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THE JURISDICTION OF THE INTERNATIONAL CRIMINAL COURT (in the context of the Republic of Azerbaijan)

Açar sözlər: Beynəlxalq Cinayət Məhkəməsi, cinayət-hüquqi yurisdiksiya, tamamlayıcılıq prinsipi, ədalət mühakiməsi.

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Keywords: International Criminal Court, criminal-law jurisdiction, complementarity principle, administration of justice.

Introduction

The International Criminal Court (ICC) is a permanent international tribunal established to prosecute individuals accused of committing the most serious crimes that concern the international community as a whole. The ICC is headquartered in The Hague, Kingdom of the Netherlands. In this respect, it is important to distinguish the ICC from other judicial bodies. Although the ICC, founded in 2002, operates as an independent institution separate from the United Nations and tries individuals for the gravest crimes, the International Court of Justice (established in 1945) is a UN judicial organ that settles legal disputes between states. By contrast, the European Court of Human Rights (established in 1959) is a regional court independent of the UN

that deals with human rights violations committed by states.

Before analyzing issues related to the jurisdiction of the ICC, it is essential to briefly consider the legal history of international criminal trials. Many scholarly sources identify the trial of Peter von Hagenbach in 1474 as the first ad hoc criminal tribunal in history [14, p.20]. This court is often regarded as a foundational precedent. However, due to historical circumstances, no similar permanent judicial bodies were established for several centuries. In the 19th century, during the Franco-Prussian War (1870–1871), Gustav Moynier, a founder of the International Committee of the Red Cross, proposed in 1872 the creation of an international criminal tribunal. Moynier is thus recognized as the first author of the idea for an international permanent criminal court [13, p.72.]. Unfortunately, his proposal was not accepted at the time. It was not until the modern era that an international criminal judicial body was established, in the form of the Nuremberg Tribunal (1945), which was created as the first modern ad hoc international criminal court.

In political history literature, the period of the “Cold War” is well-known. However, in the history of international criminal judicial bodies, this era may be referred to as a “dark period,” because, despite the commission of crimes against humanity (such as during the Korean and Vi-

etnam wars), no judicial institutions were established due to the lack of consensus among states. After the dissolution of the USSR, the 1990s marked an important phase for international criminal justice. During this period, the International Criminal Tribunal for the Former Yugoslavia (1993) and the International Criminal Tribunal for Rwanda (1994) were established. These developments demonstrated worldwide that there was a need for a permanent, rather than ad hoc, international criminal court [3, p.31].

Consequently, on 17 July 1998, the Rome Statute was signed in Rome during a diplomatic conference held at the headquarters of the Food and Agriculture Organization of the United Nations, attended by authorized representatives of the UN member states:

- States in favor (120 states): These states supported the treaty and contributed to its adoption;
- States against (7 states): China, Iraq, Israel, Libya, Qatar, the United States, and Yemen;
- States that abstained (21 states): Azerbaijan, Turkey, and others.

According to Article 126 of the Rome Statute, the entry into force of the Statute required ratification by 60 states. This process was completed remarkably quickly on 1 July 2002 [8, p. 359]. The ratification of such a significant Statute by this many states in such a short period further demonstrates its legal success and political acceptability.

I would like to note, by way of a brief digression, that for Azerbaijan this Conference was of particular importance. On 6 June 1998, by Decree No. 822, the President of the Republic of Azerbaijan, Heydar Aliyev, approved the composition of the Azerbaijani delegation to participate in the Diplomatic Conference of the United Nations dedicated to the establishment of the International Criminal Court, designating the official representatives who would represent the country [7].

Moreover, through this participation, Azerbaijan transformed into its domestic legislation the crimes of aggression, genocide, crimes against humanity, and war crimes, essentially reflecting the provisions of the Rome Statute and, in some respects, even expanding upon them. This was formalized in the Section VII (crimes against peace and humanity) of the Criminal Code adopted on 30 December 1999, which came into force on 1 September 2000. The inclusion of the crime of ecocide currently under discussion for addition to the Rome Statute of the ICC into Article 104-1 of the Criminal Code by the Law of 22 October 2024 demonstrates Azerbaijan's firm position on eliminating impunity with regard to international crimes [1, p.117].

Main provisions

At the conclusion of the Rome Conference, following the contentious debates among many states, Article 5 of the Rome Statute established that the Court's jurisdiction is directed not at states, but at individuals. It stipulates that individuals can be held accountable for the most serious crimes of concern to the international community as a whole, namely:

- the crime of genocide;
- war crimes;
- crimes against humanity;
- the crime of aggression [10, p. 87].

On 11 June 2010, at the Review Conference held in Kampala [18], the capital of Uganda, a definition of the crime of aggression and the conditions under which the ICC may exercise jurisdiction over it were adopted [4, p.89].

The definition was based on United Nations General Assembly Resolution 3314 (XXIX) of 14 December 1974. The ICC's jurisdiction over the crime of aggression requires a decision to be taken after 1 January 2017, by the same majority of States Parties as is required for amending the Statute. When discussing the jurisdiction of the ICC, particular attention must be paid to the

principle of complementarity, as the Court relies on this principle when exercising its jurisdiction. According to Articles 17-20 of the Rome Statute, the International Criminal Court (ICC) does not replace national criminal justice systems but rather complements them [2, p. 98].

The Court is authorized to investigate, prosecute, and adjudicate only when a State Party is unwilling or unable to carry out genuine investigations or prosecutions regarding the persons concerned. This may include situations involving unjustified delays in proceedings or attempts to shield individuals from criminal responsibility. This principle, known as the “principle of complementarity,” gives priority to national judicial systems [11, p.745].

When discussing the jurisdiction of the ICC, it should be noted that the Court’s jurisdiction is unfortunately not universal, in other words, it cannot initiate proceedings for the commission of relevant crimes anywhere in the world [8, p. 83].

The ICC exercises its jurisdiction on the basis of several conditional classifications: *ratione materiae*, *ratione temporis*, *territorial*, *nationality-based*, *referral*, *ad hoc*, and *cross-border*. Let us now turn to the specific bases of the ICC’s jurisdiction and the corresponding judicial practice.

Regarding **subject-matter jurisdiction**, the Court has jurisdiction over the four types of intentional crimes (Article 30 of the Rome Statute) enumerated in Article 5 of the Rome Statute: genocide, crimes against humanity, war crimes, and the crime of aggression. With regard to **temporal jurisdiction**, based on Articles 11 and 24 of the Rome Statute, it should be noted that:

- Crimes against humanity – as of 1 July 2002;
- Genocide – as of 1 July 2002;
- War crimes – as of 1 July 2002; and
- The crime of aggression – as of 17 July 2018, in accordance with the decision adopted at the Kampala Review Conference (it started from

the completion of ratification of Member States [9, p.338])

It should be emphasized that, based on the prohibition of retroactivity, the Court cannot, under any circumstances, exercise temporal jurisdiction over acts committed prior to the entry into force of its jurisdiction (Rome Statute, Article 24). However, it should be noted that a State Party may, by making an additional declaration, recognize the Court’s temporal jurisdiction retroactively, though no earlier than 1 July 2002 [12, pp.422-423].

Based on the above, practical examples can be cited, such as the “Bolivia Situation” (ICC-02/20). The ICC Prosecutor concluded that the available information did not provide a sufficient basis to establish that crimes against humanity, as defined in Article 7 of the Rome Statute, had been committed during the road blockade campaign that took place in Bolivia in August 2020. In this situation, the elements of a widespread or systematic attack, which are essential for crimes against humanity, were not present. Therefore, applying subject-matter jurisdiction in this case, it is evident that the requirement of admissibility was not met [24].

Next, the “Philippines Situation” (ICC-01/21) can be considered. The ICC Prosecutor noted that the alleged crimes against humanity occurred between 1 November 2011 and 16 March 2018, before the Philippines formally withdrew from the Court on 17 March 2018. During President Duterte’s anti-drug campaign, crimes were allegedly committed, and although the Philippines initiated the procedure to withdraw from the ICC (a State wishing to withdraw from the Rome Statute must give one year’s notice in accordance with Article 127), the Court continued to exercise jurisdiction until the end of the one-year notice period. By applying temporal jurisdiction in this manner, the Court established that the alleged acts occurred while the Statute was in force [25].

The ICC may exercise its jurisdiction in addition to other types of jurisdiction, including *territorial* and *nationality-based* jurisdiction. According to Article 12 of the Rome Statute, the ICC may exercise jurisdiction only over crimes committed on the territory of a State Party. The ICC may also exercise jurisdiction over crimes committed by a national of a State Party, regardless of where the crime took place.

As an example of the principle of territorial jurisdiction, we can refer to the Situation in Georgia, which was the ICC's first territorial case in Europe. Georgia ratified the Rome Statute, and sometime after the events of 2008 (South Ossetia), the ICC opened an investigation into crimes committed on Georgian territory. In the *Situation in Georgia* (ICC-01/15-22), Prosecutor Karim A.A. Khan announced that the investigation had been completed and that three individuals against whom arrest warrants were issued remain at large. He emphasized that efforts to bring these individuals to justice are ongoing [23].

In accordance with the principle of nationality jurisdiction, crimes committed by British soldiers who were part of the coalition forces alongside the United States against Saddam Hussein in 2003 fell under the ICC's jurisdiction despite the fact that Iraq is not a State Party to the Rome Statute and the Court has no territorial jurisdiction over crimes committed on its territory. Nevertheless, based on nationality jurisdiction, the *Iraq/UK* situation (ICC-2005-2020) was opened. However, ICC Prosecutor Fatou Bensouda later closed the preliminary examination, concluding that the United Kingdom was "willing and able" to investigate the alleged crimes committed by its nationals [21].

As the next type of jurisdiction, we can mention the *referral jurisdiction* provided under Article 13(b) of the Rome Statute. According to this provision, the United Nations Security Council (UNSC) has the authority to refer situations

to the Prosecutor of the International Criminal Court (ICC) under Chapter VII of the UN Charter (Articles 39 and 41). This type of jurisdiction gives the ICC the character of an international criminal justice tribunal and enables its development into an international adjudication system in the future [16, p. 418].

The UNSC has exercised this authority twice:

- in 2005 – Sudan case (Omar Al-Bashir);
- in 2011 – Libya case (Saif Al-Islam Gaddafi).

It is important to note that, in accordance with referral jurisdiction (Article 14 of the Rome Statute), Member States may also refer a case to the ICC [20].

Another type of jurisdiction is *ad hoc jurisdiction*. According to paragraph 3 of Article 12 of the Rome Statute, the Court's jurisdiction may be extended based on declarations submitted by non-State Parties, thereby shaping the Court as a mechanism of universal justice. Examples include:

- *Côte d'Ivoire (State Party since 2013)* – for crimes (concerns against humanity and war crimes committed during the country's two periods of armed conflict, beginning in 2002 and culminating in the severe post-election violence of 2010–2011) committed since 19.09.2002;

- *Palestine (State Party since 2015)* – for crimes (alleged war crimes and crimes against humanity committed in the West Bank, East Jerusalem, and the Gaza Strip) committed since 13.06.2014;

- *Ukraine (State Party since 2025)* – for crimes (alleged war crimes, crimes against humanity, and genocide committed in the Euromaidan protests, the annexation of Crimea, and etc.) committed since 21.11.2013.

The last type of jurisdiction we can identify in this section is *cross-border jurisdiction*, which is considered a form of state referral. Thus,

under classical criminal law, a crime is deemed to have been committed in the place where its commencement, continuation, or completion occurs [5, p. 57].

According to Article 12(2)(a) of the Rome Statute, the International Criminal Court (ICC) may exercise its jurisdiction over crimes committed on the territory of a non-State Party if part of the criminal conduct occurred on the territory of a State Party [20].

This situation has been observed in two cases:

- Bangladesh/Myanmar (it concerns the forced deportation and persecution of the Rohingya people, a Muslim minority, from Myanmar into neighboring Bangladesh (14.11.2019)

- Lithuania/Belarus (it based on allegations of crimes against humanity committed by the regime of Alexander Lukashenko, including deportation, persecution, and other inhumane acts against the Belarusian civilian population) (30.09.2024).

In addition to all of the above-mentioned considerations, some States, rather than merely refraining from signing the Rome Statute (or signing and subsequently withdrawing) or from ratifying or acceding to it in order to avoid the jurisdiction of the International Criminal Court, have attempted to circumvent the Court's reach through the conclusion of bilateral agreements. The most prominent example in this regard is the United States of America, which has consistently exerted strong political pressure against the activities of the Court and has concluded a large number of bilateral agreements with various States.

An illustrative example is the Agreement between the Government of the Republic of Azerbaijan and the Government of the United States of America concerning the surrender of persons to the International Criminal Court, dated 10 June 2003. In this context, Articles 3 and 4 of the Agreement may be cited.

- Article 3: *Where the Government of the United States of America extradites, surrenders, or otherwise transfers a person of the Republic of Azerbaijan to a third State, the Government of the United States of America shall not consent to the surrender or transfer of that person by the third State to the International Criminal Court without the express consent of the Government of the Republic of Azerbaijan.*

- Article 4: *Where the Government of the Republic of Azerbaijan extradites, surrenders, or otherwise transfers a person of the United States of America to a third State, the Government of the Republic of Azerbaijan shall not consent to the surrender or transfer of that person by the third State to the International Criminal Court without the express consent of the Government of the United States of America* [6].

It should also be noted that between 2002 and 2004, the United States succeeded in securing United Nations Security Council Resolutions 1422, 1487 and 1497 [15, p.240]. These resolutions granted immunity from the jurisdiction of the International Criminal Court to peacekeepers from states not party to the Rome Statute (such as the United States). However, attempts to renew these resolutions encountered strong opposition, and at present there is no permanent resolution that fully "halts" ICC jurisdiction over U.S. military personnel worldwide.

ICC JURISDICTION'S IMPACT ON REPUBLIC OF AZERBAIJAN

I would like to respectfully note that, in some cases, ad hoc retroactivity can also be used by states as a political instrument. For instance, Armenia deposited its instrument of ratification of the Rome Statute with the United Nations on 14 November 2023, and the Statute entered into force for Armenia on 1 February 2024 (the crime of genocide; war crimes; crimes against humanity). Nevertheless, Armenia recognized the Court's jurisdiction retroactively from 10 May 2021 [26].

It may be mentioned that Armenia did so in order to use it as a potential means of pressure against Azerbaijan in the future, which can be regarded as an abuse of law.

Indeed, during the 44-day Second Karabakh War in 2020, Azerbaijan liberated its territories that had been under occupation for almost thirty years by its own efforts. Following this, the State Migration Service of the Republic of Azerbaijan began activities for the reintegration of Armenians living within the sovereign territory of Azerbaijan [19].

However, the Armenians, not wishing to live together with Azerbaijanis, voluntarily and of their own free will left the Karabakh region [17].

Although the Armenian State itself has not referred this matter to the ICC, certain Armenian NGOs have applied to the Court, attempting to initiate proceedings against Azerbaijan on unfounded allegations of ethnic cleansing and deportation. It is evident that they rely on the Bangladesh/Myanmar case as a precedent. From a legal standpoint, however, these claims are baseless and groundless, and they only serve to hinder the ongoing peace negotiations.

It should be emphasized that the types of jurisdiction referred to above possess a conditional character and pursue a single overarching objective: the eradication of impunity for the most serious crimes of concern to the international community as a whole. The establishment of such jurisdictional frameworks reflects the collective determination of states to ensure accountability for perpetrators of genocide, crimes against humanity, war crimes, and the crime of aggression, thereby reinforcing the foundational principles of international criminal justice.

Nevertheless, it must be regrettably acknowledged that, while the International Criminal Court (ICC) constitutes a major achievement in the institutionalization of international criminal justice and represents a significant step toward

safeguarding humanity's security, it continues to encounter considerable political and operational challenges. The Court remains subject to political pressure from certain non-States Parties (notably the United States), while some States Parties (such as Mongolia and Tajikistan) have engaged in open violations of their obligations under the Rome Statute. In parallel, others (for instance, Hungary) display a manifest indifference toward their duties of cooperation. Such tendencies undermine the effectiveness, legitimacy, and universality of the ICC system and weaken the collective resolve to combat impunity [22].

The pursuit of justice in the international sphere has thus emerged as an increasingly complex and pressing concern. Against the backdrop of intensified geopolitical rivalries and the persistence of double standards in the application of international law, the ICC endeavors to discharge its mandate and uphold the rule of law during one of the most turbulent periods of contemporary international relations. However, in the context of recurring criticism directed against the Court, certain structural realities are often overlooked. The ICC possesses neither an enforcement apparatus of its own such as an army or police force, nor the capacity to implement its decisions autonomously. Rather, it functions within a treaty-based framework and depends entirely upon the cooperation and good faith of States Parties for the execution of its judicial decisions.

Accordingly, the effectiveness of the Court is contingent upon the political will of states to act collectively in support of international criminal justice. Only through genuine, consistent, and good-faith cooperation among states can the ICC fulfil its mandate and contribute to the consolidation of a just, accountable, and rules-based international order.

CONCLUSION

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List of used literature:

1. Azərbaycan Respublikasının Cinayət Məcəlləsi // Azərbaycan Respublikasının 30 dekabr 1999-cu il tarixli 787-IQ nömrəli Qanunu ilə təsdiq edilmişdir. – Bakı: Qanun, –2025. – 500 s.
2. Qəyayev N.F. Beynəlxalq cinayət məhkəməsi komplementar əsasda fəaliyyət göstərən beynəlxalq məhkəmə orqanı kimi / “Elmi İş” beynəlxalq elmi jurnal, – 2021, cild 15, Say 3, – s. 97-101.
3. Məmmədov R.K. Beynəlxalq cinayət hüququ və Azərbaycan Respublikasının cinayət qanunvericiliyi. – Bakı: Nat Co MMC, – 2012. – 312 s.
4. Səmədova Ş.T. Transmilli cinayət hüququnun nəzəri və praktiki problemləri. – Bakı: Mütərcim, – 2023. – 304 s.
5. Səməndərov F.Y. Cinayət hüququ Ümumi hissə. Dərslik. – Bakı: Hüquq Yayın Evi, – 2023. – 168 s.
6. “Azərbaycan Respublikasının hökuməti ilə Amerika Birləşmiş Ştatlarının Hökuməti arasında şəxslərin Beynəlxalq Cinayət Məhkəməsinə təslim edilməsi haqqında” Sazişin təsdiq edilməsi barədə” Azərbaycan Respublikasının Qanunu. URL: <https://e-qanun.az/framework/2212>
7. “Birləşmiş Millətlər Təşkilatının Beynəlxalq Cinayət Məhkəməsinin təsis edilməsinə həsr edilmiş Diplomatik Konfransında iştirak edəcək Azərbaycan Respublikası nümayəndə heyətinin tərkibi haqqında” Azərbaycan Respublikası Prezidentinin Sərəncamı. URL: <https://e-qanun.az/framework/3619>
8. Aslan Y.M. Uluslararası Ceza Mahkemesi. – Ankara: Bilge Yayınevi, – 2017. – 239 s.
9. Durmuş T, Erdem M.R., Önok M. Uluslararası Ceza Hukuku. 6. Baskı. – Ankara: Seçkin Hukuk, – 2021. – 680 s.
10. Şen E. Uluslararası Ceza Mahkemesi. – Ankara: Seçkin Yayıncılık, – 2009. – 206 s.
11. Zafer H, Güller N. Lahey Daimi Uluslararası Ceza Mahkemesi’nin Yapısı, Yetki Alanı ve Muhakeme Usulü, Prof. Dr. Uğur Alacakapatan’a Armağan // – İstanbul: Cilt I, – 2008, – s.777-835
12. Alexander W. Old Crimes, New States and the Temporal Jurisdiction of the International Criminal Court // Journal of International Criminal Justice: – 2014, Volume 12, Issue 3, – pp.407-435.
13. Christopher K.H. The First Proposal for a Permanent International Criminal Court. International Review of the Red Cross: 1998, Volume 38, Issue 322, – pp.57-74.
14. Gregory S.G. The Trial of Peter von Hagenbach: Reconciling History, Historiography and International Criminal Law. The Hidden Histories of War Crimes Trials. Oxford: 2013, – pp. 13-49.
15. Jain N. A Separate Law for Peacekeepers: The Clash between the Security Council and the International Criminal Court. The European Journal of International Law Vol (2005), Vol. 16 No. 2, – pp. 239–254
16. William A.Sch. International Criminal Court: The Secret of Its Success. Criminal Law Forum. 2001: Vol 12. – pp.415-428.
17. Commentary on the report/observations by the Council of Europe Commissioner for Human Rights following her visit to Armenia and Azerbaijan (No: 007/24). URL: <https://mfa.gov.az/en/news/no00724>
18. Kampala Review Conference of the Rome Statute of the ICC (130 p.). URL: https://asp.icc-cpi.int/sites/asp/files/asp_docs/asp9/or/rc-11-eng.pdf
19. Reintegration portal of Armenian residents living in the Karabakh economic region of the Republic of Azerbaijan. URL: <https://reintegration.gov.az/>

20. Rome Statute of the International Criminal Court (in English version 82 p.). URL: <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>
21. Situation in Iraq/Uk (184 p.). URL: <https://www.icc-cpi.int/sites/default/files/itemsDocuments/201209-otp-final-report-iraq-uk-eng.pdf>
22. URL: Situation in Ukraine (17 p.). <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd1809d1971.pdf>
23. Situation in Georgia (48 p.). URL: <https://www.icc-cpi.int/news/situation-georgia-icc-pre-trial-chamber-delivers-three-arrest-warrants>
24. Situation in the Plurinational state of Bolivia final report (69 p.). URL: <https://www.icc-cpi.int/sites/default/files/2022-06/2022-02-14-otp-report-bolivia-eng.pdf>
25. Situation in the Republic of the Philippines (41 p.). URL: <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180aeb09d.pdf>
26. Law on “Ratifying the Rome Statute of the International Criminal Court”. URL: <https://www.icc-cpi.int/sites/default/files/2023-11/Official-translation.pdf>

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BEYNƏLXALQ CİNAYƏT MƏHKƏMƏSİNİN YURİSDİKSİYASI
(Azərbaycan Respublikası kontekstində)

XÜLASƏ

2002-ci ildə fəaliyyətə başlamış Beynəlxalq Cinayət Məhkəməsi (BCM) soyqırımı, insanlıq əleyhinə cinayətlər, müharibə cinayətləri və təcavüz cinayəti də daxil olmaqla ən ağır beynəlxalq cinayətlərə görə məsuliyyət daşıyan şəxsləri mühakimə etmək üçün təsis edilən daimi beynəlxalq məhkəmədir. Məhkəmənin cinayət-hüquqi yurisdiksiyası onun fəaliyyətinin əsasını təşkil edir və bu məqalədə onun ayrı-ayrı elementlərinə nəzər salınmışdır. Məqalədə həmçinin BCM-nin yurisdiksiyasının həyata keçirilməsində çox vacib olan “tamamlayıcılıq (komplementarlıq)” prinsipinin mahiyyəti açılaraq bu Məhkəmənin yurisdiksiyasının Azərbaycan Respublikasına gələcək təsirləri qiymətləndirilmişdir.

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ЮРИСДИКЦИЯ МЕЖДУНАРОДНОГО УГОЛОВНОГО СУДА
(в контексте Азербайджанской Республики)

РЕЗЮМЕ

Международный уголовный суд (МУС), начавший свою деятельность в 2002 году, является постоянным международным судебным органом, учреждённым для привлечения к ответственности лиц, виновных в совершении наиболее тяжких международных преступлений, включая геноцид, преступления против человечности, военные преступления и преступление агрессии. Уголовно-правовая юрисдикция Суда составляет основу его деятельности, и в данной статье будут рассмотрены её отдельные элементы. В статье также раскрывается суть принципа «дополняемости (комплементарности)», имеющего ключевое значение для осуществления юрисдикции МУС, а также дана оценка возможного влияния юрисдикции этого Суда на Азербайджанскую Республику.

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