation of international law, and, thirdly, fulfill the gaps between the international obligations undertaken by the state and actual national laws. As indicates the author Roozbeh and Baker (2010), in each state, this issue is addressed differently. That is why in practice all democratic states enshrine the conception of priority of international norm or act in their constitutions.

Primary objective of this transformation is not to change regulations, legal principles and laws in general, but to gradually transform the national system of law to approximate the laws of one state with another or create a single mechanism that reflects the views of the entire world community.

Moreover, modern representatives of mixed theory of implementations allow the use of the regulatory ratio in the same norm, both international and domestic law.

Taking into account the fact that Ukraine is not a member of the European Union, implementation is only possible due to our country's participation in certain international treaties, the prescriptions of which are later reflected in national legislation. Using the process of implementation of the rules of international law, different methods of implementation of legal norms may be applied, this is mainly depending on the nature of the legal acts (Vitalii Gutnyk, 2018).

Among the main methods of domestication International law are the following: reception, transformation, dispatch.

The essence of the reception is that the rules become the norms of national law, taking into account those legal regulations of society that were previously in the territory of the state.

Transformation is a changing of text of essential international act or articles based on a general rule of national law. As Triggs Gillian (2003) describes, the main condition for transformation is the reformulation of norms in forms differ from the text in the primary source, preserving the very essence and content. Whereby domestic law is brought into conformity with international standards.

The referral is an indication of international legal acts in national regulations. Such referrals authorize the direct application of the international rules of law in domestic legal relations (Morten Bergsmo, 2010).

The complexity of implementation is caused by a number of such factors: the lack of a mechanism for regulating the procedure of implementation, the lack of compliance of a large number of rules of national legislation with international standards, etc.

A. Haverdovsky, in his studies of both theoretical together with practical issues of implementation, convincingly proved equally advantages and feasibility of the implementation used as a separate concept. Implementation in his definition, means the deliberate legal activity of States, carried out individually, collectively or within the framework of international organizations, with a view to timely, comprehensive and complete implementation of the state obligations in strict addition to the international acts. According to A. Haverdovsky, implementation provides the securement of the rules of international law, both at international and national levels, by all means, available and legal for the states: internationally, nationally or consistently on both sides (Volynets R., 2019).

The author Morten Bergsmo, discussing the process of implementation of International law in general, determines that one of the most crucially important questions is the implementation of the definition of the International Crimes. Such process of importing Core crimes is close to the principle and conception of complementarity. Accordingly, all cases, which are not included in the jurisdiction of national courts, should be investigated under the International Criminal Court (Morten Bergsmo, 2010).

Nevertheless, following this statement, two main questions arise: first and foremost, the institutional ability of Countries to investigate International crimes within the national jurisdiction. Second, the improvement of procedural effectiveness in investigating of international crimes proceedings before national courts (Article 123 of the Rome Statute).

As it is stated in campaign of Parliamentarians of Global Action, there are several most important benefits for the States to discuss Rome Statute implementation, such as:

- 1) The chance to improve national criminal regulations along with the possible ability to investigate international crimes by national courts, using the Universal principle.
- 2) Deterrent effect for the criminals, who believe they do not risk to be prosecuted by national courts by conducting international crime.
- 3) Instant consultation and cooperation within the policy of domestic legal entities and the same representatives in the International Criminal Court.
- 4) Depoliticization: nevertheless, there are people who think ICC regulations seem to be political, only such International regulations helps to stop politicization of national proceedings as well as separate the courts from unreasonable and corruptive intervention, promoting the application of justice and the judicial independence.

The idea of universality or the definition of erga omnes obligations is laid down in the context international criminal law framework. This means for the international core crimes, all the perpetrators must be responsible for such crimes, first of all by a court of any state. That is why the international community agrees that punishment for them is an issue of public interest for all the states under international law.

As Kirsten Schmalenbach admitted in her work, this only means that any national or regional court have an ability to prosecute any violations of international criminal law, and primary, no matter where and against whom such act took place.

Morten Bergsmo (2010) identified that the most traditional variant of application is the adoption such Laws into National Codes of Crimes under International Law. Second and more alternative approach the process of implementing Law of International Criminal Court, a specific

incrimination in domestic law (Schmalenbach Kirsten, 2015).

Recent research made by Carsten Stahn (2018) also confirmed that the quality of national prosecutions is important for the development of criminal justice within the International community. In recent decade even more States adopted specialized laws to investigate international crimes to meet the primary particularities and complexities of International Criminal law (Carsten Stahn, 2018).

We completely agree with Kirsten Schmalenbach, who mentions that the laws and regulations have be laid on the principle of complementarity and allow national courts to exercise jurisdiction accordingly. With such a procedure, States would have the possibility to benefit from such a principle. (Schmalenbach Kirsten, 2015).

We would like further discuss the foreign experience of implementing the norms of International Criminal Court into national legislation as well as analyze the recommended practice for such application.

Despite the fact that most of the states under consideration now recognize the monistic approach with the priority of international law over national law, not all of them have fully implemented the fundamental provisions of International law in their Criminal law.

First example of mixed method of application of ICC regulation, which includes both static and dynamic transcription is Finland. The author Morten Bergsmo discussed this in his research and described that Finnish criminal law may be considered to be a mixed strategy because of the static and dynamic ways of implementation, in which certain key crimes accordingly to International criminal law are included (Observing the Finnish Criminal Code, mainly the Chapter 13, were there are definitions of War Crimes and Crimes against Humanity), while others regulations are implemented with the legal references to international obligations of Finland (Morten Bergsmo, 2010).

However, the author Popovich V.P. in her research indicated that Finland in most cases recognized the primacy of international law over national law, and that the Finish criminal code is more based on the International laws and the punishments for serious crimes accordingly to the International Humanitarian Law and Human Rights Law (Popovich V.P., 2010).

Accordingly, to the Finish national report made by Dan Helenius, Finland has implemented following legal acts on crimes against humanity and linked crimes, war crimes and linked definitions of crimes (based on the provisions of Rome Statute), genocide and preparation of genocide (in accordance with the UN Convention on the Prevention and Punishment of the Crime of Genocide) (Prosecuting Corporations for Violations of International Criminal Law: Jurisdictional Issues, 2017).

Discussing German experience, we have to mention that since 1996, more than 600 requests for legal assistance from the International Criminal Tribunal for Yugoslavia, and 100 war crimes prosecutions have been initiated by German government. Schmalenbach Kirsten, 2015 mentions that adopting laws and regulations of International Criminal Court, German legislator firstly adopted the main provisions necessary to regulate cooperation between Germany and the ICC in order to prosecute persons who committed crimes under international criminal law (Schmalenbach Kirsten, 2015). Accordingly to the memorandum's comments of the German Code (The Code of Crimes against International Law of 26 June 2002), which state that the Code has four purposes: first, it defines the nature of the wrongfulness of crimes under International law and fills the gaps that exist between criminal law in Germany and international criminal law; secondly, it promotes legal clarity and practical application by integrating the rules into one code; thirdly, it provides the legal definition of prosecution of crimes committed under the jurisdiction of the ICC; fourth, it promotes the recognition and dissemination of knowledge about international criminal law (Hesenov R., 2013).

In general, the German Federal Government's strategy for implementing the Rome Statute is based on a three-step procedure for amending domestic legislation.

The author Shcherban E.V. mentions that Germany on the contrary of other European countries use the constitutional changes to adopt the regulations of International Criminal Court and to collaborate with ICC. Germany provides the possibility of extradition of German citizens to the Member States of the European Union or transfer to the prosecution of ICC since November 29, 2000, when the German legislator made Amendments for the Article 16 of Constitution of Federal Republic of Germany (Shcherban E.V., 2018).

We totally agree with the author Popovich V.P. (2010) who mentioned constitutional requirements in German criminal legislation does not need separate implementation of ICC regulations, except for the imposition of sanctions for their commitment. Such is the model of "perception" of the generally recognized norms, definitions, principles and acts of international law, seems most convenient in the terms of national procedure of adaptation of International Law. After all, the state in this case is making minimum efforts, but fully fulfills its international obligations.

The final example of the application of the Rome Statute Regulations is a separate act of legislation under the Canadian Crimes Against Humanity and War Crimes Act (hereinafter CAHWCA).

In 2000, Canada implemented the obligations of the Rome Statute through the Crimes Against Humanity and War Crimes Act. This legal act contains the norms which spread the universal jurisdiction for national courts to investigate following crimes genocide, crimes against humanity and war crimes. As a consequence, the Canadian Courts has the first experience to spread national jurisdiction for the Munyaneza Case over war crimes and crimes against humanity committed under the Criminal Code of Canada, without the link on Rome Statute.

As Fannie Lafontaine, (2010) determined in her research paper, the Canada's Crimes Against Humanity and War Crimes Act arise two important questions— to implement all the international obligations of Canada under the Rome Statute, ensuring the possibility to cooperate fully with investigations by the ICC, as well as to reset Canada's ability to investigate International crimes c conducted both within the Canada and abroad (Fannie Lafontaine, 2010).

The first international case prosecuted under national Court of Canada was Munyaneza Case, the criminal was judged for his role in the 1994 Rwandan Genocide. As it determined the CAHWCA determine the legal backgrounds for its jurisdiction for crimes conducted within and outside of Canada (Global Affairs Canada, 2013). As a consequence, the legislator divided territorial principle and principle of universality, for offences committed outside of Canada (Valerie Oosterveld, 2018).

Discussing the Munyaneza case, we have to determine that it was the first time when Canadian court has convicted a guilty person of such crimes perpetrated outside Canada. This

trial was the first case both in the experience to Canada's legislation as well as International law, which show the possibility to fulfill Canada's obligations under the Rome Statute of the International Criminal Court and to prosecute crimes within National legal system.

As the author Valerie Osterveld leads in the discussions, for crimes committed outside of Canada, Act 2000 includes two jurisdictions which are based on both the nationality principle and the passive personality principle, which is described in the following way: "the victim...was a Canadian citizen" or "a citizen of a state allied with Canada in an armed conflict" (Valerie Osterveld, 2018).

Only this legal act has made Canada a succession of all those states that are at the forefront of prosecuting international crimes, especially under the concept of universal jurisdiction. Nevertheless, with improved economic and political resources, it might do more to genuinely to show the great example of application of the International Law into National legislation by means of ratification of Rome Statute and adopting separate act on its fulfillment.

Conclusions

The main purpose of the implementation of international law into national law is to change the existing legislation and to fulfill international obligations, taking into account the peculiarities of the national systems. To summarize, we have to mention that:

1. International law mechanisms and the Regulations of Rome Statute as well, may help to develop integrity in the general principles of humanity and legality, maintain a sense of public legal protection and in most cases a sense of justice all over the world.
2. Examining the foreign experience, in most cases, countries have three main directions to implement the International regulations, mainly the Rome Statute. First is the minimalist approach, which indicates strict accordance with the requirements of the complementarity principle (Germany), a dynamic approach, with the wider or different definitions than the Rome Statute, or mixed approach (Finland), which includes both previous methods.
3. The mechanism of national incorporation of the International together with Rome Statute in particular are absolutely necessary actions to accomplish the overall goal of reducing organized crimes.
4. The discussed experience of Canada, Finland and Germany determine the main statement - in case of full and effective implementation of Rome Statute, Country has the possibility to increase its protection both on national and international level by using the mechanisms of International Criminal Court.
5. The Canadian experience shows the first example and the possibility of prosecuting the guilty person committed international crimes under National law but in strict determination with the Rome Statute.
6. The German and Finnish experience show the possibility of implementation International legislation into National codes along with the further procedure of identification of the nature of the wrongfulness of crimes under International law, as a consequence it helps to fill the gaps, which exist between national criminal law and international criminal law.

Successful prosecution and just national court systems are crucial responses to human rights violations, however all the countries have to continue its implementation. Respectfully, the world should continue to take appropriate steps to bring peace and justice on the contrary of cruel and worldwide human rights violations.

Bibliographic references

- Carsten Stahn, (2018). A Critical Introduction to International Criminal Law, Universiteit Leiden, doi.org/10.1017/9781108399906, Retrieved from: <https://www.cambridge.org/core/books/critical-introduction-to-international-criminal-law/EFEDBED0B84359DFA281A9079047846F>
- Convention on the Prevention and Punishment of the Crime of Genocide. Adopted by the General Assembly of the United Nations on 9 December 1948, Retrieved from: <https://treaties.un.org/doc/publication/unts/volume%2078/volume-78-i-1021-english.pdf>
- Campaign by Parliamentarians for Global Action: Implementing Legislation on the Rome Statute – Universality & Effectiveness of the ICC Statute System, Retrieved from: <https://www.pgaction.org/ilhr/rome-statute/implementing-legislation.html>
- Daley J Birkett, (2019). Twenty Years of the Rome Statute of the International Criminal Court: Appraising the State of National Implementing Legislation in Asia, Chinese Journal of International Law, Volume 18, Issue

- 2, 2019, Pages 353–392, Retrieved from: <https://doi.org/10.1093/chinesejil/jmz014>
- Fannie Lafontaine, (2010). Canada's Crimes against Humanity and War Crimes Act on Trial: An Analysis of the Munyaneza Case, *Journal of International Criminal Justice*, Volume 8, Issue 1, March 2010, Pages 269–288, <https://doi.org/10.1093/jicj/mqq002>
- Global Affairs Canada, "Canada's Crimes Against Humanity and War Crimes Act" (30 April 2013), Retrieved from: <http://www.international.gc.ca/court-cour/war-crimes-guerres.aspx?lang=eng>
- Hesenov, R, (2013). Universal Jurisdiction for International Crimes – A Case Study. *Eur J Crim Policy Res* 19, 275–283 (2013). <https://doi.org/10.1007/s10610-012-9189-8>
- Retrieved from: <https://link.springer.com/article/10.1007/s10610-012-9189-8#citeas>
- Morten Bergsmo, Mads Harlem and Nobuo Hayashi, (2010). Importing Core International Crimes into National Criminal Law, Retrieved from: https://www.fichl.org/fileadmin/fichl/documents/FICHL_1_Second_Edition_web.pdf
- Ruslan Volynets, (2019). The question of Ratification of Rome Statute of International Criminal Court, Retrieved from: <http://pgp-journal.kiev.ua/archive/2019/12/54.pdf>
- Roosbeh (Rudy) B. Baker, (2010). Customary International Law in the 21st Century: Old Challenges and New Debates, *European Journal of International Law*, Volume 21, Issue 1, February 2010, Pages 173–204, <https://doi.org/10.1093/ejil/chq015>
- Rome Statute of the International Criminal Law, Retrieved from: <https://www.icc-cpi.int/resource-library/documents/rs-eng.pdf>
- Popovich V.P. (2010). Implementation of International Humanitarian law into criminal legislation of Ukraine, Retrieved from: <http://dspace.lvduvs.edu.ua/bitstream/1234567890/785/1/%D0%9F%D0%BE%D0%BF%D0%BE%D0%B2%D0%B8%D1%87%20%D0%92.%D0%9F.%20%D0%B4%D0%B8%D1%81.pdf>
- Schmalenbach, Kirsten, (2015). International Criminal Law in Germany, Retrieved from: https://www.researchgate.net/publication/289537519_International_Criminal_Law_in_Germany
- Shcherban E. V. (2018), European experience of Implementation of the Rome Statute of the International Criminal Court, <http://elar.naiu.kiev.ua/jspui/handle/123456789/9502>
- The Criminal Code of Finland (39/1889, amendments up to 766/2015 included), Retrieved from: <https://www.finlex.fi/en/laki/kaannokset/1889/en18890039.pdf>
- The Code of Crimes against International Law of 26 June 2002, Germany, Retrieved from: <https://germanlawarchive.iuscomp.org/?p=758>
- The Additional Protocols to the Geneva Conventions, Retrieved from: https://www.icrc.org/en/doc/assets/files/other/icrc_002_0321.pdf
- Triggs, Gillian, (2003). "Implementation of the Rome Statute for the International Criminal Court: A Quiet Revolution in Australian Law", Retrieved from: <http://classic.austlii.edu.au/au/journals/SydLawRw/2003/23.html>
- Valerie Oosterveld, (2018). Canada and the Development of International Criminal Law: What Role for the Future? Canada in International Law at 150 and Beyond, Paper No. 16, March 2018, Retrieved from: <https://www.cigionline.org/sites/default/files/documents/Reflections%20Series%20Paper%20no.16web.pdf>
- Vitalii Gutnyk, (2018). Separate issues of the implementation of the Rome Statute of the ICC in the Legal order of Ukraine, *European Political and Law Discourse*, Volume 5, Issue 4, 2018, Retrieved from: <https://eppd13.cz/wp-content/uploads/2018/2018-5-4/04.pdf>
- Vienna Convention on the Law of Treaties 1969, Retrieved from: https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf