

International Courts and Their Contribution to Justice in the Context of the War in Ukraine*

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Abstract

Ensuring justice during the ongoing war in Ukraine represents one of the most pressing challenges for contemporary international law. This study examines the pivotal role of international judicial institutions—particularly the International Criminal Court (ICC), the European Court of Human Rights (ECHR), and various ad hoc tribunals—in enforcing accountability for war crimes, upholding human rights, and preserving the rule of law amid armed conflict. Using a qualitative research method, the study relies on comparative analysis as well as historical and legal approaches to understand how these institutions function within complex geopolitical contexts. Through qualitative data collection and interpretive analysis of court decisions, international conventions, and reports from global organizations, the research identifies structural and procedural challenges faced by international courts, including political interference, difficulties in gathering evidence, and limited coordination with domestic jurisdictions. Moreover, the study explores the role of international cooperation and judicial precedents in building a more consistent and enforceable global justice system. The findings suggest that while international courts play a critical role in prosecuting war crimes and deterring future violations, their effectiveness is often constrained by issues of state sovereignty and the lack of uniform enforcement mechanisms. Therefore, the paper argues for a strategic consolidation between international and national legal systems to ensure that justice is not only pursued but also realized in practice. Ultimately, this research contributes to the broader discourse on strengthening international criminal justice in the era of hybrid conflicts and global political polarization.

Keywords: International courts; War in Ukraine; War crimes; Human rights; International law; International Criminal Court; European Court of Human Rights; Responsibility; Justice; Special Legal Regime

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A. INTRODUCTION

Russia's large-scale invasion of Ukraine, which began on 24 February 2022, has escalated into the most significant full-scale armed conflict in Europe since World War II. Russia has systematically violated international humanitarian law and committed numerous atrocities against civilians. Allegations of war crimes and crimes against humanity committed by the Russian military have reached unprecedented levels. There have been numerous cases of deliberate shelling of civilian objects, killings of civilians, torture, deportations, and sexual violence. The international justice system faced a unique challenge: thoroughly documenting these crimes and ensuring the perpetrators were brought to justice. Addressing impunity and seeking justice for victims is crucial to reinforcing international humanitarian law and ensuring future world peace.

From these challenges, the UN, the International Criminal Court, the EU, and other significant global institutions are taking an active part in investigating and collecting evidence of war crimes committed on Ukraine's territory. To improve integration, a separate UN mechanism was established, fact-finding missions were conducted, and new technologies were employed to document violations. ([Rynkun-Werner et al., 2023](#)) The context of the Russia-Ukraine crisis, particularly concerning Russia's aggression, highlights the centrality of moving international legal systems against the perpetrating state to the international community for it to face sanctions for all its atrocities.

This research paper's objective is to assess the role and contribution of international judicial institutions in bringing about the prosecution of war crimes, crimes against humanity, and genocide in the ongoing Ukraine war.

Literature Review

At this point, only a small number of research papers can be found that contain materials concerning the issue of holding Russia accountable for the war crimes committed in the course of the Ukrainian War. Several scholars have covered specific aspects of this issue in their publications.

Smyrnov analysed the existing international legal instruments aimed at bringing Russia to justice for the most serious crimes committed during the war against Ukraine. His work focuses primarily on establishing and operating a special international tribunal to investigate the crime of Russian aggression against Ukraine as an effective mechanism for bringing the aggressor to justice ([Smyrnov, 2023](#)). Topolevskyi analysed and systematised the legal mechanisms for ensuring accountability for human rights violations and war crimes committed during Russia's war against Ukraine ([Topolevskyi, 2023](#)). Basysta,

Vlasova, and Stratonov focused on the inevitability of responsibility for war crimes, genocide, acts of aggression, and crimes against humanity and analysed the prospects for such responsibility ([Basysta et al., 2023](#)). Kapustina, Demydova, and Latysh have studied the potential of modern information technologies for investigating war crimes ([Kapustina et al., 2023](#)). At the same time, given the scale and brutality of Russia's crimes during its unprovoked aggression against Ukraine, there is an urgent need for a multidimensional and comprehensive scientific study. Its goal should be to create effective legal instruments and procedures to bring Russia to justice at the international level, taking into account all aspects of international law.

In his monograph study, Kononenko examines the emergence and legal nature of international judicial bodies, the jurisdiction and judicial procedure of the International Court of Justice, and the specifics of the Court's resolution of land and maritime issues that have been the subject of conflicts between states ([Kononenko, 2018](#)). As noted by Nalyvayko et al. ([2022](#)), international judicial institutions play a key role in ensuring legal accountability and justice in conflicts. They emphasize that justice is not only a tool for restoring justice, but also a means of preventing future violations. By studying the mechanisms of international courts, it is possible to understand better how the international community can support Ukraine in its struggle to protect human rights and uphold international humanitarian law in the context of military conflict. In her dissertation, Anosova examined the jurisdiction of international criminal courts and the UNSCOM over the crime of genocide in the context of individual and state responsibility under international law. ([Anosova, 2018](#))

Such studies are intended to help coordinate the efforts of Ukraine, international organisations, and individual countries to bring the aggressor justice. The research article aims to establish how international courts can help seek justice in the context of the war in Ukraine. It provides a notable legal and evidential analysis of the facets and principles that international legal institutions employ in war crimes trials before international courts. In addition, it evaluates how the decisions of global legal institutions affect the operation of international humanitarian and human rights law. The paper delves into key challenges and hopes for the future of global justice amid war. Further, the article considers ways international and Ukrainian national courts can cooperate to investigate war crimes.

B. METHODS

A comparative analysis was conducted to understand the key functions of international courts regarding the war crimes committed against Ukraine. The study employed the comparative method to assess the relevance of international

courts' decision-making in Ukraine. Other international conflict cases were analysed to seek patterns and divergences in adjudication practices within the international courts.

The documents include international Ugandan legal frameworks, documents from the International Criminal Court, Ukrainian legislation papers, court papers, and UN resolutions relevant to peace negotiations and settlement. The historical and legal approach and its methodology were employed to analyse developments in the activities of international courts in resolving the military conflict, which enabled the construction of a chronicle of events and a legal framework for the research. Integrating the gathered materials in the thorough theoretical analysis was instrumental in developing the logical approach. Thus, it became possible to establish the roles of the international courts concerning serving justice and their position in the international legal system.

C. RESULT

The issue of international management inadequacies and the need for peaceful conflict resolution is indeed more pressing than ever. One aspect of the problem is improving international dispute resolution, first and foremost, about the International Court of Justice. ([Sassòli, 2019](#)) As mentioned, the International Court of Justice is one of the six principal organs of the United Nations, along with the General Assembly, the Security Council, the Economic and Social Council, the Trusteeship Council, and the Secretariat.

According to Article 92 of the UN Charter, the Court is the principal judicial organ of the United Nations. Its activities are governed by the Statute, an annex to the UN Charter and based on the provisions of the Statute of the Permanent Court of International Justice. The International Court of Justice comprises fifteen judges elected for a nine-year term and eligible for re-election. To become a judge of the International Court of Justice, a candidate must receive the final vote of the General Assembly and the Security Council. ([South Asia Human Rights Documentation Centre, 2007](#))

Here are examples of cases involving war crimes and human rights violations, along with an analysis of the challenges the international court faces in performing its functions (Table 1). The table highlights the importance of coordination between international and national justice to achieve justice.

Table 1.

Comparison of key international courts by their functions

Court	Main functions	Examples of cases related to the war in Ukraine	Challenges and limitations
International Criminal Court (ICC)	Investigation and trial of war crimes and crimes against humanity	Investigation of Russian war crimes in Ukraine	Political pressure, dependence on evidence from states
European Court of Human Rights (ECHR)	Protection of human rights based on the European Convention	Consideration of complaints against Russia for violation of Ukrainians' rights	Length of consideration, the problem of enforcement of decisions
ad hoc tribunals	Specific courts for individual conflicts	Possible establishment of a tribunal for crimes of Russian aggression	Dependence on international cooperation

Source: compiled by the author based on his research

In 2017, Ukraine filed a lawsuit against the Russian Federation on two grounds: financing of terrorism, including support for illegal occupation groups in certain districts of Donetsk and Luhansk regions, and investigation of discrimination against certain groups of Ukrainian citizens in the temporarily occupied territories of the Autonomous Republic of Crimea.

The charges against the host country relate to the following actions: Russia's supply of weapons and other support to illegal armed groups; the downing of Malaysian passenger plane MH17; artillery shelling of residential areas in Mariupol and Kramatorsk; the bombing of a civilian passenger bus near Volnovakha; an explosion during a peaceful event in Kharkiv; repressions against the Ukrainian and Crimean Tatar communities; a ban on the activities of the Mejlis of the Crimean Tatar people; a wave of enforced disappearances, murders, arbitrary searches and arrests; restrictions on the teaching of Ukrainian and Crimean Tatar languages. Numerous pieces of evidence of Russian aggression were presented to the International Court of Justice. The most important document was the so-called memorandum submitted by Ukraine on 12 June 2018. This voluminous material weighs about 90 kilograms, consists of more than 17,500 pages, is collected in 29 volumes, and is presented in 75 copies.

The International Court of Justice requires the preparation of such a large number of documents. The Court carefully checks whether all documents meet the established standards and whether sufficient copies have been provided ([Lanza, 2022](#)). Each judge receives a personal copy, and the defendant, in this case, the Russian Federation, also gets the required number of printed documents.

It was tough for Ukraine to reach the stage of negotiations in this case, and in the end, the Russian side behaved as it did in the Georgian case: it denied

Ukraine the right to file a lawsuit. Given Georgia's experience, Ukraine underwent a long, complex consultation process with representatives of the Russian Federation that lasted almost two years. Russia tried to prove that the Ukrainian side did not meet the necessary standards in the negotiation process to prevent the case from being heard initially.

It should be noted that Georgia applied to the International Court of Justice in 2008 after the Russian aggression, referring to the same International Convention on the Elimination of All Forms of Racial Discrimination that Ukraine is referring to today. However, Georgia failed to meet the mandatory condition of "dialogue" with the aggressor, which led to its defeat. In 2011, the International Court of Justice refused to consider the case on the merits. The facts of the case were thoroughly examined, and Russia was found guilty of violating both conventions. It is essential that Ukraine be the first country to file a case with the International Court of Justice, invoking the International Convention for the Suppression of the Financing of Terrorism. This decision has every chance of becoming a precedent for other federal states in the future.

It is noteworthy that Russia is seeking to deny the International Court of Justice jurisdiction over these cases. However, in 2019, the Court confirmed its right to consider these issues. After a long break, hearings on Ukraine's complaints at the ICJ resumed and are ongoing. On 26 February 2022, shortly after the start of Russia's large-scale invasion of Ukraine, Ukraine filed another complaint with the International Court of Justice. It concerns Russia's violation of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide and the commission of genocide and human rights violations on the territory of Ukraine.

Ukraine also applied to the International Court of Justice for provisional measures, which the Court upheld. On 16 March 2022, the ICJ ordered Russia to cease military operations on the territory of Ukraine immediately and to ensure that none of its military units, organisations, or persons under its control continue military operations. The Russian Federation has not recognised the jurisdiction of the International Court of Justice in this case. Although the case is still pending, it is clear that Russia will not comply with the Court's judgment of 16 March 2022. ([Creutz, 2023](#)) It should be noted that the International Court of Justice's activities are subject to significant limitations, as individual member states may withdraw their consent to hear specific categories of cases. However, by joining the UN, states recognise the UN Charter and undertake to abide by its provisions. ([Bosco, 2014](#))

The UN Charter clearly defines the jurisdiction of the International Court of Justice and its right to hear cases between states in specific international

conflicts. This suggests that, by joining the United Nations, countries—including those involved in conflicts—automatically accept the possibility of referring international disputes to the International Court of Justice. This means the automatic extension of the UN's jurisdiction to relevant international disputes and conflicts, without the need for additional consent from the state acting as the dispute settlement body. At the same time, the current conditions of application and interpretation of international law indicate that extending the jurisdiction of the International Court of Justice to some regions of interstate relations requires obtaining the appropriate permits in the form described above.

As a result, the ICJ today faces numerous procedural limitations that prevent it from becoming an institution capable of preventing and effectively resolving international crises, conflicts, and wars. Despite the ICJ's positive practice, it is effective only when countries independently recognise its jurisdiction, are willing to consider a dispute, and are ready to recognise the Court's decisions, even if these decisions may not be in their favour.

To date, the National Police of Ukraine is investigating around 100,000 criminal cases in connection with crimes committed by the Russian military. Of these, 85,335 cases have been initiated under Article 438 of the Criminal Code of Ukraine "Violation of the Laws and Customs of War", 9,245 under Article 110 of the Criminal Code of Ukraine "Encroachment on the Territorial Integrity and Inviolability of Ukraine", 3,527 under Article 111-1 of the Criminal Code of Ukraine "Sabotage" and 224 under Article 111 of the Criminal Code of Ukraine "High Treason". Police have already received over 1,500 testimonies from civilians about war crimes committed by Russia in Ukraine. ([Pylypenko, 2020](#))

The Russian military has committed various types of war crimes and crimes against humanity, which have been documented by international organisations and monitoring missions. These actions include: 1). Intentional killing of civilians; 2). Destruction of civilian infrastructure; 3). Deliberate shelling of residential buildings, hospitals, schools, kindergartens, and other objects that are not military targets; 4). Use of prohibited weapons; 5). Rape and sexual violence; 6). Deportation and forced relocation of civilians; 7). Torture and ill-treatment; 8). Abduction and illegal adoption of children; 9). Destruction of cultural monuments; 10). The use of civilians as human shields; 11). Recruitment of mercenaries and foreign fighters. ([Bernazyuk, 2022](#))

This non-exhaustive list reflects the scale and brutality of the crimes committed by the Russian military in Ukraine. Detailed documentation of these crimes is crucial for bringing those responsible to justice. Ensuring inevitable punishment for Russian war crimes in Ukraine is an important step towards

restoring justice, protecting human rights, promoting peace, and strengthening international law. Both international agreements and national legislation regulate liability for war crimes.

In March 2022, the International Criminal Court (ICC) launched a comprehensive investigation into possible war crimes and crimes against humanity in Ukraine at the request of several states. To formulate an indictment, ICC prosecutors and investigators are collecting witness statements, analysing satellite images, and interviewing victims. The ICC is empowered to issue international arrest warrants for individuals who have recently been charged with serious crimes, including high-ranking politicians. ([Rudnytska, 2023](#)). Given the available evidence, the ICC can conduct open and impartial trials of suspects. According to Article 33 of the European Convention on Human Rights, the ECtHR can consider inter-state complaints of violations of the conventions that occurred during the conflict. ([Bysaha et al., 2023](#))

Unlike the ICC, the European Court of Human Rights (ECtHR) can establish Russia's responsibility as a state for human rights violations in Ukraine. It has the right to order Russia to pay compensation to victims of violations of the Convention during armed conflicts. Through its judgments, the ECtHR can establish violations of international humanitarian law and promote legislative reforms. These judicial institutions play a crucial role in holding perpetrators accountable, bringing those responsible to justice, and ensuring justice for victims of conflict. Through their work, they lay the legal foundations that ensure that crimes committed do not go unpunished. Although the ICJ did not address environmental disputes at its initial stage of operation, changes in the international political and legal environment have highlighted the importance of environmental issues. Since the Court does not have a separate environmental chamber, the General Chamber considers environmental offences committed by the Russian side.

An exception is possible if Ukraine files a separate claim with the International Tribunal for the Law of the Sea under the 1982 UN Convention on the Law of the Sea (UNCLOS). In this context, Ukraine is raising issues related to violations of its territorial waters and exclusive economic zones, including the blockade of Ukrainian ports by Russian warships, as well as environmental violations, such as the release of toxic substances and water pollution as a result of attacks on Ukrainian coastal infrastructure. Since the International Tribunal for the Law of the Sea has already demonstrated its ability to resolve environmental disputes effectively, this possibility warrants consideration. ([Hrushko et al., 2023](#))

During the proceedings at the International Court of Justice, the environmental claims will be analysed alongside the political, economic, and social aspects of Ukraine's complaint. Environmental crimes, in turn, complement the crimes of genocide and other war crimes. Since the term "ecocide" has not yet been established in international legal practice, it cannot be considered a separate category from genocide. Although Article 441 of the Criminal Code of Ukraine describes ecocide as "mass destruction of flora and fauna, pollution of air or water resources, as well as other actions that may lead to an environmental catastrophe", the UN has failed to develop a standardised definition of ecocide at the international level. Today, such initiatives are just beginning to take shape. For example, on 22 June 2021, a group of 12 renowned experts in criminal and environmental law from the International Criminal Court presented a definition of ecocide as an international crime. They proposed to define ecocide in international law as "unlawful or reckless acts committed with the knowledge that such acts may cause serious, widespread or long-term damage to the environment." ([Rudnytska, 2023](#))

The authors of this definition began their work in December 2020 at the initiative of a group of Swedish parliamentarians. They concluded that ecocide should be considered the fifth international crime alongside genocide, crimes against humanity, war crimes, and crimes of aggression. The International Criminal Court (ICC) investigates these categories of crimes. ([Kanienberg-Sandul & Formaniuk, 2023](#)) However, it is important to realise that the definition of ecocide does not diminish the potential justice that Ukraine seeks in environmental matters. The Russian Federation has already violated several international environmental standards. For instance, Article 55 of the Additional Protocol to the Geneva Conventions of 1949 prohibits the use of methods and means of warfare that may damage the environment and thereby endanger human health and survival. The Rome Statute of the International Criminal Court also addresses "environmental war crimes" and defines them as "intentional attacks causing serious, prolonged and widespread damage to the natural environment". ([Aruna Kumari Nakkella, 2022](#))

Although cases of compensation for environmental damage are rare in the history of the International Court of Justice, it recognises that the aggressor state is obliged to compensate for the damage caused. One of the key issues is determining the exact amount of damage caused by the Russian army. According to Ukraine's Ministry of Ecology and Natural Resources, Russia is responsible for numerous environmental disasters, including large explosions, ammonia storage explosions, and attacks on nature reserves. In addition, there are external indirect effects, such as dangerous emissions of greenhouse gases, carbon dioxide, and

methane into the atmosphere, which may have long-term negative impacts on human health. Although Russian aggression against Ukraine may seem like a single environmental crisis at first glance, it is a series of small localised disasters that are causing significant damage. Thus, Ukraine's legal position on the environmental aspect of lawsuits against Russia should focus on compensation for both direct and actual and irreversible damage caused by the Russian Federation's actions after its invasion. At the same time, a more comprehensive consideration of the environmental dimension in the context of genocide may open up the possibility of more severe punishment for environmental crimes committed by Russia.

The Russian Federation and its high-ranking officials can be held accountable both internationally and domestically for war crimes and crimes against humanity committed during the large-scale invasion of Ukraine. In particular, regarding criminal liability, the following should be noted: The International Criminal Court can indict Russian officials and military personnel for crimes committed in Ukraine and issue arrest warrants for them; National courts of Ukraine and other states may initiate criminal proceedings against war crimes based on the principle of universal jurisdiction; Persons found guilty may be sentenced to long suspended prison terms (Statute of the International Court of Justice). The state's responsibility includes the following: Ukraine has the right to file an interstate lawsuit against Russia in the International Court of Justice for violation of international law; If found guilty, Russia may have to pay substantial compensation for the damage and injuries caused to Ukrainian civilians. ([Teremetskyi et al., 2023](#))

Speaking of bringing to justice through sanctions, the following should be noted: The international community can further strengthen sanctions against Russia, its top leadership, oligarchs, and related companies. Sanctions may include asset freezes, trade restrictions, restrictions on financial transactions, and restrictions on exports of dual-use goods.

Regarding its responsibility to the Organisation for Security and Cooperation in Europe and the Council of Europe, Russia may be expelled from these organisations or its membership suspended for gross violations of their principles and commitments. Personal liability applies to individual war criminals responsible for the killing of civilians and other serious crimes; such criminals may be sentenced to life imprisonment. However, the main problem remains enforcing international court decisions, as Russia does not recognise their jurisdiction. Despite the clear evidence of war crimes and crimes against humanity, there is a risk that Russia will try to avoid responsibility.

As previously established, Russia considers the ICC's jurisdiction futile, allowing it to ignore arrest warrants and indictments issued by this court. This further complicates efforts to hold the top military and political leaders of the Russian Federation accountable for their wrongdoing. For example, the Russian side may withhold evidence and/or documents, and international observers may not be allowed into any occupied territories because the Russian side is not cooperating with the TIC investigation. A threat also looms whereby Russia will engage in the abduction of witnesses to serious crimes in the occupied territories, exploit the witnesses by using them as intimidation, or use violence against them. Russia is a member of the UN Security Council, which allows it to block any resolutions that seek to establish special tribunals or investigations focusing on Russia's activities. They also reserve the option of exerting political and economic coercion on their allies to prevent them from supporting international calls to take action against them. The current armed conflict in Ukraine might explain the postponement or the delay of international investigations. ([Kononenko, 2018](#))

The Russian regime might take measures against human rights defenders, journalists, and opposition members who try to gather evidence of the abuses. These challenges must be addressed through international diplomacy and sanctions, as well as evidence-based approaches to prosecuting wrongdoers. Russia's full-scale military aggression against Ukraine requires comprehensive reforms of the international and national legal and information frameworks to ensure that war crimes are punished. Considering the most serious crimes against the international community, actions to punish aggressive states should be centred on information, legal, coordination, and leadership levels. This means that the fundamental goal of analysing justice should be to develop a coherent information model comprising legal cognition and its components: informational, legal, coordination, and executive. ([Deshko et al., 2018](#))

The information aspect includes: 1). Establishment of a centralised registry that includes evidence related to the commission of criminal acts, including testimonies, videos, photographs, operational data, or other material evidence, among others; 2). Creating guidelines for the use of modern technology in gathering, measuring, and analysing processes; 3). Open access information through the use of social sites and crowdsourcing techniques; 4). Reliance on all other means of verifying and cross-examining the information. ([Batiuk et al., 2021](#))

Under the legal aspect, we have the following functions: 1). Classifying and analysing crime offences and offences by internationally accepted principles; 2). Establishing and forming specialised agencies and teams to conduct investigations and solve crime; 3). Creating procedural measures that will bring

offenders in both local and international jurisdictions; 4). The basis for establishing the crime of aggression is an expert court-only provision. ([Stefanchuk, 2023](#)) The functions of the coordination component include: 1). Facilitating international relations between different governments, law enforcement, and international organisations; 2). Transferring information, certificates, and databases across the people who are actively engaged in the proceedings; 3). Who should develop strategies and actions for the members at various levels? 4). Media, civil society, and specialists involved in collecting and verifying evidence were involved. ([Komarova, 2018](#))

The purview of the executive branch encapsulates the following responsibilities: 1). Tangible sanctions should be designed and enforced against the aggressor per the development cycle of the modern IT framework. 2). Solicitation of combat units on the foreign stage is necessary to bring alleged offenders to law and punish them ([Onishchenko et.al., 2023](#)). The information and legal model that is suggested can be used effectively in performing the legal tasks of holding the Russian Federation accountable for international law violations during its armed aggression towards Ukraine.

D. DISCUSSION

The Ukraine war is currently one of the most prominent issues in global politics, which is why global courts are involved. The essence of the debate is about how well these international judicial systems can perform in their effort to punish those responsible for war, crimes against humanity, and genocide targeting Ukraine. Although the International Criminal Court has played and continues to play a critical role in prosecuting these crimes, it is also challenged by problems of cooperation with state parties and by the scope of its outreach. ([Pasichnyk, 2012](#))

One key thesis is that Ukraine's participation in the ICC is an important instrument of justice. However, Russia's non-participation in the Rome Statute creates legal obstacles to addressing all aspects of the aggression. Whether Ukraine and the international community can use other legal mechanisms, such as ad hoc tribunals, to address this problem remains open and requires further research. Another important topic is the effectiveness of international courts in ensuring justice for war victims. For example, the ECHR considers numerous applications from Ukrainians affected by the hostilities. However, the question arises: Can the ECHR respond promptly to the mass and specific nature of such applications, given the existing procedural restrictions and the long time it takes to consider cases? The experience of other countries, notably Georgia, considered

in this article as an example of a country affected by the conflict with Russia, can be a valuable source of lessons for improving this process. ([Savchuk, 2013](#))

The issue of political influence on international judicial processes also remains controversial. Although judicial independence is fundamental, reality often points in the opposite direction: the influence of major powers or political alliances can shift the focus of cases. Addressing whether creating a fully independent justice mechanism free from external interference is key to maintaining confidence in international justice. ([Kononenko, 2018](#))

To conclude, the role of international courts in the ongoing war in Ukraine involves many facets: legal, political, and moral. Justice requires a comprehensive strategy that involves the workings of many international institutions, working with states, civil society, and victims. This theme remains relevant for future investigations, particularly in modernising the international legal response mechanisms to aggression and war crimes. ([Lytvynenko et al., 2021](#))

E. CONCLUSION

To maintain international order and the rule of law, it is important that Russia stands trial for its war crimes, crimes against humanity, and aggression it displayed against Ukraine. Historically, the international legal system has provided an expansive scope of international humanitarian laws and standards that prohibit the use of force against unsuspecting civilians. However, in practice, such efforts are complex due to political, procedural, and enforcement issues. The paper advocates a new strategy for engaging with the international legal system and for holding Russia accountable. In particular, the means and mechanisms available to hold the perpetrator liable for acts committed during the Ukrainian war have been analyzed in both domestic and international contexts.

The study emphasises the contribution of the International Criminal Court and the European Court of Human Rights to the prosecution of Russian war crimes. It considers all possible forms of responsibility, including Russia's criminal responsibility, state liability, sanctions, liability to international organisations, and private responsibility. The analysis further concludes that potential challenges and risks may arise and that there are means of evading Russian responsibility. Hence, the present status of international law on the war in Ukraine still requires further efforts within the international legal system and international relations to establish appropriate redress measures against the aggressor state.

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