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Criminalization of Acts Impacting Human Security as a Result of the System of International Relations

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Abstract

The article analyzes the issues of indirect, negative moral and cultural impact, financial, economic, intellectual, and biological interference by individual countries and international organizations in relation to other countries. The necessity of diagnosing such negative mass actions by means of a systematic approach is substantiated due to the implicitness of these influences. The systemic synthesis of prognostic knowledge ensures the prediction of the development of directions of the theoretical doctrine of crimes against humanity, both from the standpoint of international law and national criminal law.

Keywords: Security System, International Relations, International Crime, Crimes against Peace and Security, Genocide, UN, Crimes against the Security of Mankind.

Introduction

Currently, economic and financial instruments of influence on states are very popular in geopolitical processes (Kochetov, 2001). This negative trend ceases to be an invisible instrument of influence. However, despite the evidence of unfair economic and financial policies towards themselves, many developing states have

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increasingly accepted the onerous conditions of global financial institutions and centres (states). How these states got into such a dependent economic situation is not the subject of legal consideration and requires a separate scientific study. At the same time, within the current paradigm, the consequences of such a policy are obvious. However, given the voluntariness of the obligations assumed by the state, the issue of formalization (criminalization) of responsibility is immediately removed. Still, it should be pointed out that a) not only states but also other actors in international relations are the subjects of indirect influence; b) there can be observed harmful effects of economic and financial nature.

As is known, crimes against the peace and security of mankind are the most difficult to distinguish from ordinary crimes. This problem has received considerable attention from scholars since the XIX century. Many legal scholars have studied this problem, such as S. Al-Zakharna, M. Andryukhin, I. Blishchenko, A. Bantyshev, V. Ivashchenko, E. Lyakhov, I. Lukashuk, I. Karpets, I. Kozochkin, A. Maevskaya, P. Mikhailenko, V. Panov, V. Popovich, P. Romashkin, A. Savchenko, B. Utevsky, M. Havronyuk. The issue of crimes against humanity as a serious threat to the international security system has drawn the attention of scholars in international relations and international law.

Among foreign scholars, crimes against humanity in the historical and international legal dimension were studied by Roberts K. (2017), Yassen A. (2017), Boot M., von Lingen K., V. Allazawi, C Allen, B. Ayala, M. Bassiouni, W. Derby, Ju. Gardan, K. Kittichaisaree, A. Neier, M. Robinson, E. Smidack, A. Thomas, B. Ferencz, etc. A special significance of the development of theoretical and methodological approaches to the assessment of crimes against the peace and security of mankind acquired in the XX century, when crimes against humanity received scientific justification in the works of such eminent legal scholars as M. Andryukhin, A. Kibalnik, P. Romashkin, I.Solomenko, A. Trainin, R. Lemkin, etc.

It should be underlined that crimes against the peace and security of humanity, or international crimes that represent the greatest danger, are one of the most urgent problems facing humanity today. They include aggression, war crimes, crimes against humanity, colonialism, genocide, apartheid, slavery, and ecocide.

Materials and Methods

From a methodological point of view, there is certainly an extension of the usual boundaries of the examined material and the purification of the research method in the context of full differentiation of dogmatic points of view from others, which often turns the doctrine of international criminal law into demagogic conversations. This relates primarily to the recognition of the independence of the dogmatic construction of international criminal law from the construction of national criminal

law. Distinguishing the theoretical definition of crimes against the peace and security of mankind from the standpoint of national criminal law and international criminal law was a methodologically justified solution in the relevant studies. The systemic synthesis of "aspect knowledge" gives an opportunity to single out scientific knowledge about the evolution of scientific doctrine on crimes against the peace and security of mankind from the perspective of both international criminal law and national criminal science, identify the origins, legal nature of the crime, the basis of the emergence and motivation, assessing ethnographic and legal customs, religious beliefs, etc.

The systemic synthesis of predictive knowledge allows for the prediction of the outcomes of theoretical and practical actions, especially the creation of theoretical doctrine on crimes against humanity from the perspective of international law and national criminal law. By means of scientific analysis and synthesis, the factual essence of the system of crimes, which are considered crimes against peace and security, was identified. Apart from that, their genesis and peculiarity of connections were determined; and the value of the existing research results in the progressive development of scientific consciousness was summarised.

The historical method allowed to conclude that democracies seldom start wars against each other. The protection of human rights is linked to the international security because democratic countries are less likely to violate human rights than other countries. The countries where systematic violations of human rights occur are probably the countries participating in international aggressions. Countries with a medium level of democracy are not prone to take part in such aggressions. However, countries respecting human rights can intrude at least partially in order to protect citizens' rights in the country that systematically violates their rights.

Moreover, the historical method permitted to determine that currently all achievement of any state is closely connected with the global experience. It means that the international community created a mechanism for preventing, regulating, and bringing to justice for the violations of human rights. This mechanism combines the advanced accomplishments of the international community in this area, as shown by the international legal assistance, political and economic influence, activities of international organisations and courts, and combines the public domain of the State (in particular, the theory and history of the State) with guarantees of citizens' rights.

The used methodological complex for determining approaches and principles of research of crimes against peace and security of mankind, their objects and subjects facilitated the straightforward analysis. It is important that the theoretical and methodological principles that have been developed create the conditions for a fundamental analysis of all elements of crimes against humanity,

which have special nature. Their essence is determined by the existence of such classification assessments as compared to general crimes.

Results

The new version of the Criminal Code of the Kyrgyz Republic was introduced on January 1, 2019 in accordance to the Law of the the Kyrgyz Republic No. 10 of January 24, 2017. According to the current Criminal Code of the Kyrgyz Republic, war crimes and other violations of the laws and customs of war are two of the fundamental structural elements of the international legal order that are the subject of criminal legal relations. We believe that this section of the Criminal Code was based on international law and the fundamental principles of international legal relations (Criminal Code of the Kyrgyz Republic, 2019).

The countries parties to the Rome Statute of the International Criminal Court (signed by the Kyrgyz Republic on 8 December 1998) criminalized the system of crimes against humanity in their criminal legislation in various ways. In addition, it should be mentioned that foreign scholars and researchers almost unanimously noted that such criminalization would allow for more effective prosecution of perpetrators of crimes against humanity at the national level, because national courts give priority to national law. Accordingly, the need to resort to international institutions is minimized (May, 2005).

International criminal law was significantly impacted by two important events that occurred in the middle of the 20th century. A turning point in this field was the major war criminal trials that were held in Nuremberg and Tokyo following the Second World War. The terms “crimes against peace,” “war crimes,” and “crimes against humanity” were formally recognised, and they emphasised the idea of individual criminal culpability for some significant transgressions of international law applicable in armed conflicts. The adoption of the four Geneva Conventions on the protection of war victims on August 12, 1949, was the second event. The term “serious violation” was introduced by these agreements, which also provided a specialised structure for the prevention and punishment of the most severe infractions of their rules (Graditzky, 1998).

The Charter of the Nuremberg Tribunal classifies the system of international crimes into three groups (Charter of the International Military Tribunal…, 1945) as follows:

1) “Crimes against peace: namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing”;

2) "War crimes: namely, violations of the laws or customs of war" with the participation of military personnel";

3) "Crimes against humanity: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds…".

The notion of international crime becomes fundamentally different from that of a crime under national law. First, it is the work of the International Military Tribunal. Second, the subject of the crime is defined as an individual crime committed by a state. Third, the commission of international crime entails the individual criminal responsibility of a state as a subject.

It should also be noted that in 1982 the United Nations International Law Commission drafted the Code of Crimes against the Peace and Security of Mankind. They were classified in the following way: 1) an act of aggression against another state, except for the collective self-defence or action to implement a decision of the United Nations; 2) a threat to resort to such acts of aggression; 3) preparatory actions for the use of armed force against another state, except for actions to implement the decision of the United Nations; 4) organization of armed bands by the state to prepare and organize incursions into the territory of another state; 5) organization of feuds on the territory of another state; 6) organization of terrorist activities on the territory of another state; 7) the violation of obligations under international law concerning global peace and security; 8) annexation of the territory of another state; 9) coercive economic and political pressure on a state to gain advantage; 10) total or partial extermination based on race, ethnicity or religion; 11) inhuman acts of violence against certain groups; 12) acts that violate international laws and customs of war; 13) organization (conspiracy, incitement) of acts (conspiracy, incitement, attempt) referred to in the preceding paragraphs (Draft code of crimes against the peace…, 1982). The initiative made it possible to create the UN classification criteria for crimes against peace and security.

In other words, it may be claimed that the emergence and development of international law occurred as people became aware of the unavoidable fact that certain crimes violate both the rights and the very existence of mankind. Many legal measures exist to address gross violations of human rights, including individual international criminal responsibility (Reshetov, 1986). However, it should be noted that the ontological nature of the object of the study suggests the existence of a number of crimes against the peace and security of mankind that have not yet been criminalized or formally expressed. Many of the offences have not been incorporated into the national legislation. This is mostly a result of the peculiarities of the state's legal system (state policy) as well as the moral and ethical standards

that the nation upholds. However, regardless of the level of formalization of such crimes, they have enormous destructive potential in both the medium and the long term.

Over the years, the concept of "international crime" acquired a dual characteristic under the influence of the internationalization of crime and other social processes and developed in two relatively autonomous directions. On the one hand, the criminal act has international spread and violates the prohibition of the national criminal law (corruption, laundering of illicit funds, drug trafficking, etc.). This led to the formulation of a category of transnational crime and to the creation of an autonomous subsector of international criminal law, namely, transnational criminal law. In addition, the criminal act directly violates the international crime-related prohibition (crimes against peace, war crimes and crimes against humanity) and serves as the basis of individual criminal responsibility under international law *stricto sensu* (international crime). The responsibility for international crimes arose directly from international law and did not require that the relevant norm be contained in national legislation.

The analysis of the development of the security concept reveals its origins as a shallow knowledge and its development into a deeper, scientifically informed understanding. Security is a comprehensive, multidimensional, and multi-level phenomenon as a social and legal notion. This is a guaranteed state of protection against both internal and external threats to the interests that are most important to each person, society, and the state. It is a characteristic of a certain social structure and the outcome of police enforcement efforts. Finally, it is an activity focused on completing tasks for ensuring security. It is assumed that concentrating on a single meaning of safety as a state of protection will not sufficiently address the problem and the nature of safety (Dzhorobekova et al., 2019).

The elements of crimes against humanity have a certain historical background. They were preceded by more than a century-long evolution of awareness of the need for legal evaluation of the most brutal episodes of human history. The conclusion of the 1899 and 1907 Hague Conventions marked the beginning of this process. Later in the late 20th century, the norms of international criminal law were formulated, which contain the elements of crimes against peace, crimes against humanity and war crimes (Naumov, 2016).

The international order that can effectively promote human rights was considered indispensable to the war prevention and thus to international security. According to Art. 55 of the United Nations Charter, universal respect for and observance of human rights and fundamental freedoms for all, regardless of race, article, language, or religion, is a condition of stability and well-being, which are necessary for peaceful and friendly relations between peoples. This interpretation is

supported by this. Moreover, in the Preamble and Art. 1 of the Statute of the Council of Europe of 1949, a similar assumption is indicated, which became the base of this European organization. Therefore, the United Nations and the Council of Europe express the theory that the primacy of the individual over the state, the establishment of civil and political freedom and the protection of democracy are important tools for achieving international peace and security (United Nations Charter, 1945; Statute of the Council of Europe, 1949).

There is no universally accepted list of crimes against peace and security. Therefore, the identification of essential characteristics of crimes against the peace and security of mankind is now being raised as a scientific problem by many scholars (Kurmanov et al., 2001). The second step is to clarify the elements of crimes that are not included in the current criminal matrix due to their non-obvious (at first approximation) though destructive potential that entails irreversible processes. In any case, these crimes are detected only through a systematic and comprehensive consideration of socio-political, moral and other spheres that affect society as a whole.

As a matter of fact, the whole history of any state or empire was filled with wars and confrontations with other states and empires (most of them disappeared from the geographical map). Their main purpose was to ensure the state independence and national sovereignty (resolving issues of protecting the integrity of the main formal and informal institutions) and to seize the territories and resources of others. The strategic confrontation has been going on since 4000 B.C., that is, since the emergence of the first states. But why has the issue of ensuring the peace and security of mankind come back on the agenda and been renewed?

To begin with, until 1945, all countries with sufficient military resources and an appropriate political environment were able to achieve their political objectives militarily. However, after the World War II, with the creation of an international institution of the United Nations and the emergence of weapons of mass destruction, issues of military and political nature began to be resolved mostly by diplomatic means. At least this is to be hoped, since the NATO bombing of Yugoslavia in the 1990s was carried out without the authorization of the United Nations Security Council. Secondly, until now there has not been such a massive and powerful political instrument as the international communication network, i.e. the Internet. Together with available technologies, the Internet has changed the existing security paradigm. In the first place, it has affected the transmission of information and, as a result, the system of relations between countries and between people. Additionally, it has simplified the formation of public awareness, which is actively used by individual countries to achieve their political and other goals. As a result, the ability of many countries to influence domestic policy processes is

reduced. Furthermore, it allowed the broad masses to influence political processes, including the security sector.

The last circumstance seems to be a positive phenomenon, but only the observance of a number of necessary conditions. The implementation of a strategic and balanced security policy requires: 1) the ability to see the whole picture; 2) the ability to identify threats and risks; 3) the construction of a conceptually coherent system of response according to available capacities; 4) the coordination, management and adjustment of processes and actors (subjects) of the process. Such knowledge, skills and skills are not available to everyone, not to mention the highest authorities of states.

This comes from the existing theoretical interpretation of the categorical apparatus "international peace". Under this category, the scientific community implies the absence of certain conditions and signs under which we can affirm the existence of peace, but the lack of mechanical evidence such as armed clashes and acts of aggression (Baityn, 2001; Baburin, 2005). Unfortunately, such a methodology has a number of drawbacks, one of which is the ability of many countries to design all new "approaches" and instruments of influence on other states and other entities. This circumstance limits the preventive potential of the above category. Nevertheless, due to the complexity of the issue, it is not possible to fully disclose the conceptual apparatus and to identify all the signs and conditions of the state of peace.

It is common knowledge that there is always a hidden tactical confrontation between countries with different views and positions on political issues. Accordingly, it is not possible to talk about peace in its broad sense. This was evident during the Cold War competition between the West and the former Soviet Union. Totalitarianism threatened the existence of the right to inherit the land that liberals considered to be a natural right for their highest form of political economy. This viewpoint represented the Soviet perspective of communism as the future's dominant force. Hence, the interaction of such disparate political systems swiftly solidified the serious security quandary. Not just militarily, the Soviet Union posed a threat to the West. Also, it was a competing political economy, whose fundamental ideas were completely opposed to individualism and the market.

The second element of the international legal order, as noted above, is the security of mankind. Similarly to international peace, this concept is neither formalized in national legislation nor in international law. Due to its ontological complexity, the theoretical basis of the concept is also quite broad and, as a consequence, is interpreted on the basis of national (political) interests of the parties. At the same time, there is a common definition of the security of mankind. It is a system of international relations that presupposes the social, legal and

political conditions necessary for the safe existence of mankind or individual social groups. Human security is a consequence of the international peace in a broad sense.

As a result of the two world wars of the 20th century, the world community decided to take political, legal and other institutional measures to preserve international peace and ensure human security. The following institutional and institutional measures were taken to this end:

– the institutionalization of international efforts in this area, as reflected in the establishment of an interstate association - the United Nations;

– the formalization of the principles and rules of the relationship between states and international organizations for the preservation of international peace and human security;

–the implementation of international principles and norms ensuring the peace and security of mankind in national legislation;

–the establishment of a joint warning system in the form of international sanctions and other organizational and legal measures of deterrence and prevention.

Unfortunately, at present, the public policies of individual states are not always characterized by humane ways of addressing their political objectives. However, given the system of counteraction described above, many states do not run the risk of openly pursuing violent and aggressive policies. Instead, they conduct destructive policies in hidden, unobtrusive ways and means.

The military conflicts of the last decade include the civil war in Libya (2011), the civil war in Syria (2011), the conflict in Kenya (2011-2012), the conflict in Northern Mali (2012-2013), the conflict between Sudan and South Sudan (2012), the conflict in the Democratic Republic of the Congo (2012-2013), the civil war in the Central African Republic (2012-present), the armed conflict in Yemen (2014-2015), the war between Azerbaijan and Armenia. The reasons for acts of aggression vary. The most common are: 1) the outbreak of civil war and the desire to support one of the parties; 2) countering terrorism on the territory of another state; 3) the recovery of their own territories previously occupied by another state after losing the support of the nuclear state; 4) the dissatisfaction with a political decision made by a certain state; 5) the infringement of the rights of national and religious minorities, etc.

Furthermore, several experts in the field of international criminal law note that the widespread use of information technology against essential infrastructure of other states, such as information and communication technology facilities, is changing the character of armed attacks. According to the doctrine of international criminal law, cyberattacks qualify as an armed attack as long as they result in the

same kind of damage as a traditional use of force. It is proposed that the direct use of armed forces occurs when the computers that control hydraulic structures and dams are disconnected, causing settlements to flood, information security to be destroyed, military infrastructure to be destroyed, and the economic system to be disrupted (Brownlie & Crawford, 2019).

Cyberwarfare can be used not only to gather sensitive information from intelligence agencies, but also to carry out military actions that can cause economic damage, damage important infrastructure and affect the outcome of conventional armed conflicts. The NATO Tallinn Manual (Tallinn Manual on the International Law Applicable to Cyber Warfare) contains 95 rules which orient the NATO states in case of cyberwar. The set of cyberattacks, which exceed a certain threshold by their overall negative influence, can be considered the beginning of a cyberwar. A classic example of a cyberattack is the disabling of Iraq's air defense control system during the Operation Desert Storm. Then, the US security services were able to infect a computer system by the memory of printers purchased for that system from a commercial company. NATO experts consider the militarization of the Internet one of the most important and dangerous trends in the development of cyberspace. In their opinion, it is quite permissible for NATO countries to carry out offensive cyber operations against unfriendly states (Febbro, 2014).

Currently, the following sets of harmful effects on humanity can be identified: 1) moral and cultural; 2) financial and economic; 2) intellectual (not only a cognitive capacity); 3) biological.

States have the primary responsibility to investigate and prosecute such crimes. Thus, despite the significance of the Nuremberg and Tokyo tribunals, which punished the civilian and military leaders of Germany and Japan, the "main job" was done by national courts and military tribunals to try those responsible for the Second World War crimes. In a similar manner, crimes committed on the territory of the former Yugoslavia and Rwanda were prosecuted by regional courts and tribe tribunals (known as gachachi tribunals in Rwanda). The first condition for the quality work of national courts in this context is adequate and modern criminal legislation. It should take into account both the universally recognized elements of international crimes and the ways they might be committed. Such a requirement for national criminal law is particularly relevant in states whose judicial authorities interpret legal norms in a predominantly formal and narrow manner.

For example, in Bosnia and Herzegovina and Rwanda, national criminal law was supplemented by provisions on international crimes, which made it possible to prosecute ordinary perpetrators and leaders who should have been aware of the acts of their subordinates. The Colombian experience illustrates another dimension of the impact of criminalization on the justice situation in the country, i.e. the

introduction of national criminal law has significantly increased the demand for justice for victims of international crimes. Positive developments as a result of the criminalization of international crimes are also taking place in other areas, such as access to justice, legal education, public-private cooperation.

Each nation, nation and ethnic group reflects the historical and cultural environment in which informal institutions were developed (tradition, religion, etc.). In this regard, the cultural and historical features of each state are specific, unique and very diverse. Undoubtedly, not all proposed or imported cultural values and ethical principles can harmoniously enter the cultural environment of the state. The introduction of their worldview system, encompassing the spiritual, moral, moral, value spheres and socio-political preferences, has become commonplace and is included as a subtask of public policy. Free interpretation of liberalism, globalization and the international Internet communication network contribute to this. Paternalistic attempts to control these processes by individual state leaders are perceived by democratic states as a violation of natural human rights and freedoms.

If relatively recently first missionaries and then soldiers were sent to colonies, now all the processes take place in the virtual environment of the Internet. Every person, thinking that he/she chooses information, does not realize that he/she becomes the object of an information impact. It is worth mentioning that "the mind is not a luxury, but a hygiene. Spiritual health is as essential to life as physical health. In these days, not having spiritual health it is very easy to sink in that rapid flow of information which falls on the person from all sides daily. Moreover, this information stream brings not only benign spiritual food. So, the care of spiritual health has a vital social meaning for each person" (Ilenkov, 1977).

Given the long-term and not obvious detrimental effects of the negative information and cultural impact, the issue is not on the agenda as requiring urgent resolution, let alone any accountability. This does not mean that any cultural impact is negative and has destructive potential. The social environment is by nature an open system. The interaction and reciprocal influence of cultural codes occur constantly and this process is never interrupted. Accordingly, it is important to mention I.P. Merkulov's opinion: "without diversity, without the availability of cultural alternatives, culture loses the stock of information 'variability' for the future, the ability to adapt and evolve under new, not yet formed conditions" (Merkulov, 2004). Therefore, it is the negative informational and cultural impact which leads to the indirect destruction of certain social groups that is being actualized.

The change of the cultural, value, ideological and moral paradigm leads to the degradation of the system of moral-moral values of individuals. With the loss of national identity and damage to the moral matrix, any social group becomes

vulnerable and easily accessible to various kinds of external political and financial-economic negative manipulations that destroy it in the long run. As a result, financial flows to developing states are often not used for their intended purposes, owing to a low level of self-consciousness and the lack of moral values among corrupt governance actors within countries. It is well known that many international financial organizations pursue their policies in the interest of certain actors in international relations. Therefore, most of the granted loans become the future basis of bondage not only in the financial sphere, but also in the political one.

A note should be made that the "moral system" and the "morality of being" (Meneghetti, 2015) (otherwise, morality) are sharply different, and in everyday life the moral system has its own characteristics and special features in different countries. In the context of globalization, moral norms and values are being "unified". At the same time, it should be highlighted that morality is a form of manifestation of morality expressing the power and laws of nature, which is "the manifestation of an absolute truth" (Kazantseva, 2008).

In addition, it should be noted that the economy of any country can be subject to an external economic impact. If you do not know the ways and methods of such negative policies, the result may become deplorable for the affected subject of international relations. Many countries that use such financial technology are identified. However, it is our task to make this issue stand alone because of its relevance since the financial and economic impact is not visible at first glance, being different from the other types of impacts mentioned above.

Any social event is the continuation of another event and the beginning of a new one. Similarly, the interference in the intellectual sphere of any country occur through the media, using modern technologies, where education is inversely proportional to the awareness. Therefore, the full picture of the ongoing events and processes can be seen by looking at the problem with appropriate tools of knowledge and using a systematic approach.

Where the traditional liberal de-socialization agenda was most successful, such as in the EU integration, the major issues of social insecurity can be found. Old state structures that were previously justified for both defence and development are vulnerable to erosion from above when local military threats transform into security communities and national economies are interconnected by a network of transnational and international rules, investments, and organisations. In a global economy that has been deregulated, regional integration is unquestionably a component of the new laws of competition, but it also has the potential to increase social unrest. This can be accomplished by forging a strong regional identity. In reality, the main influence (in Europe) is more indirect.

The nation becomes a smaller state shell as state functions are transferred to the regional level. As a result, it is more vulnerable to either the invasive homogenising forces of the regional market (expressed by numerous national referendums and Norway's protracted exit from membership) or the fracturing forces of identities seeking for their own political representation (in Italy, Spain, Belgium, Quebec and Western Canada). Nations may attempt to re-establish a close bond between nation and state out of concern for the survival of the nation and as a result, resist the integration initiative (Norway). As an alternative, the nation and the state may encourage more systematic differentiation in which cultural activities would be tasked with safeguarding the national identity (Germany).

With the development of medicine, biology, chemistry, issues of humanism are increasingly coming to the forefront. Since it was in the 21st century that the above sciences became not only a means of studying and understanding the surrounding world and the human body, but also a purposeful impact on nature and human being. Such an activity is often in someone's interests. In this regard, the utilitarian approaches of individual states towards others may lead to irreversible consequences. New technologies based on genetic engineering develop a negative potential for all the humanity. Much has been written about these negative effects in the scientific literature. It is also necessary to note that this type of influence is very dangerous due to its secrecy and the complexity of detection. The directed impacts of biomedical nature (genetic, medical, biological, environmental) can only exercise countries with sufficient scientific potential, putting the rest of the world in an unenviable and unequal position. As a result, there is no chance to talk about bringing anyone to justice.

Thus, a purposeful detrimental effect on the above systems of life can be called indirect, implicit genocide. However, the big problem lies in diagnosing such mass harmful activities. It is clearly obvious that not all subjects of international law are striving towards a peaceful existence in light of the 20th century's end and the opening years of the 21st century. The events in the former Yugoslavia, Rwanda, Afghanistan, Chechnya, Syria and other countries should help to intensify the development of international norms in order to combat such illegal actions.

Conclusions

It is important to note that there are numerous crimes against the peace and security of humanity that are yet to be criminalized or formally recognized. There is no universally recognized list of crimes against peace and security. The public policies of individual states are not always characterized by humane ways of achieving their political objectives. They carry out destructive policies in covert and subtle ways.

The following sets of harmful effects on humanity can be identified: moral and cultural; financial and economic; intellectual and biological.

Based on the above, the task of the subject of management (in the state) is to use special methods to disintegrate any sociological category (regularity, trend, problem) into parts (elements) without losing the connection between them in order to be able to use this category for their own purposes when performing management functions (organization, regulation, coordination, etc.) and within certain recurring social cycles. To do this, it is necessary to build a more or less stable model (framework) from these elements and the links between them (both horizontal and vertical), factors (external and internal) that will meet the goals of the subject of management in solving certain political problems.

In this case, the subject of management will use the already known means and methods that were developed in the operating environment. As long as they function flawlessly, are in good agreement with each other and perform the tasks set, the subject of management, who has taken a ready-made management model, do not have to think about their nature and structure. A different situation happens when problems arise that cannot be solved by the old means and methods or when new objects (described above) appear to which the old means and methods cannot be applied. So, the creation of new means and methods becomes a condition for solving the problem. We believe that this state of affairs has already occurred and we need to sort it all out by defining a research methodology, which, in turn, will help build the correct statement of the question, outline the contours of the problem and determine the means and methods to solve it.

In the light of the above, it seems that the issues of bringing criminals to legal responsibility require further improvement, including the definition of clear criteria and signs. At the same time, first of all, we would like to update the revision of the ethical component in international relations. Consequently, within the international legal regulations of the crimes under consideration, the provisions having political hues prevail, which decreases the possibility of the objective criminal assessment of crimes against peace at the national level. The national policy on counteracting crimes against peace and international security contains declarative elements and requires the development of efficient methods, means and instruments for combatting and preventing such crimes and cultivating humanistic values.

References

Baburin, S. N. (2005). The world of empires: the territory of the state and the world order. Saint Peterburg: Yzdatelstvo R. Aslanova "Iurydycheskyi tsentr Press". 769 p.

Baityn, M. I. (2001). Essence of law (modern normative legal understanding on the verge of two centuries). Saratov: SGAP. 416 p.

Brownlie, I., & Crawford, J. (2019). Brownlie's principles of public international law. Oxford: Oxford University Press.

Charter of the International Military Tribunal for the Trial and Punishment of the Major War Criminals of the European Axis (1945). Retrieved from: https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.2_Charter%20of%20IMT%201945.pdf Retrieved from website on dated 01-12-22

Criminal Code of the Kyrgyz Republic (2019). Retrieved from: https://online.zakon.kz/Document/?doc_id=34350840

Draft code of crimes against the peace and security of mankind (1982). Retrieved from: https://www.un.org/ru/documents/decl_conv/conventions/code_of_offences.shtml Retrieved from website on dated 01-12-22

Dzhorobekova, A. M., Berdaliev, K. Ch., Adambekova, A. D. & Dzhorobekov, Z. M. (2019). Methodological approaches to understanding national security. *Religacion*, *4*(16), 720–723

Febbro, E. (2014). Cyber warfare between Russia and the West. Retrieved from: http://inosmi.ru/world/20140930/223333408.html Retrieved from website on dated 01-12-22

Graditzky, T. (1998). Individual criminal responsibility for violations of international humanitarian law committed in non-international armed conflicts. *International Review of the Red Cross*, *38*(322), 29–56. Retrieved from: https://doi.org/10.1017/S0020860400090756

Ilenkov, E. (1977). Learn to think from young age. Moscov: Yzdatelstvo "Znanye". 66 p.

Kazantseva, D. B. (2008). Morality, Ethic and Religion: Relationship and Interdependence. *Proceedings of universities. North Caucasus region*, 6, 14.

Kochetov, E. H. (2001). Global studies as geoeconomics, as reality, as the universe. Moscov: Progress.703 p.

Kurmanov, K. S., Sydykova, L. C., Sharshenalyev, A. S., Kurmanov, Z. K., Abdyev, K. M., Osmonalyev, K. M., Artsybashev, P. Y., Bodovaev, K.

A. & Okeanova, R. A. (2001). Criminal law of the Kyrgyz Republic. Special part. Byshkek: Yzdatelskyi dom “Nauka y obrazovanye». 333 p.

May, L. (2005). Crimes against humanity: a normative account. Cambridge: Cambridge University Press. 310 p.

Meneghetti, A. (2015). The wise man and the art of life. Moscov: Ontopsykholohyia. 70 p.

Merkulov, I. P. (2004). The relationship of biological and cultural evolution. *Biology and Culture (pp. 288–213)*. Moscov: Kanon.

Naumov, A. V., Kybalnyk, A. H., Orlov, V. N. & Volosiuk P. V. (2016). International criminal law. Moscov: Yurait. 513 p. Retrieved from: http://portal.iapm.edu.ua/portal/media/books/ab61b9746b49438da544cc3d25075513.pdf Retrieved from website on dated 01-12-22

Reshetov, Y. A. (1986). Nuremberg trials and international criminal law. *Nuremberg trials and modernity* (*pp. 150–162*). Moscov: IGPAN.

Roberts, C. (2017). On the definition of crimes against humanity and other widespread or systematic human rights violations. *University of Pennsylvania Journal of Law and Social Change*, *20*(1), 1–28.

Statute of the Council of Europe (1949). London, 5.V. Retrieved from: https://rm.coe.int/1680306052 Retrieved from website on dated 01-12-22

United Nations Charter (1945). Retrieved from: https://www.un.org/en/about-us/un-charter/full-text Retrieved from website on dated 01-12-22

Yassen, A. O. (2017). International Cooperation: From the ICTY and ICTR to the ICC. *Journal of Polytechnic*, *7*(1), 1–41.