

International Criminal Responsibility for Alleged Genocide: Insights from the Ukraine Conflict from Bucha to Mariupol

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Abstract

The Ukraine crisis has become a test case for modern international criminal law, raising essential inquiries on the coherence, legality, and political impartiality of global accountability frameworks. The genocides committed in Bucha, Mariupol, Irpin, Kharkiv and other Ukrainian territories from Russia's 2022 invasion represent the most severe violations of international humanitarian and human rights law. Set against claims of war crimes, crimes against humanity, and genocide, this paper critically analyses the developing framework of international criminal liability in the context of the Ukraine situation. It examines the functions and interactions of the International Criminal Court (ICC), the International Court of Justice (ICJ), UN Human Rights Council's Commission of Inquiry, European Court of Human Rights (ECtHR), domestic prosecutions based on universal jurisdiction, and ad hoc investigative mechanisms, assessing whether their collective efforts represent normative consolidation or reveal structural imbalances within the international legal framework. The ICC's investigation under Article 15 of the Rome Statute provided the issuance of arrest warrants against senior Russian officials, giving an innovative assertion of global criminal justice even against powerful non-member states. Unfortunately, the ICJ's provisional measures in *Ukraine v. Russian Federation* undermine the binding commitment to prevent genocide and challenge Russia's violations of the Genocide Convention. Concurrently, UN-mandated fact-finding bodies continue to collect and preserve evidence for future criminal trials while European states such as Germany, Austria, Poland and Lithuania have started domestic prosecutions under universal jurisdiction including impunity gaps when international arrest becomes politically motivated. Nonetheless, major obstacles have arisen due to Russia's non-cooperation in the criminal trial. But the ICC has failed to arrest high-level suspects, the Security Council has paralyzed, and the complex documentation of crimes

in active conflict zones is incomplete. Despite these challenges, the coordinated efforts of international and domestic mechanisms represent one of the strongest contemporary reiterations to atrocity crimes in Europe. The bloody way from Bucha to Mariupol reveals the conflict between legal idealism and political reality, contending that the future validity of international criminal justice relies on rectifying structural biases, enhancing enforcement mechanisms, and guaranteeing fair application across geopolitical contexts. This paper argues that the violation in Ukraine not only challenges existing systems but also transforms the normative framework of accountability. Finally, the paper sees the crisis in Ukraine as both a trigger for change and a reflection of the unresolved problems at the heart of the international criminal justice system.

Keywords

Genocide, War Crimes, ICC, Accountability, Ukraine, International Law

1. Introduction

The Russia-Ukraine armed conflict turned into a full-shape international armed conflict in February 2022. The parties have precipitated one of the gravest humanitarian and legal crises in contemporary Europe violating massive human rights. The hostilities have been marked by widespread civilian murder, mass displacement, and the systematic destruction of civilian habitat. The activities promoted urgent scrutiny under international humanitarian law (IHL) and international criminal law (ICL) ([International Committee of the Red Cross \[ICRC\], 2022](#)). The large scale and intensity of violence have raised profound responsibility regarding individual criminal responsibility. The question also arose for serious violations of the laws and customs of international responsibility regarding armed conflict, Bucha and Mariupol have emerged as emblematic and deeply contested areas of large-scale civilian killing. Especially in Bucha, reports of summary executions, enforced disappearances, and ill-treatment of civilians recognizing the withdrawal of Russian forces triggered global outrage then ([Office of the United Nations High Commissioner for Human Rights \[OHCHR\], 2022a](#)).

Similarly, the prolonged siege of Mariupol was mapped by indiscriminate shelling, attacks on hospitals and theaters, and attacks on evacuation corridors. These early incidents have generated competing rational narratives, yet the volume of indirect evidence has colored allegations of atrocity crimes, including war crimes and crimes against humanity at its peak. The gravity threshold of the alleged violations has led to awakening international concern regarding the possible accountability of genocide, war crimes, and crimes against humanity. The methods were defined under customary international law and treaty regimes such as the Rome Statute of the International Criminal Court (ICC) ([Rome Statute, 1998](#)). Most importantly, international organizations as well as human rights bodies and fact-finding missions have emphasized that serious breaches of (*jus cogens*) give rise not only to state responsibilities but also to crime-based criminal accounta-

bility (United Nations General Assembly, 2001; Cassese, 2013). In fact, armed conflict has therefore initiated debates on the effectiveness, jurisdictional reach, impact, and politics of existing international accountability mechanisms throughout the world.

This paper shows substantial significance for development as well as effective application of international humanitarian law. The paper also talks about international criminal justice in contemporary armed conflicts. By observing the alleged systematic crimes committed, especially in Bucha and Mariupol, the research evolves a deeper legal reasoning of how grave violations of IHL—particularly genocide, war crimes and crimes against humanity—are documented and legally justified in contemporary conflict situations. Besides, the paper resolves the normative circulation of IHL by showing the protection of civilians, the prohibition of indiscriminate attacks on civilians, and the accountability for mass genocides. From an accountability equation, the research poses the complementary mandates of international and domestic law, including the ICC, ICJ, UN investigative bodies, and universal jurisdiction. Nonetheless, this analysis underscores how coordinated institutional activities can reduce impunity gaps and accountability when political constraints are at their peak. In addition, the study gives valuable insights into strengthening procedural preservation and jurisdictional innovation in future criminal justice. Furthermore, the core findings of this research are significant for future conflict and early warning mechanisms by the stakeholders.

Here, the study resolves disputes by policymakers, international organizations, and military planners on how failures of accountability can escalate grave violence, while legal intervention may lessen further genocidal crimes. Finally, this article evokes the evolving discourse on protecting *jus cogens* norms, emphasizing that accountability is not only a retrospective duty but also an essential tool for lessening mass genocides in future conflicts. At the core of these debates is the legal and moral contemplation of accountability under international criminal law justice. Surely, the prohibition of grave international crimes precludes a collective moral consensus of the international community rooted in the desire to protect human dignity, and social justice and prevent impunity for mass destruction heavily (Cassese, 2013). That's why accountability is not merely punitive; it gives broader objectives of deterrence, truth-seeking, transition, rule of justice, victim recognition, and the restoration of international legal action. In this same context, the failure to investigate the malafide attack and prosecute alleged perpetrators risks undermining both the credibility of international law with sanctions and the rule-based global criminal justice system. This article focuses on the legal and conceptual fact of genocide and war crimes in international criminal law, the Geneva Conventions, and the Rome Statute. It establishes the normative framework, which is essential for judging the atrocities in Bucha and Mariupol.

Against this discussion, the purpose and scope of this research are to examine, from a doctrinal legal perspective, the nature of alleged atrocity crimes committed in Bucha and Mariupol. Besides, the research critically assesses the accountability mechanisms available under international law and order. The study further fo-

cuses on the role of international organizations, particularly the International Criminal Court, the United Nations, and regional bodies. By discussing jurisdictional challenges, evidentiary standards, polarized justice, and enforcement weaknesses, this research seeks to contribute to the broader assumption on international criminal justice and the pursuit of accountability in situations of ongoing armed conflict throughout the universe. This study adopts a doctrinal legal methodology, examining the Genocide Convention, the Rome Statute, relevant treaties, judicial decisions, reports of the ICC, ICJ, and UN bodies, and scholarly literature. Bucha and Mariupol are used as representative case studies due to extensive documentation of alleged international crimes. The analysis relies on publicly available legal and evidentiary materials to assess the applicable legal framework, judicial interpretations, and accountability mechanisms, without making independent factual determinations beyond the available evidentiary record.

2. Conceptual and Legal Framework of Genocide and War Crimes

This paper is conceptualized in the established principles of international humanitarian law (IHL) and international criminal law (ICL). The principles collectively govern the prevention, classification, articulation, and prosecution of genocidal crimes. The primary legal framework is enshrined in treaty law, customary international law, *jus cogens* and international jurisprudence developed through international courts and judgments of tribunals. However, genocide is grounded under Article II of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide as heinous acts. As the atrocities will be included as killing members of a protected group, causing serious bodily or mental harm, or deliberately inflicting conditions to bring about physical harm. In the present situation allegations arising from Bucha and Mariupol are also examined against legal definition. The legal concept emphasizes that genocide requires more than widespread violence, which shows proof of a specific and targeted intent. War crimes consist of grave violations of the customs of war committed outside the margin of an international armed conflict. War crimes include willful killing, torture, attacks against civilians, and destruction of civilian objects indiscriminately. Furthermore, crimes against humanity involve widespread or systematic attacks against civilian populations during an armed conflict. Acts such as mass executions, forced migration, enforced disappearances, deportations, and sexual violence in Ukraine count as war crimes within this legal classification given under the Rome Statute of the International Criminal Court (ICC) (Atadjanov, 2024).¹ Here another crucial

¹Regarding the significance of the Rome Statute of the International Criminal Court, on 2 March 2022, the Prosecutor initiated an investigation into the Situation in Ukraine based on collective referrals from 43 States Parties, establishing a unique precedent for such referrals. The investigation pertains to all past and present claims of war crimes, crimes against humanity, or genocide occurring in any region of Ukraine by any individual from 21 November 2013 onwards. Although neither Ukraine nor Russia has joined the Rome Statute of the ICC, Ukraine has submitted two declarations admitting the Court's jurisdiction over alleged crimes under the Rome Statute occurring within its territory (Rome Statute, 1998, art. 12(3)).

conceptual element of this study is the threshold of intent during armed conflict. While war crimes and crimes against humanity emerge from knowledge and general intention, genocide uniquely demands *dolus specialis*—a unique intent to commit a crime on a protected group brutally. In the light of contemporary jurisprudence, such intent may be inferred from patterns of conflicting conduct, scale of violence, and targeting practices through arms and official rhetoric of destruction. We know international criminal proceedings depend on rigorous evidentiary standards, including witness testimony, videos, forensic evidence, satellite imagery, digital documentation, body cameras, and reports from UN-mandated investigative bodies for credibility (United Nations Human Rights Council, 2023). The questor standard of proof at trial is “beyond reasonable doubt”, whereas preliminary investigations are shaped by reasonable grounds to believe crimes were committed intentionally. Finally, this framework emphasizes the doctrine of command and superior responsibility under Article 28 of the ICC Statute directly. Official responsibility, which holds military commanders and civilian superiors criminally liable if they knew or should have known about crimes committed by subordinates. And as a superior he failed to prevent or punish them logically. Also, this doctrine is central to addressing accountability of high-level officials in contemporary crimes.

3. The Growing Jurisprudence on International Crimes and Accountability

The emerging body of scholarship concerning the Russia-Ukraine conflict has generated significant academic analyses. Even the analyses on concerned matters regarding the evolution of international criminal liability and accountability mechanisms. Here, existing literature primarily examines the classification of alleged international crimes observing the jurisdictional competence of international tribunals. Moreover, the evidentiary challenges of documenting atrocities and the political limitations affect enforcement of international criminal law in the long run. One of the foundational strands of literature focuses on the legal concept of modern genocide. Scholars like William A. Schabas argue that genocide remains the most politically sensitive in legally demanding international crime. The reason is that the requirement to establish specific intent (*dolus specialis*) destroys the group concerned (Schabas, 2021). Schabas observes that international courts have traditionally adopted a restrictive interpretation of genocidal intent, coloring successful prosecutions. Similarly, Claus Kreß contends that while the Russian invasion has made substantial evidence of war crimes and crimes against humanity, the threshold for genocide is still legally contentious for careful judicial assessment (Kreß, 2023). Scholars examining the Ukraine conflict have increasingly debated whether atrocities were committed in Bucha, Mariupol, Irpin, and other occupied territories. The record satisfies the legal requirements of genocide in recent times. Marlies Glasius argues that standards of systematic violence against Ukrainian civilians combined with certain public statements by Russian

political actors have allowed scholarly discussions (Glasius, 2023). However, several commentators caution against prematurely applying the genocide label before comprehensive judicial discussion, characterizing the importance of maintaining doctrinal precision (Greenawalt, 1999).

A second body of literature shows the role of the International Criminal Court (ICC). Dapo Akande and Antonios Tzanakopoulos said that Ukraine has become one of the most significant tests of the Rome Statute system during the Court's establishment (Akande & Tzanakopoulos, 2022). Following Ukraine's acceptance of ICC jurisdiction under Article 12(3), scholars predict that the Court acquired authority to investigate crimes committed on Ukrainian territory regardless of Russia's non-membership in the Rome Statute at that time. Kevin Jon Heller portrays that the ICC's arrest warrants against senior Russian officials embark on a significant expansion of accountability efforts against leaders of powerful states in practice (Heller, 2023). Nevertheless, scholars continue to question the practical enforceability of such warrants in the absence of state violence. Recent studies have also classified the relationship between international and domestic accountability mechanisms. Ambos argues that the principle of complementarity under the Rome Statute has gained renewed significance for international criminal law (Heller, 2023). Germany, Lithuania, Poland, and several others, have nuanced investigations into alleged crimes committed during the genocide. According to Langer, these developments demonstrate the growing normalization of universal jurisdiction in practice and custom (Ambos, 2016). Another significant area of scholarship concerns the evidentiary and technological dimensions of contemporary principle. Veteran scholars Freeman highlights the growing importance of digital evidence, satellite imagery, open-source intelligence (OSINT), and artificial intelligence-assisted documentation in providing crimes (Freeman, 2024).

Recent investigations have classified by the United Nations Independent International Commission of Inquiry on Ukraine extensively on digital forensic methodologies. The strategy illustrates the transformation of evidence collection in modern armed conflicts. Scholars opined that such developments may significantly strengthen future international prosecutions colorfully. The literature also extensively addresses the role of international institutions beyond the ICC and its stakeholders. Milanović says that the International Court of Justice (ICJ) proceedings in *Ukraine v. Russian Federation* have exploded the judicial interpretation (Milanović, 2022). Although the ICJ lacks criminal jurisdiction, provisional measures have nurtured the broader accountability framework by ensuring the obligation to refrain from genocidal conduct. Similarly, legal commentators evaluate the contribution of the United Nations Human Rights Council's Commission of Inquiry and the European Court of Human Rights (ECtHR) in patronizing violations and preserving evidence for future prosecutions as precedent (*Ukraine and the Netherlands v. Russia*, 2023).

Critical scholarship has nevertheless questioned whether the international criminal justice system applies legal norms as custom. Scholar. Gerry Simpson

highlights that international criminal law has historically struggled to escape the visualization of selective justice in political influence (Simpson, 2007). Likewise, Sarah Nouwen contends that enforcement often relies less upon legal principles than upon geopolitical realities lacking state cooperation (Nouwen, 2013). The inability of the United Nations Security Council to take unified action against permanent members is the core reason and remains a recurring concern within contemporary opinions. This article clarifies to address various research gaps by providing an integrated analysis of the evolving framework of international criminal liability in Ukraine. Through a doctrinal examination of alleged atrocities in Bucha, Mariupol, and other occupied territories, the study claims the effectiveness, limitations, and future implications of contemporary accountability mechanisms in international crimes. Notwithstanding the foregoing analysis, a countervailing perspective should be considered. Based on the publicly available evidence examined in this study, the documented conduct in Ukraine is more clearly established as potentially constituting war crimes and crimes against humanity. Reports of the UN Independent International Commission of Inquiry on Ukraine, the UN High Commissioner for Human Rights, and other international bodies have documented unlawful killings, torture, forcible deportation, and other serious violations. By contrast, establishing genocide under the Genocide Convention and the Rome Statute requires proof of the specific intent (*dolus specialis*) to destroy, in whole or in part, a protected national, ethnic, racial, or religious group, the ICJ has repeatedly emphasized the particularly stringent evidentiary threshold for establishing such intent. Accordingly, this study treats genocide as a potential legal characterization of the situations in Ukraine rather than as an established finding under international law.

4. Atrocities in Context: From Bucha to Mariupol

4.1. Timeline and Factual Background of Bucha Crime

The killings in Bucha, a famous town northwest of Kyiv known as one of the most deserving manifestations of atrocity during the Russian aggression of the Ukrainian genocide. Here Russian forces intentionally occupied Bucha from the middle of February to the end of March 2022 continuously. Till the decision on their aggression withdrawal, the Ukrainian government, journalists, philanthropists, and international observers showed mass graves, bodies of civilians on streets with hands bound, child abuse, evidence of systematic torture, sexual violence, mass killing, and extrajudicial murder (United Nations Human Rights Council, 2023). Thus, the long proximity between Russian genocide on Ukraine and the discovery of these bodies creates strong factual evidence relevant for international criminal responsibility and accountability. From a sociolegal viewpoint, the heinous Bucha killings establish grave breaches of the Geneva Conventions of 1949, more particularly Article 3. Article 3 prohibits violence to the right to life and personal dignity, abstains cruel treatment, and respects personal dignity against civilians as well as persons hors de combat (Geneva Convention IV, 1949). While the geno-

cide in Bucha shows systematic and planned attacks against civilians, the evidentiary threshold for genocide, the *dolus specialis* in whole or in part, a protected group—creates a dangling legal question (Schabas, 2009). Eventually the activities clearly create corroborative evidence of war crimes and crimes against humanity according to Article 7 and Article 8 of the Rome Statute directly (Rome Statute, 1998).

4.2. The Attack on Mariupol and Methods of Targeting Civilian

Mariupol shows the most long and devastating siege of the forced war. From March 2022, the Russian militaries occupied the city, especially cutting off electricity, water lines, heating, bombing, and humanitarian corridors. The system of attacks in Mariupol evokes indiscriminate targeting of civilian persons and continues violation of the principle of distinction under international humanitarian law (IHL) (Dinstein, 2016). In addition, the repeated usage of heavy artillery, especially air strikes, and siege tactics in densely populated urban areas reveals a method of perfidy warfare incompatible with the existing principles of proportionality (Dinstein, 2016). Henceforth, the extensive destruction of the Azovstal steel plant where civilians were sheltering further illustrates the apparent failure of obligations concerning the protection of civilian populations during armed conflict.

4.3. Attacks on Protected Sites and Violations of International Humanitarian Law

One of the most illegal aspects of the Bucha-Mariupol is the frequent targeting of protected sites. On 13 March 2022, a Russian military attack on Mariupol's maternity hospital injured pregnant women and medical staff vehemently. Aftermath on 16 March 2022, the Mariupol Drama Theatre, a part of a culturally protected area—clearly identified with the word “children”—exploded, killing hundreds of civilians inside the theatre (Human Rights Watch, 2022a). Under the Geneva Conventions and Additional Protocol I, medical units, hospitals, and civilian areas will enjoy special protection from harmful effects. In fact, the protected areas may not be attacked unless they are used for military usage that must be proven fairly (Additional Protocol I, 1977). Unfortunately, no credible and authentic evidence has proven Russian claims that these sites were legitimate military targets as well. Finally, these attacks constitute war crimes under Article 8(2)(b)(ix) of the Rome Statute clearly (Rome Statute, 1998). The nature of such Readify strikes also creates a broader erosion of the protective regime under IHL. Nonetheless, the deliberate or reckless destruction of protected areas further strengthens the evidence for crimes against humanity due to the systematic nature of the misconduct.

4.4. Forced Deportations, Filtration Camps, and Population Transfer

The most legally consequential dimension of the Bucha-Mariupol genocide is

forced deportations and willful displacement. Research says thousands of Ukrainian civilians, including children and women, were forcibly displaced from occupied territories to the Russian-controlled areas. Most of the time the camp means so-called “filtration camps” (United Nations General Assembly, 2022). Unfortunately, these camps reportedly involved interrogations, biometric data collection, separation of families, rape, and inhuman torture. Under the practice of international law, deportation of protected people from occupied territory creates a grave violation of the Fourth Geneva Convention (Geneva Convention IV, 1949). Alongside, Article 49 explicitly prohibits individual or mass displacement regardless of intention. In addition, the ICC arrest warrants issued on 17 March 2023 against Vladimir Putin and Maria Lvova-Belova critically related to the unlawful deportation of Ukrainian children (Prosecutor v. Putin, 2023). Despite forcible displacement alone does not amount to genocide when the intent is to collapse national identity through permanent displacement of children it surely counts in Article II(e) of the Genocide Convention (Genocide Convention, 1948). Thus, the legal mandate remains under active investigation and may significantly reshape future jurisprudence of international law.

4.5. Involvement of Russian Military Force Units and Affiliated Forces in Genocide

Rational evidence gathered by Ukrainian authorities, international forums, and open-source investigators says the involvement of Russian military units and affiliated forces in the commission of genocides in Bucha and Mariupol. Furthermore, satellite imagery, intercepted communications, survivor testimonies, and unit deployment evidence have been instructed for accountability for chains of commands (Bellingcat, 2022). Under the doctrine of command responsibility, military and civilian superiors surely are accountable for criminal liability (Prosecutor v. Delalić, 1998). Regrettably, the proscribed nature of the Russian armed forces and the centralized command system shape the legal plausibility of command responsibility beyond individual soldiers to higher-ranking officials. Afterwards, the participation of individual forces in the name of private contractors and local collaborators does not involve the Russian Federation. Under the custom of international law, acts done by de facto agents or groups under effective control of a state are attributable to that state (Bosnia and Herzegovina v. Serbia and Montenegro, 2007). Here this principle is established in the customary practice of the International Court of Justice and international criminal tribunals throughout the world.

5. International Legal Mechanisms for Determining the Accountability of States

The genocides pledged in Ukraine, from the mass killings in Bucha to the siege of Mariupol, have caused harm to civilian infrastructure. The practice also initiated forced deportations—the most pressing tests of international legal mechanisms

for accountability in recent years. While the Russian government denies direct involvement in culpability, these malicious acts fall surely within the definition of war crimes, crimes against humanity, and willful genocide under international law. Certainly, effective accountability depends upon a combination of criminal, civil, and international legal mechanisms for accountability of superior command.

5.1. ICC State Accountability Mechanism

In relation to the situation in Ukraine, the ICC's jurisdiction does not derive from Russia's membership of the Rome Statute but from Ukraine's acceptance of the court's jurisdiction under Article 12(3). Following Ukraine's declarations, the prosecutor was authorized to investigate alleged crimes within the court's jurisdictions. With the investigations initially triggered by state party referrals under Article 14 rather than a *proprio motu* investigation under Article 15. The ICC's territorial jurisdictions therefore permit the prosecution of alleged crimes committed on Ukrainian territory notwithstanding Russia's non-membership in the Rome Statute.

On 17 March 2023, ICC Pre-Trial Chamber II issued arrest warrants for Vladimir Putin and Maria Lvova-Belova in connection with allegations of the unlawful deportation and transfer of Ukrainian children from occupied areas to Russia. The ICC thus plays a central role in establishing individual criminal responsibility for Rome Statute crimes committed in the context of the Ukraine conflict. Nevertheless, the ICC imitates significant jurisdictional and enforcement challenges from the very beginning. In fact, Russia's refusal to recognize the Court, non-cooperation by state organs, and the absence of an international enforcement mechanism havoc the pragmatic impact of ICC jurisdictions (United Nations Human Rights Council, 2023). As a result, the gaps undermine the need for complementary legal doctrine through political measures to ensure accountability. Having these limitations, the ICC's role is important in documenting crimes and international norms and creating a reliable evidentiary value for future prosecution.

5.2. International Criminal Court's Exclusive Responsibility in Ensuring Accountability: Reimagining the Doctrine of International Criminal Responsibility

Before examining accountability in the context of the war in Ukraine, it is essential to distinguish between state responsibility and individual criminal responsibility, as they arise under different legal frameworks and are adjudicated through different mechanisms. State responsibility concerns violations of international law attributable to states and is addressed primarily through interstate mechanisms, including proceedings before the ICJ. Individual criminal responsibility, by contrast, concerns the liability of individuals for international crimes such as genocide, crimes against humanity, and war crimes, and is addressed by international criminal tribunals, including the ICJ. This distinction is fundamental because conflating state responsibility with individual criminal responsibility can obscure the dif-

ferent standards, procedures, and forms of accountability applicable to each. The atrocities committed in Bucha and Mariupol during the Russian invasion of Ukraine have been treated as one of the most heinous tests of contemporary international criminal justice. This was the glaring example after the conflicts in Rwanda and the former Yugoslavia.

Our core reports documenting mass executions, indiscriminate bombardments, torture, forced deportations, and systematic attacks against civilians have tailored widespread allegations of war crimes, crimes against humanity, and genocide in the incidents. In this context, the International Criminal Court (ICC) takes a pivotal position as the principal judicial institution ensuring accountability for grave violations of international law and humanitarian law. The practice of arrest warrants against senior Russian military officials, particularly General Valery Gerasimov, Chief of the General Staff of the Armed Forces of the Russian Federation. The activities mark an important development in the evolution of international criminal responsibility. The ICC has pointed out that Gerasimov bears responsibility for targeting attacks against civilian objects, creating excessive incidental harm to civilians, and committing inhumane acts. The constituting crimes against humanity under Articles 7 and 8 of the Rome Statute deployed the arrest ([International Criminal Court, 2024b](#)). The significance of the Bucha and Mariupol atrocities is established beyond individual criminal responsibility. These incidents enhanced the effectiveness of existing mechanisms of ICC. This is needed to prevent mass atrocities and expose structural weaknesses in international criminal law. While numerous international actors have admitted the conduct of Russian forces, the ICC was the only permanent judicial institution. And took a decision imposing criminal liability on high-ranking political and military leaders of Russia.

5.3. Command Responsibility and the Gerasimov Case

The ICC's allegations against General Valery Gerasimov mark the continuing relevance of the doctrine of command responsibility as customary practice. Under Article 28 of the Rome Statute, military commanders may incur criminal liability. Before, you have to ensure they knew or should have known that forces under their effective control were committing crimes without barriers ([Rome Statute, 1998](#)). The doctrine has emerged through landmark jurisprudence from the International Military Tribunal, the International Criminal Tribunal for the Former Yugoslavia (ICTY), and the International Criminal Tribunal for Rwanda (ICTR). In the present context, the alleged coordination of missile strikes against civilian infrastructure for systematic attacks against protected persons constitutes potential liability. The Gerasimov warrant highlights a broader trend in international criminal law toward creating responsibility to strategic decision-makers rather than merely prosecuting lower-ranking officials.

5.4. The Principle of Strategic Atrocity Responsibility

The Ukraine conflict shows a doctrinal gap within existing frameworks of inter-

national legal liability. Modern concepts such as direct perpetration, joint criminal enterprise, and command responsibility are set primarily on physical perpetrators and military commanders. However, contemporary conflicts increasingly direct complex chains of strategic decision-making in command responsibility. This article shares a novel doctrine termed Strategic Atrocity Responsibility (SAR) of IHL. Under SAR, liability would connect to senior political and military officials who direct, approve, or create strategic policies that foreseeably demonstrate widespread violations of international humanitarian law. The doctrine marks inspiration from the jurisprudence of *Prosecutor v. Tadić*, *Prosecutor v. Blaškić*, and *Prosecutor v. Karadžić*.⁴⁴⁴⁵ SAR would not exist. Doctrines but rather supplement the practice by highlighting accountability gaps. Under this framework, liability would arise whether.

- 1) A senior official attributes substantial strategic control over military operations;
- 2) The official knew or ought reasonably to have known that policies taken would likely formulate mass civilian harm;
- 3) Such harm managed on a widespread or systematic scale; and
- 4) The officials are unable to take effective preventive measures.

The addition of SAR could significantly strengthen accountability measures in conflicts involving major military powers.

5.5. The ICC's Unique Institutional Responsibility

Although domestic courts using universal jurisdiction may contribute to accountability efforts. The ICC remains determined to investigate and prosecute those most responsible for atrocities committed in Ukraine. Consequently, the ICC's role shapes ordinary criminal prosecution. The taken divisions represent a commitment to the principle that no individual, regardless of rank or political influence, is above international law and customary practice. The atrocities committed in Bucha and Mariupol created a defining moment for international criminal law. The ICC's essence of accountability against senior Russian officials, including General Valery Gerasimov, preceded the continuing factor of the Rome Statute system. However, evolving patterns of warfare necessitate doctrinal innovation for accountability. The proposed principle of strategic atrocity responsibility shares a potential framework for enhancing leadership accountability in future conflicts. Ultimately, the effectiveness of international criminal justice will be nuanced not merely by the implementation of warrants but by enhancing capacity to ensure that those responsible for grave violations are held accountable. The Ukraine conflict therefore shares an opportunity for the ICC to establish a foundational promise: ending impunity for the world's most grievous crimes.

6. Violations of International Humanitarian Law in Bucha and Mariupol: A Critical Legal Analysis

The events unfolding in Bucha and Mariupol during the Russian invasion of

Ukraine have become endangered as some of the most extensively documented allegations. These incidents are significant not only because of the standard of civilian suffering but also because they challenge contemporary international legal mechanisms. The atrocities happened in Bucha following the Russian forces in March 2022, compelling evidence of grave breaches of the Geneva Conventions. The investigations conducted by the United Nations, Human Rights Watch, and Amnesty International highlighted the summary executions, torture, enforced disappearances, arbitrary detention, and ill-treatment of civilians vehemently (OHCHR, 2022b). The presence of dead bodies with bound hands, evidence of close-range shootings, and reports of systematic abuse show that many victims were intentionally killed despite their civilian status then. Such conduct directly violates the principle of distinction classified in Article 48 of Additional Protocol I, obliging parties to always distinguish between civilians and combatants during the armed conflict (Additional Protocol I, 1977). The deliberate killing of civilians poses a grave breach under Article 147 of the Fourth Geneva Convention.

And instituted a war crime under Article 8 of the Rome Statute of the International Criminal Court (ICC) (Geneva Convention IV, 1949; Rome Statute, 1998). Furthermore, the systematic violation of the abuses documented in Bucha seizes the possibility. The legal significance of Bucha therefore works beyond isolated battlefield misconduct in pointing towards broader questions of command responsibility in international law. The siege and bombardment of Mariupol similarly instituted serious violations of IHL. Throughout the siege, civilians were subjected to relentless shelling, aerial bombardments, and deprivation of essential necessities. The crimes include food, water, electricity, and medical care vehemently (OHCHR, 2022a). The destruction of civilian infrastructure on a massive campaign condemns concerns regarding compliance with the principle of proportionality in IHL (Additional Protocol I, 1977). A particularly heinous attack on the Mariupol Drama Theatre on 16 March 2022 collapsed the norms of international humanitarian law. The theater served as a civilian shelter during the war. And the theater was clearly emblazoned with the word “children’s theater” wasetters visible from the air and open space. Despite these precautions, the building was attacked without justification and largely destroyed the institutions.

Nonetheless, independent investigations concluded that no military objective existed in the immediate destruction that could justify the attack with any sense (Amnesty International, 2022a). If established before a competent tribunal, such conduct would constitute a serious violation of Articles 51 and 57 of Additional Protocol I. The destruction amounts to a war crime under Article 8(2)(b)(i) and (ii) of the Rome Statute accordingly (Rome Statute, 1998). In the absence of credible evidence enlightening such misuse, attacks against healthcare objectives constitute unlawful attacks against protected objects in IHL. Henceforth, the bombing of Mariupol Maternity Hospital No. 3 therefore shows one of the clearest expressions of an alleged violation of the special protections surrounded under IHL (Human Rights Watch, 2022b). Another critical legal issue enjoins the use of siege

warfare systemically. While siege operations are not prohibited per se under international law, they become unlawful in practice. The employed in a manner that starves civilians or deprives them of objects indispensable for survival and getting support (Dinstein, 2022). The given reports from Mariupol indicate widespread destruction of water systems in food supply chains, healthcare infrastructure, and humanitarian grounds. Such illegal actions potentially violate Article 54 of Additional Protocol I and are liable for punishment. The incident will amount to the war crime of starvation under Article 8(2)(b)(xxv) of the Rome Statute clearly (Additional Protocol I, 1977; Rome Statute, 1998). From a broader doctrinal discussion, the events in Bucha and Mariupol show a pattern of conduct inconsistent with the fundamental humanitarian principles. The cumulative effect of unlawful killings to indiscriminate attacks, attacks against protected objects, forced displacement and deprivation of humanitarian assistance paves not merely unintentional failures but potential crime for civilian protection obligations of IHL. Consequently, these incidents share a substantial evidentiary basis for allegations of war crimes, crimes against humanity, and subject to proof of specific genocide.

7. The Role of International Court of Justice (ICJ) on State Responsibility

From a doctrinal perspective, the ICJ's jurisdiction in the Ukraine proceedings concerns state responsibility under the Genocide Convention and does not extend to the individual criminal responsibility of perpetrators. A distinction must also be drawn between provisional measures and the merits of the case. In its order of 16 March 2022, the ICJ indicated provisional measures requiring Russia to immediately suspend its military operations in Ukraine, primarily to prevent irreparable prejudice to rights claimed under the genocide convention. The order did not determine that genocide had occurred or that Russia had violated the merits stage.

The ICJ therefore provides a state-based mechanism for addressing alleged violations of international law, complementing the ICC's jurisdiction. Over individual criminal responsibility. However, the effectiveness of ICJ proceedings may be constrained by issues of jurisdiction, state compliance, and the broader institutional limitations of international adjudication. These limitations illustrate the challenges of enforcing international legal obligations against powerful states.

8. The Role of United Nations Human Rights Council (UNHRC) in Shaping Genocide

The United Nations Human Rights Council (UNHRC) is pivotal in addressing genocide and other mass atrocity breaches by functioning as a fact-finding, monitoring, and accountability-promoting entity rather than a judicial body. The Council documents abuse, retains evidence, detects patterns of severe violations, and suggests steps for international accountability and prevention through special sessions, resolutions, commissions of investigation, and debates with the High

Commissioner and other mandate holders. The UNHRC established the Independent International Commission of Inquiry on Ukraine in March 2022 to investigate purported violations of human rights, international humanitarian law, and associated crimes stemming from Russian aggression. Subsequent reports documented extensive serious abuses and raised concerns about allegations of genocide, thereby maintaining international focus on potential atrocity crimes and facilitating future legal proceedings by appropriate judicial entities. Consequently, while the UNHRC lacks the authority to prosecute offenders, it fulfils a crucial preventive and evidential role by revealing genocidal threats and enhancing the international response to these crimes. The Independent International Commission of Inquiry on Ukraine affiliated by the UNHRC systematically shapes violations, collects testimonies, evidence and provides preliminary legal assessments to the victim (OHCHR, 2022c). Therefore, the Commission's methodology—incorporating field investigations, forensic analysis and collaboration with the Ukrainian government—helps to create an evidence-based account of war crimes and crimes against humanity. Initially, the process included civilian killings, sexual violence, child abuse and forced displacement (OHCHR, 2022c). While UNHRC resolutions lack binding enforcement the evidence generated keys an effective role in assisting ICC and domestic prosecutions.

9. The Complementary Jurisprudence of European Court of Human Rights (ECHR) in Determining State Responsibility

From a doctrinal perspective, the ECHR's jurisdiction focuses on determining state responsibility for violations of rights protected under the ECHR, particularly articles 2.3.5 and 8. Interim measures under Rule 39 are preventive in nature and seek to prevent an imminent risk of irreparable harm; they do not determine the merits of a dispute or constitute findings of genocide or other international crimes. Where a convention violation is established, the court may hold the respondent state responsible and award just satisfaction under Article 41. The ECHR's role is distinct yet complementary to that of the ICJ and ICC. While the ICJ determines state responsibility under international law and the ICC addresses individual criminal responsibility, the ECtHR provides a human rights framework for state accountability. In the context of Ukraine, its interim measures and judgments contribute to the protection of civilians and accountability for grave human rights violations without replacing the separate functions of the ICJ or ICC. The horrible scenario has been established even after a state's exit from the Council of Europe (European Convention on Human Rights, 1950). Afterwards, individual and interstate functional complaints relating to indiscriminate attacks on civilians and destruction of property in Ukraine are already proved. More even the threshold for evidence and jurisdictional competence is met by the institution (Dinstein, 2016). Despite limitations to reparations and declarations, the ECHR establishes binding jurisprudential principles reinforcing norms of distinction and civilian protection under customary international humanitarian law. In the matter of the

Grand Chamber ruling in Ukraine, it deemed Russia accountable for extensive and egregious human rights violations in eastern Ukraine. Resulted in the comprehensive invasion gradually infringing on the rights to life, freedom from torture, liberty, and family life of the civilians. Consequently, in the context of Ukraine, its “experience” has focused less on rendering a formal genocide determination and more on establishing an authoritative judicial record of abuses related to mass atrocities. (European Court of Human Rights) The experience is considerable, and the Court indicated an extensive evidentiary record “beyond reasonable doubt,” drawing on reports from international monitoring missions, the UN Commission of Inquiry, OSCE materials, prior party submissions, and MH17 investigative findings, while managing thousands of related applications from Ukraine and maintaining jurisdiction over facts occurring before 16 September 2022, when Russia withdrew from the Convention and declared Russia has no liability in this regard (European Court of Human Rights). Thus, in academic discourse, the ECHR’s role in the Ukraine situation proves an evidentiary elucidation, a legal assignment of state accountability for severe Convention infringements, and the strengthening of the accountability framework despite institutional limitations.

10. Universal Jurisdiction Proceedings

Universal jurisdiction proceedings have emerged as a significant supplementary mechanism for ensuring accountability for atrocity crimes perpetrated in Ukraine, as they enable third states to investigate and, where feasible, prosecute core international crimes committed extraterritorially. Several national or international courts in Germany, Poland, Lithuania, Latvia, and France have included universal jurisdiction to investigate as well as prosecute crimes committed in Ukraine (Bellingcat, 2022). Domestic proceedings provide practical advantages, including direct access to evidence, immediate detention powers, and flexibility in procedural mechanisms (Bellingcat, 2022). Therefore, such institutional mechanisms are driven by political superiors. That’s why evidentiary challenges and the logistical difficulties resulted in impossibilities prosecuting high-level foreign officials. Having limitations, universal jurisdiction poses the growing trend towards transnational justice to accountability. Hereinafter, the method also demonstrates that even non-international accountability mechanisms can complement ICC and ICJ actions. Recent monitoring indicates that over 20 national authorities have initiated Ukraine-related investigations, while Euro just has facilitated this extensive effort through the Joint Investigation Team and associated prosecutorial cooperation frameworks. After Concerning Mariupol, a definitive instance is Lithuania’s inquiry into the murder of filmmaker Mantas Kvedaravičius during the city’s siege involvement. The European Court of Human Rights shows that evidence was presented to Lithuanian officials, and by February 2024, three individuals associated with the Donetsk People’s Republic were recognized as suspects of the crime. The case encompasses unlawful arrest with deprivation of liberty, mur-

der, war crimes, and crimes against humanity continuously. This illustrates both the potential and the current burdens of universal jurisdiction in the context of Mariupol: while national proceedings can safeguard evidence to assign individual accountability, publicly recognized cases associated with Mariupol have predominantly been classified as war crimes and crimes against humanity rather than genocide prosecutions in these circumstances. This trend underscores the heightened evidentiary burden required to establish the specific intent to destroy a protected group despite broader Ukraine-related accountability initiatives explicitly.

11. Evidence Collection and Documentation of Genocidal Intent in Bucha and Mariupol (Ukraine)

Three months after the study, numerous allegations of war crimes were visible in Ukraine, particularly in hotspots such as Bucha and Mariupol. As the volume of allegations continues to increase day by day, evidence is collected from sources beyond official military structures. As the method plays a pivotal role in building legal cases for domestic and international accountability mechanisms. Evidence collection and documentation involve multiple structures, including satellite imagery, open-source intelligence (OSINT), forensic investigation, survivor data, and eyewitness testimony. Besides, they collected data from contributions of non-governmental organizations (NGOs). Finally, these combined efforts form the backbone of the evidentiary process for investigating gross violations of international humanitarian law to protect human rights law.

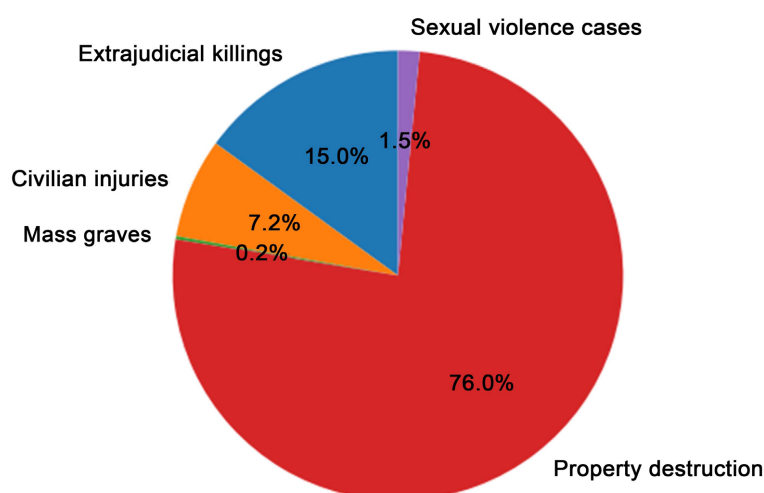
11.1. Use of State Finder and Open-Source Intelligence (OSINT)

Satellite imagery shows critical geospatial evidence of conflict-torn damage, mass graves, genocide, and continuous movements of military units. As a part of the experience, high-resolution images provide analysts with the location, timing, duration, and scale of mass violations, which is rational for investigations of war crimes and crimes against humanity (OHCHR, 2022c). Hereinafter, open-source intelligence (OSINT) gives satellite imagery by analyzing publicly available information, including published videos, photographs, and social media posts. Verification processes, such as geolocation and timestamping with satellite imagery, ensure the credibility of OSINT evidence. Other investigative organizations such as Bellingcat have clarified OSINT to independently verify attacks, especially in Bucha and Mariupol. In addition, the systematic evidence provides widely cited documentation for both public reporting and formal investigations as a part of official investigation (“Russia’s Cyber Campaigns and the Ukraine War,” n.d.).

11.2. Forensic and Mass-Grave Investigations

Forensic investigation is vital for targeting victims to determine the cause of death and recovering physical evidence for accountability. In this situation of mass casualties, teams give international disaster victim identification (DVI) protocols and maintaining a standard originated from Oxford manual.

Types of Violations in Bucha and Mariupol (Combined)



Sources: Bellingcat, Amnesty International⁶, Human Rights Watch, ICRC.

Moreover, mass-grave violation remains a vital casualty in patterns of forced killings in Ukraine. Also, forensic anthropologists and pathologists work with local authorities to ensure proper documentation for traceability and preservation of documented evidence while respecting the social dignity of victims and ensuring the repatriation of remains to families. By the way, these investigations are important for establishing the scale of violations for prosecutions under the International Criminal Court (ICC) or other special tribunals.

11.3. Survivor and Eyewitness Testimonies

Eyewitness and survivor accounts provide critical qualitative evidence to describe targeted attacks on civilians. Besides, sexual violence and other breaches of international law should be accountable. To collect raw materials Interviews are conducted following strict protocols to ensure accuracy, security, and protection of witnesses. Such testimonies are the strong articulation of forensic evidence. Surely OSINT findings by offering detailed contextual information is often gathered by photographic, satellite, or physical evidence of gross violation (Amnesty International, 2022b).

11.4. Contribution of NGOs

NGOs play an effective role in documenting human rights violations for supporting legal accountability mechanisms. Human Rights Watch and Amnesty International enshrine field teams to collect evidence, produce detailed reports, and more, even provide expert testimony to international judicial forums. Interestingly, Bellingcat has applied OSINT methodologies to verify violations in Bucha and Mariupol. The effect demonstrates the capacity of civil society actors to substantiate allegations of war crimes and crimes against humanity. NGOs also provide training to local authorities and investigators to collect evidence. The collec-

tion adheres to international standards as admissible in legal proceedings.

12. Political and Structural Obstacles

The prosecution of international crimes in Ukraine faced a series of political questions. And structural obstacles hinder the effective implementation of international criminal justice throughout court. In a sense these challenges are both practical and radical and normative originating from the interplay between state sovereignty, geopolitical interests, and drastic institutional limitations.

12.1. Russia's Refusal to Cooperate with International Bodies Willfully

One of the most significant problems is Russia's willful non-cooperation with international investigative bodies for accountability mechanisms, including the International Criminal Court (ICC) and Joint Investigative Teams (JITs) (Verbruggen, 2023). As a non-state party to the Rome Statute, Russia is under no legal or contractual obligation to align with ICC investigations or to facilitate the transfer of suspects as a part of the legal party (Rome Statute, 1998). Moreover, Article 63 of the Rome Statute shows that the accused be present during trial without showing any dilemma, but the non-cooperation of Russia provokes the prosecution of high-ranking officials is virtually impossible in nature (Rome Statute, 1998). So, this structural barrier effectively protects senior political and military leaders from accountability and transparency. As a result, the vacuum of law undermines the ICC's mandate to bring perpetrators of the gravest crimes to justice (Congressional Research Service, 2022).

12.2. UN Security Council Veto and Violations of Law

The United Nations Security Council (UNSC) provides another major structural constraint in this regard. Russia's permanent membership and veto power have relentlessly prevented the adoption of resolutions technically (Congressional Research Service, 2022). On 25 February 2022, the Council failed to remake a draft resolution aimed at ending the Russian Federation's military offensive because Russia exercised veto as a permanent member of the UN. That institutional deadlock is especially significant in light of Bucha and Mariupol, whether the scale of civilian destruction underscored the urgent need for collective resolution. Although the United Nations General Assembly responded by adopting Resolution 76/262 radically, which created a standing mandate for Assembly debate whenever a veto is cast in the United Nations Security Council. Aftermath, it established innovation improved deliberative visibility rather than coercive enforceability. The result is a serious normative contradiction: the organ primarily entrusted with maintaining international peace. Secondly, security may be rendered ineffective precisely while a permanent member is alleged to have committed the gravest international crimes in international stage. This politicization of international law creates questions about selective enforcement as well as the ethical credibility of

the concept of global justice. By banning decisive interventions, veto powers permit violations of international law to persist, demonstrating the conflict between the normative objectives of international criminal justice and the geopolitical leverage of power politics (Killingsworth, 2023).

12.3. Geopolitical Interests and Selective Justice

Geopolitical interests also reshape the international accountability for atrocities and create a system of normative justice. The scale and speed of the global reaction to the war in Ukraine contrast sharply with the international concern for conflicts in Syria, Yemen, Myanmar, or Afghanistan. This policy indicates that the mobilization of international legal resources often reflects strategic considerations rather than pro legal principles or humanitarian assistance (TRIAL International et al., 2023). Thus, the principle of impartiality in international justice is still compromised by creating concerns about equality before the law. Indeed, the unstructured barrier erodes trust in the global legal system (TRIAL International et al., 2023). The Commission of Inquiry concluded Russian authorities committed a wide range of violations of human rights law and international humanitarian law, including willful killings, torture, rape, unlawful confinement, and attacks on civilians (United Nations Human Rights Council, 2023).

12.4. Challenges in Arresting High-Ranking Officials

Even when warrants are issued, enforcement remains a lawful obstacle in law. The ICC lacks independent enforcement powers, including police forces or detention facilities. Here ICC relies entirely on State cooperation to execute arrest warrants, transfer detainees, and enforce penalties by the state prone government (Rome Statute, 1998). Russia's non-cooperation makes the apprehension of high-level officials highly unlikely, leaving a legal gap in accountability and transparency. While domestic legal mechanisms such as the Ukrainian Criminal Code allow for default judgments, these are largely emblematic if the accused remain beyond the reach of judicial activism (Congressional Research Service, 2022). The ICC has issued Ukraine-related arrest warrants against Vladimir Putin and Maria Lvova-Belova and later against Sergei Kobylash, Viktor Sokolov, Sergei Shoigu, and Valery Gerasimov (International Criminal Court, 2023, 2024a, 2024b). As a result, the Court explains it relies on states to make arrests and has no independent police force internationally. They also clarified ICC materials concerning the later Ukraine suspects, describing them as still at large or not in ICC jurisdiction (International Criminal Court, 2025). This structural reliance on external cooperation shows the vulnerability of international criminal justice to political and logistical barriers. In conclusion, political resistance, structural limitations, selective enforcement, and challenges in accountable high-ranking officials collectively. These obstacles enhance the tension between the aspirational goals of international law and the practical rationality of global politics highlighting the need for creative and complementary adjudication to strengthen accountability.

13. Impact of International Responses

Deterrent Value of Indictments and Investigations

International criminal investigations into genocides committed in Bucha, Mariupol, and other vandalized Ukrainian territories have made a crucial norm. The International Criminal Court's works on jurisdiction over war crimes committed on Ukrainian territory and assurance of arrest warrants against senior Russian officials reinforce the principle that official capacity does not exempt individuals from criminal responsibility under criminal law (*Rome Statute, 1998*). While Russia's non-cooperation limits negotiations to long-term accountability by ensuring evidence establishing criminal liability. Besides, the political and diplomatic mobility hampered the alleged perpetrators (*International Criminal Court, 2022*). As mentioned in previous situations such as the former Yugoslavia and Sudan delayed enforcement does not provide deterrence; rather, indictments function as enduring legal constraints in the Ukrainian perspective (*Prosecutor v. Karadžić, 2016*). In relation to Bucha and Mariupol, the accumulation of forensic evidence by Ukrainian authorities strengthens the eligibility of genocide and crimes against humanity allegations. Also, they ensure that these crimes remain solvable, shifting political dynamics (*OHCHR, 2023*).

13.1. Diplomatic Isolation and Reputational Costs of Escaping Responsibility

Russia's refusal to comply with international accountability mechanisms has resulted in reducing diplomatic relations and reputational harm. Various UN bodies, independent investigative mechanisms, and international NGOs have systematic methods of unlawful killings, forced displacement, and destruction of civilian infrastructure vehemently (*United Nations Human Rights Council, 2023*). This sustained scrutiny has magnified Russia's standing within multifunctional institutions. Although Russia retains veto power in the UN Security Council to block accountability measures has increasingly been viewed as an abuse of privileged power rather than a lawful exercise of existing authority (*Charter of the United Nations, 1945*). The reputational damage shows beyond Western states; several Global South leaders have publicly said mass asset freezes and sanctions as consequences of Russia's duty to uphold peremptory norms prohibiting genocide as well as war crimes (*Ruto, 2024*). In this sense, escaping judicial responsibility has transmitted into moral and political isolation the reimbursing function of the stigmatizing function of international criminal law.

13.2. Sanctions, Asset Freezes, and Travel Restrictions

Sanctions and asset freezes have become the principal mainstream tools available to the international community in mass war crimes committed in Ukraine. Since February 2022, states whispering Ukraine have frozen approximately \$280 billion in Russian sovereign assets alongside more than €70 billion in individually held assets (*U.S. Department of State, 2024*). These measures serve multiple accounta-

bility functions in this systematic genocide. First, they punish violations of international humanitarian law by initiating tangible economic results. Secondly, they hamper Russia's ability to continue military operations in the future. Thirdly, they symbolically affirm the international community's rejection of impunity for genocide and war crimes in different countries (Council of the European Union, 2024). Travel bans and financial restrictions targeting military commanders, political elites, and state-affiliated actors further create another responsibility. Although sanctions do not make criminal punishment operating as quasi-legal accountability mechanisms (TRIAL International et al., 2023). However, different proposals to confiscate frozen sovereign assets remain legally contested by sayings of the veteran. West Critics argue that such confiscation may violate principles of sovereign destabilization of financial markets, while proponents view it as a lawful countermeasure highlighting Russia's refusal (Koh, 2024).

13.3. Support for Ukraine's Domestic and Hybrid Justice Mechanisms

Recognizing the burdens of international courts alone, international nonfactors have increasingly supported Ukraine's hybrid justice mechanisms for justice. Ukrainian prosecutors, assisted by EU institutions, UN agencies, and partner states, have tried thousands of war crimes investigations on cases arising directly from grave violations in Bucha and Mariupol (Eurojust, n.d.). Hybrid accountability models surely combine domestic jurisdiction with international expertise, offering a pragmatic solution to capacity constraints faced by the ICC itself. They enable more rapid prosecutions of mid-level direct perpetrators while preserving constructive evidence for future international liability (Kress, 2006). Financial and technical support, including forensic assistance, protects programs and has made Ukraine's ability to conduct new trials consistent with international fair trial standards. In addition, this multi-layered approach reflects an evolving accountability architecture in which international justice operates through a complementary international justice system (World Bank Group, 2025).

14. Comparative and Historical Insights

The genocides committed in Bucha, Mariupol, Irpin, Kharkiv, and other Ukrainian territories following Russia's 2022 full-scale invasion constitute some of the gravest violations of human rights (United Nations Human Rights Council, 2023). The documented heinous acts include summary executions, torture, enforced disappearances, indiscriminate shelling, mass deportations, sexual violence, and widespread destruction of civilian infrastructure since 2022 (OHCHR, 2023). Also, these barbaric acts raise serious allegations of genocide, war crimes, disappearance, and crimes against humanity, creating an urgent and multifaceted international legal response earlier. The International Criminal Court (ICC) initiating under Article 15 of the Rome Statute an investigation on crimes committed on Ukrainian territory. Even under Article 15, issued arrest warrants against sen-

ior Russian officials taking a strong assertion of global criminal accountability even when involving powerful non-member states ([Rome Statute, 1998](#)).

Aftermath, the International Court of Justice (ICJ) in *Ukraine v. Russian Federation* declared provisional measures under the Genocide Convention, articulating the obligation of States to prevent genocide. However, enforcement remains challenged by Russia's selective compliance and misuse of legal arguments to avoid liability of threshold ([Genocide Convention, 1948](#)). Somehow historical and comparative analyses offer valuable lessons in this context of humanitarian law. The previous ad hoc tribunals, including the International Criminal Tribunal for the former Yugoslavia (ICTY), the International Criminal Tribunal for Rwanda (ICTR), and hybrid courts mentioning Darfur and the Bosnian genocide, made foundational principles on genocide, crimes against humanity, and war crimes ([TRIAL International et al., 2023](#)). For instance, while ICTY and ICTR prosecutions discussed legal definitions and standards of individual criminal responsibility properly, they faced limitations such as prolonged trial durations as well as difficulties in arresting high-level perpetrators. Eventually the reliance on state cooperation for witness protection and extradition made a great dilemma ([Prosecutor v. Tadić, 1999](#)). These historical lessons show strongly with the Ukrainian context, where the ICC, UN commissions, and national jurisdictions face different obstacles, including ongoing non-cooperation by the Russian Federation and complex documentation of crimes in active war zones ([International Criminal Court, n.d.](#)). The United Nations Human Rights Council's Commission of Inquiry on Ukraine has been effective in documenting violations, shadowing evidence for potential justice, and recommending further accountability procedures ([United Nations Human Rights Council, 2023](#)).

Simultaneously, European states such as Germany, Poland, Lithuania, and Austria have mentioned universal jurisdiction to liable alleged perpetrators, highlighting the complementary role of domestic courts via international mechanisms ([TRIAL International et al., 2023](#)). These early efforts address impunity. gaps more particularly where political limitations hinder international enforcement of legal avenues, including the Security Council. Meanwhile, logistical challenges in active conflict zones create havoc in political dimensions of extradition ([United Nations Security Council, 2005](#)). The rational jurisprudence of genocide and war crimes defines both the potential and the limits of contemporary accountability procedures. The lessons from ICTY, ICTR, all and hybrid tribunals emphasize the importance of received documentation, cooperation among international and national authorities, and the political will relevant to ensure accountability and transparency ([Bassiouni, 2010](#)). In Ukraine, the coordinated application of ICC investigations, ICJ orders, UN fact-finding missions, and universal jurisdiction prosecutions highlights a modern application of these principles, ensuring the universality of prohibition, war crimes, and crimes against humanity as well ([United Nations Security Council, 1993, 1994](#)). Despite ongoing barriers, the legal cohort to the events from Bucha to Mariupol shows the ongoing interplay between

historical scenario, international criminal jurisprudence, and contemporary methods of justice, describing that crimes cannot exist beyond the reach of international law.

15. Key Findings

This research has critically provided the genocidal and war crimes committed from Bucha to Mariupol during Russian aggression. The key findings include a full-scale invasion of Ukraine addressing the effectiveness and limitations of contemporary international legal accountability. The following key findings arise from the analysis:

a) Pattern of Atrocity Crimes Amounting to Serious International Crimes

The documented genocides in Bucha, Mariupol, Irpin, Kharkiv, and other occupied territories—including summary executions, forced displacement, torture, enforced disappearances, sexual violence, mass deportations, and forcible transfer of children—resulted in grave breaches of international humanitarian law (IHL). While the legal threshold for genocide under the Genocide Convention exists as evidentially demanding, the cumulative conduct shows clear war crimes and crimes against humanity with credible genocidal intent. The findings undermine the difficulty of legally proving genocide despite overwhelming factual genocidal evidence.

b) Fragmented yet Complementary Accountability Mechanism

The research shows that no single international mechanism is literally sufficient to mention the full scope of crimes committed in Ukraine. Indeed, accountability for Ukraine depends on a fragmented but complementary legal ecosystem addressing the International Criminal Court (ICC), the International Court of Justice (ICJ), the UN Human Rights Council's Commission of Inquiry, the European Court of Human Rights (ECtHR), and domestic courts exercising universal jurisdiction gradually. This unique pluralistic concept reflects both the strength and weakness of the modern international criminal justice system. While jurisdictional gaps persist, systematic institutional engagement significantly harms the space for total impunity in legal mechanisms.

c) ICC's Assertive Jurisdictional Role Despite Enforcement Delinquency

The ICC's investigation initiated under Article 15 of the Rome Statute embarked on a landmark edition of international criminal jurisdiction over crimes committed by a powerful non-state party of the ICC. The issuance of arrest warrants against senior Russian officials concerning the unlawful deportation of Ukrainian children proves the court's normative authority over the jurisdiction. However, the research finds that enforcement shows the ICC's structural weakness, as arrests depend on states' willful cooperation, which is totally absent in the Russian factor. Nonetheless, the ICC has addressed the legal narrative by declaring that political power does not confer immunity from international criminal responsibility as well.

d) ICJ's Limited but Normatively Significant Role

The ICJ proceedings in *Ukraine v. the Russian Federation* provide both the potential and limits of interstate adjudication mechanisms. While the Court's provisional measures reclaim obligations under the Genocide Convention and reject Russia's denial of treaty interpretation, the lack of enforcement mechanisms significantly reduces credible practical compliance. The research asserts that the ICJ's primary contribution includes clarification of the legal DE legitimization of aggression and evidentiary groundwork rather than immediate cession of violations of international norms.

e) Evidentiary Preservation as a Milestone of Future Justice

UN-mandated investigative bodies and civil society documentation play a critical role in evidence preservation, more especially where active hostilities obstruct immediate prosecutions in the long run. The research concludes that systematic documentation—combining forensic evidence, satellite imagery, and digital open-source intelligence—has tailored an unprecedented evidentiary archive for future accountability. This archival function is indispensable for future prosecutions, truth-seeking, and reparations even where trials are delayed for years systematically.

f) Resurgence of Universal Jurisdiction in Europe

The application of universal jurisdiction by national courts, especially in Germany, Poland, Lithuania, and other European states, shapes a significant rebirth of domestic accountability for international criminal activities. These prosecutions partially reduce the paralysis of international accountability and demonstrate that war crimes are not territorially confined. Nonetheless, the research delves into political selectivity, evidentiary complexity, and diplomatic sensitivities as making constraints on universal jurisdiction matters.

g) Structural Accountability Gap for the Crime of Aggression

One of the most critical analyses is the absence of an effective forum to prosecute the Crime of Aggression in Ukraine during the war. Jurisdictional limitations of the ICC and Security Council paralysis demand alternative solutions to the crime. The research finds that a UN-endorsed hybrid tribunal, established through an agreement between Ukraine and the United Nations and assisted by the General Assembly, provides the most legally viable and politically legitimate way for accountability of senior Russian leadership for aggression.

h) Victim-Centric Justice and Reparations as Essential Measures

The establishment of a UN General Assembly-mandated reparations framework and damages registry gives an emerging shift toward victim-centered justice. The research provides that accountability must extend beyond reasonable criminal punishment to include civil reparations, recognition of harm, and restorative justice mechanisms, particularly given the widespread civilian suffering, displacement, and intergenerational trauma influenced by the war.

I) Accountability as a Long-Term, Multi-Generational System

Finally, the research shows that justice for genocides and war crimes in Ukraine will be protracted. However, delay does not negate obligation on the accountable

states. Sustained legal pressure, evidence preservation, and institutional continuity prelude that accountability is surely possible even after ceasefires or political settlements of the crime. Finally, the pursuit of justice is therefore not merely punitive but foundational to restoring the international legal obligations throughout the mechanism.

16. Conclusion and Recommendations

The genocides committed in Bucha, Mariupol, and other occupied Ukrainian territories during Russia's 2022 invasion represent one of the most egregious violations of international humanitarian law and international criminal law in contemporary Europe. The documented patterns of summary executions, indiscriminate attacks on civilians, siege warfare, forced deportations, sexual violence, and deliberate targeting of protected sites drastically admit the legal thresholds of war crimes and crimes against humanity. In fact, subject to the establishment of *dolus specialis*, certain conduct may also fall within the definition of genocide under the 1948 Genocide Convention literally. These heinous acts are not merely battlefield excesses but constitute grave breaches of peremptory norms (*jus cogens*) that instigate both individual criminal responsibility and international concern gradually. The atrocities witnessed from Bucha to Mariupol expose not merely violations of international law but systemic deficiencies in the architecture of global accountability. The paralysis of the Security Council in the Ukraine conflict—primarily due to the veto power of the Russian Federation—demonstrates a fundamental contradiction between power politics and the enforcement of *jus cogens* norms. Within a very short time, amend the UN framework to prohibit the use of veto in cases involving: Genocide, war crimes, crimes against humanity. This method aligns with the emerging doctrine of responsibility not to veto in mass atrocity situations. The people have seen the destruction against Ukraine, so how will they accept the unlawful veto power in the question of liability?

From this paper, the authors recommend a mechanism whereby actions of permanent members (P5) are subject to legal scrutiny when *prima facie* violations of peremptory norms arise in different situations. This way will limit impunity derived from political privilege. Although formal amendment under Article 108 of the UN Charter is difficult and needs time, we need progressive or liberal interpretation through General Assembly resolutions (e.g., *Uniting for Peace*) to act as a quasi-corrective mechanism in modern civilization. Aftermath, we must introduce an independent body of the Security Council who is responsive. After observing the ongoing violence, this paper proposes the establishment of an Independent International Security Council (IISC) or parallel accountability framework reinforcing effective implementation of the independent security council. Even the security council will work with the help of independent legal experts and representatives from neutral states, and the prime duty is to authorize investigations into atrocity crimes. Sanction is a very good way to reduce the multilateral burden of unlawful disputes. We need an independent judiciary without political

affiliation. In the previous time the political organ hampered the effective strategies of the International Criminal Court. This paper refers to the International Criminal Court without political obstruction. As a part of the reformation the ICC could be established via a multilateral treaty or under the auspices of the United Nations General Assembly. Thus, this would reduce politicization and enhance normative neutrality in global justice technically.

We have seen the Ukraine situation highlights a critical paradox as legal authority without enforcement capacity or legal burden. In this vacuum of law, we need reform. Here, we can establish a standing international enforcement unit tailored to execute the arrest of warrants, potentially coordinated via Interpol, regional security alliances, and Universal Jurisdiction Integration (Eichmann Case). In addition, the system encourages states such as Germany and Poland to: Expand domestic prosecutions, Recognize ICC warrants as directly enforceable and ensure sanctions for non-cooperation. The states that are refusing to comply with ICC obligations should face Economic sanctions, diplomatic isolation, and political embargoes vehemently. Furthermore, why should we enhance the role of the International Court of Justice? While the ICJ plays an effective role in determining state responsibility, its effectiveness is directly undermined by weak enforcement mechanisms. Here we are recommending a binding compliance monitoring mechanism establishing a supervisory body to monitor compliance with ICJ judgments regularly. The Automatic Referral System can be a very authentic edition assisting the ICC. Nonetheless, non-compliance with ICJ provisional measures should trigger: General Assembly intervention, coordinated sanctions psychology and made a way of linking with criminal accountability of forced war. We know ICJ findings should serve as *prima facie* evidence in ICC proceedings, ensuring coherence between state and individual responsibility in the long run.

To get a very good result, we should initiate institutionalizing coordinated accountability mechanisms. The Ukraine conflict demonstrates the importance of multi-level accountability, including the United Nations Human Rights Council, the European Court of Human Rights, and domestic courts exercising universal jurisdiction, reinforcing the ends of justice. The body should include the Global Evidence Repository. Create a secure database for satellite imagery, forensic reports, witness testimonies, and utilization of legal standards. Before that, the UN should develop unified evidentiary and procedural standards across jurisdictions through Digital Evidence Protocols and ensure an institutionalized admissibility of AI-assisted and open-source intelligence (OSINT) evidence in international trials by different courts. The systematic war hampered the regular lifestyle of the Ukrainian people. The UN must order reparations and damages to the victim state (Ukraine). A crucial yet often underdeveloped aspect of international accountability is state reparation. Reparation will help the Ukrainian people and return them to a very normative way of leading. We must ensure articles on state responsibility (ILC) and customary international law on reparations. To make it possible, we need the International Compensation Commission as modeled after the UN

Compensation Commission (Iraq-Kuwait), to assess civilian casualties, infrastructure destruction by the war, economic loss, and frozen asset utilization for the development of the common people of Ukraine. Finally, our view is that the UN will take the responsibility of addressing the burden of political selectivity of international law. For instance, one of the most critical challenges revealed by the Ukraine conflict is the perception of selective justice. Here our recommendations are equal application across geopolitical contexts. International law must be applied uniformly, regardless of state power, political activism, or the Independent Review Body. The trajectory from Bucha to Mariupol represents a defining moment in the evolution of international criminal law in recent times. It reveals a persistent tension between legal and institutional independence. We predict only through these reforms can the international community ensure that atrocities such as those in Bucha and Mariupol are not merely documented but decisively adjudicated for the ends of justice. This paper highlights that the international accountability mechanisms for these crimes reflect an unprecedented, though imperfect, artificial convergence of accountability mechanisms during the armed conflict. The International Criminal Court's investigation by issuance of arrest warrants against senior Russian officials makes a significant contribution to global criminal justice. The earlier Proceedings before the International Court of Justice have highlighted the preventive obligations of states under the Genocide Convention, while UN-mandated commissions of fact-finding missions have transformed systematic evidence. Simultaneously, the exercise of universal jurisdiction by several European states shows the growing willingness of domestic courts to fill accountability gaps where international enforcement remains a barrier. Yet the limitations of contemporary international justice remain evident for future accountability.

Political paralysis within the UN Security Council, Russia's non-cooperation, jurisdictional barriers, and the absence of active enforcement mechanisms have denied tangible outcomes. The inability to arrest high-level suspects risk undermining public confidence in international criminal law and reinforces critiques of selective justice for the future endeavor. First, continued political, financial, and institutional support for the International Criminal Court is convenient and effective to safeguard its independence. The process ensures that investigations are not initiated due to shifting geopolitical priorities throughout the world. Second, the establishment of a Special Tribunal for the Crime of Aggression against Ukraine should be actively pursued through a legally inclusive framework addressing the accountability gap surrounding the supreme international threshold. Such a tribunal would strengthen the normative force of the prohibition of aggression and war crimes and reaffirm its centrality within the international legal order and boundary. Third, states should be encouraged to ensure the use of universal jurisdiction, particularly against perpetrators present within their territories, while enhancing coordination with the ICC and UN investigative bodies to avoid colorable exercise of power. Fourth, long-term investment in evidence

preservation, including digital documentation, forensic analysis, and satellite imagery, is vital to prove the nature of the international criminal justice system. Fifth, accountability strategies must extend beyond criminal justice to include victim-centered approaches such as reparations, truth-seeking initiatives, missing-persons processes, and psychosocial support, claiming that justice addresses both legal responsibility and human suffering.

Finally, the Ukrainian case undermines the urgent need to establish *jus cogens* obligations and limit political obstruction in cases including mass genocides. While comprehensive reform of international institutions may be difficult, incremental measures—such as voluntary restraint on veto use in atrocity situations—could significantly demotivate the credibility of the international justice concept. Eventually the journey from Bucha to Mariupol poses both the potential and the fragility of contemporary international accountability measurements. While justice may be delayed, the legal and moral obligation to achieve accountability endures. This research declares that genocide and war crimes are universally prohibited and punishable and that systematic failure risks normalizing impunity in future accountability mechanisms. The Ukrainian experience thus serves as both a warning and an established precedent, portraying that sustainable, coordinated, effective, and principled accountability is still indispensable to the protection of human dignity and justice.

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Nabi. Writing—review and editing: Dr. Rakiba Nabi and Faijul Islam, with Dr. Rakiba Nabi provides critical scholarly observations and doctrinal refinement. Recommendations and implications: i. Supervision: Dr. Rakiba Nabi. Project administration: Faijul Islam. Funding acquisition: Not applicable.

Conflicts of Interest

The authors declare that there are no financial, or personal conflicts of interest conducting the research. The authors also declare that no harmful interests arise based on rights, knowledge, cultural heritage or interests of Indigenous peoples or the use or treatment of animals during the research.

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