

# International Court of Justice

Allegations of Genocide (Russian Federation v. Ukraine: 32 states intervening)

<b>Forum</b>	International Court of Justice
<b>Issue:</b>	Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide (Russian Federation v. Ukraine: 32 states intervening)
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## Introduction

The international community has long struggled with the challenges posed by allegations of genocide, a crime recognized as one of the gravest violations of human rights under international law. The case at hand, involving allegations of genocide, stands as a reminder of the critical importance of upholding the principles of the Convention on the Prevention and Punishment of the Crime of Genocide. The complexity of the geopolitical landscape surrounding the conflict, coupled with the gravity of the accusations and the involvement of 32 intervening states, escalates the urgency for a thorough examination of the legal, ethical, and humanitarian factors at play.

The Convention on the Prevention and Punishment of the Crime of Genocide, adopted by the United Nations General Assembly in 1948, represents an effort to prevent and punish acts of genocide. The convention obliges states to take preventative and punitive measure to address this crime, emphasizing the international community's collective responsibility to protect vulnerable populations.

The allegations brought forth by Ukraine against the Russian Federation, accusing them of engaging in genocidal acts, have sparked intense international scrutiny. Moreover, the involvement of 32 states as intervenors in this case reflects the broader implications of the allegations, turning the legal dispute into a matter of global concern.

This research report seeks to examine the legal foundations of the allegations, the historical context of the conflict, and the implications for international relations. Furthermore, it aims to explore the potential consequences for the parties involved, as well as the broader implications for the international legal order and the pursuit of justice in cases of alleged genocide.



## Definition of Key Terms

### Genocide

The intentional and systematic destruction, in whole or in part, of a national, ethnic, racial or religious group.

### Allegation

A claim or assertion that someone has done something wrong, typically made without proof.

### Annexation

A formal act whereby a state proclaims its sovereignty over territory hitherto outside its domain.

## General Overview

### Historical context

The conflict between the Russian Federation and Ukraine has deep historical roots, and understanding the context is crucial for comprehending the allegations of genocide. Historical factors, such as the dissolution of the Soviet Union, Crimea's annexation, and ongoing territorial disputes, contribute to the complex backdrop against which these allegations unfold.

The dissolution of the Soviet Union in 1991 marked Ukraine's emergence as an independent entity. However, disputes over historical narratives, identity, and territorial claims have persisted, contributing to tensions between the two countries. A pivotal moment in the conflict occurred in 2014 when Russia annexed Crimea following Ukraine's political shift away from Moscow. The annexation was widely condemned by the international community, leading to sanctions against Russia, which escalated tensions and raised concerns about the violation of Ukraine's sovereignty. Simultaneously, a pro-Russian insurgency erupted in Eastern Ukraine, witnessing armed clashes between Ukrainian government forces and separatist groups. The situation was further complicated by allegations of Russian military involvement and support for the separatist movements. The



ramifications of the annexation of Crimea, along with Russia's support for the separatist movements are believed to be the reason why Ukraine is raising the case at hand.

International efforts to address the conflict have involved diplomatic initiatives, with the Minsk agreements serving as key frameworks for a ceasefire and a political resolution. Full implementation of these agreements has proven challenging, and outbreaks of violence persist.

The Russo-Ukrainian conflict has also strained Russia's relations with the West, leading to sanctions and a re-evaluation of geopolitical alliances in Eastern Europe. The conflict also underscores broader concerns about the respect for international law and the principles of sovereignty.

### Legal framework

A key factor of this case is the application of the Convention on the Prevention and Punishment of the Crime of Genocide, a cornerstone of international humanitarian law. The convention defines genocide and places a legal obligation on states to prevent and punish acts of genocide. Examining the legal basis of the allegations will provide insight into the criteria used to determine genocidal acts and the responsibilities of the parties involved.

### Allegations and counterclaims

Ukraine has accused the Russian Federation of engaging in genocidal acts against specific ethnic, national or religious groups. This section of the report will discuss the specific allegations, examining the evidence presented by the parties and any counterclaims made by the Russian Federation.

## Major Parties Involved

### Ukraine

At the crux of Ukraine's involvement lies the application of the Convention on the Prevention and Punishment of the Crime of Genocide., which is crucial in Ukraine's accusations against the Russian Federation.



To grasp Ukraine's stance, it is imperative to delve into the historical dynamics that underlie its allegations. The dissolution of the Soviet Union, the annexation of Crimea, and ongoing territorial disputes provide the context within which Ukraine asserts claims of genocidal acts by Russia. Beyond the legal sphere, Ukraine's involvement is deeply intertwined with geopolitical considerations. The complex interplay of regional power dynamics, security concerns, and strategic interests shapes Ukraine's engagement in this case.

Ukraine's participation in this legal discourse extends beyond the courtroom, carrying diplomatic ramifications. Diplomatically, Ukraine's involvement shapes international perceptions, influences bilateral relations, and potentially establishes precedents for future engagements.

### The Russian Federation

Russia's involvement in the case at hand centres around its legal response to the allegations brought forth by Ukraine. Scrutinizing the historical nuances is key to unravelling Russia's motivations and contextualizing its legal position. The understanding of events such as the dissolution of the Soviet Union, and Crimea's annexation is crucial to inferring the Russian stance on the issue at hand. A critical evaluation of the evidence, encompassing witness testimonies, documents and supporting materials, is imperative to gauge the strength and credibility of the Russian Federation's defense.

## Major Parties Involved

### Timeline of Key Events

Date	Description of event
February 24 <sup>th</sup> – April 7 <sup>th</sup>	Start of Russian invasion of Ukraine
August 29 <sup>th</sup> – November 11 <sup>th</sup> 2022	Ukrainian Counteroffensives
November 12 <sup>th</sup> – June 7 <sup>th</sup> 2023	Stalemate

## UN involvement, Relevant Resolutions, Treaties and Events

The United Nations is delivering emergency aid and assistance to people across Ukraine and neighbouring areas- particularly women, children, elderly people and the disabled. On February 23<sup>rd</sup> 2023, The United Nations General Assembly adopted a resolution that demands Russia leave Ukraine, with the results being unanimously in favour of the resolution passing. Additionally, the



world body rejected to amendments to this resolution, proposed by Belarus. The first proposal called to alter several of the resolution's provisions. The second would have had the General Assembly to, most importantly, refrain from providing weaponry into the war zone.

- Principles of the Charter of the United Nations underlying a comprehensive, just and lasting peace in Ukraine, 23 February 2023 (A/RES/ES-11/6)

## Possible Solutions

### Legal considerations

The ICJ (International Court of Justice) should rigorously evaluate the evidence presented by both parties, considering the credibility, reliability and relevance of testimonies and documents. A transparent and thorough assessment of the legal merit of the allegations is essential for rendering a just decision.

The committee may consider recommending mediation or arbitration to facilitate a diplomatic reconciliation between the Russian Federation and Ukraine. This approach could provide an opportunity for dialogue, compromise, and, ideally, the prevention of further escalation.

### Diplomatic initiatives

The International Court of Justice could encourage diplomatic initiatives involving neutral third party states or international organizations to mediate between the Russian Federation and Ukraine. Such efforts could help bridge differences and facilitate a diplomatic resolution to the conflict.

A solution may be reached by facilitating a multilateral dialogue involving representatives from the parties involved as well as the 32 intervening states. Creating a forum for open discussion may foster understanding, address concerns, and pave the way for a collaborative solution.

### Humanitarian Measures

Providing humanitarian and refugee assistance via a collaboration with relevant international agencies to address the needs of refugees and internally displaced persons affected by the conflict. Ensuring the protection and well-being of displaced populations should be a priority.

### Future Prevention Mechanisms



Promote dialogue, early warning systems, and conflict prevention strategies to address underlying issues before they escalate. Likewise, it is essential to advocate for educational programs that promote tolerance, understanding, and respect for diversity. Fostering a culture of inclusivity may contribute to preventing future instances of genocide and related conflicts.

### Interim measures and reparations

The ICJ (International Court of Justice) may consider issuing interim measures to prevent further harm or escalation during the legal proceedings. This could include ceasefires, protection of civilians, or other measures to uphold the principles of international humanitarian law.

In the event that the International Court of Justice finds either party culpable, recommendations for reparations to affected communities should be carefully considered. Such measures can contribute to the restoration of justice and the rebuilding of affected regions.

Delegates are urged to collaborate and generate sustainable solutions that implement international law in the pursuit of the prevention of genocide.

### Bibliography

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