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A hybrid strategy to prosecute the waging of war / Marta Sosa Navarro

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Abstract:	The Kampala Conference held in 2010 to review the Rome Statute portrays a discouraging image regarding the fight against impunity for those responsible for the waging of war. Its outcome reflects the international community's lack of willingness to take the necessary steps to hold accountable those responsible for the crime of aggression. Regardless of the existing agreement on its definition, the International Criminal Court's jurisdiction has been postponed again, fostering the need to resort to alternative formulas to prosecute this crime. This paper aims to study the possibility of prosecuting aggression as a crime against humanity in so far as the illegal use of force amounts to "other inhuman acts of similar character (...)", articulated in article 7.1.k of the Statute. It also searches for alternative procedures to prosecute these crimes, focusing on the emerging role of domestic jurisdiction through the consolidation of the aut dedere aut judicare clause.
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