

# INTERNATIONAL LEGAL REGULATION AND PROSECUTION OF CRIMES OF AGGRESSION

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**Purpose:** In the contemporary fragile international geopolitical environment, there is a tendency to constantly question the international legal meaning of aggression as a “leadership crime” against international peace. In this regard, the paper discusses the progressive development of the rule on the prohibition of aggression in international public law and its incrimination under international criminal law.

**Design/Methods/Approach:** The work is conceptually designed to follow the evolution of the legal regulation of aggression. Considering the various forms of manifestation of this criminal act, its meaning was examined by determining the content of the definitions accepted in international public and international criminal law through the use of legal-historical, comparative, and teleological methods.

**Findings:** The subject paper finds that the international legal determination of aggression after the Second World War was a long and arduous task with unpredictable consequences. The previous solutions were not satisfactory, which is why the work on defining aggression lasted until 1974, when the UN General Assembly adopted Resolution 3314 on the definition of aggression. This definition of aggression was the model for determining the definition of aggression in international criminal law that allows the International Criminal Court to prosecute individuals responsible for this crime against peace.

**Originality/Value:** The value of this scientific work derives from the historical and comparative legal analysis of the most important international legal acts that determine the meaning of aggression in international and international criminal law. In contrast to the international legal definition of aggression, which concerns the establishment of a peremptory rule, i.e., the prohibition of violations of *ius ad bellum*, the criminal law definition of aggression refers to determining the legal responsibility of individuals. Taking into account these differences, the author also pointed to the demarcation of competences between the UN Security Council and the International Criminal Court.

**Keywords:** aggression, crime against peace, UN, International Criminal Court.

## About the author

**Duško Dimitrijević** is a professorial fellow at the Institute for International Politics and Economics in Belgrade. During his career, he paid particular attention to research in the fields of international law and international relations. He is a member of the editorial boards of the American and Moscow Yearbook of International Law and is the Editor-in-Chief of the scientific journal European Legislation and the Yearbook of the Serbian Association of International Law. From 2009 to 2014, he also served as the director of the IIPE, and on several occasions, he was the leader of several national and international macro-scientific projects.

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