

# *In the dilemmas of International Law.*

## *Case study, Russia's war in Ukraine* \_\_\_\_\_

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### **Abstract**

*The ongoing conflict in Ukraine has profoundly affected the individuals, living in the affected territory and other parts of the globe. Several academics believe that the recent aggression against Ukraine and the absence of a coordinated international response indicate the failure of international law today. Concerns over such a failure prompt a re-evaluation of the tools available under international law for preventing wars or hastening their peaceful conclusion. In this paper, the author will analyze the importance of these instruments, arguing that they play a fundamental role in preventing direct threats and avoiding the use of force. At times, they go above and beyond the collective security mechanism of the United Nations Security Council. It is adequate to remember that "war is a continuation of the negotiation process that fails to find a resolution through peaceful means," as mentioned by the war and conflict theorists, Clausewitz and Thomas Schelling. Perhaps, it goes to the idea or the real purpose of several norms of international law to make the military option less attractive than the peaceful one. The case of Russian aggression in Ukraine demonstrates the limitations of international law in preventing violations and aggression but also*

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*highlights the importance of continuing to evolve and improve international legal frameworks. Despite its limitations, the author conclude that international law remains vital for promoting peace and stability in the global community and should be continually evaluated and strengthened, to address complex problems.*

**Kew words:** *International Law, Russia's war, aggression, peaceful means, UN Security Council, Ukraine.*

## **Introduction**

The Russian aggression in Ukraine continues to attract the attention of many researchers and political analysts of international law, apart from public condemnation from all sides, shaking the outlines of the international order (Research Division, 2023). International institutions and many countries worldwide have adopted resolutions condemning Russia's unprovoked and unjustified war in response to this attack. However, Russia seems unhindered by the prolongation of this armed conflict. It continues to assault intensively and inhumanely without distinction between military and civilian facilities, causing a significant number of victims and massive displacement of Ukrainian residents. The General Assembly and the Secretary-General of the UN called this crisis a "moment of danger," heading for a global massacre (Turak & Macias, 2022). Even after that, it seems impossible to prevent Russia's continuous attacks. Sanctions implemented by the Western countries on Russia have not stopped the aggression. Due to Russia's veto or China's attitude, the Security Council of the United Nations cannot unanimously adopt a resolution (Ahmadi et al., 2022). Moreover, many countries are still reluctant to join the Western sanctions not only because of their ties to Russia but also because of Vladimir Putin's threats that "*anyone who would undertake to intervene in this conflict - if you think of doing such a thing, I assure you that you will face such great consequences that you have never faced before in history*" (Jankowicz, 2022).

To properly discuss the events and dynamics surrounding Russia's war in Ukraine, it is crucial to understand the fundamental principle of international law applied to wars and conflicts (Sassòli et al., 2022). A timeline of every conflict in history, both ancient and modern, might be challenging to put together. There have been many conflicts between the states throughout the years; the one currently occurring in Ukraine is neither the first nor the last. In addition, at this point, states and the international community have made significant efforts to reduce the risk of wars, by creating legal restrictions and raising awareness of the risks and obligations of participants in conflict, in the international community.



Understanding the main principles of international law can be helpful in analyzing the current conflict in Ukraine. Whether international law has failed, along with the international institutions handling matters of peace and war, raises many concerns and dilemmas. Of course, this is such a current and troubling issue that international politicians and numerous law and war experts are still evaluating. The author will attempt to solve this dilemma that is so prevalent in today's public discourse by addressing many areas of law and war. It is crucial to address whether the conflict between Russia and Ukraine is justified by international law.

Both states at war, such as Russia and Ukraine, are part of *Protocol I* and members of the *Geneva Convention (1949)*<sup>2</sup>. Numerous researchers, such as Sean Watts, Winston Williams, Ronald Alcala, view Russia's aggression in Ukraine as an international armed conflict that is recognized, governed, and accepted in principle by the *Geneva Convention (1949)* also based on *Protocol I (1977)*<sup>3</sup>, which aim to interpret the methods and means in which the war takes place, as well as international humanitarian laws (Watts et al, 2022). The most recent statements made by Russian emissaries about the causes and consequences of the start of this war are meant to serve as an alibi for Russia to escape its obligations under international law (Human Rights Watch, 2022).

## Methodology

In this paper, the author utilizes a combination of primary and secondary sources to examine the underlying factors that have led to the current conflict. The author employs an International Law approach to thoroughly analyze all the intricacies involved. This qualitative research draws upon a variety of resources, including books (considered primary sources), as well as public media articles and news reports that provide insights into the ongoing situation in Ukraine. Additionally, the author incorporates the legal foundations of international law by referencing relevant articles of the United Nations in the paper. The nature of this conflict necessitates the author's comparative analysis, focusing on the fundamental laws of war, to comprehensively address and understand the context of conflictual behavior. A key aspect explored in the paper is the concept of international humanitarian law, commonly referred to as the "*laws of war*," which primarily aims to protect civilians and non-combatant groups from the dangers associated with armed conflict. Furthermore, the theoretical concepts underlying the paper trace their origins back to the writings of St. Thomas Aquinas in the 1200s, specifically

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<sup>2</sup> One of a series of agreements concerning the treatment of prisoners of war and of the sick, wounded, and dead in battle first made at Geneva, Switzerland in 1864 and subsequently accepted in later revisions by most nations.

<sup>3</sup> Protocol I, deals with international armed conflicts, a term that includes civil wars.

the “*just war*” doctrine. During the 17th century, as Europeans fought prolonged wars that eventually resulted in the Peace Treaty of Westphalia (Mingst, 2010) in 1648, the notion of a just war became prominent again. Following the massive loss of life during the First and Second World Wars, the concept resurfaced and gained renewed attention (Clark, 2015). Said so, the article is based on the principle that, there are only three justifications recognized by international law for the use of armed action against a sovereign state:

1. When a country is defending itself;
2. When another country had asked a country to send troops, such as when Russia legally sent troops to Syria at the request of the Assad regime;
3. If the UN Security Council determines that the war is legal under Article 51 of the UN Charter, in this case, we can mention, as an example, the invasion of Kuwait by Saddam Hussein, an event that led to the authorization of a multinational military response by the Security Council.

The laws of war could be categorized into two groups; one regulates whether it is legal for one state to go to war against another or *jus ad bellum*<sup>4</sup>. The other set demonstrates how each actor should behave amid war conflicts or *jus in Bello*<sup>5</sup> (Bethlehem, 2019).

## The breach on International Law

Russia’s conflict with Ukraine fails to meet any criteria for a just war. The expansion of NATO and the EU did not constitute hostile actions against Russia, while Ukraine’s neighbor is actively engaged in a war against it. International law recognizes Ukraine’s right to self-defense and to seek outside military assistance. The obstacles have come from Russia’s privileged position as a permanent member of the UN Security Council. First, fading norms of sovereignty have led to some of the bloodiest moments in world history.

Putin’s aggressive war on Ukraine poses a significant threat, as it sets a dangerous precedent for other nations to violate principles of sovereignty and *jus ad bellum*. The disregard for these principles has implications not only for individual states but even for the global community (Howard, 2022).

Regardless of the causes of the conflict, all war parties are subject to *jus in Bello*, generally known as international humanitarian law (IHL). It does not state

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<sup>4</sup> *Jus ad bellum*, refers to the conditions under which States may resort to war or to the use of armed force in general.

<sup>5</sup> *Jus in bello*, regulates the conduct of parties engaged in an armed conflict.



whether the war's cause is legitimate or not. Instead, this corpus of law protects the fundamental rights of war victims regardless of which party they represent (International Committee of the Red Cross, 2010).

The fundamental principles of IHL are the four Geneva Conventions:

1. The first convention, which dates to 1864, mandates that the wounded and sick must be equally protected and that medical facilities cannot be attacked while fighting occurs.
2. The shipwrecked are included in the first convention under the second.
3. The third mandates that all parties to a conflict must treat prisoners of war humanely and provide neutral nations or organizations access to prison camps for inspection.
4. The Fourth Convention was adopted in 1949 after World War II. It requires UN member states to act against individuals who commit crimes such as rape, forced prostitution, torture, the expulsion of illegal immigrants, and other offenses that cause significant physical harm or suffering. The convention also includes three additional protocols that extend protection to victims of internal conflicts, self-determination struggles, and actions against racist governments (Basic Rules of the Geneva Conventions and their Additional Protocols, 1949).

On February 24, 2022, when Russia occupied Ukraine, it was in breach of international law. This act was in violation of UN Charter 2(4) (*UN, Charter of the United Nations and the Statute of the International Court of Justice, 1945*), an event that consists in the indisputable prohibition of considering the armed force, to the territorial and spatial integrity of a specific country as well as the political independence of any country that is a member of the UN. There is no legal or factual basis for the justification provided by Putin and other Russian officials that it is recommended that it can go as far as the use of force, based precisely on Article 51 of the UN Charter<sup>6</sup>. Specifically, Article 51 says that “none of the points mentioned in this Charter puts into question the right of individual or collective self-defense, in cases where an armed attack may occur against a United Nations member country (Johnson, 2022).

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<sup>6</sup> Article 51 “Nothing in the present Charter shall impair the inherent right of individual or collective self-defence 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-defence 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.”

There is no evidence to suggest that Ukraine has launched any military actions versus the Russian state or another UN member state, nor has it made any threats to do so. Even if Russia had any evidence to support its claims that Ukraine had attacked Russian citizens in the Luhansk and Donetsk areas of Ukraine or there were intentions to do so, any response in collective self-defense would be prohibited by Article 51. Russia's argument has no legal value because Luhansk and Donetsk are not recognized as member countries of the UN and therefore fall outside the scope of collective self-defense permitted by the article. Beyond their differentiation from Ukraine and the recognition of their independence from Russia, these territories are not recognized as states under international law (Bellinger, 2022).

Crimes committed by Russia appear to be entirely against international law. Even at a cursory glance, Russia is currently involved in three types of crimes: an aggressive war, war crimes, and genocide. Most UN General Assembly members recognized Russia as the aggressor at the start of the conflict. Furthermore, although Russia's veto authority prevents or hinders UN Security Council action, numerous states accused Russia of violating *jus ad bellum* at a Security Council meeting on September 27, 2022 (Beurret, 2022).

Based on the evidence found by the Independent International Commission of Inquiry - UN, on the Ukrainian state and population, the International Criminal Court has confirmed war crimes against civilians and the innocent population, specifically murders and sexual violence, based on a gender discriminatory mentality (Human Rights Council, 2022). Eventually, the International Court of Justice received evidence from over a dozen states accusing Russia of committing genocide in Ukraine (ICJ, 2022). All these crimes are horrible, but the crime of aggression jeopardizes the foundation of international law, which enables all states to coexist without constant border threats. Peace is only possible when international law is respected. Russia's leaders must take responsibility for their actions.

The "Special Convention on the Prevention and Punishment of the Crime of Genocide," commonly referred to as the genocide convention, identifies five actions that may lead to charges of genocide, whether they occur during wartime or not. Based on the Genocide Convention, the concept of genocide<sup>7</sup> is defined as *'the intention of one party to destroy (partially or entirely) a national, racial, religious, ethnic, or population group'*. Determining whether genocide has occurred primarily relies on the intent, not the total number of deaths. The convention lists several violations, including creating living conditions intending to physically destroy a group, inflicting severe physical or mental harm on group members, implementing measures to prevent group births, and forcibly removing children of the group to

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<sup>7</sup> The word "genocide" was first coined by Polish lawyer Raphaël Lemkin in 1944 in his book *Axis Rule in Occupied Europe*. It consists of the Greek prefix *genos*, meaning race or tribe, and the Latin suffix *cide*, meaning killing. Genocide was first recognised as a crime under international law in 1946 by the United Nations General Assembly.



another group. Article 1 of the convention requires parties to punish and prevent genocide (Chetail, 2002).

However, Putin's allegation that Ukraine committed "genocide" against Russians in Luhansk and Donetsk is an excuse to justify Russia's use of force. Nonetheless, it does not give Russia the right to attack Ukraine under any circumstances. It is important to note that Ukraine has not engaged in any activities intended to destroy an ethnic, racial, religious, or national category. No proof exists of an intention to destroy any group in eastern Ukraine entirely or in part, as defined by the Genocide Convention. The use of power to prevent genocide operations or significant human rights violations is not authorized by the Genocide Convention or the UN Charter (Joshua S. Goldstein et al, 2001), even when the Ukrainian State may have violated the human rights of Russian citizens in the east of Ukraine (Hinton, 2022).

Ukraine's quick counter-offensive has exposed even more horrible crimes committed by Russian forces on Ukrainian civilians and military troops as if to demonstrate the complete opposite. These are added to a long list of crimes against humanity uncovered in places like Bucha and Irpin (Al-Hlou, et al, 2022).

## Discussion

The war in Ukraine has uncovered a range of crimes, from acts of aggression to crimes against humanity and even genocide, being consistently attributed to Russia. Examining these crimes to gain a deeper understanding of the situation and distinguish between the different categories of offenses is crucial. Moreover, reflecting on these crimes can also provide insight into their potential implications for the future of global peace. This situation may compel us to approach and treat the context of conflictual behavior in comparative analysis with the fundamental war laws. Let us consider human rights between nations, synonymous in some instances with the laws of war, at its most basic level. It safeguards civilians and other non-combatant groups from the possible consequences of an inevitable armed conflict.

If we look at the war, the ways, the means, and strategies from the perspectives of all parties involved, the most important rule is that war parties must constantly distinguish between uniformed civilians and troops. Attacks should never be directed toward civilians. Under these conditions, the two parties involved in the armed conflict are required to take the necessary measures to eliminate damage to the population and civilian property. Respecting war laws means avoiding unauthorized attacks between military forces and civilians or attacks that would significantly damage innocent civilians (UN, 2019). Undoubtedly, the Ukraine

events once again highlight how ruthless and vicious the Russian army has been toward the civil population.

Mainly, based on international law, the territorial integrity of states must be respected. The last act of the Russian state, which consisted of recognizing Luhansk and Donetsk as independent countries, openly violated international law, which aimed at the sovereignty of a country and secession from a country. In no case is it legitimate for some areas of a state to declare secession from the state as part of an independence movement. Although this is a minority opinion, some international law experts argue that corrective secession from Donetsk and Luhansk could be justifiable in extreme cases where individuals have experienced severe human rights violations by their government (United Nations, 2022).

Russia's recent actions follow a similar pattern as the 2014 annexation of Crimea, which was annexed after a controversial referendum and then declared the independence from Ukraine (Milano, 2014). While many European countries and the United States reject Russia's annexation of Crimea and consider it an annexation of Ukraine, seeing Russia as an occupying power, the annexation of Donetsk and Luhansk has not occurred yet but remains a possibility in the future. Only a few UN members will likely recognize the areas as self-proclaimed independent countries, even if Russia does not seek to annex them. Most of the European countries and USA can most likely consider the above two areas as illegally appropriated by Russia, especially if Russia annexes them. South Ossetia and Abkhazia, two Georgian provinces that proclaimed independence in 2008, were previously acknowledged by Russia as independent states. Only four other UN members, Venezuela, Syria, Nicaragua, and Nauru, acknowledge the region's independence (Wolff, 2023).

Russia did not recognize Kosovo's 2008 declaration of independence from Serbia, arguing that the Kosovo population did not qualify for corrective secession as they were not a distinct population. Despite this, Kosovo has gained recognition as an independent state by over one hundred UN member nations. While the US and several European nations support Kosovo's independence, they consider the case unique and not a precedent for other territorial disputes (García & Gutiérrez, 2008). Russia has faced and is expected to continue to face further isolation and other sanctions from international bodies beyond the financially solid measures that other countries, such as the USA, have consistently decided. The actions of Russia are considered legal under international law by only a few states and legal authorities. The Council of Europe took another punitive measure by suspending and excluding Russia from participating in the EC Parliamentary Assembly and the Committee of Ministers (Council of Europe, 2022). In addition, the Security Council - UN confirmed an act resolution asking Russia to stop military operations in Ukraine immediately. Meanwhile, Russia reacted by vetoing this resolution, based on the fact that it is a permanent member of the Security Council. A non-





binding resolution demanding that the Assembly of the UN hold an emergency session specifically to review Russia's activity has also been approved by the Security Council by voting 11 to 1 (with Russia voting against it and three abstentions), (Corten & Koutroulis, 2022). The "Union for Peace resolution,"<sup>8</sup> also known as the 1950 UN General Assembly Resolution 377(V), stipulated the event of an impasse in the Security Council, the General Assembly would take up the issue at once and provide recommendations of member countries in the direction of cooperative action. This resolution is under the UN General Assembly (Carswell, A. J., (2013).

In 2014 following the annexation from Russia to Crimea, General Assembly passed a resolution condemning the actions of Russia and urged countries not to recognize it as a threatening and discriminatory act for Ukraine's sovereignty, political independence, and territorial integrity. The resolution was passed with an overwhelming majority. The General Assembly may also demand that the UN launch an investigation into Russia's actions and recommend that Russia be subject to sanctions or that Russia be suspended or expelled from several UN bodies (Euractiv Intelligence, 2022). The International Court of Justice (ICJ) received another claim from Ukraine against Russia, claiming that Russia falsely used the Genocide Convention to extenuate its Ukraine annexation. Regarding the actions of Russia in Crimea and eastern Ukraine, the ICJ currently considers two allegations made by Ukraine in 2017 (International Court of Justice, 2017). Putin and other Russian officials might be the subject of an ICJ war crimes investigation.

Charter 2(4) of the UN<sup>9</sup> does not give them the right and strictly forbids different nations to use military force and threaten other nations with war. There are two exceptions to this rule. First, Chapter VII of the Security Council may recommend the use of armed force with explicit approval, including from its permanent member countries. This phenomenon is currently impossible to happen due to Russia's veto power. Second, under Article 51 of the Charter, states may use force in self-defense only if it meets the criteria of proportionality and necessity (UN, Charter of the United Nations and Statute of International court of Justice, 1945).

Ironically, the Russian state stated the justification of defenses, making claims that Ukraine can possess and be equipped with nuclear weapons, always with the exceptional contribution of allied countries: in other words, a situation involving preventative self-defense. It is Russia's responsibility to support its use of force with the argument that it is necessary for self-defense, yet this pretext may be

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<sup>8</sup> On 3 November 1950, the General Assembly adopted resolution 377 A (V), which was given the title "Uniting for Peace", which states that if the Security Council, because of a lack of unanimity among its five permanent members, fails to act as required to maintain international peace and security, the General Assembly shall consider the matter immediately and may issue appropriate recommendations to UN members for collective measures, including the use of armed force when necessary, to maintain or restore international peace and security.

<sup>9</sup> Article 2 (4) of the Charter prohibits the threat or use of force and calls on all Members to respect the sovereignty, territorial integrity and political independence of other States.

unstable given that ongoing attacks do not meet the standards for necessity or proportionality (Milanovic, 2022).

The Security Council is empowered to pass resolutions that allow for actions such as economic sanctions; however, in exceptional cases, the use of armed force is allowed to prevent violations of international normative acts. For instance, in 1990, when Iraq invaded Kuwait, the Security Council passed Resolution 678, which permitted the use of “all necessary means” to compel Iraq to withdraw from Kuwait (UN, UNIKOM, 2003).

On February 25, 2022, Albania and the US co-proposed an act-resolution for the Ukraine state that demanded that Russian military forces leave Ukraine, that the Minsk Agreements be fully implemented, and that human rights law be respected. The nations’ division was also evident during the Security Council negotiations: China abstained from voting in favor of a less restrictive Chapter VI resolution, while India kept its usual neutral position. The initially proposed resolution was subsequently modified, as the focus was placed on “aiming towards a constructive dialogue” while avoiding immediate action. Russia eventually succeeded in blocking the resolution. The nations’ division was also evident during the Security Council negotiations: China abstained from voting in favor of a less restrictive Chapter VI resolution, while India kept its usual neutral position.

The initially proposed resolution was subsequently modified, as the focus was placed on “aiming towards a constructive dialogue” while avoiding immediate action. Russia eventually succeeded in blocking the resolution (UN, 2022). International legal expert Rebecca Barber, makes an insightful statement about the potential contribution of the UNGA to the implementation of the Uniting for Peace Resolution (UPR). The United Nations Peacekeeping Resolution (UPR), established in 1950 amid the Korean War, was created precisely to avoid the veto that the permanent member countries of the Security Council could impose (Barber, 2021). In cases where the Security Council fails to support international security and peace due to the call of the UPR, such as in the 2010 Kosovo Advisory Opinion, the UN has the authority to intervene and suggest collective action. It is essential to understand that the UN’s opinion merely serves as a primary recommendation (ICJ, 2010) .

At the same time, Ukraine took the appropriate measures by starting the appropriate procedures at the International Court of Justice (ICJ)<sup>10</sup>, precisely in January 2017 with the claim related to the “violations” provided by the International Convention for the Suppression of the Financing of Terrorism (ICSFT) and International Convention on the Elimination of All Forms of Racial Discrimination (CERD). In the event that the International Court of Justice can decide in favor of Ukraine, the UN Security Council has the duty to approve the

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<sup>10</sup> ICJ, also known as the World Court, is the main judicial organ of the UN. The Court’s role is to settle, in accordance with international law, legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies.



implementation of the decision. But one should not overlook the fact that the exercise of the jurisdiction of the ICJ regarding the contentious procedures is completely dependent on the approval of the member states. This points to the fact that the jurisdiction of the ICJ does not necessarily apply to Russia. The only way is for the states to rely on a treaty that provides for the possibility of judicial settlement in the ICJ and has been ratified by both parties (Marchuk, 2017). Even though the application was submitted about five years ago, everything has stayed the same. Even if the ICJ decides to favor Ukraine, the UN Security Council must approve the decision before it can be implemented.

Furthermore, Ukraine filed a complaint with the International Court of Justice (ICJ) on February 26, alleging that Russia should be held accountable for the genocide inflicted upon the civilian population, which serves as a pretext for its aggressive actions. However, attaining the desired result appears remote. The failure of international law to impede Russia's encroachment underscores the dominance exerted by the most influential and powerful states, revealing Ukraine's vulnerability. In order to establish enduring peace in the region, it is imperative for the international community must support Ukraine. (ICJ, Application, Instituting Proceedings filed in the Registry of the Court on 26 February, 2022).

## Conclusions

Understanding these factors and how they impacted the Russo-Ukrainian War is crucial to recognize the value of international law and any potential restrictions it might have. A substantial set of international norms protects territorial integrity and institutions that handle territorial conflicts when they occur; these norms no longer serve as explicit standards that forbid aggression but as barriers intended to prevent wars. From this point on, international law should offer a much broader and more complex set of instruments to encourage opponents to avoid using force to resolve their conflicts objectively. International law may have little to offer in these circumstances, but even if it is not likely to be helpful for the time being, the needs to evolve and safeguard the main purpose might request a more thorough changes on the bodies, UN charter articles, in order to functionally prevent the conflicts in the future.

## References

Ahmadi. A, Allard. J, Al-Rodhan. N, Davidshofer. S, Finaud. M, François-Blouin. J, Greminger. Th, Huskaj. G, Julliard. V, Mantellassi. F, Martin. S, Rickli. J, Roduit. M, Liang. C, Vallet. P & Vestner. T. (2022). *The Russia-Ukraine War's, Implications for Global Security: A First Multi-issue Analysis*, Geneva Center for Security Policy, 9-29.

- Al-Hlou, Y, Froliak, M, Khavin, D, Koettl, Ch, Willis, A, Reneau, N & Browne, M. (2022). *Russian military unit that killed dozen in Bucha*. The New York Times. <https://www.nytimes.com/2022/12/22/video/russia-ukraine-bucha-massacre-takeaways.html>
- Barber, R. (2021). *The Powers of the UN General Assembly to prevent and respond to atrocity crimes: A guidance document*. Asia Pacific Centre for the Responsibility. Australia: The University of Queensland, 13-54.
- Basic Rules of the Geneva Conventions and their Additional Protocols. (1949). <https://bettercarenetwork.org/sites/default/files/Basic%20Rules%20of%20the%20Geneva%20Conventions%20and%20Their%20Additional%20Protocols.pdf>
- Bellinger, J. (2022). *How Russia's attack on Ukraine violates international law*. PBS News Hour. <https://www.pbs.org/newshour/world/how-russias-attack-on-ukraine-violates-international-law>
- Bethlehem, D. (2019). *Principles relevant to the scope of a state's right of self-defense against an imminent or actual armed attack by nonstate actors*. The American Journal of International Law, 1-6. <https://legal.un.org/counsel/Bethlehem%20-%20Self-Defense%20Article.pdf>
- Beurret, F. (2022). *Limiting the Veto in the Face of Jus Cogens Violations: Russia's Latest (Ab)use of the Veto*. *Opinio Juris*. <https://opiniojuris.org/2022/05/06/limiting-the-veto-in-the-face-of-jus-cogens-violations-russias-latest-abuse-of-the-veto/>
- Chetail, V. (2002). *The fundamental Principles of Humanitarian Law Through the Case Law of the International Court of Justice*. *Refugee Survey Quarterly* 21(3), 199-211. <http://www.jstor.org/stable/45054627>
- Clark, I. (2015). *'Doctrines of Just War', Waging War: A Philosophical Introduction, 1st edn*. London: Oxford University Press. <https://doi.org/10.1093/acprof:oso/9780198273257.003.0003>
- Corten, O, Koutroulis, V. (2022). *Tribunal for the crime of aggression against Ukraine - a legal assessment*. European parliament, Policy Department for External Relations. [https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702574/EXPO\\_IDA\(2022\)702574\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/IDAN/2022/702574/EXPO_IDA(2022)702574_EN.pdf)
- Council of Europe. (2022). *Council of Europe suspends Russia's rights of representation*. <https://www.coe.int/en/web/portal/-/council-of-europe-suspends-russia-s-rights-of-representation>
- Carswell, A. J. (2013). *Unblocking the UN Security Council: The Uniting for Peace Resolution*. *Journal of Conflict & Security Law*, 18(3), 453-480. <https://www.jstor.org/stable/26296268>
- American Red Cross. (2011). *Summary of the Geneva Conventions of 1949 and Their Additional Protocols*. [https://www.redcross.org/content/dam/redcross/atg/PDF\\_s/International\\_Services/International\\_Humanitarian\\_Law/IHL\\_SummaryGenevaConv.pdf](https://www.redcross.org/content/dam/redcross/atg/PDF_s/International_Services/International_Humanitarian_Law/IHL_SummaryGenevaConv.pdf)
- Euractiv Intelligence. (2022). *Russia wants secret UN vote on move to condemn 'annexation' of Ukraine regions*. Euractiv. <https://www.euractiv.com/section/global-europe/news/russia-wants-secret-un-vote-on-move-to-condemn-annexation-of-ukraine-regions/>
- García, R, Gutiérrez, C. (2008). *Kosovo's Independence from the Perspective of the Right to Free Determination*. Real Instituto Elcano. <https://www.realinstitutoelcano.org/en/work-document/kosovos-independence-from-the-perspective-of-the-right-to-free-determination-wp/>
- Hinton, A. (2022). *Putin's claims that Ukraine is committing genocide are baseless, but not unprecedented*. The Conversation. <https://theconversation.com/putins-claims-that-ukraine-is-committing-genocide-are-baseless-but-not-unprecedented-177511>
- Howard, L. (2022). *A Look at the Laws of War — and How Russia is Violating Them*.



- United States Institute of Peace. <https://www.usip.org/publications/2022/09/look-laws-war-and-how-russia-violating-them>
- Human Rights Watch. (2022). *Russia, Ukraine & International Law: On Occupation, Armed Conflict and Human Rights*. <https://www.hrw.org/news/2022/02/23/russia-ukraine-international-law-occupation-armed-conflict-and-human-rights>
- ICJ. (2022). *Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation)*. ICJ. <https://www.icj-cij.org/case/182>
- ICJ. (2022). *Application, Instituting Proceedings filed in the Registry of the Court on 26 February*. <https://www.icj-cij.org/sites/default/files/case-related/182/182-20220227-APP-01-00-EN.pdf>
- International Committee of the Red Cross. (2010). *IHL and other legal regimes – jus ad bellum and jus in bello*. <https://www.icrc.org/en/doc/war-and-law/ihl-other-legal-regimes/jus-in-bello-jus-ad-bellum/overview-jus-ad-bellum-jus-in-bello.htm>
- International Court of Justice. (2017). *Case 166*. <https://www.icj-cij.org/node/105445>
- Jankowicz, M. (2022). *Putin threatens West with 'consequences greater than any you have faced in history' if it intervenes in his invasion of Ukraine*. Insider. <https://www.businessinsider.com/putin-threatens-worst-ever-consequences-if-west-intervenes-in-ukraine-2022-2>
- Johnson, L. (2022). *United Nations response: Options to Russia's aggression: Opportunities and Rabbit Holes*. Just Security. <https://www.justsecurity.org/80395/united-nations-response-options-to-russias-aggression-opportunities-and-rabbit-holes/>
- Goldstein, J, Cooper, L. (2001). *Marrëdhëniet Ndërkombëtare*. Tirana: DITURIA.
- Marchuk, I. (2017). *Blog of the European Journal of International Law*. EJIL:Talk!. <https://www.ejiltalk.org/ukraine-takes-russia-to-the-international-court-of-justice-will-it-work/>
- Milano, E. (2014). *The non-recognition of Russia's annexation of Crimea: three different legal approaches and one unanswered question*. *Questions of International Law*, 35-55.
- Milanovic, M. (2022). *What is Russia's Legal Justification for Using Force against Ukraine?*. EJIL:Talk!  
<https://www.ejiltalk.org/what-is-russias-legal-justification-for-using-force-against-ukraine/>
- Mingst, K. A. (2010). *Bazat e Marrëdhënieve Ndërkombëtare*. Tirana: Albanian Institute for International studies.
- Research Division, (2023). *“War changes everything: Russia after Ukraine”*. (M. Ozawa, Ed.) *NDC RESEARCH PAPER, No .28*, 1-50. <https://www.gov.br/mre/pt-br/biblioteca/estudos-tematicos/Warchangeseverything.pdf>
- Sassòli, M, Bouvier, A & Quintin, A. (2022). *HOW DOES LAW PROTECT IN WAR? Cases, Documents and Teaching Materials, Volume I Outline of International Humanitarian Law*. Geneva: The International Committee of the Red Cross (ICRC). <https://www.icrc.org/en/doc/assets/files/publications/icrc-0739-part-i.pdf>
- Turak, N & Macias A. (2022). *Ukraine calls for more weapons and sanctions on Russia; UN says nearly 18 million people need aid*. CNBC. <https://www.cnn.com/2022/08/23/russia-ukraine-live-updates.html>
- UN. (1945). *Charter of the United Nations and the Statute of the International Court of Justice*. San Francisco: United Nations. <https://www.ilsa.org/Jessup/Jessup15/UNCharterICJStatute.pdf>
- UN. (2003). *United Nations Iraq-Kuwait Observation Mission*. UNIKOM. <https://peacekeeping.un.org/sites/default/files/past/unikom/background.html>

- UN. (2019). *The Protection of Civilians in United Nations Peacekeeping*. Department of Peace Operations. Geneva: United Nations. [https://peacekeeping.un.org/sites/default/files/poc\\_policy\\_2019\\_.pdf](https://peacekeeping.un.org/sites/default/files/poc_policy_2019_.pdf)
- UN. (2022). *Meetings Coverage and Press Releases*. <https://press.un.org/en/2022/sc14808.doc.htm>
- Human Rights Council. (2022). *UN News*. <https://news.un.org/en/story/2022/09/1127691>
- United Nations, (2022). *With 143 Votes in Favour, 5 Against, General Assembly Adopts Resolution Condemning Russian Federation's Annexation of Four Eastern Ukraine Regions*. United Nations. <https://press.un.org/en/2022/ga12458.doc.htm>
- Watts, S, Williams, W, & Alcalá, R. (2022). *SYMPOSIUM INTRO: UKRAINE-RUSSIA ARMED CONFLICT*. Liber Institute West Point. <https://lieber.westpoint.edu/symposium-intro-ukraine-russia-armed-conflict/>
- Wolff, S. (2023). *Georgia: Abkhazia and South Ossetia*. Princeton University. <https://pesd.princeton.edu/node/706>

