

SERIOUS AND NON-POLITICAL CRIMES UNDER INTERNATIONAL LAW

Swe Swe Than¹

Abstract

Serious and non-political crimes under international law emphasize its importance for extradition, mutual legal assistance and the suppression of transnational crime. While many legal systems exclude political offenders from extradition to protect legitimate political activity, states also recognize that grave offenses such as murder, terrorism, trafficking and other violent or organized crimes must not be shielded by claims of political motivation. The study analyzes treaty provisions, state practice and relevant judicial decisions to clarify how international law defines and interprets serious and non-political crimes and how this distinction affects international cooperation. The findings highlight the need for consistent legal standards to prevent the misuse of political offense exceptions and to ensure accountability for offenders who pose significant threats to international peace, security and public order.

Keywords: serious crimes, non-political crimes, human rights, accountability and prosecution

Introduction

Serious and non-political crimes play a central role in international law, particularly in areas such as extradition and mutual legal assistance, where states must distinguish between legitimate political offenses and grave acts that threaten public order and international security. While political offenders are often protected from extradition, international law requires that individuals who commit serious crimes cannot evade accountability by claiming political motives. This distinction is essential for ensuring effective international cooperation, preventing safe havens for offenders and promoting consistent state practice. As the organizational structure, the research highlights the international legal framework, classification of crimes, accountability and prosecution for crimes and the involvement of international communities.

Methods

This paper is designed by using qualitative research style, use literature review, select the Articles from the related international conventions and instruments and as well as secondary information from academic papers.

International Legal Framework

Serious and non-political crimes under international law refer to grave offenses that threaten the peace, security, and fundamental rights of the international community. These crimes are not committed for political purposes and often include acts such as genocide, crimes against humanity, war crimes, terrorism, human trafficking, and drug trafficking. The legal framework regulating these crimes is based on treaties, customary international law, judicial decisions, and the practice of international and national institutions. This section outlines the key legal instruments, principles, and enforcement mechanisms that govern the prosecution and prevention of these crimes at the international level.

Article 1F of the Convention relating to the Status of Refugees, 1951 and the 1967 Protocol set the principal standard for excluding individuals involved in serious or non-political

¹ Department of Law, East Yangon University.

crimes from refugee protection. Serious non-political crimes under Article 1F(b) encompass grave common-law crimes such as murder, rape, or armed robbery that are devoid of legitimate political purpose and serious enough to engage international concern. This distinction aligns with Article 1(3) of the UN Charter which promotes human rights and justice.²

United Nations Conventions on Transnational Organized Crime known as the Palermo Convention (UNCTOC), 2000 provides the legal framework to combat crimes such as: human trafficking, drug trafficking, money laundering, and corruption. Protocol to Prevent, Suppress and Punish Trafficking in Persons, 2000 which supplements the UNCTOC defines trafficking in persons and provides the basis for international cooperation to prevent and combat this non-political crime.³

United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988, defines drug trafficking as a non-political crime and establishes a framework for international cooperation in extradition and mutual legal assistance in cases of drug-related offenses.⁴ United Nations Convention Against Corruption, 2003, State parties require to criminalize the act of bribery, both domestically and transnationally, as a non-political crime.⁵ The Convention Against Torture (CAT) mandates states to prosecute individuals accused of committing acts of torture. Obliges states to either prosecute the alleged torturer or extradite the individual to a state willing to prosecute.⁶

Non-political crimes concern international law when they meet any transnational crimes, a crime becomes a concern of international law when: it is committed in more than one country, it involves perpetrators or victims of different nationalities, it affects multiple jurisdictions and it requires international cooperation to investigate and prosecute. For examples: human trafficking, drug smuggling and cybercrime, etc. These crimes are addressed by treaties like the United Nations Convention against Transnational Organized Crime, 2000. Some non-political crimes violate fundamental norms of international law that are binding on all states. Non-political crimes may become an international law issue if they threaten regional or global stability.

Classification of Crimes

The classification of crimes under international law is essential for distinguishing between political and non-political crimes and for determining which acts constitute serious violations that attract international responsibility. Crimes are generally classified according to their nature, scope, and the level of harm they cause to individuals and the international community. Generally, international law recognizes several broad categories international crimes. The principal categories of serious crimes recognized under international law include genocide, crimes against humanity, war crimes, and crimes of aggression. These offenses are regarded as *jus cogens* crimes because they violate fundamental principles of international law and exemption.

² James C. Hathaway and Michelle Foster, *The Law of Refugee Status*, 2nd Edition, Cambridge University Press, 2014, P. 500.

³ Article 3, Protocol to Prevent, Suppress and Punish Trafficking in Persons, 2000.

⁴ Article 3, United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.

⁵ Article 15, United Nations Convention Against Corruption, 2003.

⁶ Article 7(1), Convention Against Torture, 1984.

Serious Crimes

A presumption of serious crime might be considered as raised by evidence of commission of any of the following offences: homicide, rape, child molesting, wounding, arson, drugs traffic, and armed robbery. However, the presumption should be capable of rebuttal by evidence of mitigating factors, some of which are set out below. The following offences might also be considered to constitute serious crimes, provided other factors were present: breaking and entering burglary; stealing, theft and simple robbery; receiving stolen property; embezzlement; possession of drugs in quantities exceeding that required for personal use; and assault.⁷

Serious crime shall mean conduct constituting an offence punishable by a maximum deprivation of liberty of at least four years or more serious penalty. A group of three or more persons, existing for a period that acts in concert with the aim of committing one or more serious crimes. These crimes committed by structured groups engaged in criminal activities that are transnational in nature.⁸ Serious crime was defined in the Article 2 of the United Nations Convention Against Transnational Organized Crime; where the offence is transactional nature and involves an organized crimes group.⁹

Arguably also the crimes mentioned in Article 1F(a) of the 1951 Refugee Convention are necessarily extremely serious, to the extent that there is no basis for any weighing of the severity of potential persecution against the gravity of the conduct which amounts to a war crime, a crime against peace, or a crime against humanity.¹⁰

Non-Political Crimes

Determining whether a crime is political or non- political already been considered, the nature and purpose of the offence require examination, including whether it was committed out of genuine political motives or merely for personal reasons or gain, whether it was directed towards a modification of the political organization or the very structure of the State and whether there is a close and object.¹¹

The political element should in principle outweigh the common law character of the offence, which may not be the case if the acts committed are grossly disproportionate to the objective or are of an atrocious or barbarous nature.¹² A very serious crime, such as murder, may be accepted as political if the regime against which it is committed is repressive and offers no scope for freedom of expression and the peaceful change of government or government policy. Under such a regime the claimant might be found to have had no other option to bring about political change.¹³

⁷ James C. Hathaway and Michelle Foster, *The Law of Refugee Status*, 2nd Edition, Cambridge University Press, 2014, p. 391.

⁸ Article 2, United Nations Convention Against Transnational Organized Crime, 2000.

⁹ Article 3, United Nations Convention Against Transnational Organized Crime, 2000.

¹⁰ James C. Hathaway and Michelle Foster, *The Law of Refugee Status*, 2nd Edition, Cambridge University Press, 2014, p. 378.

¹¹ Guy S. Goodwin-Gill and Jane McAdam with Emma Dunlop, *The Refugee in International Law*, 4th Edition, Oxford University Press, 2021, p.400.

¹² Ibid.

¹³ Guy S. Goodwin-Gill and Jane McAdam with Emma Dunlop, *The Refugee in International Law*, 4th Edition, Oxford University Press, 2021, p. 398.

A very serious crime, such as murder, may be accepted as political if the regime against which it is committed is repressive and offers no scope for freedom of expression and the peaceful change of government or government policy. Under such a regime the claimant might be found to have had no other option to bring about political change. On the other hand, if the regime is a liberal democracy with constitutional guarantees of free speech and expression, it is very difficult to think of any crime, let alone a serious one, which would consider to be an acceptable method of political action.¹⁴

In the *Re Castioni Case*, the Court ruled that Castioni, despite being involved in a politically motivated assassination attempt, could be extradited as the offense was not considered a "political offense" under the law, but rather a "common crime" attempted murder.¹⁵ International law recognizes political violence as part of legitimate political resistance and generally exempts political offenses from extradition, especially when they arise from oppression or resistance to unjust governments. Thus, the decision runs contrary to the international legal principles that protect political offenders and freedom of political expression.

Non-political crimes concern international law when they meet any; transnational Crimes, a crime becomes a concern of international law when: it is committed in more than one country, it involves perpetrators or victims of different nationalities, it affects multiple jurisdictions and it requires international cooperation to investigate and prosecute. For examples: human trafficking, drug smuggling and cybercrime, etc. Non-political crimes related to criminal activities of the organized groups and gangs, but the ground also applies to serious crimes committed by individuals not related to such groups. Some particularly relevant examples of serious non-political crimes include kidnapping, trafficking for the purposes of sexual exploitation and drug trafficking etc. The political aspect apart, the phrase 'serious non-political crime' is not easy to define given the different connotations of the term 'crime' in different legal systems.¹⁶

Under the Article 1F(b) of the 1951 Refugee Convention, there are three points at which assessments have to be made when deciding exclusion; first, whether there are serious reasons for considering that the individual in question has committed the offence; secondly, whether the crime is serious, considered with due regard to context and individual circumstances; and thirdly, whether it is non-political. None of these points of assessment is sealed off from any other, and each impact on every other, for no serious non-political crime exists in a vacuum, whatever national legislation or executive certification may provide.¹⁷

Addressing serious non-political crimes under international law is crucial for several reason. First, the transactional nature of these crime necessitates collaborative efforts among countries, as isolated actions are often insufficient. Second, prioritizing, preventing and cooperation protects human rights and fostering a more just international society.

Accountability and Prosecution for Crimes

Accountability for serious and non-political crimes is an essential element in maintaining international peace, security, and justice. Individuals who commit such crimes are held

¹⁴ Ibid.

¹⁵ *Castioni V United Kingdom*, A.C 149,H.L,1891.

¹⁶ European Union Agency for Asylum, Guidance Note, Serious (non-political) Crime, 2021, p.22.

¹⁷ Guy S. Goodwin-Gill and Jane McAdam with Emma Dunlop, *The Refugee in International Law*, 4th Edition, Oxford University Press,2021, p.378.

responsible for their actions, regardless of their political affiliations or the reasons behind their conduct. Accountability for non-political crimes such as murder, drug trafficking, human trafficking, and organized crimes is governed by both domestic criminal laws and international instruments. Whether an individual who has committed serious crimes or serious non-political crimes can be extradited depends on the specific terms of extradition treaties between the countries involved as well as the nature of the crime.¹⁸

Extradition is the legal process through which one country formally requests the surrender of an individual to face criminal charges or serve a sentence in the requesting country.¹⁹ Individuals face criminal charges elsewhere; the alleged act must generally be a crime in both the requesting state and the state where the person is located. If a country has no law against a specific act, it typically cannot extradite someone for committing that act because it doesn't constitute a crime domestically.²⁰ Many states refuse to extradite offenders or cooperate fully due to political interests, sovereignty concerns, lack of resources, or the political offense exception in extradition law. Example If state A wants to extradite someone for an act that is illegal in state A but entirely legal in state B, state B usually cannot hand over the individual under the standard of extradition treaties. Accountability for serious and non-political crimes requires both legal frameworks and practical mechanisms to ensure enforcement.

Many states fail to effectively prosecute or extradite offenders, often prioritizing national interests over international obligations. The absence of uniform standards and the lack of mutual trust between states further undermine accountability efforts. Strengthening international cooperation, improving information-sharing, and enhancing the capacity of domestic legal systems are essential to ensure that perpetrators of serious and non-political crimes do not evade justice and that international law fulfills its protective. Therefore, international law prioritizes the effective prosecution of serious non-political crimes to safeguard global security and justice.

The prosecution of serious and non-political crimes under international law is a critical aspect of ensuring justice, upholding the rule of law, and preventing impunity. These crimes often characterized by their severity and impact on individuals or communities, require legal mechanisms for accountability at both the national and international levels.²¹

The prosecution of serious and non-political crimes under international law is essential for enforcing accountability, ensuring justice for victims, and deterring future violations. The prosecution of serious and non-political crimes under international law is essential to ensuring justice, deterring future violations, and upholding the rule of law. Such crimes, due to their grave nature, demand accountability mechanisms that transcend national borders.²²

The enforcement of serious non-political crimes under international law requires not only the existence of substantive legal norms, but also effective mechanisms of application and enforcement. Without these mechanisms, accountability remains hollow and implementation

¹⁸ Schabas, W. A, *An Introduction to the International Criminal Court*,. Cambridge University Press, 5th Ed, 2017, p. 202-203.

¹⁹ Ibid.

²⁰ Hilly Moodrick & Even Khen, *Mutual Legal Assistance and Dual Criminality*, *Journal of Intenational Criminal Justice*, Vol.23, Issue.1,2025, pp.87-106.

²¹ Mégret, F, *The International Criminal Court and the International Criminal Tribunals: The Battle for Accountability*, Oxford University Press, 2005, pp. 98-102.

²² Mégret, F, *The International Criminal Court and the International Criminal Tribunals: The Battle for Accountability*, Oxford University Press, 2005, pp. 98-102.

ineffective. States must incorporate obligations under international law into domestic legal systems and establish jurisdiction to prosecute or extradite perpetrators.²³ To ensure that serious, non-political crimes under international law are truly addressed, States and international systems must ensure robust application through domestic legal frameworks, jurisdictional reach, recognition of crimes and effective enforcement through judicial processes, cooperation, compliance.

International law and domestic law complement each other in ensuring accountability for serious, non-political crimes. Domestic law allows states to prosecute offenders directly, providing immediate enforcement and justice within their jurisdiction. While domestic law offers enforceability, international law provides legitimacy and a global safety net, though it relies on state cooperation and can be affected by political considerations. Together, they create a dual system that strengthens prosecution and accountability for the gravest offenses.

Human Rights Perspective on Crimes

The relationship between human rights and serious and non-political crimes is multifaceted. International law strives to uphold human dignity even when dealing with individuals accused or convicted of heinous offenses. Whether in the context of exclusion from refugee protection or the prosecution of crimes such as terrorism, trafficking, or murder, international human rights law imposes limits to ensure that justice systems remain fair, humane, and accountable. International human rights instruments universally guarantee the right to a fair trial, which must be afforded to all individuals, including those accused of serious or non-political crimes. The right to equality before the courts and tribunals and to a fair trial is a key element of human rights protection and serves as a procedural means to safeguard the rule of law.²⁴

Serious and non-political crimes, such as murder, rape, trafficking, and other offenses of a grave nature, raise complex issues when examined through the lens of human rights law. While international legal frameworks allow for the exclusion of individuals who commit such crimes from refugee protection or immunity under humanitarian law, human rights obligations continue to apply regardless of the seriousness of the crime. This section outlines the key human rights considerations that must be balanced in the context of serious and non-political crimes, focusing on exclusion, prosecution, and state responsibilities.²⁵

In the case of Prosecutor V Jean-Paul Akayesu, the tribunal found Akayesu guilty of genocide, crimes against humanity and rape and sexual violence. These crimes were committed with the specific intent to destroy Tutsis and systematic attack on the Tutsi civilian population. Akayesu was sentenced to life imprisonment for his role in the genocide and related crimes.²⁶

Persons charged with serious crimes are entitled to due process and the right to a fair trial. This principle safeguard against arbitrary punishment and wrongful convictions is a cornerstone of international human rights law, ensuring due process protections for individuals prosecuted for

²³ Laura M. Olson, "Re-enforcing Enforcement in a Specialized Convention on Crimes Against Humanity" in *Forging a Convention for Crimes against Humanity*, Cambridge University Press, 2011, pp. 323-344.

²⁴ Nowak, M., U.N. Covenant on Civil and Political Rights: CCPR Commentary, 2nd ed., N.P. Engel, 2005, pp. 321–336.

²⁵ Nowak, M., U.N. Covenant on Civil and Political Rights: CCPR Commentary, 2nd ed., N.P. Engel, 2005, pp. 321–336.

²⁶ Prosecutor V Jean-Paul Akayesu, ICTR-96-4-T, 1998.

any crime including serious and non-political crimes. The International Covenant on Civil and Political Rights (ICCPR) recognizes the right to a fair and public hearing by a competent, independent, and impartial tribunal established by law.²⁷

The Convention Against Torture prohibits the use of torture under any circumstances, including in the prosecution and punishment of serious criminals. No exceptional circumstances whatsoever may be invoked as a justification for torture.²⁸ Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings.²⁹ No State Party shall expel, return or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.³⁰ The prohibition of torture is one of the few absolute rights under international law, and its violation cannot be justified under any circumstances.³¹

The Pinochet case ruled that, Pinochet could be extradited to face charges of genocide, crimes against humanity and torture. Sovereign immunity does not apply to torture and crimes against humanity, meaning that even former head of State could be prosecuted for such crimes. This decision was a victory for universal jurisdiction, reinforcing the principle that serious crimes like torture must be prosecuted, regardless of where occurred or who committed them.³² It was contrary to international law because it rejected the long-standing doctrines of immunity and non-intervention in favor of individual accountability for gross human rights violations. Even former heads of state can be held responsible under international criminal law.

The protection of human rights applies universally to both serious crimes and non-political crimes, including ordinary offenses like theft or murder. Core principles like the right to a fair trial, protection from torture and inhuman treatment, due process, and equality before the law must be upheld for all accused individuals, regardless of the gravity or type of crime. This ensures that even when prosecuting the most serious offenders, justice respects human dignity. However, these protections can create practical limitations for authorities, such as challenges in detention, investigation, or evidence collection, requiring a careful balance between enforcing the law and safeguarding fundamental rights.

The Involvement of International Communities

The international community has played a crucial role in developing legal mechanisms and institutional frameworks to address serious and non-political crimes under international law. These crimes include, but are not limited to, genocide, war crimes, crimes against humanity, terrorism, human trafficking, drug smuggling, and transnational organized crime. One of the most significant contributions of the international community is the development of international criminal justice mechanisms.³³

²⁷ Article 14, International Covenant on Civil and Political Rights, 1966.

²⁸ Article 2(2), The Convention Against Torture, 1984.

²⁹ Article 15, The Convention Against Torture, 1984.

³⁰ Article 3(1), *Ibid*.

³¹ Rodley, N. S., *The Treatment of Prisoners under International Law*, Oxford University Press, 3rd Ed., 2009, pp. 67–72.

³² *R v Bow Streer Metropolitan Stipendiary Magistrate, ex p Pinochet Ugarte*, No.3, AC 147(HL), 2000.

³³ Schabas, W. A., *The UN International Criminal Tribunals: The Former Yugoslavia, Rwanda and Sierra Leone*. Cambridge University Press, 2006, pp. 25–29.

The UN Charter emphasizes promoting and encouraging respect for human rights and fundamental freedoms.³⁴ The Security Council to determine the existence of any threat to peace, breach of the peace, or act of aggression and to take measures to maintain or restore international peace and security, this has been used to refer cases to international tribunals.³⁵ States require establishing jurisdiction over acts of torture committed in any territory under their jurisdiction or by their nationals.³⁶

In the Tadic case, the trial chamber II found Dusko Tadic guilty of crimes against humanity and war crimes and in a separate sentencing judgement, sentenced him 20 years of imprisonment. The Appeal Chamber denied Dusko Tadic's appeal on all grounds. It held that an act carried out for the purely person motives of the perpetrator constitute a crime against humanity.³⁷

International conventions provide a framework for addressing non-political transnational crimes. These crimes include the United Nations Convention against Transnational Organized Crime (2000), also known as the Palermo Convention, which aims to combat organized crime and its manifestations such as human trafficking, migrant smuggling, and corruption.³⁸ The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988) (Vienna Convention), which enhances international cooperation in the fight against drug trafficking. The International Convention for the Suppression of the Financing of Terrorism (1999), which obliges states to criminalize terrorist financing and improve intelligence sharing and asset freezing mechanisms.³⁹

These conventions have been instrumental in harmonizing national laws and creating standards for extradition, mutual legal assistance, and information sharing. Organizations such as INTERPOL and the United Nations Office on Drugs and Crime (UNODC) support global efforts to combat serious and non-political crimes. INTERPOL facilitates transnational police cooperation, providing a platform for intelligence exchange and issuing red notices for international fugitives. The UNODC, in particular, assists countries in legislative reform, capacity building, and technical assistance in areas such as anti-corruption, terrorism prevention, and border control.⁴⁰

These institutions facilitate transnational cooperation to combat crimes such as human trafficking, drug smuggling, and cybercrimes that while often non-political in nature, have serious implications for international peace and security. International treaties provided legal frameworks for cooperation mutual legal assistance, and extradition. However, the effectiveness of these mechanisms is often undermined by weak international cooperation and extradition challenges. This weakens global efforts to hold perpetrators accountable, allowing impunity to persist. Strengthening trust, harmonizing extradition laws, and enhancing state commitment to international obligations are therefore crucial for more effective enforcement of international criminal law.

³⁴ Article 1(3), The Charter of the United Nations, 1945.

³⁵ Article 39, The Charter of the United Nations, 1945.

³⁶ Article 5, Convention Against Torture, 1984.

³⁷ The Prosecutor v Dusko Tadic, ICTY, IT-94-1-A, 1999.

³⁸ UNODC, Delivering Justice: UNODC Annual Report. 2010, pp. 14–19.

³⁹ Saul, B, Defining Terrorism in International Law. Oxford University Press, 2006, pp. 45–47.

⁴⁰ UNODC, Delivering Justice: UNODC Annual Report. 2010, pp. 14–19.

Conclusion

Overall, the examination of serious and non-political crimes under international law highlights the continuing importance of a well-structured legal framework that guides states and international bodies in identifying and responding to these offences. By clarifying the categories of crime and establishing obligations for investigation and prosecution, international law strengthens accountability mechanisms and reduces opportunities for impunity. The integration of human rights principles ensures that responses to such crimes prioritize the protection of victims while maintaining fairness and due process for the accused. At the same time, the active involvement of the international community including cooperation in extradition, information-sharing, and support for international judicial institutions remains essential for the effective enforcement of norms. Together, these elements underscore the collective responsibility of states and international actors to uphold justice and reinforce law in addressing serious and non-political crimes.

Acknowledgements

I would like to express my deepest gratitude to Sayargyi Dr. Nay Win Oo, Rector of East Yangon University. A special word of gratitude should be extended to Dr. San San Lwin, Professor and Head of Department, Department of Law, East Yangon University for her kind encouragement. Finally, I would also like to express my special thanks to Dr Yin Nu Tun, Professor, Department of Law, East Yangon University for her kind interest and advice for the research.

References

Conventions

Convention Against Torture, 1984

Convention on the Rights of the Child, 1989.

European Convention on Extradition 1957.

International Covenant on Civil and Political Rights, 1966.

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, 2000.

Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime, 2000.

United Nations Charter, 1945.

United Nations Convention Against Corruption, 2003.

United Nations Convention against Transnational Organized Crime, 2000.

Books

Bassiouni, M. C., Introduction to International Criminal Law, 2011.

D'Aspremont, J. and Marboe, I., International Law and the Global South. Cambridge University Press, 2011

Daniel Ruizlopez, Transnational Organized Crime: Its Nature and Threats to Peace, 2016.

European Union Agency for Asylum, Guidance Note, Serious (non-political) Crime, 2021.

Geoff Gilbert, Human Rights, Refugees and Other Displaced Persons in International Law, Oxford University Press, 2015.

Guy S Goodwill-Gill and Jame McAdam, The Refugee in international law, Oxford University Press, 4th Ed, 2021.

Ian Brownlie's and Guy S Goodwin-Gill, *Brownlie's Document on Human Rights*, 2010.

James C. Hathaway and Michelle Foster, *The Law of Refugee Status*, 2nd Ed, 2014.

Laura M. Olson, "Re-enforcing Enforcement in a Specialized Convention on Crimes Against Humanity" in *Forging a Convention for Crimes against Humanity*, Cambridge University Press, 2011.

Mégret, F, *The International Criminal Court and the International Criminal Tribunals: The Battle for Accountability*, Oxford University Press, 2005.

Rodley. N. S., *The Treatment of Prisoners under International Law*, Oxford University Press, 3rd Ed., 2009.

Saul, B, *Defining Terrorism in International Law*. Oxford University Press, 2006.

Schabas, W.A, *An Introduction to the International Criminal Court*, Cambridge University Press, 5th Ed ,2017.

Sweeney, J, *International Criminal Law: A Contextual Introduction*, Routledge, 2010.

UNODC, *Delivering Justice: UNODC Annual Report*. 2010.

Cases

R V Bow Streer Metropolitan Stipendiary Magistrate, ex p Pinochet Ugarte, No.3, AC 147(HL), 2000.

Prosecutor V Jean-Paul Akayesu, ICTR-96-4-T, 1998.

Castioni V United Kingdom, A.C 149, H.L, 1891.

The Prosecutor v Dusko Tadic, ICTY, IT-94-1-A, 1999

Journal

Geoff Gilbert, *The Criminal Responsibility of States* Vol.39, N0.2, 1990.

Kosar. D, *Inclusion before Exclusion of Vice Versa: What the Qualification Directive and the Court of Justice*, IJRL, Vol.25, 2023.

Masri.M, *The implications of the Acquisition of a New Nationality for the Right of Return of Palestinian Refugee*, Asian Journal of International Law, Vol. 5, 2015.

Hilly Moodrick & Even Khen, *Mutual Legal Assistance and Dual Criminality*, Journal of International Criminal Justice, Vol.23, Issue.1, 2025.