

Use of International Law in relation to Russia's invasion of Ukraine

UNA London & South East Region:

- a. Welcoming the decision by the UK government to join Ukraine in petitioning of the ICC to reject Russian claims of genocide in the Donbass as a pretext for the invasion
- b. Believing that prima facie the Russian invasion involves:
 1. the international crime of Aggression against a sovereign state,
 2. War Crimes, including attacks upon civilians and civilian infrastructure across Ukraine, and against civilians in areas occupied by Russian forces,
 3. potential Crimes Against Humanity in areas under Russian occupation where it appears that murder, torture, rape and forcible transfer of civilian populations has been used systematically against civilians
 4. the use of the Wagner Group of mercenaries who appear to operate outside the rule of law

Call upon the UK Government:

1. To sustain its work at the ICJ to set aside Russia's claims of genocide and their use of such claims as a pretext for the war and to ensure that the ICJ has all the legal, financial and other resources it needs to prioritise this case and maintain all its other important work,
2. To work for the creation of a suitable international tribunal to try the specific crime of Aggression in the hope of an earlier result than will be possible from the more detailed examination of War Crimes and Crimes Against Humanity that must follow,
3. To explore urgently means to further sanction and disrupt the operation of the Wagner Group (and any other organisation working with it) in Ukraine and globally including proscribing the organisation in the UK until it can be brought under an international framework for private security operations and held to account for its alleged breaches of human rights and international humanitarian law in this and other conflicts,
4. To identify and advocate internationally for predictable and universally applicable means by which:
 - a. citizens, public bodies, states, international organisations and parties to international treaties including trade & investment treaties can impose penalties on states committing the international crimes of genocide, war crimes, crimes against humanity or the crime of aggression or who harbour or protect individuals who do so,
 - b. the international assets belonging to states committing such crimes, to individuals closely associated with their governments or to companies complicit in such crimes (for example by providing equipment or services) can be frozen immediately and subsequently used to help repair the damage and compensate victims,
5. Even at this dark hour, to work with Ukraine and through diplomatic efforts to prepare for:
 - a. a ceasefire and the withdrawal of Russian troops,
 - b. a peace settlement agreeable to both parties including security guarantees to prevent a return to conflict and reparations to contribute to the rebuilding of Ukraine,
 - c. clarity about the conditions under which Russia can return to international trading and other relationships with Europe and the rest of the world.