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In the Name of Peace: Unpacking the Contention Around 'Crimes against Peace'

BY: BENJAMIN LEYNSE

Under the supervision of Professor Oumar Ba,
Government Department,
Cornell University

A historical analysis surrounding the contention surrounding Crimes against Peace, and the Tokyo War Crimes Tribunal.



Signing the 1998 Rome Statute. Established the ICJ; included criminalizing wars of aggression

01. Introduction

The Tokyo Trials were a 2 year long international military tribunal following WWII that tried 28 Japanese officials and public figures for war crimes, crimes against humanity, and notably the newly invented and ambiguously defined crimes against peace.

03. Methodology

This paper utilized an extensive analysis of primary source documentation of treaties, agreements, and diplomatic papers to evaluate the historical progression of international law as it relates to Crimes against Peace and historically situate the arguments troubling its existence

Historical Analysis

- Treaties
- Agreements
- Diplomatic Papers

04. Results/Findings

This paper found that there was largely no statutory precedence to the concept of Crimes Against Peace prior to its usage after WWII leading to dissonance to deem it an ex post facto law in violation of the legal maxim *nullum crimen sine lege, nulla poena sine lege**.

**trans. no crime, no punishment with out law*



A restrained Shumei Okawa after attacking Former Prime Minister Tojo Hideki testifying at the IMFTC

05. Analysis

This argument remains interesting in the way it exposes how international law is largely the result of a customary law, and the vague treaty agreements signed between nations which proves problematic when attempting to create a defined international criminal justice system

06. Conclusion

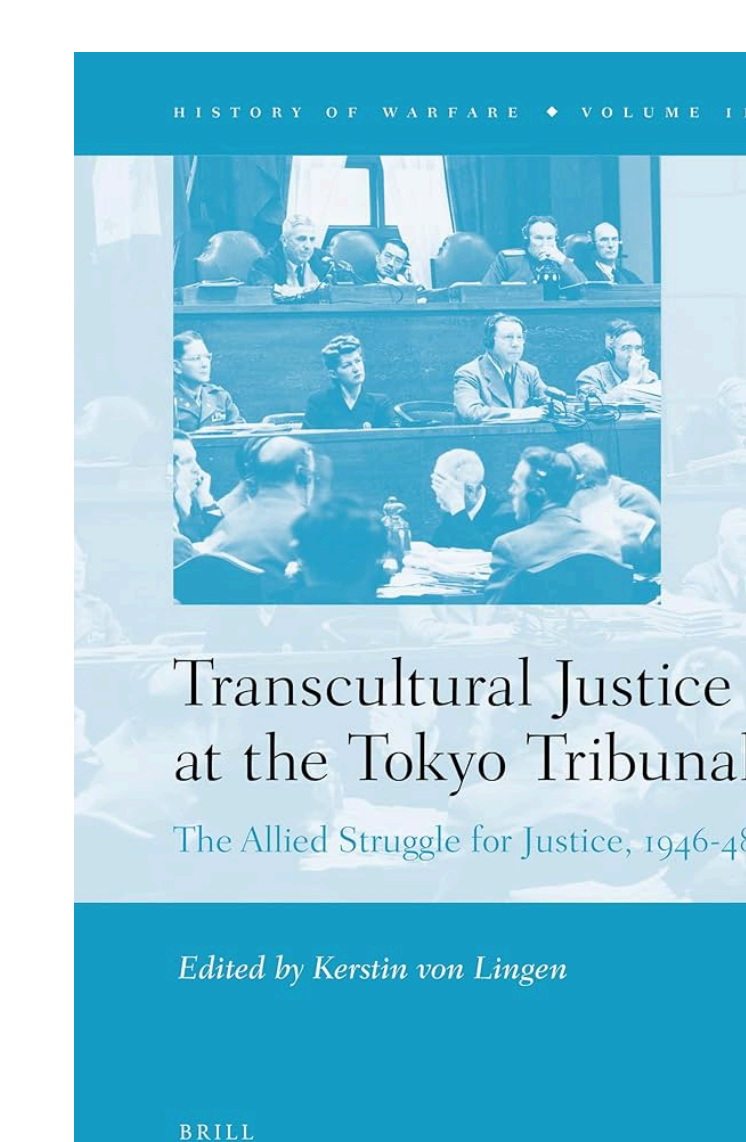
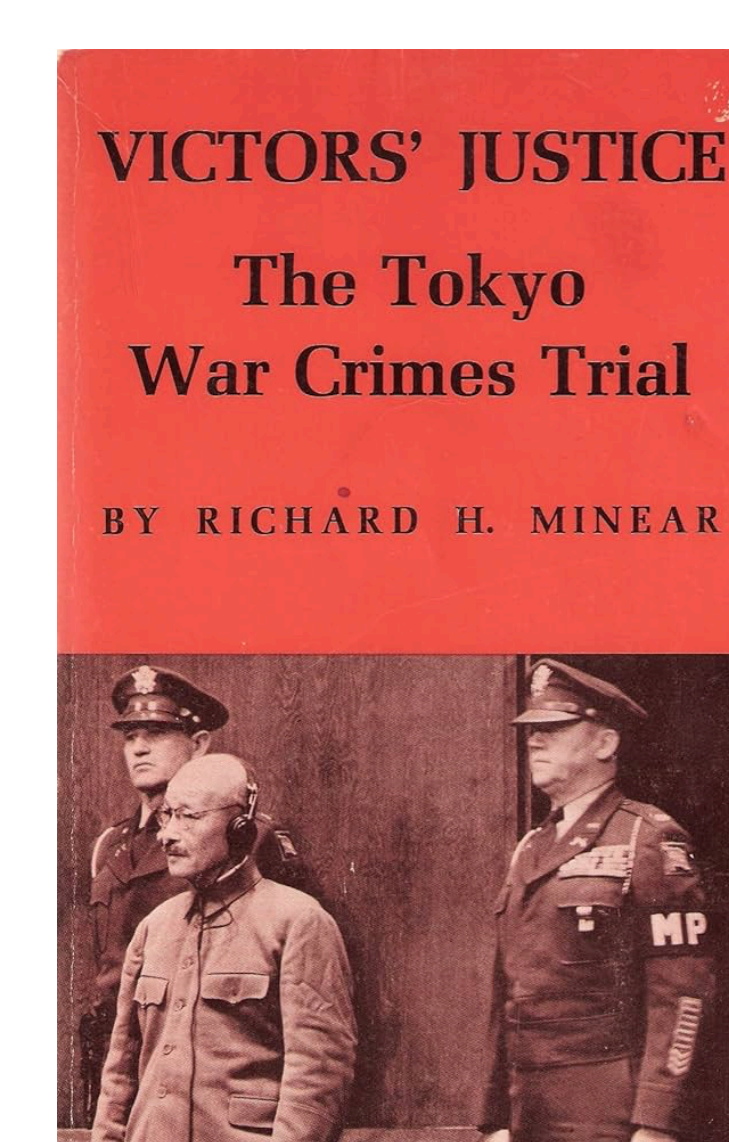
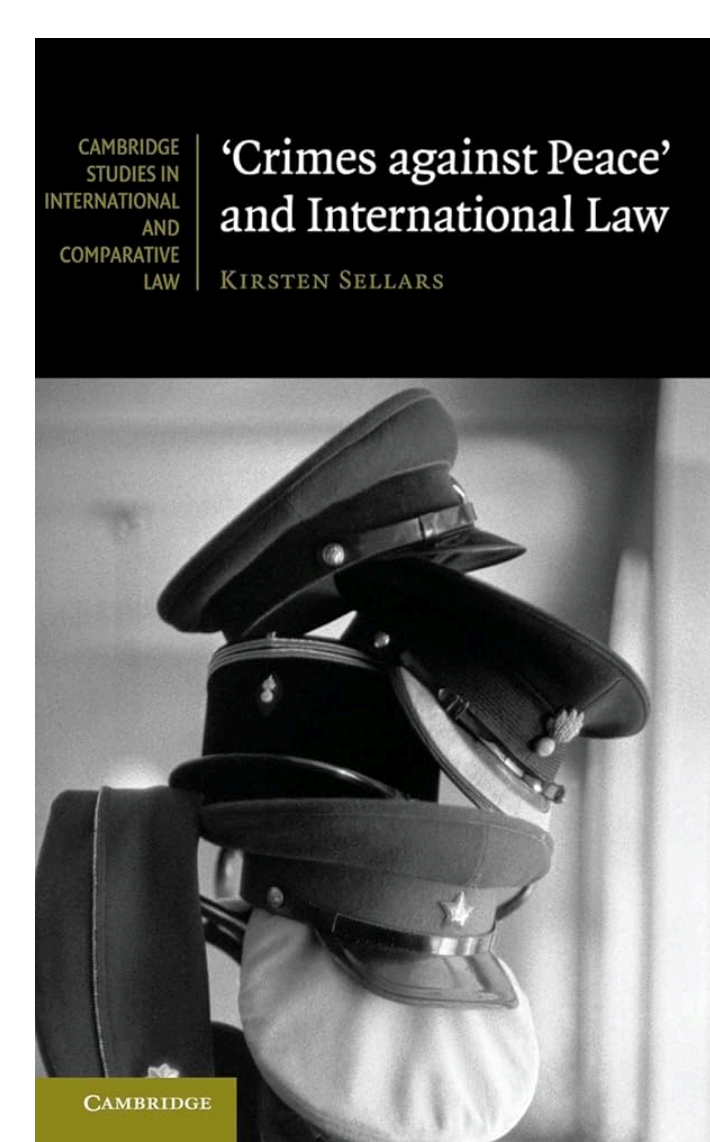
Future research should be conducted into how convention is turned into statute in the arena of international criminal law, and into the question of *who's* convention is to be utilized.

02. Objective

My research endeavoured to analyze to what extent these crimes against peace were a valid international legal statute, moreover understanding how they came to be, so as to better explain the historic discontent with them, and the way their legacy prevails to this day

Related literature

Sellers, Kirsten. "Crimes against Peace" and International Law. of Cambridge Studies in International and Comparative Law. Cambridge: Cambridge University Press, 2013.



A portrait of the 11 judges serving on the IMFTC. Each judge came from a different country