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British Embassy
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CASE STUDY:

UKRAINE

**Genocide and Crimes Against Humanity
Alert and Prevention Mechanism**



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The views and opinions expressed in this report do not necessarily represent those of the Government of the United Kingdom.

The document is an official report compiled for the needs and on behalf of the Srebrenica-Potočari Memorial and Cemetery for the Victims of the 1995 Genocide (hereinafter the Srebrenica Memorial).

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Genocide and Crimes Against Humanity Alert and Prevention Mechanism: Ukraine Report


The Srebrenica Memorial Center

Established by decision of the High Representative for Bosnia and Herzegovina in 2000, the Srebrenica Memorial (full name: Srebrenica-Potočari Memorial and Cemetery for the Victims of the 1995 Genocide) is a place of remembrance for the victims of the 1995 Srebrenica genocide. The Memorial Center is dedicated to the preservation of history and to confronting the forces of ignorance and hatred which make genocide possible.

About the Project

The Srebrenica Memorial Center began implementing the project “Truth, Dialogue, Future” in late 2020 with the support of the Government of the United Kingdom. The project aims to strengthen the capacities of the Memorial Center in areas such as memorialization, archiving, education, public outreach, institutional networking, and internationalization. Truth-telling, dialogue, and confronting violent extremism are central aspects of the project's design. Through research, publications, and development in key areas of its mission, the Memorial Center strives to assume a leading role in education about, and prevention of, radical hatred in the region—especially as it relates to genocide, war crimes, and confronting the past. To this end, the project focuses on the development of crucial capacities, including the collection, archiving, and presentation of research, as well as the building of fruitful and long-lasting partnerships with other institutions around the globe.

The Genocide and Crimes Against Humanity Alert and Prevention Mechanism (GCAHAPM) is an important activity within the project, which aims to identify narratives and patterns of action with the potential to lead to violence. The GCAHAPM entails a series of reports, written by the Memorial Center's team of expert researchers, which focus on situations of mounting violence around the world which exhibit significant potential to escalate into genocide. These reports are strictly fact-based, relying on available evidence, independent journalism, and the findings of esteemed international entities working to expose and prevent the violation of human rights. The Memorial Center views the responsibility to use the experience of the Srebrenica genocide as well as its developing research capacities to raise awareness about situations of escalating violence as an important aspect of protecting the legacy of Srebrenica. With these reports, the Memorial Center endeavors to apply the expertise gained through our collective experiences in Srebrenica to alert the



international community to egregious violations of human rights and circumstances where there is an imminent risk of genocide. By ensuring that the horrors which transpired in Srebrenica are never experienced again anywhere in the world, we honor the victims of the Srebrenica genocide and help to fulfil the most fundamental collective responsibility of the human race.


EXECUTIVE SUMMARY

This report examines the ongoing Russian military invasion of Ukraine which began on February 24th, 2022. Under the pretense of the “de-Nazification” of Ukraine, Russian forces embarked on a ground invasion on multiple fronts. With the support of pro-Russian separatist paramilitary formations, the Russian onslaught has continued despite the formidable resistance waged by Ukrainian defense forces. At the time of writing this report, the ongoing aggression is known to have resulted in upwards of 13,000 civilian casualties as well as a severe humanitarian crisis. In addition to enormous suffering and devastation, the invasion has also resulted in global food shortages and the largest refugee crisis in Europe since the Second World War.

The prevention of genocide and mass atrocities is both an internationally binding legal obligation and a universal moral responsibility. In establishing the case for intervention to prevent future atrocities, this report (1) identifies the *violations of international law* which provide legal grounds for intervention; (2) assesses the *likelihood of the future escalation* of violence in order to demonstrate the exigency of prevention; and (3) recommends possible *measures* for intervention and prevention.

With regards to international criminal and international humanitarian law, the conclusions of this report can only be preliminary, pending investigations by accredited legal institutions. However, the findings of this report indicate a high probability that various **crimes against humanity** and **war crimes** have been and continue to be perpetrated against civilians in Ukraine by Russian and separatist forces. These crimes include but are not limited to indiscriminate targeting of civilians; murder; forced population transfer; enforced disappearance; torture; and excessive destruction of property without military necessity.

Given the unlikelihood of capitulation by either party to the conflict, the violence in Ukraine seems sure to continue and even likely to escalate. Concerns persist that given Russia's inability to achieve a swift and decisive victory through conventional warfare, the Putin administration may resort to hitherto under-utilized methods of attack, including cyber warfare and even the use of chemical weapons. Russian officials have repeatedly emphasized that Western involvement in the conflict will be met with escalation, further



jeopardizing the prospects for peace and raising fears that the war in Ukraine could metastasize into a regional or even global conflict.

Bearing this in mind, the preliminary **recommendations** of the Genocide and Crimes Against Humanity Alert and Prevention Mechanism include the following:

- Russian forces must **immediately stop committing war crimes and human rights violations**.
- All parties to the conflict must work towards a **lasting cease-fire**.
- Russia must comply **to international treaties** on the use of chemical, nuclear, and prohibited weapons.
- Parties to the conflict must facilitate **safe demining** of civilian areas.
- Russian forces must guarantee **completely unhindered and safe movement of humanitarian aid and actors**, as well as **evacuees**.
- All parties to the conflict must ensure **protection for returning refugees, IDPs, and minorities** and should not deny rights to entire groups including POWs.
- The international community should **provide political support** for negotiations between the parties and intensify **economic and diplomatic sanctions** against Russia.

LEGAL FRAMEWORK AND MASS ATROCITY PREVENTION

The prevention of genocide and mass atrocities is not only a legal obligation binding on all states, but a collective moral responsibility shared by all of humanity. In substantiating the legal grounds for intervention, the analysis in this report relies on existing jurisprudence to identify violations of international law. The immediate necessity of intervention is determined on the basis of relevant scholarship which recognizes certain warning signs and underlying societal conditions as indicative of potential for the escalation of violence and prescribes possible means of prevention.

Legal Framework

Based on relevant jurisprudence, the Genocide and Crimes Against Humanity Alert and Prevention Mechanism relies on the following definitions in substantiating the legal grounds for intervention in the case of genocide and mass atrocities:



War Crimes


War Crimes are defined as Grave breaches of the Geneva Convention and include any of the following offences committed in armed conflict against persons or property protected under the Convention's provisions:

- a) Willful killing
- b) Torture or inhuman treatment, including biological experiments;
- c) Willfully causing great suffering, or serious injury to body or health;
- d) Extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly;
- e) Compelling a prisoner of war or other protected person to serve in the forces of a hostile Power;
- f) Willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial;
- g) Unlawful deportation or transfer or unlawful confinement;
- h) Taking of hostages;
- i) Other serious violations of the laws and customs applicable in international armed conflict, within the established framework of international law.

Crimes Against Humanity

Article 7 of the Rome Statute defines crimes against humanity as any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- a) Murder;
- b) Extermination;
- c) Enslavement;
- d) Deportation or forcible transfer of population;
- e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
- f) Torture;
- g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- i) Enforced disappearance of persons;
- j) The crime of apartheid;

- 
- k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

Genocide

Article II of the Convention on the Prevention and Punishment of Genocide defines genocide as "...any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- a) Killing members of the group;
- b) Causing serious bodily or mental harm to members of the group;
- c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- d) Imposing measures intended to prevent births within the group;
- e) Forcibly transferring children of the group to another group.

Intervention and Prevention of Mass Atrocities

The duty to prevent genocide is unequivocally expressed in Article I of the Genocide Convention. Every state is legally obligated to prevent and punish genocide, regardless of where the crime occurs,¹ as well as to prevent and punish war crimes in accordance with international humanitarian law.² The first recourse of intervening parties should be pacific means, but should such means prove inadequate, the United Nations Security Council (UNSC) may authorize other forms of collective action, including armed intervention, to protect populations from atrocities.

While international law provides explicit criteria for the classification and prosecution of known violations, it cannot speculate as to the potential of conflicts to escalate, including into genocide. For this reason, in identifying grounds for international intervention and prevention, it is necessary to consult the collective knowledge gained from the historical study of violence. By studying the patterns in which political violence unfolds, scholars and researchers have been able to identify early warning signs, including the political, social, and economic conditions which are conducive to violence.³


Genocide scholar Gregory Stanton theorizes ten distinct stages of genocide, as well as preventative measure which can be taken by domestic and international actors at each stage.⁴ Based on this framework, the following

¹ ICJ, Case Concerning Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Yugoslavia). Preliminary Objections. 11 July 1996. Para 31.

² See, for example, UN Human Rights Council. "Report on prevention of Genocide." A/HRC/41/24. 24 June 2019.

³ See, for example, Maureen S. Heibert, *Constructing Genocide and Mass Violence* (New York: Routledge, 2017).

⁴ Stanton, Gregory S. "The Ten Stages of Genocide." *Genocide Watch*. 2016. Available at: <http://genocidewatch.net/genocide-2/8-stages-of-genocide/>.



means of prevention are identified in this report, corresponding to the scope of the intervention required.

Early Stages: Preventing Division

The earliest warning signs of genocide involve the galvanization of identity grievances and the sowing of hatred and intolerance among groups. At this stage, preventative measures include **Institutional Development, Combatting Language and Symbols of Hatred, Empowering Marginalized**

Groups. Intermediate Stages: Preventing Mobilization

With divisions and hostility firmly embedded in the social fabric, perpetrators of genocide proceed to lay the structural groundwork for genocide. At this stage, preventative measures include **Supporting Moderate and Opposition Actors, Hindering Militarization of Aggressors and Prosecuting Incitement and Conspiracy.**

Late Stages: Preventing Violence

Once the violation of the victim groups' basic human rights has become systematized, violence against them can only be expected to intensify. In the late stages of genocide, war crimes and crimes against humanity are being perpetrated. The extermination of the victim group is an imminent threat or may already be underway, and preventive measures should be enacted immediately by the international community. All of the following measures, however, must be enacted in accordance with international law: **Mobilizing International Structures, Providing Humanitarian and Military Assistance, Establishing and Defending International Safe Areas and, ultimately, Armed Intervention.**



THE CONFLICT IN UKRAINE

Notwithstanding the geopolitical dimensions of the conflict, the origins of the current war in Ukraine can be traced back to the unwavering policy and ideology of Russian President Vladimir Putin. The possibility of an expansion of the North Atlantic Treaty Organization (NATO) as well as Ukrainian aspirations for integration in the European Union (EU) – both scenarios used to justify the recent Russian invasion – portend a map of post-Cold War Europe which is in direct conflict with Putin's worldview.⁵

Ukraine declared its independence from Russia in 1991 following a referendum in which the vast majority of Ukrainians voted in favor of this move. Independence ushered in an era of uncertainty in Ukraine, characterized by the inability to articulate a resolute policy vis-à-vis its European aspirations and Russian ties. In November of 2013, a series of civil protests which would come to be known as the Maidan Uprising began in Kyiv, initially as a reaction to the decision of then-president Viktor Yanukovych to halt the long-awaited association and trade agreements with the EU in favor of strengthening ties to Russia and the Eurasian Economic Union.⁶


The scope of the protest soon expanding to include not only resistance to pro-Russian foreign policy, but general grievances pertaining to political corruption, abuses of power, and human rights violations on the part of the Ukrainian government. Culminating in the Revolution of Dignity, also known as the Maiden Revolution, the unrest continued to escalate over the coming months, resulting in deadly clashes between Maidan protesters and Ukrainian security forces. In February 2014, an agreement was signed to establish an interim unity government. Yanukovych was voted out of office by the parliament, and with a looming impeachment vote, fled the country.⁷

In the aftermath of what was considered a coup by ousted President Yanukovych, Russian influence over Ukraine deepened. The Crimean Peninsula came under the control of pro-Russian separatists and the presence of Russian forces in the region rapidly increased. This set the stage for Russia's decision to annex Crimea in March 2014, on the heels of a controversial referendum widely regarded as illegal. A similar scenario was also unfolding in the Donbas region. Pro-Russian paramilitary units and Russian forces took control of eastern Ukraine by force and announced they would be holding a referendum. In May 2014, despite extreme irregularities in the electoral process

⁵Mankoff, Jeffrey. "Russia's War in Ukraine: Identity, History, and Conflict." *Center for Strategic and International Studies*. 22 April 2022. Available at <https://www.csis.org/analysis/russias-war-ukraine-identity-history-and-conflict>.

⁶Ray, Michael. "Ukraine crisis." *Encyclopaedia Britannica*. 16 August 2022. Available at <https://www.britannica.com/topic/Ukraine-crisis#ref323581>.

⁷Ibid.



surrounding the referendum, separatists in the Donetsk and Luhansk Oblasts declared independence from Ukraine.⁸

As the conflict in Donbas intensified, the Ukrainian people and their leaders become even more firmly oriented towards EU and NATO membership. To Putin, this resolute turn towards Western integration, irrespective of Ukraine's actual prospects of being granted membership by either organization, represent "a seismic shift that makes the idea of reintegration with Russia harder to imagine."⁹ Finding these circumstances wholly unacceptable, Putin remains obstinate in his objectives, precipitating the continued escalation of the violence.

THE INVASION OF UKRAINE

On February 24th, 2022, Russia embarked on its "special military operation" in Ukraine. Unlike previous Russian involvement in the Donbas region, this operation was a large-scale invasion of the country, operating on multiple fronts. Putin justified the invasion by referring to the continuous eastward expansion of NATO and the alleged support of extreme nationalists and Neo-Nazis in Ukraine for the organization. More notably, Putin accused the regime in Kyiv of committing genocide against Russians and argued that the invasion was a legal and justified act of self-defense aimed at the demilitarization and denazification of Ukraine. Fundamentally, the invasion is rooted in the denial of the legitimacy of the Ukrainian government, and by extension, the Ukrainian state and Ukrainian identity.¹⁰

With the onset of the invasion, the conflict rapidly unfolded along a northern front towards Kyiv, a north-eastern front towards Kharkiv, a southern front from Crimea, and a south-eastern front from Donbas. In their efforts to advance on the Ukrainian capital, Russian forces faced fierce resistance, suffering heavy losses. On March 25th, Russia announced that it would be withdrawing troops from the region in order to focus on its operations in the east. This was followed by a renewed attack on the Donbas, in which the Luhansk Oblast was eventually brought under Russian control. While Russian advances have been stalled in parts of the country by the Ukrainian defense, Russian forces continue to attack both military and civilian targets, and the Kremlin has announced plans to expand its territorial objectives.¹¹

The operations carried out by the Russian and separatist forces during the invasion have featured systematic and indiscriminate attacks on civilians,

⁸ Ibid.

⁹ Mankoff, "Russia's War in Ukraine: Identity, History, and Conflict."

¹⁰ See, for example, Al Jazeera. "'No other option': Excerpts of Putin's speech declaring war." *Al Jazeera*. 24 February 2022. Available at <https://www.aljazeera.com/news/2022/2/24/putins-speech-declaring-war-on-ukraine-translated-excerpts>.

¹¹ Tobias, Ben. "Ukraine war: Russia's Lavrov says ready to expand war aims." *BBC News*. 21 July 2022. Available at <https://www.bbc.com/news/world-europe-62231936>.




including the shelling of residential areas and civilian infrastructure such as hospitals, schools, kindergartens, and shelters. The military offensives have also been characterized by the disproportionate use of force, including explosives with a wide impact area, heavy artillery, multi-launch rocket systems, air strikes, cluster munitions, and ballistic missiles. Firsthand accounts from occupied areas also include reports of torture, sexual violence, and other atrocities carried out by Russian troops against civilians.

While acknowledging allegations of crimes committed by Ukrainian government forces since the onset of the invasion,¹² this report focuses solely on the crimes committed by the invading power and its affiliated armed forces¹³ who have thus far been responsible for the overwhelming majority of atrocity crimes in Ukraine. Moreover, while a more comprehensive report would presumably support the findings presented below, this report focuses only the most emblematic operations which are considered to be indicative of Russian tactics and methods of warfare.

¹²See, for example, Amnesty International. “Ukraine: military endangering civilians by locating forces in residential areas - new research.” 4 August 2022. Available at https://www.amnesty.org.uk/press-releases/ukraine-military-endangering-civilians-locating-forces-residential-areas-new?fbclid=IwAR1GmCJUOXZjTM48Tz5kW9d-Nc3Ua0eHvwZKOWzpIB_tRTHAvajex_S818. See also Baig, Assed. “Witnessing war crimes in Kharkiv.” *Al Jazeera*. 17 June 2022. Available at <https://www.aljazeera.com/news/2022/6/17/reporters-notebook-kharkiv>.

¹³Henceforth, no distinction will be made between Russian and separatist forces and both will be collectively referred to as Russian forces.



Southern/South-Eastern Offensives

The Donbas region has been central to the Kremlin's political ambitions since at least 2014. Russia claims the Donetsk and Luhansk oblasts, the home of the pro-Russian movement in Ukraine, as its own, advocating for the “liberation” of these territories from Ukraine on the basis of ethnic and national identity. Additionally, the Donbas holds strategic value as the industrial heartland of Ukraine.¹⁴ As such, the Donbas region and in particular the oblasts of Donetsk and Luhansk have taken on enormous significance for all parties in the conflict and have witnessed some of the worst atrocities since the start of the invasion.

Mariupol

Located between Crimea and Donbas, Mariupol represents the missing piece which would connect the Russian-held territories of Ukraine. Gaining control of Mariupol was crucial to the Kremlin's territorial agenda as it would secure Russia's land bridge to Crimea.¹⁵ This strategic importance is evidenced by the intensity of Russian hostilities aimed at capturing the city.

Russian forces besieged Mariupol for months, launching indiscriminate and disproportionate attacks on its inhabitants, including shelling, airstrikes, and urban combat. They targeted civilian infrastructure including a maternity hospital¹⁶ and a theater in which civilians, including children, were known to be sheltering.¹⁷ The Russian assault on Mariupol was both brutal and deliberate, with evidence from the discovery of mass graves indicating a systematic effort to conceal the evidence.¹⁸

“It was really scary because we couldn't go outside. It was just too dangerous. And inside we kept going from shelter to shelter because the bombs kept hitting. We were hungry, we were scared, we were under constant shelling.”¹⁹ “The children were scared from day one, of course, scared of this constant bombardment. But when things got real tense, they just convulsed with hysteria in those basements. And they asked questions: ‘Does it hurt to die?’... Because the place we were in was an active combat zone, it was constantly under fire. Four shells hit our apartment building when we were in there. One bomb broke

¹⁴ Reuters. “Russia Strikes Kyiv for 1st Time In Over A Month, Putin Gives Ultimatum.” *NDTV*. 6 June 2022. Available at <https://www.ndtv.com/world-news/russia-strikes-kyiv-for-1st-time-in-over-a-month-putin-gives-ultimatum-3041375>.


¹⁵ Sullivan, Becky and Laurel Wamsley. “Mariupol has fallen to Russia. Here's what that means for Ukraine.” *NPR News*. 19 May 2022. Available at <https://www.npr.org/2022/05/18/1099885151/mariupol-falls-ukraine-russia-what-it-means?t=1656945797861&t=1661283372848>.

¹⁶See, for instance, Chappell, Bill and Lauren Frayer. “A direct Russian strike devastated a maternity hospital in Mariupol, Zelenskyy says.” *NPR News*. 9 March 2022. Available at <https://www.npr.org/2022/03/09/1085450946/maternity-hospital-mariupol-russian-strike>.

¹⁷ Hinnant, Lori, Mstyslav Chernos and Vasilia Stepanenko. “AP evidence points to 600 dead in Mariupol theater airstrikes.” *AP News*. 4 May 2022. Available at <https://apnews.com/article/Russia-ukraine-war-mariupol-theater-c321a196fbd568899841b506afcac7a1>.

¹⁸ Werbeck, Nicole and Dustin Jones. “Another possible mass grave with as many as 9,000 bodies is found near Mariupol.” *NPR News*. 22 April 2022. Available at <https://www.npr.org/sections/pictureshow/2022/04/22/1094234731/possible-mass-graves-near-mariupol-shown-in-satellite-images>.

¹⁹ “47-year-old Anna Krylova from Mariupol. Testimony from Kakissis, Joanna and Hanna Palamarenko. “Evacuees from Mariupol describe how they survived inside the Azovstal steel plant.” *NPR News*. 4 May 2022. Available at <https://www.npr.org/2022/05/04/1096545742/ukraine-mariupol-azovstal-evacuees-russia-siege>.



out two floors of the neighbouring entrance. Three children and two adults died there... When the massive shelling began, our children withered. They talked very little, they sat around all day and zoned out.”²⁰

By the time Russian forces captured Mariupol, the city had been nearly reduced to rubble, with thousands of its civilian inhabitants killed or displaced to Ukrainian-held territory. The siege created a desperate humanitarian crisis in the city, with survivors describing extreme shortages of food, water, heating, electricity, and means of communicating with the outside world.²¹ Because the wells have been contaminated by corpses left in the streets, for those remaining in Mariupol, the risk of cholera and other deadly diseases compounds an already dire situation.

Sievierodonetsk and Lysychansk

The city of Sievierodonetsk has long been considered a separatist stronghold with heavily pro-Russian sentiment, together with its neighboring Lysychansk. These cities are also strategically important for Russia as they connect the eastern part of Donbas with the rest of Ukraine. Capturing these territories would give Russia control of the entire Luhansk region, from where the Russian offensive could more easily advance.²² With this in mind, Russian forces launched assaults on Sievierodonetsk and Lysychansk which were both asymmetric and indiscriminate.

The tactics employed by Russian forces in Sievierodonetsk were similar to those employed in Mariupol, namely brutal siege warfare resulting in the complete destruction of the city. Sievierodonetsk’s inhabitants endured months of continuous shelling, bombardment, and ground assaults, with residential areas and civilian infrastructure attacked indiscriminately. The city was eventually brought under full occupation by Russian forces, who, by bombing the bridge to Lysychansk, made evacuation nearly impossible for either wounded combatants or civilians.²³

As Sievierodonetsk fell, Russia advanced towards Lysychansk, employing the same tactics in the course of capturing the city, including excessive shelling of civilian infrastructure and residential areas, artillery bombardments, and ground assaults. Civilians were deliberately targeted throughout the offensive, reportedly even as they were collecting water.²⁴ Described as “one of the


²⁰ Halyna, a 28-year-old woman from Mariupol. Testimony from Mirovalev, Mansur. “Mariupol survivor: My young children asked me if it hurts to die.” *Al Jazeera*. 7 June 2022. Available at <https://www.aljazeera.com/news/2022/6/7/mariupol-survivor-mom-does-it-hurt-to-die>.

²¹ Sullivan and Wamsley, “Mariupol has fallen to Russia.”

²² Goncharenko, Roman. “Why Ukraine’s Sievierodonetsk is so important.” *DW*. 9 June 2022. Available at <https://www.dw.com/en/why-ukraines-sievierodonetsk-is-so-important/a-62001664>.

²³ Ibid.

²⁴ Gadzo, Mersiha, Sasha Petrova and Hamza Mohamed. “Ukraine latest updates: Missile hits Kremenchuk shopping mall.” *Al Jazeera*. 27 June 2022. Available at <https://www.aljazeera.com/news/2022/6/27/russia-ukraine-live-news-kyiv-asks-for-modern-air-defence-system-liveblog>.



biggest battles in Europe in generations,” the battle for Lysychansk ended with the withdrawal of Ukrainian forces and completed Russia’s conquest of the Luhansk province.²⁵

“In Lysychansk, if you are alive, it is a good day. Anyone who says they are not afraid is lying.”²⁶

“Life here was calm before. It was normal. Then the war broke everything apart. There has been no water, no electricity, no gas. I’m in despair.”²⁷

Reports indicate that Russian troops oversaw the forced displacement of Ukrainians, hereunder orphans, from the Donbas region to Russia or Russian-held areas during the invasion.²⁸ In addition, as in Kharkiv and the Kyiv region, Russian forces used landmines in Donbas.²⁹

Like elsewhere, the Russian advance on the twin cities of the Donbas region was deliberate, systematic, and merciless. In conquering Sievierodonetsk and Lysychansk, the Russian forces demonstrated a disregard for the principles of proportionality, discrimination, and military necessity. In its efforts to capture Ukrainian territory, the invading power has turned previously vibrant metropolises into utterly “dead cities,” devastating the lives of thousands of Ukrainians who have fled the area as well as the ones who remained.³⁰

Northern/North-Eastern Offensives

Ukraine’s second largest city, the predominantly Russian-speaking Kharkiv, has been strategically important from the very beginning of the invasion. The city’s history of separatist tendencies, moreover, contributed to the expectation that Russian forces would face little resistance and achieve a swift victory that would allow them to expand their eastern and south-eastern holds on Ukraine. Although the initial Russian advance on Kharkiv was swiftly deterred by Ukrainian forces and volunteers, the Russians persisted in their attempt to capture the city, reducing the once prosperous center of art, trade, and scientific discovery to ruins.³¹

The Russian attacks on Kharkiv were indiscriminate and disproportionate, with a complete disregard for civilian life. The Russian onslaught included a ground invasion, missile strikes, and heavy artillery. Russian troops often used unguided rockets and artillery shells with a wide impact area in residential areas, as well

²⁵ Balmforth, Tom and Mac Hunder. “Zelenskiy says Ukrainian forces undeterred; Russia hails Luhansk victory.” *Reuters*. 4 July 2022. Available at <https://www.reuters.com/world/europe/ukraine-withdraws-battered-lysyhansk-city-russia-claims-major-victory-2022-07-04/>.

²⁶ Police Chief from Lysychansk. Testimony in Guerin, Orla. “Lysychansk: Russia erasing history in Ukraine’s ‘dead city’.” *BBC News*. 13 June 2022. Available at <https://www.bbc.com/news/world-europe-61785806>.

²⁷ 67-year-old man from Lysychansk. Testimony in Guerin, Orla. “Lysychansk: Russia erasing history in Ukraine’s ‘dead city’.”

²⁸ UN News. News in Brief. 15 June 2022. Available at <https://news.un.org/en/audio/2022/06/1120432>.


²⁹ Human Rights Watch. “Background Briefing on Landmine Use in Ukraine.” 15 June 2022.

Available at <https://www.hrw.org/news/2022/06/15/background-briefing-landmine-use-ukraine>.

³⁰ Sands, Leo. “Ukraine war: Severodonetsk and Lysychansk are dead cities – Zelensky.” *BBC News*. 6 June 2022.

Available at <https://www.bbc.com/news/world-europe-61711028>.

³¹ Khurshudyan, Isabella and Miriam Berger. “Why Kharkiv, a city known for its poets, has become a key battleground in Ukraine.” *The Washington Post*. 28 February 2022. Available at <https://www.washingtonpost.com/world/2022/02/28/kharkiv-ukraine-russia-war-east/>.



as cluster munitions, scattered antipersonnel landmines, and other banned weapons. Civilian infrastructure such as hospitals, schools, and nurseries were completely destroyed. The city's residents were targeted everywhere – in homes, on playgrounds, while waiting for humanitarian aid and water, shopping for food, etc. Those who were not killed were severely injured or maimed.³² In the course of the ground invasion, there have also been reports of women in Kharkiv being raped.³³

“We were in the playground; it was about 4pm and there were many other families with children around. Municipal workers were also there, cleaning and gardening. All of a sudden I saw a flash, like the sparkling flash which happens when welding metal [...] I grabbed my daughter and pushed her against the tree and hugged the tree, so that she was protected between the tree and my body. There was a lot of smoke and I couldn't see anything and I heard other explosions further away. Then as the smoke around me eased, I saw people on the ground, including the municipal workers and also my wife Oksana was laying on the ground. When my daughter saw her mum on the ground in a pool of blood, she said to me 'let's go home; mum is dead and the people are dead.' She was in shock and so was I.”³⁴

“I was in the kitchen, and when the explosion happened, I felt the windows and the furniture shake and I ran to the hallway. I heard screams. Outside, a woman and a man were lying in a pool of blood by the benches in front of the building. They were both dead. A third man was taken away by ambulance. I don't know if he was alive or dead. Pieces of the bombs came flying into our homes. My neighbour was working on the computer by the window but luckily he had decided to lie down on the sofa for a rest only minutes before the explosion. Several other passers-by were killed and many were injured in the area. It was carnage. I will never forget that day.”³⁵

“We were sheltering in the basement and I only went out for a minute to go upstairs to my apartment. The strike happened just at that moment and I was injured. My neighbour, Stas Chikin, was killed. He was in the basement with his wife and his six-year-old son and his parents. He just went out for a moment to smoke a cigarette and was killed in the strike. Anyone can die at any time.”³⁶

The city never fell under Russian control, and the intensity of the bombardment in certain areas eventually waned. In June of 2022, the attacks subsided, leaving Kharkiv an utterly devastated ghost town.³⁷

³² Amnesty International. “Anyone can die at any time: Indiscriminate attacks by Russian forces in Kharkiv, Ukraine.” 13 June 2022. Available at <https://www.amnesty.org/en/documents/eur50/5682/2022/en/>.

³³ Human Rights Watch. “Ukraine: Apparent War Crimes in Russia-Controlled Areas.” 3 April 2022. Available at <https://www.hrw.org/news/2022/04/03/ukraine-apparent-war-crimes-russia-controlled-areas>.

³⁴ Ivan Litvynenko, 40-year-old widower from Kharkiv. Testimony in Amnesty International. “Anyone can die at any time.”

³⁵ Tetiana, woman from Kharkiv. Testimony in Amnesty International. “Anyone can die at any time.”

³⁶ Tetiana Oleksandrivna, 59-year-old woman from Kharkiv. Testimony in Amnesty International. “Anyone can die at any time.”

³⁷ Gunter, Joel. “It's like Chernobyl now: Life in Kharkiv's ghost town.” *BBC News*. 24 June 2022. Available at <https://www.bbc.com/news/world-europe-61856229>.



Kyiv Oblast

In the early phases of the invasion of Ukraine, Russia attempted to advance on Kyiv, attacking several towns and villages in the northwest of the oblast. This region witnessed some of the most brutal and intense violence of the Russian invasion.

Bucha

In March 2022, during their occupation of Bucha, Russian forces carried out some of the worst atrocities against civilians documented since the start of the invasion. These included extrajudicial killings and summary executions, torture, looting, and abductions. Reports indicate that Russian troops targeted civilians hiding in their homes with shooting, shelling, and hand grenades.³⁸ Russian tanks, armored vehicles, and armed soldiers were everywhere in the town at all times, forcing civilians to stay hidden for days without access to food, water, electricity, or communication. While there would be occasional lulls in shelling, sniping was relentless. In constant fear for their lives, the residents of Bucha felt like hostages, hopelessly trapped in their own city.³⁹

“There was no water, so no one was putting fires out. Houses just burned, until they burned to the ground [...] We stayed inside, wore layers and layers of clothes to keep warm. We had no water, electricity, practically no phone reception. If there were humanitarian corridors open, we had no way of finding out [...] We saw them driving down the street shooting randomly at windows. They were just shooting.”⁴⁰

“We stayed in the basement and could not go to the stairs to look as we were afraid we would be shot too. We waited for a while and then went to look and found Leonid dead, slumped in the middle of the stairs in a pool of blood. Part of his head was missing and bones were sticking out of his leg. The injuries were huge, not gunshots. They must have been from the grenade.”⁴¹

“Then I looked to the right and I saw Oleh lying on the ground in a pool of blood. I knew immediately that he was dead. Part of his head was missing and he was bleeding profusely from his head and his ear. I screamed and the soldiers pointed their rifles at me and I shouted at them, ‘Shoot me too.’ The soldiers forced us to leave immediately. We were not allowed to come back until after they withdrew from Bucha. Oleh’s body remained there on the street.”⁴²


³⁸See, for example, Amnesty International. “‘He’s not coming back’: War crimes in Northwest areas of Kyiv Oblast.” 6 May 2022. Available at <https://www.amnesty.org/en/documents/eur50/5561/2022/en/>. See also Human Rights Watch. “Ukraine: Russian Forces’ Trail of Death in Bucha.” 21 April 2022. Available at <https://www.hrw.org/news/2022/04/21/ukraine-russian-forces-trail-death-bucha>.

³⁹Gorbunova, Yuila. “Devastation and Loss in Bucha, Ukraine Life for Civilians in a Town Encircled by Russian Forces.” *Human Rights Watch*. 30 March 2022. Available at <https://www.hrw.org/news/2022/03/30/devastation-and-loss-bucha-ukraine>.

⁴⁰Olena, 48-year-old woman from Bucha. Testimony in Gorbunova, Yuila. “Devastation and Loss in Bucha.”

⁴¹Leonid’s neighbor from Bucha. Testimony in Amnesty International. “‘He’s not coming back.’”

⁴²Irina Abramov from Bucha. Testimony in Amnesty International. “‘He’s not coming back.’”



When Russian troops withdrew from Bucha to focus on eastern Ukraine, they left behind a devastated city, streets littered with hundreds of corpses, and a slew of landmines. Thousands fled the city, while the most vulnerable – namely the elderly, sick, and disabled – remain stuck, without heating or basic necessities and deeply traumatized.⁴³ Based on the crimes committed in Bucha and other cities in Kyiv Oblast, Ukrainian President Volodymyr Zelensky has accused the Kremlin of acting with genocidal intent against Ukrainian civilians.⁴⁴

Irpin

Given its close proximity to Kyiv, Russian forces brutally occupied the city of Irpin in an attempt to advance towards the capital. As with other cities, the strategy appeared to be to terrorize the residents of Irpin into submission and empty the city in an order to seize the territory.⁴⁵

The assault on Irpin resembled other operations undertaken during the invasion, with all the typical traits of the Russian military strategy. Continuous and intense shelling targeted civilian infrastructure and private property and the city's inhabitants were exposed to random gunfire on a daily basis. Reports also indicate Russian troops forcibly detained people in basements and carried out summary executions.⁴⁶ In some areas, women appear to have been specifically targeted. One woman around 25 years old was run over multiple times by Russian armoured vehicles, her body left in the street for over a month as no one dared to collect her remains. This is just one example of the intentional terror which Russian forces inflicted on civilians in the course of the occupation.⁴⁷

Stuck in hiding for days on end with little or no access to water, food, medicine, electricity, or heating, the people of Irpin struggled to survive, living in a constant state of terror and desperation. To make matters worse, Russian forces shelled the evacuation routes, making any attempt to flee the city perilous. This demonstrates the indiscriminate and deliberate nature of the Russian operation in Irpin.⁴⁸

⁴³ International Committee of the Red Cross. “Left behind in Ukraine: The faces of Bucha.” *ICRC*. 20 April 2022.

Available at <https://www.icrc.org/en/document/left-behind-ukraine-faces-bucha>.

⁴⁴ See, for instance, Al Jazeera. “Bucha: World reacts to ‘unbearable’ civilian killings in Ukraine.” *Al Jazeera*. 4 April 2022.

Available at <https://www.aljazeera.com/news/2022/4/4/unbearable-world-reacts-to-civilian-killings-in-bucha-ukraine>.

⁴⁵ Guerin, Orla. “War in Ukraine: ‘It’s hell, it’s really hell’ - Families flee bombs in Irpin.” *BBC News*. 7 March 2022.


Available at <https://www.bbc.com/news/world-europe-60651801>.

⁴⁶ Bezpiatchuk, Zhanna. “Irpın: Russia’s reign of terror in a quiet neighbourhood near Kyiv.” *BBC News*. 8 June 2022.

Available at <https://www.bbc.com/news/world-europe-61667500>.

⁴⁷ *Ibid.*

⁴⁸ Human Rights Watch. “Ukraine: Russian Assault Kills Fleeing Civilians.” 8 March 2022. Available at <https://www.hrw.org/news/2022/03/08/ukraine-russian-assault-kills-fleeing-civilians>. See also, Amnesty International. “Humanitarian corridors for civilians fleeing Russian attacks must provide safety – new testimonies.” 10 March 2022. Available at <https://www.amnesty.org/en/latest/news/2022/03/ukraine-humanitarian-corridors-for-civilians-fleeing-russian-attacks-must-provide-safety-new-testimonies/>.



“Everything is bombed. There are no lights, there’s been no electricity, no gas, and no internet for two to three days. People are sitting in the basements and kids are sick there.”⁴⁹

“The Russian invaders fired on our local civilians. A family died. This shell, this mine hit, and in front of my eyes two children and two adults died.”⁵⁰

“Close the skies - please. It’s hell, it’s really hell. The Russian soldiers are bombing civilian houses. The Russians are not fighting the army. They are fighting anyone.”⁵¹

When Russian troops left Irpin in early April to focus on the Donbas campaign, they again left behind a shattered city, traumatized civilians, and hundreds of dead bodies, many of which were still being found for months in the rubble.⁵²

“Several towns near Kyiv, like Irpin and Bucha, used to be picturesque and quiet neighbourhoods to which young families would move. But now they are largely destroyed, on the verge of being wiped out, leaving hundreds dead and thousands displaced. Those peaceful suburbs are now a humanitarian catastrophe.”⁵³

Kyiv

While the Russian advance towards Kyiv has wrought devastation and horror across the region, the attacks on the capital city itself, while still intense, have not been as brutal elsewhere in the Oblast, owing to the success of the Ukrainian defense in Kyiv. Nevertheless, the Russian assault on Kyiv has still featured many of the tactics used in other parts of the country.

The Russian attack on Kyiv has primarily consisted of missile strikes on strategically important targets; however, the capital city has also witnessed indiscriminate bombardment devoid of militarily necessity. The Russians have employed long-range aerial missiles in these targeted attacks, which Ukrainian air defense systems are frequently able to deflect. Nevertheless, in civilian and residential areas, these attacks have often been successful, resulting in death and destruction.⁵⁴

⁴⁹ Valentina, IDP from Irpin. Testimony in Guerin, “War in Ukraine.”


⁵⁰ Oleksandr Markushyn, mayor of Irpin. Testimony in Guerin, “War in Ukraine.”

⁵¹ Andrei, 36-year-old man from Irpin. Testimony in Guerin, “War in Ukraine.”

⁵² Bezpiatchuk, “Irpin: Russia’s reign of terror.”

⁵³ Guryeva, Maria. “‘Everything is on fire’: One month since the Russian invasion of Ukraine.” *Amnesty International*. 24 March 2022. Available at <https://www.amnesty.org/en/latest/news/2022/03/everything-is-on-fire-one-month-since-the-russian-invasion-of-ukraine/>.

⁵⁴ Waterhouse, James. “The war in Kyiv: Denial, darkness and then calm.” *BBC News*. 3 June 2022. Available at <https://www.bbc.com/news/world-europe-61671917>.



Each time some semblance of normality returns to life in Kyiv, the city is hit with another attack. This pattern seems sure to continue given Kyiv's role as the Ukrainian capital and its centrality to Russia's strategic objectives to cripple the country's military infrastructure and impede arms deliveries coming from the West.⁵⁵

INTERVENTION AND PREVENTION

The evidence presented in this report suggests that Russian forces have carried out numerous violations of international law in the course of their invasion of Ukraine. With no immediate hope for a resolution to the conflict, it is necessary to evaluate the situation on the ground and determine possible avenues for de-escalating the conflict and alleviating the suffering of Ukrainian civilians.

Likelihood of Escalation: Ukraine Today

Across Ukraine, the enormous devastation and human cost of the Russian invasion is tangible. At the time of developing this case study, roughly 5,514 civilian deaths and 7,698 civilian injuries have been recorded in the conflict, the majority of which occurred in the Donbas region. The actual figures are presumed to be significantly higher given that information is yet unavailable or uncorroborated in many areas, particularly sites of intensive hostilities.⁵⁶ Fleeing death and destruction, an estimated 11,150,639 people have left the country, while around 7.7 million people have been internally displaced.⁵⁷ An estimated 13 million people are experiencing acute risks, stranded in conflict-affected areas. Many parts of the country are gripped by alarming humanitarian crises, with severe shortages of food and a lack of access to health care services.⁵⁸

Furthermore, there is no reason to believe that a diplomatic solution to the conflict will be reached any time in the near future. As conditions for ending the war, Russia has demanded that Ukraine demilitarize, constitutionally commit to neutrality (i.e., to not joining NATO), recognize Crimea as Russian, and recognize Donetsk and Luhansk as independent states. Ukraine has firmly rejected these demands, particularly the territorial concessions in Crimea and Donbas. Additionally, Ukrainian President Volodymyr Zelensky remains steadfast in pursuing stronger ties with the West, requesting expedited

⁵⁵ Reuters. "Russia Strikes Kyiv for 1st Time In Over A Month, Putin Gives Ultimatum." *NDTV*. 6 June 2022.

⁵⁶ Office of the High Commissioner for Human Rights. (OHCHR). "Ukraine: civilian casualty update 15 August 2022." 15 August 2022. Available at <https://www.ohchr.org/en/news/2022/08/ukraine-civilian-casualty-update-15-august-2022>.

⁵⁷ OHCHR. "Ukraine: Millions of displaced traumatised and urgently need help, say experts." 5 May 2022. Available at <https://www.ohchr.org/en/press-releases/2022/05/ukraine-millions-displaced-traumatised-and-urgently-need-help-say-experts>.

⁵⁸ Reliefweb. "Ukrainian Crisis - Situational Analysis (23 May 2022)." *ReliefWeb*. 23 May 2022. Available at <https://reliefweb.int/report/ukraine/ukrainian-crisis-situational-analysis-23-may-2022>.



accession into the EU and closer cooperation with NATO. This in turn has only propelled the Kremlin's determination in the conflict.

For Vladimir Putin, military defeat in Ukraine is wholly unacceptable for domestic as well as international reasons. Given the surprising strength and durability of the Ukrainian defense, escalation on the part of the Russian forces seems certain, so long as the Kremlin can afford to do so. While the performance of the Russian army has fallen markedly short of general expectations, experts believe that this will only intensify Russia's commitment and inspire the Kremlin to look for new ways to escalate the conflict.⁵⁹ There are mounting concerns over hitherto un- or under-utilized capacities – including aerial, cyber, chemical, and even nuclear. Indeed, Putin and other officials have made numerous disconcerting statements regarding Russia's nuclear readiness, in reference to the war in Ukraine.⁶⁰ While many analysts have dismissed such remarks as empty threats, the Putin administration has remained adamant that an increase in Western involvement in the conflict would provoke a swift and exponential escalation. In addition to repeated warnings, Russia has justified its plans to expand its territorial operations as a response to increases in foreign military assistance to Ukraine.⁶¹ All of this creates a precarious atmosphere for international involvement, further jeopardizing prospects for a peaceful resolution.

The Case for Intervention and Prevention

The war in Ukraine is escalating at an alarming rate, suggesting that the armed conflict is nowhere near an end. If anything, the patterns of escalation display potential for the war to intensify further, possibly spill over into other regions of Ukraine or other countries. In light of the scale of the crimes being committed in Ukraine, intervention to alleviate the suffering of civilians and prevent future atrocities is not only a binding obligation for the international community – it is a necessity.


Non-legal grounds for Intervention

Given the long history of Russian disregard for Ukrainian sovereignty and territorial integrity which has the markings of several of Stanton's ten stages of genocide, the military invasion of Ukraine in 2022 was a foreseeable

⁵⁹ See for example, Koziej, Stanislaw. "Russia-Ukraine War: Scenarios." *Geopolitical Intelligence Services*. 11 May 2022. Available at <https://www.gisreportsonline.com/r/ukraine-war-escalation/>; Landale, James. "Ukraine: How might the war end? Five scenarios." *BBC News*. 3 March 2022. Available at <https://www.bbc.com/news/world-europe-60602936>.

⁶⁰ See for example, Gressel, Gustav. "Shadow of the bomb: Russia's nuclear threats." *European Council on Foreign Relations*. 7 July 2022. Available at <https://ecfr.eu/article/shadow-of-the-bomb-russias-nuclear-threats/>.

⁶¹ Nechepurenko, Ivan. "Russia's territorial aims in Ukraine have expanded, the foreign minister says." *The New York Times*. 20 July 2022. Available at <https://www.nytimes.com/live/2022/07/20/world/ukraine-russia-war#russia-ukraine-territory-expansion-lavrov>.



culmination. Left unchecked by the international community, the invasion of Ukraine has escalated beyond the early stages of prevention.

At its very onset, the invasion of Ukraine was already well beyond both the early and intermediate stages of a conflict, meaning that the preventative measure applicable to these stages could not have been expected to effectively terminate or even stall the persecution of the victim group, especially in the Donbas region.

The war in Ukraine has reached a stage of undeniable gravity, the intensity of which intensifies increasingly as the war continues. A particular characteristic of Russian warfare in Ukraine is cultural genocide, a measure which is believed to be intentional as opposed to collateral.⁶² Apart from the allegations of cultural genocide intended to destroy Ukrainian culture, history, and traditions, the physical attacks on civilians and civilian infrastructure are progressively and specifically alarming. Both methods of warfare are deliberate and systematic, justified by a rhetoric which transparently and explicitly negates and intends to destroy the very right of existence of Ukraine. Combined, these two elements can be enough to suggest that the war in Ukraine thus far can have many of the theoretical elements of genocide, including denial.

Because a “genocide does not need to take the form of mass violence in order for it to be legally genocide,”⁶³ the international community should commit to fully respect its legally binding obligations under international law, including the responsibility to protect.


Legal Grounds for Intervention

Although this report can only offer provisional guidance as pertains to international criminal and humanitarian law, pending the assessment of qualified judiciary bodies, these findings indicate that gross violations of international law have been committed against the civilian population in Ukraine by the invading Russian forces and pro-Russian separatist paramilitary forces in Ukraine. This report identifies the following potential legal violations in which warrant further investigation, as well as possibly prosecution:

- **War crimes:** The conduct of both Russian and pro-Russian forces reflects a complete disregard for international humanitarian law and customary laws of war. The findings of this report suggest that the following war crimes may have been committed by the aforementioned combatants: willful killing,

⁶² Voronova, Anya and Selin Songur. “Cultural Genocide in Ukraine: The Systemic Destruction of a People.” *Cultural Genocide*, Issue 31. 1 November 2022. Available at <https://shuddhashar.com/cultural-genocide-in-ukraine-the-systemic-destruction-of-a-people/>.

⁶³ Irvin-Erickson, Douglas. “Is Russia Committing Genocide in Ukraine?”. *Opinio Juris*. 21 April 2022. Available at <https://opiniojuris.org/2022/04/21/is-russia-committing-genocide-in-ukraine/>.



mutilation, torture, willfully causing great suffering, or serious injury to body or health, extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly, rape and sexual violence, willfully depriving a prisoner of war or other protected person of the rights of fair and regular trial, unlawful deportation or transfer or unlawful confinement, use of prohibited weapons.

- **Crimes against humanity:** The assessment of this report also suggests that the following crimes against humanity have been committed by the Russian forces, as part of a widespread and systematic attack against civilians: murder, deportation or forcible transfer of population, torture, rape and sexual violence, persecution against any identifiable group or collectivity, enforced disappearance of persons, other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

There are no doubts when the ideological and political motives of the invasion of Ukraine are in question, and there is growing evidence that civilians are deliberately and systemically attacked on the basis of their national or ethnic identity which indicates the existence of genocidal intent. This report can claim that the Russian invasion of Ukraine is a manifest violation of the United Nations Charter and constitutes, *inter alia*, a crime of aggression.⁶⁴

⁶⁴In Article 8 *bis* of the Rome Statute, crime of aggression is defined as “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.” Moreover, “act of aggression” refers to “the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations. Any of the following acts, regardless of a declaration of war, shall, in accordance with United Nations General Assembly resolution 3314 (XXIX) of 14 December 1974.” Acts which would qualify as an act of aggression are, for instance, invasion, attack, bombardments, blockades, etc.



CONCLUSION AND RECOMMENDATIONS


The Russian invasion of Ukraine which began on February 24th, 2022, has wrought enormous death and devastation across the country. The available evidence cited in this report suggests that in the course of their military operations, Russian forces and their separatist allies have demonstrated an utter disregard for international humanitarian law and customary laws of war, carrying out indiscriminate attacks and numerous atrocities against Ukrainian civilians. Neither side of the conflict shows any signs of capitulating, pitting a formidable Ukrainian resistance against the unwavering commitment of the Kremlin to secure military victory, seemingly at all costs. As such, the conflict seems sure to continue and likely to escalate, with far-reaching consequences for not only Ukraine, but regional and global security.

Given the sizeable geopolitical dimension of the conflict, international intervention is a matter of enormous complexity. Thus far, international efforts to curtail the Russian war effort have largely consisted of economic sanctions, combined with limited military assistance to Ukraine. While the Russian war machinery has proven surprisingly resilient to these measures, wider international involvement could entail significant risk. The Putin administration has made clear that the Russian response to any Western military action would be an immediate escalation, alluding to the potential of the war in Ukraine to spill over and develop into a much larger conflict.

Nevertheless, if preventative measures utilized thus far continue to have little to no mitigating effect on the intensification of violence in Ukraine, other forms of collective action including armed intervention may be considered. Any such measures should be carried out wholly within the confines of international law. In the event that such an intervention is undertaken, it must include long-term plans and provisions for ensuring sustainable peace.

With this in mind, the Srebrenica Memorial Center Genocide and Crimes Against Humanity Alert and Prevention Mechanism makes the following **recommendations**:

- Russian forces must **immediately stop committing war crimes and human rights violations**.
- All parties to the conflict must work towards a **lasting cease-fire**. Local cease-fires and truces should be pursued in areas with the most violence.
- Russia must firmly **commit to international treaties** on the use of chemical and nuclear weapons as well as use of other prohibited weapons.
- Parties to the conflict must facilitate **safe demining** of civilian areas.

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- Russian forces must guarantee **completely unhindered and safe movement of humanitarian aid and humanitarian actors** to reach those in need of assistance.
 - Russian forces must guarantee **completely unhindered and safe movement evacuation paths for people on the move.**
 - All parties to the conflict must ensure **protection for returning refugees, IDPs, and minorities** and should not deny rights to entire groups including POWs.
 - The international community should **provide political support** for negotiations between Ukraine and Russia.
 - International actors should intensify **economic and diplomatic sanctions** against Russia.
 - The international community must take steps to ensure **legal accountability** in international and/or domestic courts for all crimes committed during the conflict. This also includes more states filing Declarations of Intervention at the ICJ.
 - The international community, including IGOs and NGOs, must commit to ensuring that the long process towards **transitional justice and peace-building** is undertaken holistically in Ukraine.