

ISRG JOURNAL OF ECONOMICS AND FINANCE (ISRGJEF)



ISRG PUBLISHERS

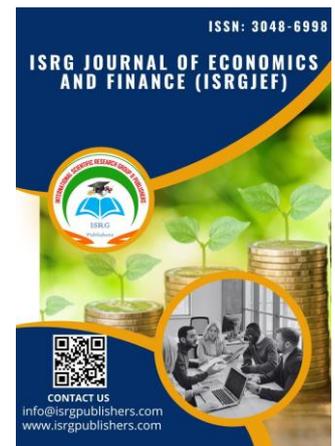
Abbreviated Key Title: ISRG J Econ Fin.

ISSN: 3048-6998 (Online)

Journal homepage: <https://isrgpublishers.com/isrgjef-2/>

Volume – 3 Issue - I (January- February) 2026

Frequency: Bimonthly



Comprehensive Review of International Criminal Law (Proportionality of Crime and Punishment)

Muaiyid Rasooli, PhD Candidate^{1*} , Prof. Dr. Mohammad Ekram YAWAR² 

¹ School of Law, Xi'an Jiaotong University, China

² Dean of the Faculty of Law, International Science and Technology University, Warsaw, Poland.

| **Received:** 27.01.2026 | **Accepted:** 31.01.2026 | **Published:** 03.02.2026

***Corresponding author:** Muaiyid Rasooli, PhD Candidate

School of Law, Xi'an Jiaotong University, China

Abstract

Proportionality of crime and punishment is one of the fundamental principles of international criminal law that emphasizes the administration of justice and the prevention of injustice in punishment. This principle states that the severity and type of punishment should be consistent with the nature and severity of the crime.

In international criminal law, international courts and judicial institutions are required to make decisions based on various factors, including the severity of the crime, the role and participation of the accused, the effects of the crime on society and victims, and the specific circumstances of the case.

Adherence to this principle not only helps protect human rights, but also increases the credibility and legitimacy of international judicial systems. At the same time, implementation and conceptual challenges, such as the precise definition of international crimes and the determination of appropriate standards for punishments, still exist.

This article examines the principles and challenges of proportionality of crime and punishment in international criminal law and analyzes its role in strengthening the international justice system.

Keywords: *International Criminal Law; Proportionality of Crime and Punishment; Justice; Human Rights; International Courts; Legitimacy of the Judicial System; Implementation Challenges; International Justice*

1. Introduction

Proportionality of crime and punishment is one of the key principles in international criminal law, which is used as an important criterion for ensuring justice in the judicial process. This principle is based on the premise that punishment should be proportionate to the nature and severity of the crime committed, so that on the one hand the human rights and dignity of the accused are protected, and on the other hand justice is done to the victims and society.

In recent years, with the occurrence of international crimes such as war crimes, genocide, and crimes against humanity, the importance of observing proportionality in punishments has received more attention. International judicial institutions such as the International Criminal Court and specialized courts are responsible for determining punishments, taking into account factors such as the severity of the crime, the role of the accused, the impact of the crime on society and its victims, and the specific circumstances of each case.

This introduction examines the importance and position of the principle of proportionality of crime and punishment in international criminal law and raises the challenges and opportunities in this field, as international criminal law seeks to address the most serious and transnational crimes, respecting the proportionality of the crime and the punishment has become a crucial issue.

This not only helps to prevent the imposition of unjust and disproportionate punishments, but also helps to maintain public confidence in international judicial institutions. While this principle is well accepted in theory, in practice, its implementation faces several challenges. One of the main challenges is the precise determination of criteria against which the severity and type of punishment can be determined.

The precise definition of international crimes and the determination of objective criteria for assessing their severity require a comprehensive and harmonized legal framework. Furthermore, it should be noted that each case has its own circumstances and complexities that require careful and case-by-case examination. Another challenge is the cultural and international legal differences that can affect the interpretation and implementation of the principle of proportionality of the crime and the punishment.

Each country and culture may have different attitudes and standards regarding punishment, which can lead to different and sometimes contradictory interpretations. In this regard, international efforts to develop common and harmonized laws and standards are of great importance.

These efforts can include the education and training of judges and judicial officials, the development of monitoring and review institutions, and the creation of platforms for international dialogue and cooperation. The proportionality of crime and punishment is particularly important in the field of international crimes, where we often deal with crimes such as genocide, war crimes and crimes against humanity. These crimes require a careful and fair approach due to the severity and scope of their effects on societies and individuals.

In order to ensure the full implementation of this principle, international institutions such as the International Criminal Court and specialized courts (such as the International Criminal Tribunal for the former Yugoslavia and Rwanda) have important tasks.

These institutions should develop precise and transparent criteria for assessing the severity of crimes and determining punishments. In this regard, various factors such as the degree of participation of the accused in committing the crime, the intention and motivation, the extent of the harm and damage caused to the victims and society, and the specific circumstances of each case should be taken into account.

Also, due to the complexities and cultural, legal, and social differences existing in the international community, the implementation of this principle faces numerous challenges. Differences in legal approaches of countries, diversity in cultural and ethical standards, and different interpretations of the concepts of justice and punishment are among the obstacles to the effective implementation of the principle of proportionality of crime and punishment.

1.1 The concept of crime

In Persian, the word "crime" means "unpleasant act" or "act against the law". This word is derived from the Arabic root "crime" which means "error" or "sin". In lexical terms, crime usually refers to any type of wrong, wrong or illegal act, due to which an individual or society is harmed or suffers damage. Also, in Arabic, it means sin, and it also comes in the form of a fine and is pluralized as crimes, crimes and crimes. Terminologically, crime, unlike some natural concepts such as the laws of physics and mathematical concepts, does not have a fixed and unique concept, and therefore it has had different semantic and conceptual forms in different sciences such as social sciences, law and philosophy, and even in different religions and sects, and each has provided a specific definition of it.¹

The legal term concept of crime, which in criminal law means "an act or behavior" that the legislator identifies as illegal and determines a punishment for it. This concept specifically refers to acts that are legally recognized as dangerous or undesirable and cause harm to society or individuals.

In this framework, a crime consists of two main elements: a criminal act (i.e., an act or behavior that is against the law) and criminal intent (i.e., the knowledge and intention to commit that act). In criminal law, a crime is divided into three general categories: intentional crimes (in which the offender acts with the intention of committing a criminal act), unintentional crimes (in which the wrongdoing occurs without criminal intent), and quasi-intentional crimes (in which the criminal act is caused by carelessness). These categories help determine the type and severity of punishments and play an important role in the administration of criminal justice.²

1.2 The concept of punishment

Punishment literally means to punish, reward, and punishment. In legal terminology, there are different definitions of punishment: "Punishment is a punishment or penalty imposed on the perpetrator of a crime. The concept of suffering is inseparable from the concept of punishment, and in fact, it is suffering and fatigue that are the true characteristics of punishment.

1

2

"Or "Punishment is the reaction of society against the criminal". Regarding the definition provided, it should be acknowledged that legal scholars have not paid special attention to obtaining the truth of punishment and its real and terminological definition, because in defining punishment, its various aspects should be considered:

First, punishment is associated with real justice. So the first point in stating the definition of punishment is observing justice.³ Second, if we refer to history to understand the truth of punishment, it is observed that punishment was initially a reaction of society against a criminal act, but later, when society became organized and organized and the state was established, this social reaction also took on a legal form.

Therefore, punishment must pursue a goal and this goal must be fully specified in the definition. Third, the person who establishes and executes punishment must be mentioned in the definition. Fourth, the scope of punishment must be specified. Considering these points, punishment can be defined as follows: "Punishment is a set of rules approved by society It is a guarantee of the implementation of real justice and seeks to guide the actual or potential criminal, deter others from committing a crime, satisfy the victim's innate desire for justice, and protect society. It is established by the legislative branch and enforced by the judicial branch. Now that the punishment has been determined from a legal perspective, it should be seen how the legislator has defined the crime:

Article 2 of the Islamic Penal Code states: "Any act or omission for which a punishment has been determined in the law is considered a crime." Considering the content of this article and the definition of the term punishment, it can be concluded that: "Punishment is a form of harassment that the judge determines for the person who is guilty in accordance with the law due to the commission of a crime as a sign of society's hatred of the criminal act and its perpetrator.

Harassment, which causes harm to one of the rights of the offender, should not be considered the goal of punishment. The goal of punishment is to reform the offender, social defense, and the administration of justice. Harassment is a means to achieve this supreme goal. The judge's punishment is within the limits of which the law has made known, determines.⁴

1.3 The concept of proportionality of crimes and punishments

Proportionality is an Arabic word and refers to the action of two parties. In Persian, it means to be linked to each other and to be appropriate to each other and to have a relationship and relationship between two people or two things, and equality in proportion is also called proportionality.⁵

In the science of law, the concept of proportionality in the relationship between the proportionality of crime and punishment has varied depending on the spatial and temporal situations. A punishment may be considered proportionate at one time and place and disproportionate at another time and place. Similarly, a punishment may be proportionate at one time and place in relation to a crime and disproportionate in relation to another crime. Therefore, the concept of proportionality is primarily a relative

concept and has different meanings depending on different cultures, times and places.⁶

Sufficiency and proportionality are limitations that are imposed on the court in determining the appropriate punishment for the offender. Their purpose is to prevent the punishment from becoming pure revenge and, therefore, they are part of the offender's right to be punished.

Therefore, the punishment imposed must be adequate and proportionate. Based on this approach, the court needs clear measures to assess the adequacy and proportionality of the social harm and the punishment.⁷ The concept of proportionality of crimes and punishments refers to the fundamental principle of criminal justice, according to which the amount of punishment should be proportionate to the severity and type of crime committed.

This principle means that punishments should be determined taking into account the specific characteristics of each crime, including the degree of danger and vulnerability, as well as individual factors such as the offender's history, motivations and circumstances of committing the crime.

The purpose of this proportionality is to ensure that punishments are not only fair and just, but also designed to have an effective deterrent and corrective effect and prevent the individual from reoffending.⁸ In practice, proportionality of crimes and punishments is considered as a tool for maintaining justice and ensuring social security. The imposition of disproportionate punishments can lead to a violation of the principles of justice and damage the credibility of the judicial system. On the other hand, very lenient punishments may not properly help prevent crime and reform the offender.

Therefore, legal systems try to maintain a balance between individual rights and social interests by using this principle, so that punishments are determined in proportion to the severity of the crime on the one hand and in order to deter and reform the individual on the other.⁹

1.4 History of the principle of proportionality and crime

The principle of proportionality of crime and punishment, which means the correspondence between the severity of the crime and the amount of punishment, is considered one of the fundamental principles of modern criminal law. This principle has deep historical and philosophical roots that go back to the Middle Ages and even earlier.

In Roman law, one of the first references to the principle of proportionality can be seen in the Law of the Twelve Tablets. This law, enacted around the 5th century BC, attempted to formulate general principles of justice and legal equality, although in practice it dealt with a limited degree of proportionality between crime and punishment.¹⁰

In modern times, the concept of proportionality of crime and punishment has gained greater importance, especially with the emergence of modern legal systems and human rights law. One of the most influential figures in the formulation and development of

6
7
8
9
10

3
4
5

this principle was Cesare Beccaria, an 18th-century Italian jurist and reformer.

In his seminal work, *Crime and Punishment* (1764), Beccaria emphasized the importance of proportionality and proportionality of punishments and proposed reforms in penal systems.

He believed that punishments should be sufficient to deter crime, but not so much as to lead to cruelty and injustice. Over time, the principle of proportionality of crime and punishment became accepted as a fundamental principle in modern legal systems and was included in the criminal codes of many countries.

In international criminal law, this principle is also recognized in the framework of international courts such as the International Criminal Court and other international institutions. These institutions try to ensure justice at the international level by determining punishments that are proportionate to the gravity and nature of the crime.¹¹

In sum, the principle of proportionality of crime and punishment, which is recognized as a key principle in achieving criminal justice, has developed throughout history and has become one of the important requirements in modern legal systems.

In the 19th century, the principle Proportionality of crime and punishment became more widely institutionalized in modern legal systems. During this period, with scientific and philosophical advances, greater emphasis was placed on individual rights and limits on state power. One of the important developments in this field was the establishment of judicial systems that operated on the basis of legal principles and proportionality of punishments. This approach caused legal systems to move away from arbitrary and vindictive punishments and towards systems that operated on the basis of justice and fairness.¹²

2. The principle of proportionality between crime and punishment in crimes.

2.1 The position of the principle of proportionality in the philosophy of punishment

A legislator or a just judge cannot be indifferent to the proportionality of crime and punishment because one of the fixed bases for justifying punishment is the implementation of justice. Although quantifying crime and punishment is a difficult and somewhat relative task, this relativity should not hinder human efforts in this field.

With the help of reasonable and accepted criteria, it is possible to organize categories between crimes and punishments in terms of severity and weakness and then establish a relationship between them. It is clear that the legislator must follow it in formulating criminal laws. In other words, the position of crimes and punishments that arise with the progress and development of human society will be determined.

Criminal judges, in the continuation of this path, must also function in the same way and establish the proportionality of crime and punishment more precisely between different instances of a crime with the help of the powers they have in determining punishment.

It seems that the proportionality of punishment to the crime should be the main axis in determining punishment and in exceptional cases, there should be a possibility of deviating from it based on utilitarian justifications.¹³

2.2 Proportionality in Criminal Laws and Guidelines for Determining Punishment

A criminal system that enjoys logical coordination and coherence in criminalizing and punishing behaviors will face less illegitimacy in the implementation of criminal justice. If there is no basis and standard governing it in the stages of criminal justice, the legislator's unlimited ability to criminalize unjust behaviors and punishments will result. In the Iranian criminal system, although the punishment system in each of the punishments of hudud, qisas, diyat, and ta'ziri punishments can be justified with reasons related to each of the bases of punishment, it cannot be said with certainty that they all have the same primary goal and basis. The inconsistency and lack of coherence in determining punishment (legislation and enforcement) in the Iranian penal system is a matter that is not hidden from anyone.

The deep gap between the minimum and maximum punishment without determining a standard that sometimes reaches forty times, the lack of commitment of the executors of criminal justice to the existence of a hierarchy of punishments, the lack of restriction of the legislator in determining punishment and criminalization based on a single rule and principle, especially in the Ta'zir punishments that constitute the main part of its penal system, and the lack of classification of punishments are some of the problems and difficulties that the penal system of Islamic countries faces.

That is why, if two criminals commit the same crime under similar circumstances, given the lack of a standard for proportionality of punishment to the crime committed, it seems natural for one of them to be sentenced to a fine and the other to 10 years in prison.

Why is such and such a punishment determined for such and such criminal behavior, and can the determination of punishments in the stages of legislation and enforcement have a reliable system? It seems that there is no other way but to resort to There is no tangible and objective standard for the regularity of the sentencing system.¹⁴

2.3 The principle of overall proportionality, a basis for determining proportionate punishment for multiple crimes

The principle of overall proportionality in determining punishment means that the amount and type of punishment should be proportionate to the severity and nature of the crime. This principle, which is recognized as one of the fundamental principles in various legal systems, emphasizes that punishment should not be too severe or too mild and should be determined according to the individual characteristics of the offender and the circumstances of the crime.

In multiple crimes, the implementation of the principle of overall proportionality leads to complications. For example, if an individual has committed multiple crimes, the judicial system must decide whether these crimes should be calculated cumulatively (i.e., the sum of the penalties) or overlappingly (i.e., determining a general penalty that includes the most severe crime). In these cases, the principle of overall proportionality helps to ensure that the final

11

12

13

14

punishment remains fair and reasonable and to prevent extremes or laxity in the administration of justice.

One of the main objectives of this principle is to prevent excesses and excesses in determining punishment. In particular, punishment should not only serve to punish and reform the offender but also to deter others from committing similar crimes.

At the same time, it is important to avoid imposing harsh sentences that are injurious to human dignity or have negative social effects. The principle of overall proportionality requires consideration of all aspects of the crime and the specific circumstances of each case.

The judge must, after careful and comprehensive consideration, reach a decision that is not only legally correct but also morally and socially acceptable. This requires a careful balance between the rights of society and the individual rights of the offender.¹⁵

2.4 Application of criteria for proportionality of crime and punishment in the regulation of judicial powers

The application of criteria for proportionality of crime and punishment in the regulation of judicial powers plays a very important role in the administration of criminal justice. These criteria are used as a tool to guide judges in determining appropriate and fair punishment and help ensure consistency and transparency in the judicial process.

Through these criteria, it can be ensured that the punishment imposed is not only proportionate to the crime committed, but also consistent with human rights and legal principles. One of the most important criteria used in determining the proportionality of crime and punishment is the severity and nature of the crime.

This criterion helps to determine the punishment based on the type and extent of harm caused to society and individuals. For example, violent crimes such as murder or rape usually have heavier penalties than non-violent crimes such as petty theft. This is due to the importance of protecting public safety and health. Another criterion is to pay attention to the character and history of the offender. This includes examining the criminal record, the social and psychological status of the individual, and the circumstances that led to the commission of the crime.

This information helps the judge decide whether a more severe punishment is necessary or whether the offender can be reformed and rehabilitated. For example, a first-time offender may receive a lighter sentence than an offender with a long history of similar crimes. The circumstances of the crime are also considered a key criterion. Special circumstances such as urgency, self-defense, or external pressure can have a significant impact on determining the sentence. This criterion allows judges to have a deeper understanding of the context of the crime and, based on that, determine a more just punishment.¹⁶

2.5 Justification of the principle of general proportionality based on the elements of the principle of proportionality

The principle of general proportionality in determining punishment is based on specific elements, each of which plays an important role in justifying this principle. These elements include the severity of the crime, the circumstances of the crime, the character and history of the offender, and the purposes of the punishment. Severity of the crime: One of the fundamental elements of the

principle of proportionality is the severity of the crime committed. The severity of the crime is measured by the degree of harm and danger that the crime poses to society and individuals. This element ensures that the punishment imposed is consistent with the level of seriousness and dangerousness of the crime. For example, violent crimes and large-scale financial crimes that have widespread effects on victims and society require heavier penalties to maintain proportionality between the crime and the punishment.¹⁷

Circumstances of the crime: The circumstances in which the crime occurred are also an important element in justifying the general principle of proportionality. These circumstances can include mitigating or aggravating factors. For example, committing a crime under duress or urgency may lead to a reduction in the punishment, while committing a crime intentionally and with prior planning can justify a heavier punishment.

This element helps the judge to consider all aspects and contexts of the crime and determine a punishment that is appropriate to it.¹⁸ Character and criminal record: Examining the character and criminal record of the offender is also one of the main elements in the principle of proportionality.

This element helps to better understand the offender and his background and allows the judge to make a decision that is appropriate to the individual and social situation of the offender. For example, a professional criminal with a history of multiple crimes may require a more severe punishment compared to a person who has committed a crime for the first time and has no criminal record. This element also emphasizes the principle of correction and rehabilitation of the offender, because the ultimate goal of punishments is not only to punish, but also to correct criminal behavior.¹⁹

3. Proportionality of crime and punishment within the framework of international regulations

3.1 Crimes and punishments in the Statute of the International Criminal Court

The Statute of the International Criminal Court, known as the Rome Statute, establishes the legal framework for the prosecution and punishment of the most serious international crimes. The Statute was adopted on 17 July 1998 and entered into force on 1 July 2002. The International Criminal Court was established to try and punish persons who have committed serious crimes that constitute a threat to the international community.

These crimes include genocide, crimes against humanity, war crimes and the crime of aggression. The crime of genocide includes acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such, by killing members of the group, causing serious bodily or mental harm to them, inflicting destructive conditions of life on them and preventing births within the group. Crimes against humanity include widespread or systematic acts directed against a civilian population, such as murder, extermination, enslavement, deportation, torture, rape and enforced disappearance. War crimes also include serious violations of the laws and regulations of war

¹⁷

¹⁸

¹⁹

¹⁵

¹⁶

that occur in the context of international or non-international armed conflicts, such as willful killing, torture or inhuman treatment of prisoners of war, hostage-taking, and the use of prohibited weapons. The crime of aggression means planning, preparing, initiating, or carrying out a military attack that is clearly in violation of the Charter of the United Nations.²⁰

The penalties set out in the ICC Statute include life imprisonment or imprisonment for up to 30 years, depending on the severity of the crime and the individual circumstances of the offender. In addition, the Court can impose financial fines and confiscate the assets of criminals.

The purpose of these penalties is not only to punish criminals, but also to deter and prevent similar crimes from being committed in the future and to ensure the rights of their victims. The ICC follows a complex legal process, from investigation and prosecution to trial and sentencing.

3.2 Penalties in the Statute of the Court and Laws in Islamic Countries

The ICC Statute and the criminal laws of Islamic countries both provide for penalties for specific crimes, but differ in various areas. As mentioned above, the ICC Statute, as set out in the Rome Statute, provides for penalties for international crimes such as genocide, crimes against humanity, war crimes and the crime of aggression.

Sentences at the ICC generally include life imprisonment or imprisonment for up to 30 years, depending on the severity of the crime and the circumstances of the offender.

The court can also impose additional sentences, such as financial fines and confiscation of assets. The purpose of these sentences is to provide justice for victims, deter similar crimes in the future, and send a strong message to the international community that international crimes will be met with a serious response.²¹

Similarly, in the criminal law of Islamic countries, sentences are determined under civil and criminal laws. The Islamic Penal Code, which serves as the basic law in Iran's criminal system, sets out sentences for various types of crimes, including public offenses, theft, murder, and political crimes. Sentences include imprisonment, flogging, blood money, and in certain cases, execution.

Punishments are determined by the type of crime, its severity, and the status of the offender, and may include additional penalties such as confiscation of property and deportation. For certain crimes involving national security and organized crime, more severe penalties, such as the death penalty, are also considered.²²

The main difference between the penalties of the International Criminal Court and the criminal laws of Islamic countries is the scope and type of penalties. The International Criminal Court focuses more on imprisonment and financial fines and does not accept the death penalty, while the criminal systems of some Islamic countries consider the death penalty as a legal punishment in some cases. The International Criminal Court also has a special focus on ensuring global justice and accountability for large-scale crimes, while Islamic criminal law is specifically concerned with domestic issues in accordance with the Islamic and legal principles

of the country and also deals with matters such as blood money and hadd. Ultimately, both legal systems share the goal of ensuring justice and accountability, but they achieve this goal through different methods and principles, which are due to cultural, legal and international differences.

In the International Criminal Court, the criteria for determining punishment are set based on the gravity of the crime and its impact on victims and the international community. These criteria include an assessment of the degree of responsibility of the individual, the impact of the crime on victims and society, and the criminal's past record. The main purpose of these criteria is to ensure proportionality and fairness in determining punishment, and in particular, they pay special attention to deterrence and the prevention of repetition of crimes.²³

They play an important role in determining the punishments of the criminal and the punishment of the offender, and they usually take into account the severity of the crime and the intent of the offender.²⁴

The Statute of the International Criminal Court, with its emphasis on international justice, seeks to have a global impact and influence the domestic legal systems of countries. The Court focuses specifically on international crimes and broadly on international cooperation to administer justice and combat international crimes. This approach can promote human rights standards and international law at the global level. On the other hand, Islamic criminal law is specifically concerned with the domestic issues and judicial needs of the Islamic community.

These laws are formulated primarily on the basis of Islamic principles and local culture, and are adjusted according to the cultural and religious values of the country. The global impact of Islamic criminal law may be more limited, but it is directly attuned to the specific needs and circumstances of the country.²⁵

3.3 The International Criminal Court and the Possibility of Invoking the Rule of Criminal Immunity in International Crimes

Despite the temporal and spatial limitations of the former Yugoslavia and Rwandan tribunals, as well as the temporary nature of these two tribunals, the relative success of these two institutions provided an impetus for the creation of an international criminal court with universal jurisdiction.

An institution that could be held accountable for violations occurring anywhere in the world. Accordingly, the United Nations General Assembly established the Preparatory Committee on the Establishment of the International Criminal Court in 1996, which ultimately submitted a draft to the Rome Diplomatic Conference in 1998.

The conference ultimately adopted the Statute of the International Criminal Court by 120 votes in favor, 7 against, and 20 abstentions. Undoubtedly, one of the important issues in the Court's handling of international crimes under its jurisdiction is the issue of immunity of state officials.

Although international courts established before the Court to deal with international crimes did not consider immunity of state officials to be an obstacle to the exercise of their criminal

20

21

22

23

24

25

jurisdiction, the issue of immunity before the International Criminal Court is nevertheless complicated by the wide range of countries under the Court's jurisdiction.²⁶

As the judicial body responsible for prosecuting the most serious international crimes, including genocide, crimes against humanity, war crimes and the crime of aggression, the International Criminal Court categorically rejects the rule of criminal immunity.

Criminal immunity means that an individual cannot be prosecuted or tried by reason of his or her official position or special situation in his or her country. In traditional international law, state officials and leaders of states could be immune from prosecution at the national or international level by reason of their official positions.

The Statute of the International Criminal Court, which serves as the legal framework for the Court, explicitly excludes criminal immunity in the context of international crimes. According to Article 27 of the Rome Statute, "immunity" from prosecution by the International Criminal Court cannot be invoked. This article states that no public official, including heads of state or government, shall be immune from prosecution by the Court by reason of his or her official capacity.

The Court may therefore proceed against individuals who have committed international crimes, even if they hold official or governmental positions. This rule is particularly important in the prosecution of leaders and high-ranking officials, who may be particularly immune from prosecution by virtue of their position.²⁷

3.4 The Proportionality of Crime and Punishment in International Criminal Procedure

In international criminal procedure, the proportionality of crime and punishment is of particular importance as one of the fundamental principles of criminal justice. These are mainly determined based on various legal and judicial criteria to ensure that the punishment imposed is proportionate to the severity and nature of the crime.

3.4.1 The severity of the crime and its impact on the victims

One of the main proportionality of crime and punishment is the severity of the crime and its impact on the victims. In assessing the proportionality of punishment, the International Criminal Court takes into account the severity and consequences of the crime.

For example, in serious crimes such as genocide or crimes against humanity, which have widespread and long-term effects on the victims, the Court usually imposes more severe penalties, including long-term imprisonment or life imprisonment. This approach is intended to ensure justice and to compensate for the serious harm caused to the victims.²⁸

3.4.2 Individual responsibility and role of the offender

The ICC also considers the degree of individual responsibility and the role of the offender in the commission of the crime in determining punishment. Individuals with a key and influential role in the commission of the crime, such as leaders or military commanders, usually face more severe penalties than those who played a less significant role. This is particularly important in cases

involving complex hierarchies of responsibility and helps to ensure clarity and clarity in determining punishment.²⁹

3.4.3 Proportionality of punishment to international law and regulations

Proportionality of punishment must also be consistent with international law and regulations as set out in the Statute of the ICC. The Rome Statute sets out in detail the maximum penalties for different types of crimes, and the Court must act within these provisions. These standards are intended to ensure that sentences are not only just and proportionate but also consistent with international human rights principles.³⁰

3.4.4 Mitigating and mitigating factors

In the sentencing process, the International Criminal Court also considers mitigating and mitigating factors. These factors can include the offender's cooperation with the court, remorse and signs of reform. These factors can significantly influence the level of punishment and allow for sentences to be imposed that are less than the maximum provided for, provided that they demonstrate efforts to make reparation and take responsibility.

Overall, the proportionality rules in international criminal law are designed to achieve justice and global accountability and help determine appropriate and proportionate sentences for the crime committed, based on the gravity of the crime, the role of the offender, international law and mitigating factors.

The principles of proportionality of crime and punishment in international criminal law have been carefully and comprehensively defined to ensure justice and accountability at the global level. In addition to the above, several other factors also influence the determination of the proportionality of punishment.³¹

3.4.5 Deterrent and deterrent effects

One of the main objectives of determining punishment is to create a preventive and deterrent effect against the commission of similar crimes. The International Criminal Court considers that punishment should be determined in a way that not only provides justice for the victim, but also acts as a deterrent to others. Severe and demonstrative punishments may be designed in particular to ensure that similar crimes are not repeated in the future.³²

3.4.6 Principles of justice and human rights

The International Criminal Court also emphasizes the observance of the principles of justice and human rights in determining punishments. These principles include judicial fairness, the rights of the accused to defend themselves, and respect for human dignity. Sentences should be designed to protect the human rights of the accused, particularly during the trial and execution process. The Court is particularly concerned that sentences should be consistent with respect for human dignity and international legal principles.³³ (

3.4.7 Criminal record and past conduct of the offender

In determining the sentence, the Court also takes into account the criminal record and past conduct of the offender. The existence of a relevant criminal record and the conduct of the offender during the trial process can affect the level of the sentence.

29

30

31

32

33

26

27

28

If the offender demonstrates that he has committed similar crimes or other unlawful acts in the past, he may be subject to more severe sentences.³⁴ The length and conditions of imprisonment are also important factors in determining the proportionality of punishment.

The International Criminal Court determines the appropriate length of imprisonment, taking into account the gravity of the crime and the individual circumstances of the offender. These conditions also include the geographical location and the conditions of execution of imprisonment, which must be in accordance with international standards and humanitarian conditions.³⁵

3.4.8 Compensation for victims

Another important aspect is compensation for victims. The International Criminal Court can issue supplementary orders, such as financial compensation or other reparation measures.

These measures are taken to ensure the rights of victims and provide the possibility of redress for the harm they have suffered. Finally, the principles of proportionality in international criminal law are based on the principles of justice, effectiveness and respect for human rights.

These principles help the Court determine penalties in a way that not only holds criminals accountable but also helps to achieve justice and prevent future crimes.³⁶

Conclusion

In international criminal law, the principle of proportionality of punishment means that punishment should be proportionate to the severity and type of the crime committed. This principle is particularly important in the case of serious crimes such as genocide, crimes against humanity, war crimes, and the crime of aggression.

For each of these crimes, punishments must be determined in a way that is not only proportionate to the nature and severity of the human rights violation, but also to ensure legal and humanitarian goals such as deterrence, reform, and justice. Consequently, observing the principle of proportionality in determining punishments helps to achieve justice and protect human rights in international legal systems and guarantees fair and proportionate treatment of international crimes.

Also, proportionality of crime and punishment, as one of the fundamental principles of international criminal law, plays a vital role in ensuring justice and protecting human rights. This principle, by emphasizing the necessity of matching the severity and type of punishment to the nature and severity of the crime, helps to prevent injustice and ensure justice.

In this regard, international institutions such as the International Criminal Court have a duty to determine punishments commensurate with the crimes committed, using precise and transparent criteria. Although the implementation of this principle faces numerous challenges, including cultural and legal differences between countries and the complexities arising from the nature of international crimes, international efforts to harmonize judicial laws and procedures, train judges and judicial officials, and strengthen international cooperation can help reduce these

challenges and increase the efficiency and justice of the international criminal law system.

Ultimately, the principle of proportionality of crime and punishment not only helps protect human dignity and human rights, but also strengthens the legitimacy and credibility of international judicial institutions. With the precise and fair implementation of this principle, one can hope to achieve justice, maintain global peace and security, and increase public confidence in international judicial systems.

The successful implementation of the principle of proportionality of crime and punishment can directly contribute to reducing historical injustices and providing accountability to victims of international crimes.

This makes victims feel that justice has been properly served and perpetrators have been fairly punished. Also, this principle can act as an effective deterrent to prevent new crimes, because potential criminals will refrain from committing similar crimes when they are aware of proportionate and fair punishments. On the other hand, adherence to this principle can help strengthen international solidarity and cooperation among states in the fight against international crimes.

Through the exchange of experiences and information, states can develop and implement common policies and laws that not only help improve the international criminal justice system, but also promote the overall level of human rights in the world. To ensure the full realization of the principle of proportionality of crime and punishment, we need continuous efforts in the fields of research, education and law. Establishing independent oversight bodies, drafting comprehensive and clear laws, and holding training courses for judges and lawyers can be very effective in this direction. Also, promoting a culture of respect for human rights and justice among societies and judicial institutions is of particular importance.

In general, the principle of proportionality of crime and punishment in international criminal law is one of the fundamental foundations for achieving justice and protecting human rights. Given the importance of this principle, it is necessary for international institutions and countries to seriously strive to implement it.

These efforts can lead to the creation of a more just, effective, and humane judicial system, which will ultimately help improve the human rights situation globally and increase public confidence in international judicial institutions. In addition to the above, the role of the international community and non-governmental organizations is also very important in ensuring compliance with the principle of proportionality of crime and punishment.

These institutions can help to realize this principle by monitoring the implementation of laws and judicial policies, reporting and documenting human rights violations, and pressuring governments and international institutions to adhere to the principles of criminal justice. The media can also play an important role in strengthening transparency and accountability by informing and raising awareness among the international community about international crimes and judicial processes. Accurate and comprehensive media reporting of important trials and cases can lead to increased public awareness and support for victims of international crimes.

References

34

35

36

1. Pica, Georges (1991), book, Criminology, translated by Ali Hossein Najafi Abrandabadi, publisher. Shahid Beheshti University Press. For access: <https://tinyurl.com/44y9nkzw>
2. Hassanzadeh, Mohammad Reza (2021), Introduction to Criminal Law, First Edition, Tehran: Law Research Institute Publications. For access: https://elmnet.ir/doc/31969921-13841?elm_num=1
3. Dehkoda, Ali Akbar (1963), Dehkoda Dictionary, Volume 14, Tehran: Tehran University Press. For access: <https://tinyurl.com/5dw3u27k>
4. Rahamdel, Mansour (2017), Book, Proportionality of Crime and Punishment, Fourth Edition, Tehran: Samt Publications. <https://tinyurl.com/4ndbtzm9>
5. Sharifi, Behnam (2020), Book, General and Specific Criminal Law, First Edition, Tehran: Edalat Publications.
6. Ghasemi, Esmail (2019), General Rules of Criminal Law, First Edition, Tehran: Tehran University Press.
7. Halevi, Gabriel (2014), Punishing Modern Students, translated by Ali Shojaei, Tehran: Dadgostar Publications. For access: <https://tinyurl.com/u828vd9f>
8. Dadban, Hassan; Aghaei, Sara (2009), Deterrence and its role in crime prevention, Private Law Studies Fall 2009, Year 39 - Issue 3 Rank: Scientific-Research/ISC (24 pages - from 125 to 148) For access: <https://tinyurl.com/4d4nnp7c>
9. Rajab, Mohammad Ali (2017), The Principle of Proportionality of Provision and Its Position in the Iranian Criminal Procedure System, Justice Legal Journal, Year, Issue 81, pp. 63-82. For access: <https://tinyurl.com/a2vxddzh>
10. Razavifard, Behzad (2014), Aggravating factors in the process of sentencing international crimes, Criminal Law Research, Year 2, Issue 6, pp. 69-89. For access: <https://tinyurl.com/mwb9jrb6>
11. Zare, Ibrahim (2022), The principle of general proportionality, a basis for determining proportionate punishment in various crimes, Quarterly Journal of Criminal Law Research, Volume 10, No. 39, pp. 39-70. For access: <https://tinyurl.com/3dfmr696>
12. Sadat Hosseini Oli, Shirin (2020), The impact of a bad criminal record on the social behavior of the offender, First National Conference on Law, Jurisprudence and Culture, pp. 1-22. To access: <https://tinyurl.com/3s4xdtpb>
13. Sabzevari Nejad, Hojjat (2017), The position of the principle of proportionality of crime and punishment in Iranian and English criminal law, Bi-Quarterly Journal of Judicial Law Perspectives, No. 78, pp. 164-133. For access: <https://tinyurl.com/2s3m3c8r>
14. Sadeghnia, Maryam; Mohammadnasal, Gholamreza; Khajeh Nouri, Yasman (2021), Solutions for repairing moral damages caused by crime in Iranian law and comparative law, Journal of Criminal Law and Criminology Research, Volume 9, Issue 18, pp. 325-303. To access: <https://tinyurl.com/26k8pduv>
15. Tahmasebi, Javad (2007), The Temporal Jurisdiction of the International Criminal Court, Legal Journal and Publication of the Center for International Legal Affairs, Deputy for Legal Affairs and Parliamentary Affairs of the Presidency, No. 37, pp. 45-11. For access: <https://tinyurl.com/59wf7hp3>
16. Fathpour, Saeed; Soltanfar, Gholamreza; Hoshyar, Mehdi (2020), Application of Criteria in Proportion of Crime and Punishment in the Regulation of Judicial Powers, Iranian Quarterly Journal of Political Sociology, Year 3, Issue 4, pp. 2652-2673. For access: <https://tinyurl.com/vyvrbtj>
17. Katouzian, Nasser (2007), Justice and Human Rights, Journal of Private Law Studies, Volume, No. 37, pp. 323-331. For access: <https://tinyurl.com/2sbabmmh>
18. Koosha, Jafar; Zarei, Mohammad Hossein (2011), The Principle of Proportionality of Crime and Punishment in International Criminal Law, Legal Research Winter 2011 - Special Issue No. 7 Rank: Scientific-Research/ISC (32 pages - from 332 to 363) (To access: <https://tinyurl.com/mvsst3j>)
19. Momeni, Mehdi (2016), Principles of Legality of Crimes and Punishments in International Criminal Proceedings, International Law Journal, Issue 55, pp. 184-159.
20. Mirmohammad Sadeghi, Hossein; Abed, Rasoul (2012), Crimes against the Administration of Criminal Justice in the Statute of the International Criminal Court, Criminal Law Research Quarterly, Year 1, Issue 1, pp. 120-97. For access: <https://tinyurl.com/2sp4kkbs>
21. Noorbaha, Reza (2001), Adjusting the severity of punishment and reducing the penalty, Legal Research Spring to Winter 2001 - No. 33 and 34 ISC (24 pages - from 7 to 30) (To access: <https://tinyurl.com/3vt7tvky>)
22. Niknafs, Mehdi; Gamari, Masoud (2003), Crimes and Punishments in the International Criminal Court and Iranian Criminal Laws, Majles and Research Journal, No. 38, pp. 160-185. For access: <https://tinyurl.com/556ne3w5>
23. Yazdani, Ali (2022), The Principle of Personal Criminal Responsibility and Crime and Punishment, Seventh National Conference on Modern Research in Education, Psychology, Jurisprudence, Law and Social Sciences, pp. 1-22. To access: <https://tinyurl.com/mse9tbk3>
24. Yazdian Jafari, Jafar (2008), The Principle of Proportionality of Crime and Punishment; Why and How, Nameh Mofid, September 2008 - No. 67, Rank: Scientific-Research/ISC (18 pages - from 139 to 156) (For access: <https://tinyurl.com/56akv3fh>)
25. Zendegani Doost, Iraj (2016), The Principle of Proportionality of Crime and Punishment in the Iranian Penal System with Emphasis on the Islamic Penal Code, Thesis for Master's Degree, Criminal and Criminology Major, Islamic Azad University, Bandar Anzali International Branch.
26. Ghaderi, Saeed (2012), Proportionality of Crime and Punishment in International Criminal Law, Master's Thesis, Criminal and Criminology, Islamic Azad University, Damghan Branch.
27. Ghaderi, Saeed (2022), Proportionality of Crime and Punishment in International Criminal Law, Master's Thesis, Criminal and Criminology, Islamic Azad University, Damghan Branch
28. Shirzad, Kamran (2020), Criminal Liability of Artificial Intelligence Owners in Iranian and International Law, Doctoral Thesis, Edalet University
29. Dr. Mehmet Uçkaç, PhD, & Prof. Dr. Mohammad Ekram YAWAR. (2025). Systematic Literature Review - Talent

- Management, Succession Planning and Organizational Sustainability. İçinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 1-7). GRS Publisher. <https://doi.org/10.5281/zenodo.16886511>
30. Yawar, M. E., & Amany, S. (2025). The Use of Artificial Intelligence in Teaching History and its Effects on Community Leadership. *Akademik Tarih ve Düşünce Dergisi*, 12(1), 319-332. <https://doi.org/10.5281/zenodo.15618802>
 31. Ekram Yawar, M., & Qurban Hakimi, M. (2025). Explaining the Digital Health Marketing Model in Gaining Health Welfare Support from Nonprofits. *Acta Globalis Humanitatis Et Linguarum*, 2(2), 4-28. <https://doi.org/10.69760/aghel.02500201>
 32. Ekram Yawar, M., & Qurban Hakimi, M. (2025). The Impact of Artificial Intelligence Technology on Human Resources Performance in Organizations. *EuroGlobal Journal of Linguistics and Language Education*, 2(1), 96-108. <https://doi.org/10.69760/egille.2500013>
 33. Ekram Yawar, M. (2025). The Impact of Artificial Intelligence on the International Human Rights System. *Acta Globalis Humanitatis Et Linguarum*, 2(2), 62-78. <https://doi.org/10.69760/aghel.02500206>
 34. Ekram Yawar, M., & Jamil Sharify, A. (2025). Exploring Rational Reflections in Artificial Intelligence. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 4-31.
 35. Ekram Yawar, M., & Qurban Hakimi, M. (2025). The Impact of Robots and Artificial Intelligence on Human Resources in the Future. *Global Spectrum of Research and Humanities*, 2(1), 87-97. <https://doi.org/10.69760/gsrh.010120250014>
 36. Ekram Yawar, M., Abdul Sharify, J., & Abdullah Sadat, S. (2025). A Review of International Policymaking in the Field of Artificial Intelligence. *Global Spectrum of Research and Humanities*, 2(2), 30-39. <https://doi.org/10.69760/gsrh.010120250013>
 37. Ekram Yawar, M., & Qurban Hakimi, M. (2025). Artificial Intelligence, Management and Organizations. *Global Spectrum of Research and Humanities*, 2(1), 98-108. <https://doi.org/10.69760/gsrh.010120250024>
 38. Prof. Dr. Mohammad Ekram YAWAR, Dr. Ramazan Ahmadi, Muaiyid Rasooli PhD, & Lec. Abdul Jamil Sharify, Examining Diplomacy for Environmental Sustainability in Interaction with Artificial Intelligence (2025) GRS Journal of Multidisciplinary Research and Studies, Vol-2(Iss-8).88-92
 39. Yawar, M. E., & Hakimi, M. Q. (2025). A Review of the Ethical and Legal Challenges of Using Artificial Intelligence in the Health System. *Akademik Tarih ve Düşünce Dergisi*, 12(1), 307-318. <https://doi.org/10.5281/zenodo.15618771>
 40. Yawar, M. E., & Sadat, S. A. (2025). Problems of Using Artificial Intelligence as a Judge in Legal Proceedings. *Akademik Tarih ve Düşünce Dergisi*, 12(1), 403-420. <https://doi.org/10.5281/zenodo.15627539>
 41. Rahmaniboukani, S., Qurban Hakimi, M., & Ekram Yawar, M. (2025). Medical Artificial Intelligence and the Need for Comprehensive Policymaking. *Global Spectrum of Research and Humanities*, 2(2), 60-70. <https://doi.org/10.69760/gsrh.010120250018>
 42. Ekram Yawar, M., Abdul Sharify, J., & Abdullah Sadat, S. (2025). Artificial Intelligence and International Peace and Security. *Acta Globalis Humanitatis Et Linguarum*, 2(2), 49-61. <https://doi.org/10.69760/aghel.02500205>
 43. Dr. Mehmet Uçkaç, PhD, & Prof. Dr. Mohammad Ekram YAWAR. (2025). Systematic Literature Review - Talent Management, Succession Planning and Organizational Sustainability. İçinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 1-7). GRS Publisher. <https://doi.org/10.5281/zenodo.16886511>
 44. Jamil Sharify, A., Amany, S., & Ekram Yawar, M. (2025). Knowledge Management Approach to Data Mining Process in Smart Business. *Global Spectrum of Research and Humanities*, 2(2), 128-140. <https://doi.org/10.69760/gsrh.010120250041>
 45. Dursun, E., Jamil Sharify, A., Abdullah Sadat, S., Qurban Hakimi, M., & Ekram Yawar, M. (2025). The Role of New Technologies in the Development of E-Learning (With a View to the Opportunities and Challenges Facing Universities and Higher Education Centers). *Global Spectrum of Research and Humanities*, 2(2), 99-112. <https://doi.org/10.69760/gsrh.010120250020>
 46. Ekram Yawar, M., Abdul Sharify, J., & Abdullah Sadat, S. (2025). A Review of International Policymaking in the Field of Artificial Intelligence. *Global Spectrum of Research and Humanities*, 2(2), 30-39. <https://doi.org/10.69760/gsrh.010120250013>
 47. Sharify, A. J., & Yawar, M. E. (2024). The Position and Influence of Transformational Leadership on Organizational Culture and Strategies. *Akademik Tarih ve Düşünce Dergisi*, 11(5), 3737-3748. <https://doi.org/10.46868/atdd.2024.842>
 48. Ekram Yawar, M., & Jamil Sharify, A. (2025). Exploring Rational Reflections in Artificial Intelligence. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 4-31. <https://doi.org/10.69760/egille.2500011>
 49. Ekram Yawar, M., Abdul Sharify, J., & Abdullah Sadat, S. (2025). Artificial Intelligence and International Peace and Security. *Acta Globalis Humanitatis Et Linguarum*, 2(2), 49-61. <https://doi.org/10.69760/aghel.02500205>
 50. Sharify, A. J. (2024). Positive and Negative Effects of Technology on Organization Culture. *Akademik Tarih ve Düşünce Dergisi*, 11(1), 137-147. <https://doi.org/10.46868/atdd.2024.653>
 51. Sharify, A. J., & Yawar, M. E. (2025). Examining the Impact of Transformational Leadership in the Development of Organizational Voice "An Analysis of the Mediating Impact of Information and Communication Technology". *Akademik Tarih ve Düşünce Dergisi*, 12(4), 215-231.
 52. Prof. Dr. M. Ekram. YAWAR, Dr. Muhammed. K., Examining the Legal Status of Clouds in International Law (2025) GRS Journal of Multidisciplinary Research and Studies, Vol-2(Iss-8).101-106 (PDF) *Examining the Legal Status of Clouds in*

International Law. Available from: https://www.researchgate.net/publication/394847292_Exploring_the_Legal_Status_of_Clouds_in_International_Law [accessed Sep 11 2025].

53. Ekram Yawar, M., & Jamil Sharify, A. (2025). Exploring Rational Reflections in Artificial Intelligence. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 4-31. <https://doi.org/10.69760/egille.2500011>
54. Ekram Yawar, M., & Qurban Hakimi, M. (2025). The Impact of Robots and Artificial Intelligence on Human Resources in the Future. *Global Spectrum of Research and Humanities*, 2(1), 87-97. <https://doi.org/10.69760/gsrh.010120250014>
55. Ekram Yawar, M., & Qurban Hakimi, M. (2025). The role and importance of ethics in the use of artificial intelligence in medical education and in the diagnosis of chronic diseases. *Acta Globalis Humanitatis Et Linguarum*, 2(1), 308-314. <https://doi.org/10.69760/aghel.02500139>
56. Yawar, M. E., & Amany, S. (2025). Impact and Role of Information Technology Application on the Success of Leadership, Organization, Society and Individual. *Akademik Tarih ve Düşünce Dergisi*, 12(1), 352-364. <https://doi.org/10.5281/zenodo.15618840>
57. Dursun, E., Jamil Sharify, A., Abdullah Sadat, S., Qurban Hakimi, M., & Ekram Yawar, M. (2025). The Role of New Technologies in the Development of E-Learning (With a View to the Opportunities and Challenges Facing Universities and Higher Education Centers). *Global Spectrum of Research and Humanities*, 2(2), 99-112. <https://doi.org/10.69760/gsrh.010120250020>
58. Ekram Yawar, M., & Amani, A. (2025). Features of international trade contract. *Acta Globalis Humanitatis Et Linguarum*, 2(1), 276-296. <https://doi.org/10.69760/aghel.02500137>
59. Ekram Yawar, M., Abdul Sharify, A., & Qasim Fetrat, M. (2025). Review and importance of China's New Silk Road Initiative and the European Union's strategy. *Journal of Azerbaijan Language and Education Studies*, 2(2), 3-27. <https://doi.org/10.69760/jales.2025001007>
60. Ekram Yawar, M., & Amani, A. (2025). Review of the World Trade Organization General Agreement on Trade in Services and International Trade in Legal Services. *Acta Globalis Humanitatis Et Linguarum*, 2(1), 297-307. <https://doi.org/10.69760/aghel.02500138>
61. Dursun, E., Ekram Yawar, M., & Amani, A. (2025). The Role and Importance of National Economic Law in The International Legal Order. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 46-74. <https://doi.org/10.69760/egille.2500082>
62. Prof. Dr. Mohammad Ekram YAWAR, & Dr. Mehmet Uçkaç, PhD. (2025). Study of the Member States of the Economic Cooperation Organization in International Law Based on Trade. İçinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 75-79). GRS Publisher. <https://doi.org/10.5281/zenodo.16886030>
63. Prof. Dr. Mohammad Ekram YAWAR, & Dr. Mehmet Uçkaç, PhD. (2025). A Review of the Economic Impact of the 2022 Russia-Ukraine War on the International Economy. İçinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 69-74). GRS Publisher. <https://doi.org/10.5281/zenodo.16886018>
64. Dr. Mehmet Uçkaç, PhD, & Prof. Dr. Mohammad Ekram YAWAR. (2025). A Review of Understanding the International Economic Order and World Political Economy. İçinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 30-33). GRS Publisher. <https://doi.org/10.5281/zenodo.16875403>
65. Ekram Yawar, M. (2025). Correspondence of Forms in Sales Contracts; Examination of Existing Theories in Legal Systems and Discussion of Their Application to the Contract for the International Sale of Goods. *Global Spectrum of Research and Humanities*, 2(1), 12-27. <https://doi.org/10.69760/gsrh.01012025002>
66. Ekram Yawar, M., Dursun, E., Najafov, B., & Matin, A. (2025). The New Silk Road: Economic Importance, Investment, and the Shifting Global Balance of Power. *EuroGlobal Journal of Linguistics and Language Education*, 2(4), 44-70. <https://doi.org/10.69760/egille.2504004>
67. Ekram Yawar, M., Jamil Sharify, A., & Matin, A. (2025). An Overview of International Order and Its Impact on International Political Economy. *Luminis Applied Science and Engineering*, 2(3), 5-26. <https://doi.org/10.69760/lumin.2025003001>
68. Matin, A., & Ekram Yawar, M. (2025). Donald Trump: International Economics and Economic Globalization (Economic Policy). *EuroGlobal Journal of Linguistics and Language Education*, 2(4), 4-16. <https://doi.org/10.69760/egille.2504001>
69. Matin, A., & Ekram Yawar, M. (2025). A Review of Neoclassical Economics and its Importance. *Porta Universorum*, 1(5), 24-46. <https://doi.org/10.69760/portuni.0105003>
70. Ekram Yawar, M., & Matin, A. (2025). A comprehensive overview of the international economy and its positive effects on the global economy. *Acta Globalis Humanitatis Et Linguarum*, 2(4), 82-104. <https://doi.org/10.69760/aghel.0250040004>
71. Ekram Yawar, M., Jamil Sharify, A., & Matin, A. (2025). A Comprehensive Review of the International Political Economy System (From the Past to the Present). *Global Spectrum of Research and Humanities*, 2(4), 8-34. <https://doi.org/10.69760/gsrh.0250203001>
72. Amani, A., & Ekram Yawar, M. (2025). International Trade and Export. *Global Spectrum of Research and Humanities*, 2(2), 50-59. <https://doi.org/10.69760/gsrh.010120250186>
73. Ekram Yawar, M., & Amani, A. (2025). Incoterms in International Trade Law. *EuroGlobal Journal of Linguistics and Language Education*, 2(1), 109-122. <https://doi.org/10.69760/egille.2500014>
74. Dr. Mehmet Uçkaç, PhD, & Prof. Dr. Mohammad Ekram YAWAR. (2025). Studying the Position of International Trade in Exports. İçinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 13-17). GRS Publisher. <https://doi.org/10.5281/zenodo.16886391>

75. Yawar, M. E., & Sharify, A. J. (2024). The Rights of the Financing Contract in the Field of International Trade with an Emphasis on The Agency Contract. *Akademik Tarih ve Düşünce Dergisi*, 11(5), 3225-3245. <https://doi.org/10.46868/atdd.2024.815>
76. Sharify, A. J. & Yawar, M. E. (2023). "Investigating The Impact of International Community Aid on Afghanistan's Economic Policies" *International Social Sciences Studies Journal*, (e-ISSN:2587- 1587) Vol:9, Issue:118; pp:9501-9518. DOI: <http://dx.doi.org/10.29228/sss.738>
77. Prof, Dr. Mohammad Ekram YAWAR, Dr. Ramazan Ahmadi, Muaiyid Rasooli PhD, & Lec. Abdul Jamil Sharify. (2025). Examining Diplomacy for Environmental Sustainability in Interaction with Artificial Intelligence. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 8, ss. 88-92)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16902942>
78. Yawar, M. E., & Sadat, S. A. (2025). Problems of Using Artificial Intelligence as a Judge in Legal Proceedings. *Akademik Tarih ve Düşünce Dergisi*, 12(1), 403-420. <https://doi.org/10.5281/zenodo.15627539>
79. Prof, Dr. Mohammad Ekram YAWAR, Dr. Ramazan Ahmadi, Muaiyid Rasooli PhD, & Lec. Abdul Jamil Sharify. (2025). In the National and International Policy-Making System: The Place of Environmental Protection. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 8, ss. 93-100)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16902966>
80. Dr. Mehmet Uçkaç, PhD, & Dr. Mohammad Ekram YAWAR. (2025). Examining the Position and Role of Biotechnology in the Development of International Environmental Law. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 26-36)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886409>
81. Dr. Mehmet Uçkaç, PhD, & Prof, Dr. Mohammad Ekram YAWAR. (2025). Systematic Literature Review - Talent Management, Succession Planning and Organizational Sustainability. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 1-7)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886511>
82. Dr. Mehmet Uçkaç, PhD, & Prof, Dr. Mohammad Ekram YAWAR. (2025). International Law and Nuclear Right. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 8-12)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886386>
83. Dr. Mehmet Uçkaç, PhD, & Prof, Dr. Mohammad Ekram YAWAR. (2025). The Status and Provisional Implementation of International Treaties in International Organizations. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 18-25)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886404>
84. Ekram Yawar, M., Abdul Sharify, J., & Abdullah Sadat, S. (2025). Artificial Intelligence and International Peace and Security. *Acta Globalis Humanitatis Et Linguarum*, 2(2), 49-61. <https://doi.org/10.69760/aghel.02500205>
85. Ekram Yawar, M. (2025). Long-Term Change in International Relations. *Porta Universorum*, 1(2), 13-22. <https://doi.org/10.69760/portuni.010202>
86. Prof, Dr. Mohammad Ekram YAWAR, & Dr. Mehmet Uçkaç, PhD. (2025). A Review of International Relations and (Civilizational Theorizing). *Çinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 44-52)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16885973>
87. Prof, Dr. Mohammad Ekram YAWAR, & Dr. Mehmet Uçkaç, PhD. (2025). In the Theories of International Relations and Geopolitics: The Study of Location (The Concept of Conflict). *Çinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 53-60)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16885993>
88. Prof, Dr. Mohammad Ekram YAWAR, & Dr. Mehmet Uçkaç, PhD. (2025). In the International Foreign Policy of Countries: Soft War of Satellite Networks in Fluidity. *Çinde GRS Journal of Arts and Educational Sciences (C. 1, Sayı 2, ss. 61-68)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886009>
89. Mohammad , E. Y. (2025). The Place of Culture in International Relations Theories. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 105-123. <https://doi.org/10.69760/egille.2500191>
90. Dr. Mehmet Uçkaç, PhD, & Dr. Mohammad Ekram YAWAR. (2025). Examining the Position and Role of Biotechnology in the Development of International Environmental Law. *Çinde GRS Journal of Multidisciplinary Research and Studies (C. 2, Sayı 1, ss. 26-36)*. GRS Publisher. <https://doi.org/10.5281/zenodo.16886409>
91. Ekram Yawar, M. (2025). An Overview of Refugee Rights In International Documents. *Global Spectrum of Research and Humanities* , 2(1), 76-86. <https://doi.org/10.69760/gsrh.01012025010>
92. Dursun, E., Ekram Yawar, M., & Amani, A. (2025). The Role and Importance of National Economic Law in The International Legal Order. *EuroGlobal Journal of Linguistics and Language Education*, 2(2), 46-74. <https://doi.org/10.69760/egille.2500082>
93. Dursun, E., Amani, A., & Ekram Yawar, M. (2025). The Legal Framework of the World Trade Organization from the Perspective of Game Theory in International Law. *Global Spectrum of Research and Humanities* , 2(2), 71-98. <https://doi.org/10.69760/gsrh.010120250019>
94. Ekram Yawar, M. (2025). Space Grand Strategy in the Light of International Relations Theory. *EuroGlobal Journal of Linguistics and Language Education*, 2(4), 25-43. <https://doi.org/10.69760/egille.2504003>
95. Ekram Yawar, M. (2025). A Review of the Chinese School of International Relations: Moral Realism. *Acta Globalis Humanitatis Et Linguarum*, 2(4), 105-128. <https://doi.org/10.69760/aghel.0250040005>
96. Ekram Yawar, M., Abdul Sharify, A., & Qasim Fetrat, M. (2025). Review and importance of China's New Silk Road Initiative and the European Union's strategy. *Journal of Azerbaijan Language and Education*

97. Ekram Yawar, M., Jamil Sharify , A., & Qasim Fetrat , M. (2025). Review and importance of the Silk Road Initiative; China's initiative for hegemony. *Journal of Azerbaijan Language and Education Studies*, 2(1), 49-63. <https://doi.org/10.69760/jales.2025001005>
98. Rasooli, M., Yawar, M. E., Sharify, A. J., Haqyar, E. (2024). China-Afghanistan Relations: Change to the Path of Strategic Partnership. *Akademik Tarih ve Düşünce Dergisi*, 10(6), 2603-2627. <https://doi.org/10.46868/atdd.2023.606>