

The Russian-Ukrainian war in the light of international law

الحرب الروسية الأوكرانية في ميزان القانون الدولي

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Abstract:

Ukrainian independence was not acceptable to the Russians, nor was its rapprochement with the European Union and NATO. Unrest in southern and eastern Ukraine and calls for secession by some pro-Russian regions served as a pretext for Russia to launch military operations inside Ukraine. This military action was unjustified under international law, as it constituted legitimate defense and humanitarian intervention. The United Nations had no choice but to intervene. This was not through the Security Council, which had been stopped by a Russian veto, but rather through the General Assembly, which deemed the Russian military action illegal, opening the way for international sanctions. It was also considered a crime of aggression, for which perpetrators could be held criminally accountable before the International Criminal Court. The main objective of the study is to qualify the crimes committed in Ukraine, so we relied on analytical method.

Keywords: War; Russia ;Ukraine; international law; crime of aggression; internationa responsibility.

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Introduction

Following the collapse of the Soviet Union, a terrible geographic disintegration occurred in Eastern Europe. Many Eastern Bloc regions seceded from communist States to form mini-states that adopted the Western model, embracing freedom and democracy as political and social principles. These separatist movements resulted in a series of instability events in Eastern Europe, where the Balkan Wars remain fresh in people's minds.

Although Ukraine has not experienced an armed conflict, similar to what happened in Yugoslavia after its dissolution, unrest has not left it since its separation from the Soviet Union, and has worsened after its attempt to get closer to the European Union. Its porous geographical location with Russia favors it to maintain a neutral position towards the West and Russia, but it chose to side with the West, which prompted Russia to move militarily to preempt any attempt to establish Western military bases across its border with Ukraine. Thus, the war broke out, which Russia claims is legitimate and justified due to genocide crimes occurring close to its borders, allegations that Ukraine rejects and refutes.

Importance of the study:

Studying the topic of the Russian-Ukrainian war is important, the most important dimensions of which can be summarized as follows:

- The international arena has witnessed severe tensions in relations between the various components of the international community due to sharp disagreements arising between them over diverse issues, whether related to security, politics, or even the economy. These disagreements, in most cases, have led to the outbreak of armed conflicts;

- The international armed conflict between Russia and Ukraine represents a real challenge for the international community to address, especially given its dire consequences for human rights, which have witnessed violations during these exceptional circumstances that have not spared individuals, property, or even the natural environment.

Study objectives:

The current study aims to achieve a number of objectives, the most prominent of which are the following:

- Shedding light on the historical roots of the international armed conflict between Russia and Ukraine, and clarifying the arguments of the conflicting parties. Clarifying these elements allows us to assess the legitimacy of the initiatives undertaken by each party;

- Assessing the effectiveness of the legal system in force at the international level in regulating international armed conflicts, particularly in restricting the conduct of conflicting parties in their military operations on the battlefield. This endeavor represents a pivotal issue in contemporary international relations, given the importance given by members of the international community to the United Nations

Charter, which contains fundamental principles governing relations between States, such as the prohibition on the use of force in international relations.

The problematic:

Based on the above, it seems logical to ask the following problematic:

Does the war waged by Russia against Ukraine in 2022 comply with the legal standards governing international relations?

Hypothesis:

The main premises of this article on the Russian-Ukrainian war in the context of international law include key points related to violations of the UN Charter, interpretations of the right to self-defense, violations of humanitarian law, and the shortcomings of international mechanisms in dealing with the crisis.

The first hypothesis argues that the crisis has revealed structural weaknesses in the international legal system, particularly in the UN Security Council, where Russia has used its veto power to prevent effective action; The article posits that this lack of accountability reflects a deeper crisis in the structure of international relations, and that international law cannot always enforce its provisions by force of law against major powers.

The second hypothesis assumes that the Russian-Ukrainian war is not merely a regional conflict, but rather a pivotal event that impacts the future of the international system itself and reshapes its rules; The article suggests that this crisis could lead to a decline in the prestige of international law and raise questions about its effectiveness in preventing future wars of aggression.

Scientific methodology:

In preparing the current research paper, we relied on a set of scientific methods, perhaps the most important of which are: the historical method to identify the causes that led to the outbreak of the international armed conflict between Russia and Ukraine. We also relied on the analytical method to examine the extent to which the claims advanced by each state to justify its position in the current situation are consistent with the legal system in force at the international level.

Study Division:

We decided to divide the research paper into two complementary axes. In the first, we address the causes that led to the outbreak of international armed conflict by reviewing the successive events that led to the catastrophic situation the region is currently experiencing. The second axis examines the extent to which armed conflict conforms to the fundamental principles governing relations between members of the international community, particularly those related to the prohibition of the use of force in international relations, the prohibition of interference in the internal affairs of States, and even those related to the controls on the use of military force within the framework of the natural right of self-defense.

Firstly: The Historical Framework of the Russo-Ukrainian War:

The armed conflict between Russia and Ukraine was not the result of tensions that emerged in 2022. Rather, its origins go back much further, specifically to the

dissolution of the Soviet Union, when an agreement was concluded obligating representatives of the Eastern and Western blocs not to interfere in their internal affairs or attack its interests in any way. This agreement appears to have been violated by the West through initiatives that put Russia's territorial integrity and security at risk. Ukraine's accession to NATO was the straw that broke the camel's back, triggering Russian military intervention in Ukrainian territory and the subsequent occupation of parts of it.

This section of the study addresses the historical path of Russian military intervention in Ukraine (1), or its recognition of the regions that declared their independence from Ukraine in the Donbass (2).

1.The origins of the Russian invasion:

The roots of the war go back to 1991, when Ukraine declared independence from the Soviet Union (Yekelchik, 2023, p. 2). This independence was particularly unwelcome and undesirable after Ukraine's decision to move closer to the European Union in 2007 (E., 2005, p. 764). Ukraine entered into negotiations for several years to conclude an association agreement with the European Union (loo, Peter, & Roman, 2014, pp. 3-5), which Ukraine decided to suspend after the EU approved it in 2013 (petrov & Peter, 2016, p. 3).

This led to manifestations denouncing the withdrawal from the EU partnership agreement, which were suppressed by Ukrainian security forces (petrovic, 2022, p. 83). This resulted in a state of security chaos that led to the parliament suspending Ukrainian President Viktor Lamorovych from his duties and forcing him to flee to Russia. Russia opposed the parliament's action, considering it an illegal act (Minakow & mathew, 2018, p. 6).

At the same time, manifestations calling for Ukraine's rapprochement with Russia took place in the eastern Ukrainian city of Kharkiv (Kazdobina, Jakob, & Andreas, 2024, pp. 3-4). These manifestations turned into a riot that the Ukrainian army had to suppress militarily in April 2014 in the Donbass region (Rukavina, 2024, p. 147).

However, the outcome was not decided militarily, as the Donetsk in 17/04/2014 and Luhansk in 11/05/2014 declared independence from Ukraine without being recognized by any other country (Kasianenko, 2019, p. 117), and the Crimea region declared its independence from Ukraine and its joining Russia based on a referendum on 16/03/2014 (merzkhov, 2015, p. 186), which was deemed illegal based on the UN General Assembly resolution N° 262/68, which decided that the Crimea region remains part of Ukraine (assembly, 2014, p. Active para.5).

The situation has remained unchanged since then, with the Ukrainian authorities unable to control the situation in the southeast of the country, and the conflict zones not actually being demilitarized as stipulated in the September 2014 minsk agreement (Allan, 2020, pp. 10-15). Killings and clashes increased between 2014 and 2019. Despite this, the then Ukrainian President Petro Poroshenko signed an association agreement with the European Union, and the current Ukrainian President, after

responding, expressed his desire to get closer to the European Union and NATO, a move that Russia did not accept (Szeptycki, 2015, pp. 110-111).

On February 19th, 2022, Russia denounced the launching of a bomb shell from Ukrainian territory into Russian territory, an act that was also denounced by the Ukrainian authorities (Brunk & Monika, 2022, p. 688). Authorities in the Donbas region declared a general alert. Subsequently, the Russian Duma decided to recognize the independence of the Donbas and Luhansk regions (nindito & joko, 2022, p. 80). This was announced in the Russian President's speech on February 21, 2022, in which he declared that Ukraine was a Nazi state and was carrying out ethnic cleansing of citizens of Russian origin in the east. This led to Russia invading several Ukrainian regions on February 24, 2022 (Salatino, 2023, p. 114).

2.Recognizing the regions that declared independence from Ukraine in the Donbass:

Can Donbass and Luhansk really be considered states if they possess a territory and a people? Can their ruling authorities be considered truly capable of imposing sovereignty over them without Russian assistance? This was not possible before. Furthermore, the ceding of territory to another state can only be done by mutual consent as we noticed in the case of Sudan in 2011 (Knox, 2012, pp. 2-4) or by the right of peoples to self-determination as in the case of Bosnia and Herzegovina and Kosovo (Ijubovic, 2022, pp. 182-184), which originally stems from the right of peoples to freedom from colonialism (Organization, 1945, p. Article 1 para.2), as stipulated in UN General Assembly Resolution 1514 (XV) of December 14, 1960, regarding the right of peoples to self-determination (Assembly, 1960, p. Active para.1 and 2). This right also has conditions, and is contingent upon the existence of a territory inhabited by a population with a unified ethnicity, culture, or religion, distinguishing them from the rest of the citizens of the state from which they seek to secede (Saul, 2011, pp. 625-626). Is this the case for the regions recognized by Russia?

Of course, the Crimea, Donbas, and Luhansk regions do not meet these conditions, as evidenced by the fact that they are not registered as colonial territories by the Fourth Committee of the United Nations on decolonization (nations, 2025). Therefore, there is no justification for Russia to recognize them.

It is also legally unacceptable for a state to be established based on the use of armed force by another State (wood, 2013, pp. 346-350). A State whose authority is based on the military support of another State cannot be recognized (finck, 2016, pp. 59-60). This is the case with the Ukrainian regions that declared their independence, as they depend on Russian military support. International Court of Justice Judge James Crawford stated that a state cannot be established based on the military force of another State, whose authorities are loyal to the other state and are not supported by its population (Crawford, 2007, p. 5). Russia's recognition of the Donbas regions alone is an illegal act, let alone an invasion (weller, 2022, p. 2).

Secondly: Russian invasion of Ukraine as a violation of international law:

Article 2 paragraphe 4 of the United Nations Charter states that: all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations. Without neglecting the right of states to self-defense (Article 51). UN General Assembly Resolution 3314 also considers the use of armed force against the territorial integrity of another state an act of aggression. What is the legal status of the Russian invasion?

This section of the study addresses the Russian justifications used to explain its military intervention in Ukraine (1), and the position of the United Nations on this (2).

1. Russian justifications for the invasion:

The Russian side based its justification for the military operations it carried out in Ukrainian territory on the need to defend population groups facing persecution and genocide in eastern and southern Ukraine, in accordance with Article 51 of the UN Charter, as well as on the basis of the friendship agreement between Russia and the Republics of Donsk and Luchansk, ratified by Russia on February 22, 2022, which were also subjected to shelling (asada, 2024, p. 7).

With reference to the text of Article 51 of the United Nations Charter: "Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security" (Organization, 1945, p. article 51).

Accordingly, legitimate defense in international law is based on conditions and controls, namely:

- The state being subjected to a military act of aggression by another state against the state claiming to defend itself.
- The existence of an urgent need to repel the aggression.
- Proportionality.
- Urgency in the defensive action.
- Notification of the Security Council and deferral of the matter to it (Upeniece, 2018, pp. 2-3).

Referring to the Russian president's speech, we find him speaking of his intention to protect a population group from genocide. This is not legitimate self-defense, given the absence of an armed attack against Russian territory. What is happening is taking place on Ukrainian soil, and it is justified by the requirements of a military humanitarian intervention, not legitimate self-defense. Even this justification is absolutely unacceptable, given Russia's violation of Ukrainian

sovereignty, occupying parts of it, and even attacking various structures, both public and private, and even sites containing dangerous forces such as power plants or nuclear reactors, in addition to the violations that have affected various categories of individuals (Winaladi & joko, 2022, p. 261).

While the Russian president indicated the intent of an armed attack on Russia by an armed Ukrainian group, the attack did not actually occur. Russia's actions are similar to the preemptive defensive attack carried out by the United States in Iraq (kumar, 2014, pp. 123-137), an action that has not found acceptance in international doctrine, or even in international law in general. Russia's military protest to avert the threat of a military attack cannot be considered an act of legitimate self-defense.

If there was no armed attack against Russia, there is no room for discussion of the conditions of proportionality and urgency, and Russia has not notified the Security Council of its alleged defensive actions (putra, sefriani, yasyfa, & muhammad, 2024, pp. 376-380).

Accordingly, the theory of legitimate defense cannot be accepted to justify Russia's claim to Ukrainian territory. Nor can the necessity of a humanitarian military intervention be invoked, given the lack of conclusive evidence that Russian citizens have been subjected to acts of genocide or crimes against humanity by Ukrainian authorities or Ukrainian citizens.

2. The United Nations' position on Russian invasion of Ukraine:

The primary mission for which the UN zone was established is the maintenance of international peace and security, which falls within the purview of the Security Council, which has broad powers under Chapter VII of the UN Charter, authorizing it to take whatever measures are necessary, including military ones, to maintain and restore international peace and security (lopez-jacoiste, 2010, pp. 280-281).

However, despite its powers and authorities, the Security Council is restricted in the manner in which it makes its decisions, which must include the approval or acquiescence of its permanent members: France, Britain, the United States of America, China, and Russia (the successor to the Soviet Union). However, if one of the permanent members opposes a draft resolution presented to the Security Council, the decision is not taken, which is called the right of veto (nowre & Ahmad, 2024, pp. 385-386).

There is no doubt that the Russian invasion of Ukraine represents a disruption of international peace and security in the region (syaefudin & diani, 2023, p. 162). This prompted Albania and the United States to submit a draft resolution to the Security Council condemning the Russian attack and considering it an act of aggression. The draft resolution was discussed on February 25, 2022, but was rejected due to Russia's veto, which it exercised under the pretext of legitimate defense and protecting civilians from genocide. The resolution was not adopted despite eleven of fifteen countries voting in favor and three abstaining (nanda, 2023, pp. 292-293).

Several countries then decided to activate the Acheson doctrine in the case of Russia and Ukraine, which is a procedure that transfers the task of maintaining

international peace and security to the United Nations General Assembly in the event that the Security Council's veto power prevents it from performing its duties and reaches a deadlock. This is based on Resolution No. (V) 377, adopted by the General Assembly on November 3, 1950, which stated the following: "...the General Assembly shall immediately consider the matter with a view to making appropriate recommendations to Members on collective measures to be taken, including, if this constitutes a breach of the peace or an act of aggression, the use of armed force when necessary to maintain or restore international peace and security. If the General Assembly is not in session at that time, it may meet in emergency special session" (assembly U. N., 1950, p. active para.1).

This mechanism was activated during the attack on the Suez Canal and the attack on Hungary by the Soviet Union in 1956, but it has not been used since then (D., 2001, pp. 47-58). Based on this, countries decided to resort to the United Nations General Assembly to condemn the Russian attack on Ukraine and take a decision on it. It issued its resolution on March 1, 2022, in which it affirmed the following:

- Reaffirms Ukraine's independence and territorial integrity, including with regard to the breakaway territories;
- Regrets the aggression perpetrated by Russia;
- Demands that Russia immediately cease the use of military force against Ukraine;
- Demands that Russia immediately withdraw its military forces from Ukrainian territory;
- Demands that Russia revoke its recognition of the independence of the Donetsk and Luhansk regions.

Five countries voted against the resolution (Russia, Belarus, North Korea, Russia, and Syria). 35 countries abstained, and the majority voted in favor. This resolution diplomatically isolated Russia, opened the way for non-military punitive measures, and affirmed the illegitimacy of the independence of Ukrainian regions and the illegitimacy of the Russian invasion of Ukraine (Assembly U. N., 2022, pp. 1-4).

Thirdly: The consequences of the illegality of the Russian-Ukrainian war:

The UN General Assembly resolution affirmed the illegality of the Russian invasion of Ukraine, resulting in two main consequences: The first is that the Russian military action against Ukraine constitutes a crime of aggression, leading to individual criminal accountability before the International Criminal Court. The second consequence is the establishment of international responsibility for the state of Russia, which can be pursued before the International Court of Justice.

This section of the study addresses the possibility of referring the case of the Russian-Ukrainian war to the International Criminal Court (1), before indicating the possibility of adjudicating it before the International Court of Justice (2).

1. The Russian-Ukrainian War before the International Criminal Court:

On January 20, 2000, Ukraine signed the Rome Statute (Lankevych, Oleh, Rostyslav, Oleksandr, & Olha, 2024, p. 274). When the Ukraine Constitutional Court ruled in 2004 that the treaty was unconstitutional, the ratification process was put on hold. Although Ukraine's Constitution was revised in 2016 to acknowledge the ICC's jurisdiction, no real action was taken until August 2024. A set of laws for the ratification of the Rome Statute and its amendments was presented to the Ukrainian Parliament by the Office of the President of Ukraine on August 15, 2024 (Verkhovna Rada).

Pursuant to Article 12, paragraph 3, of the Rome Statute, Ukraine declared its acceptance of the Court's jurisdiction over crimes committed on its territory between November 21st, 2013, and February 22nd, 2014. It also issued another declaration of indefinite duration accepting the Court's jurisdiction starting February 20, 2014 (Marchuk, 2016, pp. 337-339). Based on this, investigations were opened on February 28, 2022, into crimes committed on Ukrainian territory whether related to war crimes, or crimes against humanity, or genocide (Ntahiraja, 2023, pp. 11-13).

However, the crime that concerns us is the crime of aggression, and for the court to exercise jurisdiction over it, a number of conditions must be met, according to what was stipulated in Articles 8 bis (community, 1998, p. article 8 bis), 15 bis (community, 1998, p. Article 15 bis), and 25 of the Rome Statute (community, 1998, p. Article 25), as well as the texts of the Elements of Crimes Code (court, 2010), where Article 8 bis/1 of the Rome Statute states that: "For the purposes of this Statute, 'crime of aggression' means the planning, preparation, initiation or execution by a person in a position effectively to exercise control over or to direct the political or military action of a State, of an act of aggression which, by its character, gravity and scale, constitutes a manifest violation of the Charter of the United Nations" (community, 1998, p. Article 8 bis 1).

The acts that constitute the crime of aggression include the invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by force of the territory of another State or part thereof, or the bombardment by the armed forces of a State of the territory of another State, or the use of any weapons by a State against the territory of another State, which is what the operations carried out by Russia against Ukraine are described as (mik, 2022, pp. 58-60).

Article 15 of the Rome Statute also stipulates a set of procedural conditions that must be met in order to prosecute Russian leaders before the Court for committing the crime of aggression. These conditions can be summarized as follows:

- The state must not have previously declared its rejection of the Court's jurisdiction over the crime of aggression.

- The Security Council must have recognized the existence of a state of aggression, or at least not suspended the Court's consideration of a state of aggression it has decided to consider.

- The state in whose territory the crime of aggression was committed, or by one of whose nationals, must be a party to the Court's Statute (community, 1998, p. article 15).

Ukraine is not a party to the Statute of the Court, and therefore cannot declare its rejection of the Court's jurisdiction over a crime of aggression committed on its territory or by its nationals. Since it is not a party, the Prosecutor cannot open an investigation into Russian aggression against it, even if it has declared its acceptance of the Court's jurisdiction twice. These two declarations are only valid for the three other crimes within the Court's jurisdiction, excluding the crime of aggression. The Court has already opened an investigation into these crimes.

Therefore, the Court cannot initiate any investigations into the act of aggression committed by Russia against Ukraine, in accordance with Article 15, paragraph 5. The only way for the Court to exercise its jurisdiction over the crime of aggression committed in Ukraine is for the Security Council to refer the crime to the Court, based on its referral authority under Article 13(3) of the Rome Statute (community, 1998, p. Article 13 para.3). This is impossible due to Russia's veto power, which it will inevitably use to prevent the referral decision, as it did with the draft resolution condemning its aggression against Ukraine on February 25, 2022. Instead, the General Assembly adopted a resolution deeming the Russian attack an unlawful act. Is it possible to resort to the General Assembly to avoid its veto power for a referral?

This is not possible for two reasons. First, when the Security Council decides to refer a situation to the International Criminal Court, it does so under Chapter VII, i.e., for the purposes of maintaining international peace and security. This requires a two-thirds majority of its members, with the affirmative vote of the five permanent members. The General Assembly, on the other hand, is not empowered to make coercive decisions related to the maintenance of international peace and security. Second, the referral authority, pursuant to Article 13(3), is vested in the Security Council, not the General Assembly. Ukraine has no other recourse but to the International Court of Justice to stop the Russian aggression (Varga, 2023, pp. 584-586).

2.The Russian-Ukrainian War before the International Court of Justice:

On February 27, 2022, Ukraine filed a complaint against Russia before the International Court of Justice. The complaint, based on the 1948 Genocide Convention (Assembly U. N., convention on the prevention and punishment of the crime of genocide, 1948), denied Russia's accusations of committing genocide against Ukrainians of Russian origin (justice, 2022, p. para.21). On the contrary, it accused Russia of planning to commit genocide against Ukrainians (justice, 2022, p. para.24).

Ukraine also requested the court issue precautionary measures against Russia to halt its military operations. In the latest development in the case, on February 2, 2024, the court issued an order ruling that there was no evidence that Ukraine had committed acts that could be described as crimes of genocide against civilians in the

Donetsk and Luhansk regions. Russia was given until August 2, 2024, to respond (justice, Allegations of genocide under the convention of the prevention and punishment of the crime of genocide (Ukraine v. Russian federation), 2024, p. 2).

Accordingly, Russia's military operations in Ukraine are unlawful, opening the door to establishing international responsibility for Russia, resulting in a cessation of military action and compensation for victims. While we recognize the impartiality and integrity of the International Court of Justice, it lacks the mechanisms to enforce its decisions outside the Security Council, which, as we have previously discussed, is hampered by the veto power. In reality, all that remains is individual action by states to pressure Russia to halt its aggression against Ukraine.

Conclusion:

The Russian-Ukrainian war is a telling example of the international community's inability to implement international law aimed at establishing international peace and security. International bodies are powerless against Russia's nuclear military force, as well as its legal power. Russia has derived its immunity from collective UN action against it from the UN Charter itself, which granted it the right to veto. This has enabled it to shackle the Security Council, the most powerful body in the UN, and prevent it from taking any decision, action, or measure that would halt its aggressive action against Ukraine.

While international political justifications support Russia, which rejects the presence of Western military forces on its doorstep by establishing NATO bases in Ukraine, international law recognizes its military action as a blatant assault on its own bases. The use of military force against the territorial integrity of another State is considered an act of aggression, especially since Russia has failed to demonstrate a case of legitimate defense or justification for humanitarian intervention, making it a clear and unambiguous perpetrator of the crime of aggression.

However, its veto power paralyzes even the work of international criminal justice. Given that Ukraine is not a party to the ICC Statute, and neither is Russia, the court's prosecutor cannot open an investigation without a referral from the Security Council, a decision impossible due to its veto power. Russia's leaders can only be held accountable for the crime of aggression if Ukraine joins the court. The remaining option is the International Court of Justice, which, as of this writing, has yet to issue a decision on the complaint Ukraine filed against Russia before it.

The completed study allowed us to reach a set of conclusions, perhaps the most important of which are:

- Members of the international community worked diligently to remove war from the sphere of international legitimacy. To achieve this goal, they prioritized peaceful means of resolving disputes that might arise between States, as enshrined in the United Nations Charter. It appears that these methods have been ignored in the current conflict, as long as Ukrainian territory has been invaded and some parts of it have already been occupied;

-Ukraine's negative stance toward the Russian authorities cannot be ignored, due to its explicit allegiance to the European Union and the United States. The provocation of Russian officials has also marked a turning point in the deterioration of Ukrainian-Russian relations, particularly through the conclusion of military agreements that could limit Russia's influence in the region;

-The Russian authorities' claims regarding their exercise of their natural right of self-defense do not conform to the requirements of Article 51 of the UN Charter, specifically the absence of the conditions necessary for a valid self-defense.

The completed study allowed us to uncover a number of legal loopholes, we suggest to fill them the following:

-Achieving sustainable peace in the region necessarily requires opening the door to diplomatic negotiations at the highest levels under the auspices of the United Nations. This must be done in full respect of the applicable rules of international law in this area, the implementation and strict adherence to which can help avoid this type of armed conflict, or at least limit its effects or limit them to the narrowest possible limits;

-The war between Russia and Ukraine has once again highlighted the need to implement a collective security system that would eliminate the possibility of asymmetric warfare through cooperation among members of the international community;

-Holding political and military leaders involved in gross violations of international human rights law accountable cannot be addressed until peace has been restored in the region. International judicial bodies, such as the International Criminal Court or the International Court of Justice, can only be activated after the necessary investigations have been conducted and the degree of involvement of each party or individual has been proven. Therefore, the steps taken on the judicial front have been hasty, and the pace of the system in place in this area must be respected.

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