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The Crime of Aggression in International Criminal Law
Historical development, Comparative Analysis and Present State

by

Sergey Sayapin

Since after the Second World War, the crime of aggression is – along with genocide, crimes against humanity and war crimes – a “core crime” under international law. However, despite a formal recognition of aggression as a matter of international criminal law and the reinforcement of the international legal regulation of the use of force by States, numerous international armed conflicts occurred but no one was ever prosecuted for aggression since 1949. This book comprehensively analyses the historical development of the criminalisation of aggression, scrutinises in a detailed manner the relevant jurisprudence of the Nuremberg and Tokyo Tribunals as well as of the Nuremberg follow-up trials, and makes proposals for a more successful prosecution for aggression in the future.

In identifying customary international law on the subject, the book draws upon a wealth of applicable sources of national criminal law and puts forward a useful classification of States’ legislative approaches towards the criminalisation of aggression at the national level. It also offers a detailed analysis of the current international legal regulation of the use of force and of the Rome Statute’s substantive and procedural provisions pertaining to the exercise of the International Criminal Court’s jurisdiction with respect to the crime of aggression, after 1 January 2017.

A first monograph on the crime of aggression written by an author from the Commonwealth of Independent States (CIS) for an international audience, the book assembles the normative experience of States representing the major legal systems of the world, and will be useful to practitioners, academics and students of international law.

Sergey Sayapin is Legal Advisor at the Regional Delegation of the International Committee of the Red Cross (ICRC) in Central Asia. He earned law degrees from universities in Uzbekistan, the United Kingdom and Germany.

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New Technologies and the Law of Armed Conflict

Edited by

Hitoshi Nasu and Robert McLaughlin

With a Foreword by Michael N. Schmitt, Charles H. Stockton Professor and Chairman, United States Naval War College.

Modern technological development has been both rapid and fundamentally transformative of the means and methods of warfare, and of the broader environment in which warfare is conducted. In many cases, technological development has been stimulated by, and dedicated to, addressing military requirements. On other occasions, technological developments outside the military sphere affect or inform the conduct of warfare and military expectations. The introduction of new technologies such as *information technology, space technologies, nanotechnology* and *robotic technologies* into our civil life, and into warfare, is expected to influence the application and interpretation of the existing rules of the law of armed conflict.

In this book, scholars and practitioners working in the fields critically examine the potential legal challenges arising from the use of new technologies and future directions of legal development in light of the specific characteristics and challenges each technology presents with regard to foreseeable humanitarian impacts upon the battlespace. *New Technologies and the Law of Armed Conflict* is highly recommended to everyone involved in the ongoing weapons debates, as well as those interested in the broader relationship between law and war.

Hitoshi Nasu and **Robert McLaughlin** are Senior Lecturer and Associate Professor respectively at the ANU College of Law, Australian National University, Canberra ACT, Australia.

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