Journal of Tripa Law Review
ISSN: xxxx-xxxx (Online)
Vol. 1 No. 1 (June) 2026
DOI: http://www.doi.org/10.22373/tripa.v1i1.10212

Journal of
TRIPA
LAW REVIEW

Russian Aggression Against Ukraine: An International Law Perspective

Chairul Fahmi
Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia
Email: chairul.fahmi@ar-raniry.ac.id

Abstract

The conflict between Ukraine and Russia has become a matter of global concern, rooted in the long history of both nations. Armed tensions in eastern Ukraine have persisted since early 2014, and a major escalation began on 24 February 2022, when Russia launched an invasion of almost the entire territory of Ukraine. This conflict has had a significant impact on politics, arms control, terrorism, the global economy, and US-Russia relations. This paper aims to analyse Russia's reasons for waging war against Ukraine and the role of the United Nations Security Council in responding to the conflict. The findings indicate that Russia's reasons for going to war include requests for assistance from leaders of separatist groups in eastern Ukraine, as well as historical, political, and economic factors. The role of the UNSC is based on Chapter VII, specifically Article 52 of the UN Charter, which governs the right to take collective action in response to armed attacks against UN member states, thereby enabling the UNSC to take necessary measures to maintain international peace and security.

KEYWORDS *Aggression, International Law, Russia, Ukraine, Warfare*

© 2026 Authors. This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International (CC BY-SA 4.0) licence. All articles published in this journal reflect the personal views of the authors and do not represent the views of this journal or the authors' affiliated institutions.

Introduction

Russia and Ukraine had an unstable relationship before the outbreak of the conflict. Russia, as one of the countries bordering Ukraine, holds a dominant position due to Ukraine's strategic value and its geopolitical and geo-economic situation.[1] Relations between the two countries have been strained by several issues, including territorial boundaries, identity politics, trade and the economy, energy interdependence and even Ukraine's military potential, which is a cause for concern for Russia.[2] This is inseparable from Russia's foreign policy, which is structured around several key issues: keeping Kyiv within Russia's sphere of influence and incorporating Ukraine into that sphere, or, at the very least, certain parts of Ukraine.

Russia's foreign policy towards Ukraine has dragged both nations into conflict. The latest conflict, which occurred in 2022, can be seen as a continuation of the 2014 Russia-Ukraine crisis.[3] This Russia-Ukraine crisis began with competition between the European Union and Russia over Ukraine's future geo-economic orientation.[4] The dispute between Russia and Ukraine has been long-standing, including the Orange Revolution during the 2004 Ukrainian presidential election.[5]

During Yanukovych's presidency (2010–2014), Ukraine's foreign policy was aligned with Russia. The two countries agreed to cooperate on the supply and pricing of natural gas, and in return, the Russian Navy's presence in Ukrainian Black Sea ports was extended. Ukraine's diplomacy with the outside world aimed to secure its relationship with Russia. To this end, Ukraine sought to embrace the European Union through cooperation agreements. In 2013, Ukraine halted negotiations with the European Union.[6] This shift sparked unrest in Kyiv due to the Euromaidan protests, leading Yanukovych to seek political

---

1 Elena Dück and Bernhard Stahl, "Introduction: The Russia–Ukraine War as a Formative Event in Global Security Policy?," *Politische Vierteljahresschrift* 66, no. 1 (2025), https://doi.org/10.1007/s11615-025-00603-z.

2 Tongzhou Ran and Zhangbo Liu, "'The Russia-Ukraine War' or 'The US-Russia War'? Thematic Analysis of Global Times' Coverage of the Russia-Ukraine War," *Media Asia* 51, no. 1 (2024), https://doi.org/10.1080/01296612.2023.2246721.

3 Dück and Stahl, "Introduction: The Russia–Ukraine War as a Formative Event in Global Security Policy?"

4 Brahami Menaouer et al., "A Sentiment Analysis of the Ukraine-Russia War Tweets Using Knowledge Graph Convolutional Networks," *International Journal of Information Technology (Singapore)*, 2025, https://doi.org/10.1007/s41870-024-02357-0.

5 Douglas Irvin-Erickson, "Genocide Discourses: American and Russian Strategic Narratives of Conflict in Iraq and Ukraine," *Politics and Governance* 5, no. 3NarrativesofGlobalOrder (2017), https://doi.org/10.17645/pag.v5i3.1015.

6 Junaedi Junaedi, "The Impact of the Russia-Ukraine War on Grace Indonesia-Russia Diplomacy Relations," *Journal of Public Representative and Society Provision* 2, no. 1 (2022), https://doi.org/10.55885/jprsp.v2i1.137.

asylum in Russia. At the same time, the official websites of Ukrainian institutions were hit by DDoS attacks. Since then, cyber warfare has become a significant part of the conflict between the two nations, alongside the use of military force. Russia and Ukraine had actually been engaged in cyber warfare since 2013, but in 2014, it reached its peak.[7]

Ukraine strengthened its ties with the European Union in 2017 through a free trade agreement on goods and services, as well as visa-free travel for Ukrainian citizens entering EU countries.[8] In April 2019, former actor Volodymyr Zelenskyy was elected president on a pledge to root out corruption and end the war in eastern Ukraine. In January 2021, Zelenskyy asked President Biden to help Ukraine join NATO.[9] Russia threatened that if Zelenskyy proceeded with his intention to join NATO, Russia would attack Ukraine. Zelenskyy ignored this threat, and consequently, Russia launched a military invasion on 24 February 2022.

From an academic perspective, this issue is highly intriguing to explore, given Russia's resolute intervention in Ukraine's affairs. Several objectives can be achieved through analysing this issue: First, to understand Ukraine's strategic value to Russia's security; Second, to analyse the nature of Russia's relations with the European Union and the United States; third, to analyse the military balance of power between Russia and the West.[10]

This analysis employs the great power theory. According to this theory, great powers are always seeking opportunities to outmanoeuvre their rivals. States do not focus solely on security but also on maximising their power. As actors, states constantly strive to maximise their advanced and sophisticated power to achieve regional hegemony through a combination of intellect and force. Realists view power as comprising force (military), influence (economic), and other non-military forms of power, as well as capability or authority—meaning the ability to persuade other actors to comply.[11] Russia, as the principal actor in the Balkans, views NATO as its rival in the contest for regional

---

7 Marcus Willett, "The Cyber Dimension of the Russia–Ukraine War," *Survival* 64, no. 5 (2022), https://doi.org/10.1080/00396338.2022.2126193.

8 Precious N. Chatterje-Doody and Rhys Crilley, "Making Sense of Emotions and Affective Investments in War: RT and the Syrian Conflict on Youtube," *Media and Communication* 7, no. 3PublicDiscussioninRussianSocialMedia (2019), https://doi.org/10.17645/mac.v7i3.1911.

9 Hussam Musa et al., "Comparison of the Efficiency Measurement of the Conventional and Islamic Banks," *Oeconomia Copernicana* 11, no. 1 (2020), https://doi.org/10.24136/oc.2020.002.

10 Naeem Akhtar et al., "Critical Perspective on Consumer Animosity amid Russia-Ukraine War," *Critical Perspectives on International Business* 20, no. 1 (2024), https://doi.org/10.1108/cpoib-02-2023-0015.

11 Sandro Steinbach, "The Russia–Ukraine War and Global Trade Reallocations," *Economics Letters* 226 (2023), https://doi.org/10.1016/j.econlet.2023.111075.

dominance. Ukraine, as the closest neighbouring country, also has the potential to rival Russia by strengthening its military power through military development and joining NATO. This means that NATO has the opportunity to become the dominant actor in the Balkans and place Russia under pressure from NATO's power. Russia invaded Ukraine to halt NATO's dominance and strengthen its own dominance in the Balkan region.

This study employs a doctrinal legal research methodology that examines law as a system of norms and draws on secondary sources and data. The research focuses on the legal justification for Russia's aggression in Ukraine under international law, specifically the UN Charter and other relevant instruments. Data collection was carried out through a literature review of primary, secondary and tertiary sources, including: international treaties, the Statute of the International Criminal Court (Rome Statute), UN Security Council resolutions, legal documents issued by the International Court of Justice (ICJ), as well as academic literature such as textbooks, indexed journal articles, theses/dissertations, and official websites of international institutions. The approaches used were *the statutory approach* and *the case approach* to trace the application of legal principles, in particular the prohibition on the use of force (Article 2(4) of the UN Charter) and the definition of the crime of aggression (UN General Assembly Resolution 3314 (XXIX) and Article 8 bis of the Rome Statute). Data analysis was conducted qualitatively using methods of legal text interpretation and the systematisation of norms, whereby relevant legal theories (e.g., state responsibility, *jus ad bellum*) were adapted to the issues under investigation to draw prescriptive conclusions.

The Historical Conflict between Russia and Ukraine

A. Escalation of the Conflict: From the Annexation of Crimea to a Full-Scale Invasion

Russia, as a major power in Eastern Europe, possesses a comparative advantage, particularly in military capabilities that quantitatively surpass those of its neighbouring states.[12] Within the framework of international relations, this

[12] Mohammed Abu Saada and Yildirim Turan, "Intelligent System for Measurement and Appreciate a Country Power, Capabilities," *Journal of Information Science and Engineering* 37, no. 6 (2021), https://doi.org/10.6688/JISE.202111_37(6).0003.

superior military capacity gives rise to a perception of collective threat, which in turn triggers balancing behaviour from other states, whether through the enhancement of domestic capabilities or participation in security alliances such as NATO. However, from the perspective of international law, the status of a great power does not exempt a state from the fundamental obligations enshrined in Article 2(4) of the United Nations Charter, namely the prohibition on the use of force or the threat of force against the territorial integrity or political independence of a state.[13]

Since the collapse of the Soviet Union, bilateral relations between Russia and Ukraine have been marked by political deterioration, yet have maintained economic and social interdependence.[14] Strategic issues such as the demarcation of borders, the status of the Russian ethnic minority in Ukraine, energy flows, and trade have been factors fuelling long-term tensions. The Ukraine crisis, which began in 2014, marked a turning point when Russia undertook extensive militarisation, which, according to various UN General Assembly resolutions (e.g., Resolutions 68/262 and 71/205) and the judgment of the International Court of Justice (ICJ) in the case of Ukraine v. Russian Federation (2017, 2022), were classified as acts of aggression and the illegal annexation of eastern Ukraine and the Crimean Peninsula.[15] Russia justified its actions on the grounds of protecting ethnic Russians in Ukraine who wished to unite with Russia and rejected association with the West. However, this argument has been widely rejected by the international community as it fails to meet the criteria of necessity and proportionality in a state of necessity, as set out in Article 25 of the Draft Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA).[16]

The separatist movement in eastern Ukraine is directly supported by Russian personnel and weaponry. In addition to conventional military operations, Russia has also deployed cyber warfare capabilities as part of a hybrid

---

[13] Aisha Mohammed Kucici, D R Raji, and Rafiu Boye, "The Double Standard in International Relations; Why the United Nations Fail To Respond Effectively To Gaza Compared To Other Conflicts," *International Journal of Law* 6, no. 6 (2024).

[14] Cuma Yıldırım and Hakkı Göker Önen, "Vulnerabilities of the Neoliberal Global Food System: The Russia–Ukraine War and COVID-19," *Journal of Agrarian Change* 24, no. 4 (2024), https://doi.org/10.1111/joac.12601.

[15] M. Tarnas et al., "Impact of the Syrian Conflict on Vector-Borne Disease Trends in Syria and Neighboring Countries: A One Health ProMED Analysis between 2003 to 2018," *International Journal of Infectious Diseases* 101 (2020), https://doi.org/10.1016/j.ijid.2020.09.558.

[16] Mochammad Havis Yanuar, "Legalitas Intervensi Rusia Terhadap Ukraina (Studi Kasus Krimea)," *Belli Ac Pacis* 1, no. 2 (2015).

war.[17] The large-scale cyberattacks in 2014 targeting Ukraine's public infrastructure (including the electricity grid and government networks) constituted a breach of the state's obligation not to intervene in another state's domestic affairs, as well as its obligation to prevent actions that infringe upon human rights.[18] This cyberwar, which lasted for approximately four years, significantly weakened Ukraine's national resilience, thereby facilitating the successful de facto annexation of Crimea and the occupation of parts of the Donbas region.[19]

From a quantitative perspective, Russia's military superiority is undeniable. However, Ukraine holds an advantage in tactical aspects, enjoys broad international support (including military aid, intelligence, and economic sanctions against Russia from NATO and EU nations), and possesses potential inherited from the Soviet era, including weapon stockpiles and a defence industrial base.[20] Within Russia's strategic doctrine, as a great power with an offensive orientation, Russia has continued to act aggressively against Ukraine despite doubts regarding its ability to achieve maximum military victory. It is precisely here that the role of cyber capabilities becomes crucial: as tools to maximise strategic impact, integrate cyber operations with conventional military movements, and create internal instability in Ukraine.[21] Legally, the integration of cyber and military warfare in the 2014 Ukraine crisis constitutes a clear example of aggression by proxy and a violation of jus ad bellum, which is subject to international criminal liability under Article 8 bis of the Rome Statute concerning the crime of aggression.[22]

---

[17] Paul K. Davis, "Potential Implications of the Russia–Ukraine War for Northeast Asia," *Journal for Peace and Nuclear Disarmament* 6, no. 1 (2023), https://doi.org/10.1080/25751654.2023.2178205.

[18] Scott Graham, "The Non-Combatant Casualty Cut-off Value: Assessment of a Novel Targeting Technique in Operation Inherent Resolve," *International Criminal Law Review* 18, no. 4 (2018), https://doi.org/10.1163/15718123-01804002.

[19] Ivan Katchanovski, "The Maidan Massacre Trial and Investigation Revelations: Implications for the Ukraine-Russia War and Relations," *Russian Politics* 8, no. 2 (2023), https://doi.org/10.30965/24518921-00802005.

[20] Anis Abdul Rauf, Chairul Fahmi, and Muhammad Husnul, "THE LEGAL ENFORCEMENT OF CONSUMER PROTECTION LAW IN THE CIRCULATION OF IMPORTED PHARMACEUTICALS," *JURISTA: Jurnal Hukum Dan Keadilan* 10, no. 1 (February 24, 2026): 192–209, https://doi.org/10.22373/JURISTA.V10I1.363.

[21] Douglas Cumming, "Management Scholarship and the Russia–Ukraine War," *British Journal of Management* 33, no. 4 (2022), https://doi.org/10.1111/1467-8551.12657.

[22] Md. Hasnath Kabir Fahim, "Rethinking Genocidal Intent: An Interpretation under the International Law and the Jurisprudence of International Criminal Tribunals," *Lex Publica* 9, no. 1 (2022), https://doi.org/10.58829/lp.9.1.2022.58-78.

B. The Security Policy Contest: Russia vs NATO

The armed conflict between Russia and Ukraine stems from Russia's illegal annexation of the Crimean Peninsula in 2014.[23] The international community widely condemned this action as a violation of Article 2(4) of the United Nations (UN) Charter, which prohibits the use of force against a state's territorial integrity.[24] The UN General Assembly, through Resolution 68/262, affirmed that the referendum in Crimea had no legal validity.[25] During the same period, Russia began providing military and political support to separatist movements in the Donbas region of eastern Ukraine, sparking a protracted conflict. Following 2014, efforts to resolve the conflict through the Minsk mechanisms (Minsk I and II) reached an impasse.

In 2021, Russia began a large-scale build-up of troops along the Russia-Ukraine border.[26] This culminated on 24 February 2022, when President Vladimir Putin announced a "special military operation" and launched a full-scale invasion of Ukrainian territory, including the cities of Kyiv, Kharkiv, Odesa, and Mariupol. From the perspective of international law, this invasion constitutes a continuation of the 2014 aggression. It must be assessed in accordance with the principles of jus ad bellum, which prohibit wars of aggression as defined in UN General Assembly Resolution 3314 (XXIX) and Article 8 bis of the Rome Statute of the International Criminal Court (ICC).[27]

The 2022 conflict cannot be separated from the political and security contestation between Russia and NATO. For Russia, the Balkans and Eastern Europe constitute a last line of defence following the accession of most former Warsaw Pact states to NATO. Ukraine holds high strategic value due to its direct border with Russia.[28] However, Ukraine's military capabilities are quantitatively far below those of Russia; its potential to develop into a serious threat if combined with NATO forces remains a concern. This fear dominates Russian security doctrine and serves as a unilateral justification for its offensive actions.

---

[23] Havis Yanuar, "Legalitas Intervensi Rusia Terhadap Ukraina (Studi Kasus Krimea)."

[24] United Nations, "United Nations Charter (Full Text) | United Nations," United Nations, 1945, https://www.un.org/en/about-us/un-charter/full-text.

[25] European Parliament, "Resolution 2013/2669(RSP) of 13 June 2013 on the Situation of Rohingya Muslims" (European Parliament, Strasbourg, 2013).

[26] Alexandros Bougias, Athanasios Episcopos, and George N. Leledakis, "Valuation of European Firms during the Russia–Ukraine War," *Economics Letters* 218 (2022), https://doi.org/10.1016/j.econlet.2022.110750.

[27] Viacheslav Tuliakov and Oksana Stepanenko, "Jurisdictional Tensions: Divergent Judicial Approaches to Conflicts between UNCLOS and National Public Law Policies," *Lex Portus* 11, no. 2 (2025), https://doi.org/10.62821/lp11201.

[28] Irvin-Erickson, "Genocide Discourses: American and Russian Strategic Narratives of Conflict in Iraq and Ukraine."

Since 1992, Ukraine has sought to join NATO as a guarantee of security against Russian influence. This desire, although legally valid as a sovereign right of the state (Article 2(1) of the UN Charter), is viewed by Russia as a violation of the 'sphere of influence' it has historically claimed.[29] However, international law does not recognise the doctrine of the sphere of influence as a justification for the use of force.

Since November 2021, satellite imagery has shown a build-up of Russian troops on the Ukrainian border. Western intelligence believes this to be preparation for an invasion, although Russia denies it. On 21 February 2022, Putin recognised the independence of two self-proclaimed separatist regions, namely the Donetsk People's Republic (DPR) and the Luhansk People's Republic (LPR). This act of recognition violates a state's obligation not to recognise situations brought about by force (the non-recognition doctrine), as affirmed in the Draft Articles on the Responsibility of States for Internationally Wrongful Acts by the International Law Commission.[30]

Putin then announced the invasion on 24 February 2022, citing the following reasons: (1) to protect the population that had been subjected to intimidation and genocide by the Kyiv regime for eight years; and (2) to combat the resurgence of neo-Nazism in Ukraine.[31] From the perspective of international law, the claim of genocide lacks sufficient evidence. The International Court of Justice (ICJ), in its provisional ruling on Ukraine v. Russian Federation (March 2022), rejected Russia's justifications and issued an order to cease military operations. The grounds for the Responsibility to Protect (R2P) were also not met, as there was no authorisation from the UN Security Council.[32]

Before the invasion, Russia presented security demands to the West, including the cessation of all NATO military activities in Eastern Europe and Ukraine, as well as guarantees that Ukraine would never become a NATO member. NATO rejected these demands because every state has the right to

---

[29] Bujar Ahmedi and Shefik Shehu, "Resolution Of International Conflicts Through The United Nations: The Corfu Channel Case," *European Scientific Journal, ESJ* 12, no. 13 (2016), https://doi.org/10.19044/esj.2016.v12n13p105.

[30] Dorothea Hilhorst and Bram J. Jansen, "Constructing Rights and Wrongs in Humanitarian Action: Contributions from a Sociology of Praxis," *Sociology* 46, no. 5 (2012), https://doi.org/10.1177/0038038512452357.

[31] Elena Musi, "Framing to Make an Argument: The Case of the Genocide Hashtag in the Russia-Ukraine War," *Argumentation* 38, no. 3 (2024), https://doi.org/10.1007/s10503-024-09632-1.

[32] Nasha Rawza Alya, Jenita Tan, and Rewiyaga Rewiyaga, "The Power of Veto by the United Nations Security Council in Warfare Protection," *AURELIA: Jurnal Penelitian Dan Pengabdian Masyarakat Indonesia* 3, no. 2 (2024), https://doi.org/10.57235/aurelia.v3i2.2783.

determine its own security alliances in accordance with the principle of self-determination and Article 10 of the 1949 Washington Treaty.[33]

Conversely, NATO supports Ukraine for two strategic reasons. Firstly, to contain Russian influence in the Balkan region. Russia's economic and military progress has made it a regional actor with significant potential to rival NATO. Russia's ambition to match or surpass the power of the former Soviet Union is evidenced by its development of weaponry and territorial expansion, including the annexation of Crimea. Russia views Ukraine as a crucial buffer zone for its security. Secondly, the Russia-Ukraine war serves as a vehicle for empirically testing the resilience of the Russian military. According to this view, NATO's aim is not merely to save Ukraine but to provoke Russia into deploying its non-nuclear strategic forces to gauge the balance of power between Russia and NATO. In this logic, Ukraine becomes a strategic 'bait'—if it is destroyed, that is a calculated consequence; if it survives, Ukraine must pay for its armaments and accept an inferior status under Western domination.[34]

From a legal perspective, although NATO member states are entitled to provide military assistance under the right to collective self-defence (Article 51 of the UN Charter) should Ukraine face an armed attack, such strategic motives must still be subject to the principle of proportionality and the prohibition on interference in internal conflicts.[35] Additionally, the primary factor justifying (from Russia's viewpoint, not international law) an attack on Ukraine is Russia's position as a major power in the Balkans, Eastern Europe, and the former Soviet states. Russia, as a great power, possesses an offensive character characterised by five factors: (1) maintaining or preserving superiority; (2) protecting interests; (3) being sensitive to threatening changes; (4) focusing on regional security; and (5) maximising power.[36]

Firstly, maintaining superiority. Russia is the largest heir to the Soviet Union's power, particularly in military technology and industry. Russia ranks second as a global military power after the United States and is a major arms exporter. Rapid economic growth, fuelled by energy resources, has also

---

[33] Graham, "The Non-Combatant Casualty Cut-off Value: Assessment of a Novel Targeting Technique in Operation Inherent Resolve."

[34] Miryam Nacimento, "The Russia-Ukraine War and the Peruvian Agrarian Crisis," *Bulletin of Latin American Research* 43, no. 4 (2024), https://doi.org/10.1111/blar.13592.

[35] Ghadi Saad, "The Impact of the Russia–Ukraine War on the United States Natural Gas Futures Prices," *Kybernetes* 53, no. 10 (2024), https://doi.org/10.1108/K-01-2023-0138.

[36] Xiaojuan Qiu et al., "Emotional Geopolitics of War: Disparities in Russia–Ukraine War Coverage Between CGTN and VOA," *Journalism and Media* 6, no. 4 (2025), https://doi.org/10.3390/journalmedia6040208.

strengthened the power-seeking instincts among the elite, particularly President Putin, to dominate politics in the former Soviet states.[37]

Second, interests. Russia has a vital interest in maintaining security and stability within its sphere of influence (North Asia, Eastern Europe, and the Balkans). Threats to this region directly affect Russia's domestic security; consequently, any change that could be interpreted as a threat will trigger an aggressive stance.

Thirdly, sensitivity to change. NATO's expansion into former Soviet states has transformed Russia's sphere of influence from that of a respected dominant power into one that is constrained and at risk of losing influence. When the US and NATO succeeded in strengthening their influence in Ukraine, Russia viewed this as an intolerable direct threat.

Fourth, a focus on regional security. Russia demonstrates its concern for regional security by supporting pro- to Russian groups seeking power or independence, including in eastern Ukraine. This policy reflects Russia's offensive nature and is deeply concerned with controlling the region to pursue its own interests as a major power.

Fifth, maximising power. Like most major powers, Russia has a natural tendency to constantly maximise its power to remain at the pinnacle of influence. This nature is intolerant of the emergence of rival actors. With NATO's support, Ukraine has the potential to become a rival power capable of weakening Russia. Consequently, Russia acted swiftly through invasion to neutralise the situation, prevent NATO from capitalising on the asymmetric contest, and force Ukraine back into Russia's sphere of influence.[38]

From the perspective of jus ad bellum, all of Russia's actions—from the annexation of Crimea, support for separatists, recognition of the independence of the DPR/LPR, to the 2022 invasion—constitute a grave violation of Article 2(4) of the UN Charter. No exceptions apply: there was no prior armed attack by Ukraine against Russia (thus the right to self-defence under Article 51 is not fulfilled), there was no authorisation from the UN Security Council (which was blocked by Russia's veto), and there was no state of necessity that could justify the unilateral use of force. Claims of protecting civilians or preventing genocide

---

[37] Agnieszka Nowinska and Thomas Roslyng Olesen, "Inter-State War Dynamics and Investment: Insights from the Russia- Ukraine War," *Journal of Business Research* 186 (2025), https://doi.org/10.1016/j.jbusres.2024.114911.

[38] Adam Rose, Zhenhua Chen, and Dan Wei, "The Economic Impacts of Russia–Ukraine War Export Disruptions of Grain Commodities," *Applied Economic Perspectives and Policy* 45, no. 2 (2023), https://doi.org/10.1002/aepp.13351.

do not meet the requirements of necessity and proportionality as required under customary international law.[39]

The International Criminal Court (ICC) has opened an investigation into the situation in Ukraine and, in March 2023, issued an arrest warrant for President Putin for the crime of the unlawful transfer of children. However, the crime of aggression cannot be prosecuted by the ICC because Russia is not a State Party to the Rome Statute. Russia's international responsibility has also been affirmed through UN General Assembly resolutions (e.g., Resolutions ES-11/1, ES-11/2, ES-11/3, ES-11/4, ES-11/5, and ES-11/6) and an ICJ ruling ordering the cessation of military operations.[40] Thus, whilst great-power analysis realistically explains Russia's motives and behaviour, from the perspective of international law there is no valid justification for the aggression. Russia's aggression constitutes an international wrongful act giving rise to state responsibility and potential individual criminal liability.

The Russia-Ukraine Conflict: An International Law Perspective

A. Motives and Effects of Military Intervention

The Russian Federation launched a full-scale military operation against Ukraine on 24 February 2022, an action that fundamentally altered the post-Cold War security order in Europe. The operation began with air strikes and precision missile strikes against Ukrainian military installations, followed by the deployment of ground troops and armoured vehicles along three main fronts: the northern border (from Belarus towards Kyiv), the eastern front (from the Donbas and Russia), and the southern front (from Crimea, which has been annexed since 2014) (Stockholm International Peace Research Institute [SIPRI], 2022).[41] This international armed conflict involves the use of a wide range of heavy weaponry by both sides, including aerial bombs, short- and medium-range ballistic missiles (such as the Iskander system), multiple-launch rockets (such as

[39] Harmen van der Wilt, "State Practice as Element of Customary International Law: A White Knight in International Criminal Law?," *International Criminal Law Review* 20, no. 5 (2020), https://doi.org/10.1163/15718123-02001003.

[40] Qiu et al., "Emotional Geopolitics of War: Disparities in Russia–Ukraine War Coverage Between CGTN and VOA."

[41] Rene Provost, "Accountability for International Crimes within Insurgent Groups," *SSRN Electronic Journal*, 2015, https://doi.org/10.2139/ssrn.2701951.

Grad and Smerch), and other conventional weapon systems. Although Russia was the party that initiated the attack, Ukraine is acting in self-defence, exercising its inherent right to defend its sovereignty and territorial integrity under Article 51 of the United Nations (UN) Charter. This right to self-defence is recognised as part of customary international *law* and does not require prior authorisation from the UN Security Council.[42]

According to SIPRI data (2022), the two countries' defence budget allocations reveal a significant disparity. Ukraine spent 5.9 billion US dollars on the defence sector, equivalent to 8.8% of total government expenditure. This figure represents a dramatic increase over previous years, reflecting the escalation of tensions since the annexation of Crimea in 2014. In contrast, Russia allocated 61.7 billion US dollars, or 11.4% of its total national budget. In absolute terms, Russia's military spending is more than ten times that of Ukraine's. Demographic comparisons also influence the capacity to mobilise military personnel. In 2021, Russia's population stood at 143.4 million, whilst Ukraine's was only 43.81 million. This 3:1 population ratio provides Russia with a substantial mobilisation advantage, both in recruiting active personnel and in recruiting reserves.[43]

In the realm of ground armaments, the disparity becomes even more apparent. Ukraine possesses only about one-sixth (1/6) of Russia's total main battle tanks. Russia is estimated to have between 12,000 and 15,000 tanks, including modern variants such as the T-90 and T-14 Armata, whilst Ukraine has fewer than 2,500 tanks, the majority of which are Soviet-era legacy models with varying levels of maintenance. Similarly, Russia's number of fighter aircraft and attack helicopters far exceeds Ukraine's capabilities. Russia possesses over 1,500 fighter aircraft and around 1,200 attack helicopters, compared to Ukraine, which has only around 100–120 airworthy fighter aircraft and a small number of helicopters. Russian artillery is recorded as being three times greater in number than Ukraine's, including self-propelled howitzers and multiple rocket launchers. Consequently, this conflict objectively demonstrates an extreme military power imbalance—a condition that international legal experts often associate with a

---

[42] Joseph Lutta, "How Russian Intervention in Syria Redefined the Right to Protect in Armed Conflict," *Russian Law Journal* 6, no. 2 (2018), https://doi.org/10.17589/2309-8678-2018-6-2-4-38.

[43] Mustafa Menshawy, "Constructing State, Territory, and Sovereignty in the Syrian Conflict," *Politics* 39, no. 3 (2019), https://doi.org/10.1177/0263395718770348; Chatterje-Doody and Crilley, "Making Sense of Emotions and Affective Investments in War: RT and the Syrian Conflict on Youtube."

breach of the principle of proportionality in the use of force, although the imbalance itself does not automatically render a war illegal under *jus ad bellum*.[44]

This structural disparity has significant implications for the legal analysis of the conflict, particularly in assessing whether Ukraine's actions meet the criteria for proportional self-defence, and whether Russia's actions can be considered large-scale aggression in breach of Article 2(4) of the UN Charter. The disparity in capabilities also influences Ukraine's defence strategy, which relies more heavily on asymmetric tactics, foreign intelligence support, and portable anti-tank and anti-aircraft weapon systems supplied by NATO countries.

B. Classification of Violations of International Law in the Conflict

Under international law, any state that breaches its international obligations is required to account for its actions. Since the commencement of military operations on 24 February 2022, Russia's actions have breached a number of fundamental provisions relating to both *jus ad bellum* (the law on the use of force) and *jus in bello* (the law governing the conduct of war).

1. Violations of Jus ad Bellum

Within the framework of international law, the law governing the use of armed force by states (*jus ad bellum*) fundamentally distinguishes between situations in which a state may lawfully use military force and situations in which such use is prohibited.[45] International humanitarian law traditionally divides the law of war into two main categories. The first category, known as jus ad bellum (the law of war), governs the legitimacy of a state's use of armed force.[46] The fundamental principle in this category is enshrined in Article 2(4) of the United Nations Charter (UN), which states that all members must refrain, in their international relations, from the threat or use of force against the territorial integrity or political independence of any state. This provision has been recognised as a jus cogens norm (peremptory and non-derogable law) in

---

[44] Kevin Jon Heller, "The Illegality of 'Genuine' Unilateral Humanitarian Intervention," *European Journal of International Law*, 2021, https://doi.org/10.1093/ejil/chab038.

[45] Heller.

[46] Aftab Haider, Sunila Iqbal, and Bushra Zeb, "The Corfu Channel Case and the Limits of Self-Defense," *Journal of Islamic and Social Studies*, 2023, https://doi.org/10.30762/jiss.v2i1.1444.

international law, as affirmed by the International Court of Justice (ICJ) in various judgments, including in the cases of Nicaragua v. United States (1986) and Democratic Republic of the Congo v. Rwanda (2006).[47]

Exceptions to the prohibition on the use of force are permitted only in two limited situations: first, when the UN Security Council authorises the use of force under Chapter VII of the UN Charter to maintain or restore international peace and security; and second, in the context of self-defence as provided for in Article 51 of the UN Charter. Article 51 recognises the inherent right of states to exercise self-defence, whether individually or collectively, in the event of an armed attack. A key element of this provision is the actual occurrence of an 'armed attack', rather than a mere threat or potential future attack. The ICJ, in the Nicaragua case, affirmed that the standard of proof required to establish the existence of an armed attack is very high and that an 'armed attack' must be distinguished from less serious border incidents.

The second category of law governing armed conflict is *jus in bello* (the law of war), which sets out provisions on how armed conflict must be conducted once it has broken out.[48] Jus in bello is divided into two main branches: the Hague Laws, which govern the conduct and methods of warfare, including the prohibition on the use of weapons causing excessive suffering; and the Geneva Laws, which govern the protection of war victims, including the sick, the wounded, prisoners of war, and civilians.[49]

In the context of Russia's invasion of Ukraine, the United Nations has unequivocally rejected the justifications put forward by Russia to legitimise its actions. Russia argues that its military operations were carried out in self-defence under Article 51, claiming that genocide was taking place in the Donbas region and citing the threat of NATO expansion. However, according to the UN and the majority of member states, the military operations in question do not constitute self-defence as there is no evidence of a prior "armed attack" by Ukraine against Russia. Furthermore, preventive action against a threat that has not yet materialised does not fall within the scope of Article 51, as affirmed by

---

47 Zeyad Jaffal, "Rape as Genocide Crime in International Criminal Law - The Case of Yazidi Women in Iraq," *International Journal of Criminal Justice Sciences* 15, no. 2 (2020), https://doi.org/10.5281/zenodo.3841256.

48 Lana Berg, "Maritime Zones in the Law of Armed Conflicts at Sea," *Journal of Foreign Legislation and Comparative Law* 19, no. 6 (2023), https://doi.org/10.61205/jzsp.2023.084.

49 Nehaluddin Ahmad and Aqilah Walin Ali, "The Jus Ad Bellum and Jus Ad Bello Predicament in the Context of Israel – Hamas Conflict," *Legal Transformation in Muslim Societies* 1, no. 1 (2024).

the ICJ's authoritative interpretation.[50] Consequently, Russia's invasion objectively violates Article 2(4) of the UN Charter and cannot be justified by the self-defence exception. The UN General Assembly, through Resolution ES-11/1 (2 March 2022), explicitly stated that Russia must immediately cease the use of force against Ukraine.

2. Violations of the Laws of War and Human Rights

Within the framework of international humanitarian law, *jus in bello* strictly regulates the conduct of belligerents during armed conflict.[51] The fundamental binding principles are distinction, proportionality and precaution. Throughout the Russian invasion of Ukraine, there has been strong evidence and extensive documentation of attacks directly targeting civilians and civilian infrastructure.[52] International organisations, independent journalists, and human rights monitoring missions have reported patterns of systematic attacks on residential areas, hospitals, schools, shelters, and civilian evacuation routes. The Office of the United Nations High Commissioner for Human Rights (OHCHR) has confirmed at least 4,226 civilian deaths (based on data available for a specific reporting period), with thousands more injured, as well as severe damage to civilian infrastructure.

Under international humanitarian law, the civilian population and civilian objects are absolutely protected entities.[53] The principle of distinction, as codified in Article 48 of Additional Protocol I of 1977, obliges the parties to the conflict to always distinguish between military and civilian objects and between combatants and civilians. Attacks may only be directed against legitimate military objectives—that is, objectives which, by their nature, location, purpose or use, make an effective contribution to military action and whose destruction offers a clear military advantage. Consequently, attacks against civilians or non-military civilian objects constitute a direct violation of the principle of distinction.

---

[50] Aistė Augustauskaitė-Keršienė, "RESERVATIONS TO UN HUMAN RIGHTS TREATIES: SOVEREIGN STATES SEEKING TO AVOID THEIR OBLIGATIONS?," *International Comparative Jurisprudence* 6, no. 2 (2020), https://doi.org/10.13165/j.icj.2020.12.002.

[51] Zhuo Liang, "Chinese Perspectives on the Ad Bellum/in Bello Relationship and a Cultural Critique of the Ad Bellum/in Bello Separation in International Humanitarian Law," *Leiden Journal of International Law* 34, no. 2 (2021), https://doi.org/10.1017/S0922156521000054.

[52] Havis Yanuar, "Legalitas Intervensi Rusia Terhadap Ukraina (Studi Kasus Krimea)."

[53] Provost, "Accountability for International Crimes within Insurgent Groups."

Furthermore, such attacks also violate the principle of proportionality as set out in Article 51(5)(b) of Additional Protocol I of 1977. This provision prohibits attacks that are likely to cause loss of civilian life, injury to civilians, or damage to civilian objects that is excessive in relation to the anticipated military advantage. In the case of Ukraine, many Russian attacks have been carried out in densely populated urban areas using weapons with wide-area effects, such as cluster bombs, rockets, and ballistic missiles, without adequately considering the risks to civilians—a strong indication of a breach of the principle of proportionality and the obligation to take precautionary measures under Article 57 of Additional Protocol I.[54]

Consequently, attacks on civilians and civilian objects in the Russia-Ukraine conflict are not only categorised as violations of international human rights law but also constitute grave breaches of the 1949 Geneva Conventions, particularly the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War. These grave breaches entail universal jurisdiction, meaning that any state may prosecute the perpetrators in its own courts, and form the basis of the International Criminal Court's (ICC) jurisdiction under the 1998 Rome Statute. Thus, Russia's actions not only violate the provisions of *jus in bello* but also give rise to individual criminal liability for the commanders and senior officials who ordered or authorised such attacks.[55]

3. Breaches of Bilateral Agreements and the UN Charter

In addition to violations of the United Nations (UN) Charter and international humanitarian law, the Russian Federation has also breached a number of legally binding bilateral treaties between Russia and Ukraine, and this breach not only adds a further dimension to Russia's violations of international law but also demonstrates a pattern of systematic behaviour contrary to the principle of *pacta sunt servanda*—that every treaty must be honoured—a fundamental principle of international treaty law recognised as a jus cogens norm, or peremptory norm of international law that cannot be set aside.[56]

---

[54] Amanda Alexander, "International Humanitarian Law, Postcolonialism and the 1977 Geneva Protocol I," *Melbourne Journal of International Law* 17, no. 1 (2016).

[55] Ahmad and Ali, "The Jus Ad Bellum and Jus Ad Bello Predicament in the Context of Israel – Hamas Conflict."

[56] Melanie O'Brien and Gerhard Hoffstaedter, "'There We Are Nothing, Here We Are Nothing!'—The Enduring Effects of the Rohingya Genocide," *Social Sciences* 9, no. 11 (2020), https://doi.org/10.3390/socsci9110209.

The two most relevant bilateral legal instruments in this context are the Memorandum on Security Assurances in Connection with Ukraine's Accession to the Treaty on the Non-Proliferation of nuclear weapons, known as the Budapest Memorandum, signed on 5 December 1994, and the Agreement between the Russian Federation and Ukraine on the Status and Conditions of the Stay of the Black Sea Fleet of the Russian Federation on the Territory of Ukraine, or the 1997 Black Sea Fleet Agreement.[57] The Budapest Memorandum is a highly significant legal instrument within the post-Cold War security architecture, as it was signed by the three nuclear-weapon states—the Russian Federation, the United States, and the United Kingdom—in exchange for Ukraine's decision to surrender all the strategic nuclear weapons it had inherited from the Soviet Union. At the time of the Soviet Union's collapse, the stockpile stood at approximately 1,900 nuclear warheads, making Ukraine the third-largest nuclear-armed state in the world. In return for this voluntary nuclear disarmament, the three guarantor states provided security assurances to Ukraine.[58]

Substantively, the Budapest Memorandum consists of six main points, with points 1 and 2 affirming the commitment of Russia, the United States and the United Kingdom to respect Ukraine's independence, sovereignty and existing borders at that time; points 3 and 4 contain obligations not to threaten or use force against Ukraine's territorial integrity or political independence, nor to use economic weapons to compel Ukraine to submit to their interests; and points 5 and 6 provide for consultations should a situation arise that calls into question these commitments, as well as renewing the commitment to assist Ukraine should it become the victim of aggression or a threat of aggression involving nuclear weapons.[59]

By launching a full-scale military invasion on 24 February 2022, Russia explicitly violated points 1, 2, 3 and 4 of the Budapest Memorandum, and this violation is not merely political in nature but also constitutes a breach of binding international law. Although this Memorandum is considered a "non-legally binding agreement" according to some interpretations—as it was not ratified as a formal international treaty—the majority of international legal experts argue that the instrument creates legal obligations based on the principle of estoppel—

---

[57] Alex Mills, "The Privatisation of Private (and) International Law," *Current Legal Problems* 76, no. 1 (2023), https://doi.org/10.1093/clp/cuad003.

[58] Dück and Stahl, "Introduction: The Russia–Ukraine War as a Formative Event in Global Security Policy?"

[59] Sugito Sugito and Filosa Gita Sukmono, "Security and Peace Discourse Through Peace Media and Its Contribution to Peace in Aceh After the Helsinki Memorandum of Understanding.," *Sociologia y Tecnociencia* 14, no. 1 (2024), https://doi.org/10.24197/st.1.2024.43-65.

a state cannot deny a commitment that has been formally made and relied upon by another party—as well as the principle of good faith, as set out in Article 26 of the 1969 Vienna Convention on the Law of Treaties, and the International Court of Justice (ICJ) in the 1974 Nuclear Tests case between Australia v. France in 1974 affirmed that a unilateral declaration made by a state may give rise to binding legal obligations if the declaration is intended to create obligations and is relied upon by another party.[60]

Furthermore, the 1997 Black Sea Fleet Agreement is a bilateral instrument governing the status and conditions of the Russian Black Sea Fleet's presence in Ukrainian territory, specifically at the naval base in Sevastopol, Crimea, agreed upon as a continuation of the 1995 Black Sea Fleet Partition Agreement, which divided the assets and personnel of the Soviet Union's Black Sea Fleet between Russia and Ukraine. The 1997 Agreement granted Russia the right to lease naval facilities in Sevastopol until 2017 in exchange for a reduction in Ukraine's debt to Russia and annual rent payments, whilst explicitly obliging Russia to respect Ukraine's sovereignty and territorial integrity. Article 2 of the Agreement stipulates that the presence of the Russian Black Sea Fleet in Ukraine must not be used to interfere in Ukraine's internal affairs, whilst Article 8 prohibits the use or threat of force against Ukraine.[61]

In 2010, the Kharkiv Agreement extended the lease until 2042, indicating that both countries still recognised its validity. With the annexation of Crimea in March 2014 and the subsequent full-scale invasion in 2022, Russia has materially breached both agreements, with the annexation of Crimea itself constituting a legal violation of Russia's obligation to respect Ukraine's borders as recognised in the Budapest Memorandum and the Black Sea Fleet Agreement, and the ICJ, in its 2010 opinion on Kosovo's Declaration of Independence, did not establish a precedent for the unilateral recognition of another state's territory, whilst the UN General Assembly, through Resolution 68/262 of 2014, explicitly declared the referendum in Crimea to be invalid and reaffirmed Ukraine's territorial integrity within its internationally recognised borders.

Furthermore, Russia's policy of invoking Article 51 of the UN Charter on the Right to Self-Defence as the legal basis for the invasion is in no way supported by facts, arguments, or a valid and clear legal foundation, given that the ICJ, in the 2005 case of the Democratic Republic of the Congo v. Uganda, affirmed that a claim of self-defence is only admissible if an armed attack has actually taken

---

[60] Mahsati Alizade, "VIENNA CONVENTION ON THE LAW OF TREATIES," *SCIENTIFIC RESEARCH* 4, no. 2 (2024), https://doi.org/10.36719/2789-6919/30/34-38.

[61] Qiu et al., "Emotional Geopolitics of War: Disparities in Russia–Ukraine War Coverage Between CGTN and VOA."

place, and Russia has failed to prove the existence of an armed attack by Ukraine prior to 24 February 2022, whilst claims regarding "genocide in the Donbas" have never been confirmed by the competent UN bodies, and the ICJ, in its order on provisional measures dated 16 March 2022, explicitly stated that there is no evidence to support such claims.

Russia's attack on Ukraine is, in fact, a flagrant violation of the state's sovereignty and territorial integrity, contrary to Article 1(1) of the UN Charter, which establishes the maintenance of international peace and security as the primary objective of the UN through effective means and in accordance with the principles of justice and international law, Article 1(2), which promotes friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, Article 2(3), which obliges all members to settle international disputes by peaceful means in such a manner that international peace, security and justice are not endangered, and Article 2(4), which prohibits the threat or use of force against the territorial integrity or political independence of any state.[62]

The UN General Assembly has adopted a number of resolutions condemning Russia's actions and reaffirming its commitment to Ukraine's territorial integrity, including Resolution ES-11/1 of 2 March 2022, which demands that Russia immediately cease the use of force against Ukraine and withdraw all its military forces; Resolution ES-11/2 of 24 March 2022, which emphasised the humanitarian consequences of Russia's aggression; Resolution ES-11/3 of 7 April 2022, which suspended Russia's membership of the UN Human Rights Council; Resolution ES-11/4 of 12 October 2022, which rejected Russia's attempts at the illegal annexation of Ukrainian territory; Resolution ES-11/5 of 14 November 2022, establishing an international compensation mechanism for Ukraine; and Resolution ES-11/6 of 23 February 2023, calling for a comprehensive, just and lasting peace.

Thus, Russia's military actions not only violate the bilateral obligations specifically binding the two states but also contravene the fundamental principles underpinning the post-1945 international legal order, and these breaches of bilateral agreements and UN resolutions further strengthen the argument that Russia has committed acts contrary to international law giving rise to state responsibility, whilst providing legitimacy for the international community to impose sanctions and seek accountability through various available legal mechanisms, including judicial proceedings at the ICJ,

---

[62] Muhammad Fauzan Millenio, "How the Judgement Effective? The Role of United Nations in Conflict Resolution Between Palestine and Israel," *The Digest: Journal of Jurisprudence and Legisprudence* 2, no. 2 (2021), https://doi.org/10.15294/digest.v2i2.48637.

administrative proceedings through the Register of Damage established by the Council of Europe, criminal proceedings through the International Criminal Court, and diplomatic channels through multilateral sanctions.

C. Russia's State Responsibility Under International Law

Within the framework of international law, state responsibility is a fundamental concept governing the legal consequences when a state breaches its obligations in international relations.[63] This principle derives from the Roman legal maxim *'sic utere tuo ut alienum non laedas'* (use your own property in such a way as not to harm others), which, in the context of inter-state relations, affirms that a state's sovereign right to use its territory is limited by the obligation not to cause harm to another state. This principle has been accepted as a general principle of international law for over a century and forms the foundation of the modern doctrine of state responsibility. In international relations, every state is required to exercise self-restraint and comply with international law, as sovereignty is not a licence to act arbitrarily, but must be subject to mutually agreed legal constraints.[64]

Article 2(4) of the Charter of the United Nations explicitly obliges every member to refrain in international relations from the threat or use of force against the territorial integrity or political independence of any state. This provision has been recognised as a jus cogens norm—a norm of international law that is peremptory and cannot be set aside by agreement between states. By becoming a member of the UN, a state is automatically bound by this provision, and non-compliance with it gives rise to serious legal consequences.

The United Nations International Law Commission (ILC) has codified the law of state responsibility through the 2001 Articles on the Responsibility of States for Internationally Wrongful Acts (ARSIWA). Article 1 of ARSIWA explicitly states that "any internationally wrongful act of a State gives rise to international responsibility on the part of that State". An act is classified as an act contrary to international law on the basis of international law itself, and the fact that such an act is lawful under domestic law is entirely irrelevant.[65] In other

---

[63] Menshawy, "Constructing State, Territory, and Sovereignty in the Syrian Conflict."

[64] Muh. Syah Quddus Quddus, Arika Dwi Astuti, and Masrifah Nufitasari, "ANALYSIS OF THE NON-DISCRIMINATORY PRINCIPLE IN THE PROTECTION OF HUMAN RIGHTS AGAINST REFUGEES IN GLOBAL CONFLICT AREAS," *Sociale : Journal of Social and Political Sciences* 1, no. 1 (2025), https://doi.org/10.69836/sociale.v1i1.266.

[65] O'Brien and Hoffstaedter, "'There We Are Nothing, Here We Are Nothing!'—The Enduring Effects of the Rohingya Genocide."

words, Russia cannot justify its invasion of Ukraine by referring to the provisions of its own national law.

In the case of Russia's invasion of Ukraine, the two main elements of an act contrary to international law have been met. First, the element of attribution — namely, that the act is attributable to the state under international law. This is uncontroversial given that the declaration of the use of force was made by President Vladimir Putin and the Russian armed forces involved in the conflict constitute organs of the state as referred to in Article 4 of the ARSIWA. Even if there were acts exceeding authority (ultra vires), Article 7 of the ARSIWA ensures that the state can still be held accountable. Secondly, the element of a breach of an international obligation—in this case, a breach of Article 2(4) of the UN Charter, which prohibits the use of force, as well as breaches of various provisions of international humanitarian law and international human rights law.[66]

A breach of an international obligation may take the form of an act or an omission, and both give rise to liability for the offending state. In the context of Russia's invasion of Ukraine, Russia's active conduct in the form of a full-scale military attack clearly constitutes a continuing wrongful act, meaning that Russia remains in breach of international law for as long as the invasion continues. The UN General Assembly, through Resolution ES-11/1 of 2 March 2022, explicitly condemned Russia's aggression against Ukraine, and the International Court of Justice (ICJ), in its order on provisional measures of 16 March 2022, ordered Russia to immediately cease its military operations in Ukraine. The ICJ also stated that there is no evidence to support Russia's claims of genocide in Ukraine—claims which Russia has used to justify the invasion.[67]

The ARSIWA sets out three main obligations that must be fulfilled by a state committing an act contrary to international law. First, under Article 30 of the ARSIWA, the responsible state is obliged to cease the unlawful act if it is still ongoing and to provide adequate assurances and guarantees that it will not repeat the act. In the context of the Russian invasion, these obligations include the immediate cessation of all military operations and the withdrawal of Russian forces from the entire territory of Ukraine, as well as the drafting of a binding agreement not to repeat similar actions in the future.

---

[66] Chairul Fahmi and Muhammad Siddiq Armia, "Protecting Indigenous Collective Land Property in Indonesia under International Human Rights Norms," *Journal of Southeast Asian Human Rights* 6, no. 1 (June 30, 2022): 1–25, https://doi.org/10.19184/jseahr.v6i1.30242.

[67] Iana Liadze et al., "Economic Costs of the Russia-Ukraine War," *World Economy* 46, no. 4 (2023), https://doi.org/10.1111/twec.13336.

Secondly, pursuant to Article 31 of the ARSIWA, the responsible State is obliged to provide full reparation for the harm caused by its acts contrary to international law, including both material and moral harm. Article 34 of the ARSIWA further provides that full reparation may take the form of restitution, compensation, and satisfaction, either separately or in combination.

Restitution, as provided for in Article 35 of the ARSIWA, is the primary form of reparation aimed at restoring the situation to its pre-infringement state. In the case of the Russian invasion, restitution would encompass the restoration of Ukraine's territorial integrity, the withdrawal of Russian forces, and the annulment of all legal consequences of the unlawful annexation. Compensation, as provided for in Article 36 of the ARSIWA, is awarded where restitution is not possible or insufficient to provide full reparation and covers compensation for property damage, economic losses, healthcare costs for victims, and the costs of reconstructing destroyed infrastructure.[68]

In practice, various mechanisms have been initiated to facilitate claims for compensation against Russia. The Council of Europe established the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine (RD4U) in April 2024 to record all eligible compensation claims for damage, losses, and injuries resulting from Russian aggression in Ukraine.[69] The RD4U is the first component of a three-stage compensation framework, to be followed by the establishment of the International Claims Commission for Ukraine through a convention signed by 35 countries and the European Union in December 2025. To date, Ukraine's infrastructure is estimated to have suffered damage amounting to approximately USD 152 billion, with recovery and reconstruction needs reaching USD 486 billion over the coming decade. RD4U has received over 86,000 claims, reflecting the extraordinary scale of the damage caused by Russian aggression.[70]

Thirdly, forms of satisfaction are regulated under Article 37 of the ARSIWA and may include an acknowledgement of the violation, an expression of regret, a formal apology, or other appropriate measures. In this context, Russia is obliged to engage in diplomatic negotiations, accompanied by a formal apology and the provision of security guarantees to ensure that such acts of aggression are

---

[68] Volodymyr Kulikov et al., "Navigating Wartime Communications: Multinational Corporations in the Russia-Ukraine War," *Society and Economy* 46, no. 1 (2024), https://doi.org/10.1556/204.2023.00024.

[69] Bernard Ntahiraja, "The ICC's Investigation into the Situation in Ukraine on the Basis of Referrals by Third States Parties to the Rome Statute: A Commentary," *International and Comparative Law Review* 23, no. 1 (2023), https://doi.org/10.2478/iclr-2023-0001.

[70] Sergey Sayapin, "Principles of International Criminal Law," *The Military Law and the Law of War Review* 53, no. 1 (2023), https://doi.org/10.4337/mllwr.2014.01.13.

not repeated. In addition to state responsibility, individual criminal liability may also be enforced through the International Criminal Court (ICC).[71] In March 2023, the ICC issued arrest warrants for President Vladimir Putin and Russian Children's Commissioner Maria Lvova-Belova on allegations of war crimes, specifically concerning the illegal deportation of Ukrainian children to Russia. However, the implementation of these warrants faces significant obstacles, given that Russia is not a State Party to the Rome Statute and does not recognise the ICC's jurisdiction, which means their enforcement is heavily dependent on the cooperation of ICC member states.[72]

Russia's actions, which have caused significant harm to Ukraine, are a direct consequence of systematic violations of international law. The implications of these violations include seeking to hold the Russian state accountable as the injured party through various channels, including judicial proceedings at the ICJ, administrative proceedings through the RD4U, criminal proceedings through the ICC, and the imposition of international sanctions. Claims and sanctions have already been imposed on Russia by various parties as a form of international punishment, including the freezing of Russian central bank assets worth approximately USD 300 billion, mobilised by the G7 nations. The European Union has even considered using frozen Russian assets as collateral for € 90 billion in reparations loans to Ukraine.[73]

Thus, Russia's state responsibility under international law is multifaceted and multidimensional: it encompasses the obligation to cease the invasion, provide full reparations, offer guarantees of non-repetition, and face individual criminal charges against perpetrators of international crimes. However, implementation challenges remain significant given that Russia refuses to cooperate with international judicial mechanisms and uses its veto power in the UN Security Council to block collective action. This highlights the need to reform the international legal architecture to ensure that the principle of state responsibility can be effectively enforced, particularly when the offending state is a superpower with a veto in the Security Council.

---

71 Muyiwa Adigun, "International Criminal Justice," *International Community Law Review* 25, no. 2 (2022), https://doi.org/10.1163/18719732-bja10086.

72 Emma Irving, "The Other Side of the Article 21(3) Coin: Human Rights in the Rome Statute and the Limits of Article 21(3)," *Leiden Journal of International Law* 32, no. 4 (2019), https://doi.org/10.1017/S0922156519000426.

73 Emmanuel Joel Aikins Abakah et al., "Effect of Russia–Ukraine War Sentiment on Blockchain and FinTech Stocks," *International Review of Financial Analysis* 90 (2023), https://doi.org/10.1016/j.irfa.2023.102948.

Conclusion

The Russian aggression against Ukraine, which commenced on 24 February 2022, constitutes a manifest violation of fundamental norms of international law. From the perspective of jus ad bellum, Russia's invocation of Article 51 of the UN Charter as a basis for self-defence is legally untenable, as no prior armed attack by Ukraine had occurred. The invasion therefore breaches Article 2(4) of the UN Charter, a jus cogens prohibition on the use of force against the territorial integrity or political independence of any state. Under *jus in bello*, Russia has committed grave breaches of international humanitarian law, including indiscriminate attacks against civilians and civilian objects in violation of the Fourth Geneva Convention of 1949 and Article 51(5)(b) of Additional Protocol I of 1977. The confirmed death toll of thousands of civilians and the systematic destruction of critical infrastructure amount to war crimes and crimes against humanity.

Furthermore, Russia has repudiated binding bilateral instruments, notably the 1994 Budapest Memorandum and the 1997 Black Sea Fleet Agreement, both of which required respect for Ukraine's sovereignty and territorial integrity. These violations engage the international responsibility of the Russian Federation under the International Law Commission's Articles on State Responsibility (ARSIWA), entailing obligations to cease the wrongful act, provide full reparation—including restitution, compensation, and satisfaction—and offer assurances of non-repetition.

The global implications of the conflict have been profound, triggering energy and food crises, disrupting supply chains, and undermining post-pandemic economic recovery. The paralysis of the UN Security Council due to Russia's veto power underscores the urgent need for institutional reform, particularly the limitation or restructuring of the veto. Effective accountability requires a multi-track approach: continued sanctions, prosecution before the International Criminal Court, adjudication before the International Court of Justice, and the establishment of a comprehensive compensation mechanism for Ukraine. Ultimately, the international community must reaffirm its commitment to the rule of law, ensuring that aggression does not go unpunished and that the principles of the UN Charter are upheld for future generations.

References

Abakah, Emmanuel Joel Aikins, David Adeabah, Aviral Kumar Tiwari, and Mohammad Abdullah. "Effect of Russia–Ukraine War Sentiment on Blockchain and FinTech Stocks." *International Review of Financial Analysis* 90 (2023). https://doi.org/10.1016/j.irfa.2023.102948.

Adigun, Muyiwa. "International Criminal Justice." *International Community Law Review* 25, no. 2 (2022). https://doi.org/10.1163/18719732-bja10086.

Aftab Haider, Sunila Iqbal, and Bushra Zeb. "The Corfu Channel Case and the Limits of Self-Defense." *Journal of Islamic and Social Studies*, 2023. https://doi.org/10.30762/jiss.v2i1.1444.

Ahmad, Nehaluddin, and Aqilah Walin Ali. "The Jus Ad Bellum and Jus Ad Bello Predicament in the Context of Israel – Hamas Conflict." *Legal Transformation in Muslim Societies* 1, no. 1 (2024).

Ahmedi, Bujar, and Shefik Shehu. "Resolution Of International Conflicts Through The United Nations: The Corfu Channel Case." *European Scientific Journal, ESJ* 12, no. 13 (2016). https://doi.org/10.19044/esj.2016.v12n13p105.

Akhtar, Naeem, Huda Khan, Umar Iqbal Siddiqi, Tahir Islam, and Iva Atanassova. "Critical Perspective on Consumer Animosity amid Russia-Ukraine War." *Critical Perspectives on International Business* 20, no. 1 (2024). https://doi.org/10.1108/cpoib-02-2023-0015.

Alexander, Amanda. "International Humanitarian Law, Postcolonialism and the 1977 Geneva Protocol I." *Melbourne Journal of International Law* 17, no. 1 (2016).

Alizade, Mahsati. "VIENNA CONVENTION ON THE LAW OF TREATIES." *SCIENTIFIC RESEARCH* 4, no. 2 (2024). https://doi.org/10.36719/2789-6919/30/34-38.

Alya, Nasha Rawza, Jenita Tan, and Rewiyaga Rewiyaga. "The Power of Veto by the United Nations Security Council in Warfare Protection." *AURELIA: Jurnal Penelitian Dan Pengabdian Masyarakat Indonesia* 3, no. 2 (2024). https://doi.org/10.57235/aurelia.v3i2.2783.

Augustauskaitė-Keršienė, Aistė. "RESERVATIONS TO UN HUMAN RIGHTS TREATIES: SOVEREIGN STATES SEEKING TO AVOID THEIR OBLIGATIONS?" *International Comparative Jurisprudence* 6, no. 2 (2020). https://doi.org/10.13165/j.icj.2020.12.002.

Berg, Lana. "Maritime Zones in the Law of Armed Conflicts at Sea." *Journal of Foreign Legislation and Comparative Law* 19, no. 6 (2023). https://doi.org/10.61205/jzsp.2023.084.

Bougias, Alexandros, Athanasios Episcopos, and George N. Leledakis. "Valuation of European Firms during the Russia–Ukraine War." *Economics Letters* 218 (2022). https://doi.org/10.1016/j.econlet.2022.110750.

Chatterje-Doody, Precious N., and Rhys Crilley. "Making Sense of Emotions and Affective Investments in War: RT and the Syrian Conflict on Youtube." *Media and Communication* 7, no. 3PublicDiscussioninRussianSocialMedia (2019). https://doi.org/10.17645/mac.v7i3.1911.

Cumming, Douglas. "Management Scholarship and the Russia–Ukraine War." *British Journal of Management* 33, no. 4 (2022). https://doi.org/10.1111/1467-8551.12657.

Davis, Paul K. "Potential Implications of the Russia–Ukraine War for Northeast Asia." *Journal for Peace and Nuclear Disarmament* 6, no. 1 (2023). https://doi.org/10.1080/25751654.2023.2178205.

Dück, Elena, and Bernhard Stahl. "Introduction: The Russia–Ukraine War as a Formative Event in Global Security Policy?" *Politische Vierteljahresschrift* 66, no. 1 (2025). https://doi.org/10.1007/s11615-025-00603-z.

Fahim, Md. Hasnath Kabir. "Rethinking Genocidal Intent: An Interpretation under the International Law and the Jurisprudence of International Criminal Tribunals." *Lex Publica* 9, no. 1 (2022). https://doi.org/10.58829/lp.9.1.2022.58-78.

Fahmi, Chairul, and Muhammad Siddiq Armia. "Protecting Indigenous Collective Land Property in Indonesia under International Human Rights Norms." *Journal of Southeast Asian Human Rights* 6, no. 1 (June 30, 2022): 1–25. https://doi.org/10.19184/jseahr.v6i1.30242.

Graham, Scott. "The Non-Combatant Casualty Cut-off Value: Assessment of a Novel Targeting Technique in Operation Inherent Resolve." *International Criminal Law Review* 18, no. 4 (2018). https://doi.org/10.1163/15718123-01804002.

Havis Yanuar, Mochammad. "Legalitas Intervensi Rusia Terhadap Ukraina (Studi Kasus Krimea)." *Belli Ac Pacis* 1, no. 2 (2015).

Heller, Kevin Jon. "The Illegality of 'Genuine' Unilateral Humanitarian Intervention." *European Journal of International Law*, 2021. https://doi.org/10.1093/ejil/chab038.

Hilhorst, Dorothea, and Bram J. Jansen. "Constructing Rights and Wrongs in Humanitarian Action: Contributions from a Sociology of Praxis." *Sociology* 46, no. 5 (2012). https://doi.org/10.1177/0038038512452357.

Irvin-Erickson, Douglas. "Genocide Discourses: American and Russian Strategic Narratives of Conflict in Iraq and Ukraine." *Politics and Governance* 5, no.

3NarrativesofGlobalOrder (2017). https://doi.org/10.17645/pag.v5i3.1015.

Irving, Emma. "The Other Side of the Article 21(3) Coin: Human Rights in the Rome Statute and the Limits of Article 21(3)." *Leiden Journal of International Law* 32, no. 4 (2019). https://doi.org/10.1017/S0922156519000426.

Jaffal, Zeyad. "Rape as Genocide Crime in International Criminal Law - The Case of Yazidi Women in Iraq." *International Journal of Criminal Justice Sciences* 15, no. 2 (2020). https://doi.org/10.5281/zenodo.3841256.

Junaedi, Junaedi. "The Impact of the Russia-Ukraine War on Grace Indonesia-Russia Diplomacy Relations." *Journal of Public Representative and Society Provision* 2, no. 1 (2022). https://doi.org/10.55885/jprsp.v2i1.137.

Katchanovski, Ivan. "The Maidan Massacre Trial and Investigation Revelations: Implications for the Ukraine-Russia War and Relations." *Russian Politics* 8, no. 2 (2023). https://doi.org/10.30965/24518921-00802005.

Kucici, Aisha Mohammed, D R Raji, and Rafiu Boye. "The Double Standard in International Relations; Why the United Nations Fail To Respond Effectively To Gaza Compared To Other Conflicts." *International Journal of Law* 6, no. 6 (2024).

Kulikov, Volodymyr, Mykhaylo Simanovskyy, Abigail Eichenberg, and Ksenija Angelina Braese. "Navigating Wartime Communications: Multinational Corporations in the Russia-Ukraine War." *Society and Economy* 46, no. 1 (2024). https://doi.org/10.1556/204.2023.00024.

Liadze, Iana, Corrado Macchiarelli, Paul Mortimer-Lee, and Patricia Sanchez Juanino. "Economic Costs of the Russia-Ukraine War." *World Economy* 46, no. 4 (2023). https://doi.org/10.1111/twec.13336.

Liang, Zhuo. "Chinese Perspectives on the Ad Bellum/in Bello Relationship and a Cultural Critique of the Ad Bellum/in Bello Separation in International Humanitarian Law." *Leiden Journal of International Law* 34, no. 2 (2021). https://doi.org/10.1017/S0922156521000054.

Lutta, Joseph. "How Russian Intervention in Syria Redefined the Right to Protect in Armed Conflict." *Russian Law Journal* 6, no. 2 (2018). https://doi.org/10.17589/2309-8678-2018-6-2-4-38.

Menaouer, Brahami, Safa Fairouz, Mohammed Boulekbachi Meriem, Sabri Mohammed, and Matta Nada. "A Sentiment Analysis of the Ukraine-Russia War Tweets Using Knowledge Graph Convolutional Networks." *International Journal of Information Technology (Singapore)*, 2025. https://doi.org/10.1007/s41870-024-02357-0.

Menshawy, Mustafa. "Constructing State, Territory, and Sovereignty in the

Syrian Conflict." *Politics* 39, no. 3 (2019). https://doi.org/10.1177/0263395718770348.

Millenio, Muhammad Fauzan. "How the Judgement Effective? The Role of United Nations in Conflict Resolution Between Palestine and Israel." *The Digest: Journal of Jurisprudence and Legisprudence* 2, no. 2 (2021). https://doi.org/10.15294/digest.v2i2.48637.

Mills, Alex. "The Privatisation of Private (and) International Law." *Current Legal Problems* 76, no. 1 (2023). https://doi.org/10.1093/clp/cuad003.

Musa, Hussam, Viacheslav Natorin, Zdenka Musova, and Pavol Durana. "Comparison of the Efficiency Measurement of the Conventional and Islamic Banks." *Oeconomia Copernicana* 11, no. 1 (2020). https://doi.org/10.24136/oc.2020.002.

Musi, Elena. "Framing to Make an Argument: The Case of the Genocide Hashtag in the Russia-Ukraine War." *Argumentation* 38, no. 3 (2024). https://doi.org/10.1007/s10503-024-09632-1.

Nacimento, Miryam. "The Russia-Ukraine War and the Peruvian Agrarian Crisis." *Bulletin of Latin American Research* 43, no. 4 (2024). https://doi.org/10.1111/blar.13592.

Nations, United. "United Nations Charter (Full Text) | United Nations." United Nations, 1945. https://www.un.org/en/about-us/un-charter/full-text.

Nowinska, Agnieszka, and Thomas Roslyng Olesen. "Inter-State War Dynamics and Investment: Insights from the Russia- Ukraine War." *Journal of Business Research* 186 (2025). https://doi.org/10.1016/j.jbusres.2024.114911.

Ntahiraja, Bernard. "The ICC's Investigation into the Situation in Ukraine on the Basis of Referrals by Third States Parties to the Rome Statute: A Commentary." *International and Comparative Law Review* 23, no. 1 (2023). https://doi.org/10.2478/iclr-2023-0001.

O'Brien, Melanie, and Gerhard Hoffstaedter. "'There We Are Nothing, Here We Are Nothing!'—The Enduring Effects of the Rohingya Genocide." *Social Sciences* 9, no. 11 (2020). https://doi.org/10.3390/socsci9110209.

Parliament, European. "Resolution 2013/2669(RSP) of 13 June 2013 on the Situation of Rohingya Muslims." European Parliament, Strasbourg, 2013.

Provost, Rene. "Accountability for International Crimes within Insurgent Groups." *SSRN Electronic Journal*, 2015. https://doi.org/10.2139/ssrn.2701951.

Qiu, Xiaojuan, Weiwen Yu, Yuxi Huang, and Jiaxin Yang. "Emotional Geopolitics of War: Disparities in Russia–Ukraine War Coverage Between CGTN and VOA." *Journalism and Media* 6, no. 4 (2025).

https://doi.org/10.3390/journalmedia6040208.

Quddus, Muh. Syah Quddus, Arika Dwi Astuti, and Masrifah Nufitasari. "ANALYSIS OF THE NON-DISCRIMINATORY PRINCIPLE IN THE PROTECTION OF HUMAN RIGHTS AGAINST REFUGEES IN GLOBAL CONFLICT AREAS." *Sociale : Journal of Social and Political Sciences* 1, no. 1 (2025). https://doi.org/10.69836/sociale.v1i1.266.

Ran, Tongzhou, and Zhangbo Liu. "'The Russia-Ukraine War' or 'The US-Russia War'? Thematic Analysis of Global Times' Coverage of the Russia-Ukraine War." *Media Asia* 51, no. 1 (2024). https://doi.org/10.1080/01296612.2023.2246721.

Rauf, Anis Abdul, Chairul Fahmi, and Muhammad Husnul. "THE LEGAL ENFORCEMENT OF CONSUMER PROTECTION LAW IN THE CIRCULATION OF IMPORTED PHARMACEUTICALS." *JURISTA: Jurnal Hukum Dan Keadilan* 10, no. 1 (February 24, 2026): 192–209. https://doi.org/10.22373/JURISTA.V10I1.363.

Rose, Adam, Zhenhua Chen, and Dan Wei. "The Economic Impacts of Russia–Ukraine War Export Disruptions of Grain Commodities." *Applied Economic Perspectives and Policy* 45, no. 2 (2023). https://doi.org/10.1002/aepp.13351.

Saad, Ghadi. "The Impact of the Russia–Ukraine War on the United States Natural Gas Futures Prices." *Kybernetes* 53, no. 10 (2024). https://doi.org/10.1108/K-01-2023-0138.

Saada, Mohammed Abu, and Yildirim Turan. "Intelligent System for Measurement and Appreciate a Country Power, Capabilities." *Journal of Information Science and Engineering* 37, no. 6 (2021). https://doi.org/10.6688/JISE.202111_37(6).0003.

Sayapin, Sergey. "Principles of International Criminal Law." *The Military Law and the Law of War Review* 53, no. 1 (2023). https://doi.org/10.4337/mllwr.2014.01.13.

Steinbach, Sandro. "The Russia–Ukraine War and Global Trade Reallocations." *Economics Letters* 226 (2023). https://doi.org/10.1016/j.econlet.2023.111075.

Sugito, Sugito, and Filosa Gita Sukmono. "Security and Peace Discourse Through Peace Media and Its Contribution to Peace in Aceh After the Helsinki Memorandum of Understanding." *Sociologia y Tecnociencia* 14, no. 1 (2024). https://doi.org/10.24197/st.1.2024.43-65.

Tarnas, M., B. Lassmann, A. Desai, and A. Abbara. "Impact of the Syrian Conflict on Vector-Borne Disease Trends in Syria and Neighboring Countries: A One Health ProMED Analysis between 2003 to 2018."

International Journal of Infectious Diseases 101 (2020). https://doi.org/10.1016/j.ijid.2020.09.558.

Tuliakov, Viacheslav, and Oksana Stepanenko. "Jurisdictional Tensions: Divergent Judicial Approaches to Conflicts between UNCLOS and National Public Law Policies." *Lex Portus* 11, no. 2 (2025). https://doi.org/10.62821/lp11201.

Willett, Marcus. "The Cyber Dimension of the Russia–Ukraine War." *Survival* 64, no. 5 (2022). https://doi.org/10.1080/00396338.2022.2126193.

Wilt, Harmen van der. "State Practice as Element of Customary International Law: A White Knight in International Criminal Law?" *International Criminal Law Review* 20, no. 5 (2020). https://doi.org/10.1163/15718123-02001003.

Yıldırım, Cuma, and Hakkı Göker Önen. "Vulnerabilities of the Neoliberal Global Food System: The Russia–Ukraine War and COVID-19." *Journal of Agrarian Change* 24, no. 4 (2024). https://doi.org/10.1111/joac.12601.