

Russian Invasion of Ukraine: The Human Rights Violations

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Abstract

According to Amnesty International, Russia's invasion of Ukraine is a flagrant breach of the United Nations Charter and an act of war that is a crime within international law, and all those participating in the crime should be held responsible. For it, as well as all of the other crimes that have characterized their assault of Ukraine thus far, they must be held personally, individually, and collectively liable. The organization emphasized the severity of the Ukraine issue and urged States parties to preserve and protect the UN Charter, which forbids the use of force towards a state's territorial sovereignty or national sovereignty. It stated that the only exemptions to those articles are self-defense and UN Security Council-authorized use of force, none of which apply to the current issue. Amnesty International further stated that all governments have an obligation under international treaties to handle international disputes peacefully and in a way that does not jeopardize global cooperation, security, and fairness. Russia's assault of Ukraine is terrible, serious, and characterized solely by one trait: aggressiveness. Russia is attacking Ukraine's heartland, attempting to remove its legitimately authoritarian parliament, endangering the lives, safety, and well-being of citizens; its actions cannot be supported on any of the justifications that Russia has presented.

Keywords: *Territorial sovereignty; human rights violations, invasion*

BACKGROUND

Amnesty International has urged UN Member States to unite in condemning Russia's aggressive behavior crimes, delivering aid and assistance to Ukrainian citizens, such as those escaping the conflict, and ensuring that the repercussions of Russia's aggression do not push the world closer to a depth of violence, infringements, and vulnerability. Russia's invasion of Ukraine has produced a catastrophic human right, economic, and migration crisis with the potential to be the biggest such disaster in modern European history. Russia is not only infringing on the independence of a neighbor and its people; it is also attacking and manipulating the international security framework, such as the UN Security Council, which is obsolete. This will have long-term ramifications for all of us. It must not enable hostility and global law violations to serve as its architects.

War crimes are serious breaches of a conflict in the region norms of engagement. The Rome Statute of the International Criminal Court has formalized some of these. The International Criminal Court (ICC) might have control over atrocities perpetrated in Ukraine,

which declared in 2015 that it accepts ICC criminal jurisdiction perpetrated on its soil since February 20, 2014 (Coynash & Charron, 2019). The Rome Statute was ratified by Russia in 2000, however it was withdrawn in 2016. The military operation seems to fit the Rome Statute of the International Criminal Court's definition of hostility. A "crime of aggression," according to Art. 8(1) of the Rome Statute, is "an act of aggression that, by its nature, seriousness, and magnitude, represents a blatant breach of the United Nations charter.

Even though the Court will not have authority against the crime of invasion in this circumstance, absent an improbable Security Council referral, a variety of governments, notably Ukraine, have domestic legislation that might allow punishment of individuals guilty. The assault of Ukraine reportedly has led in arbitrary strikes on civilian targets and equipment, including residential neighborhoods, medical facilities, infrastructure, and other innocent civilians and facilities, as well as civilian fatalities and injuries. It has resulted in widespread evictions and the demolition of civilian dwellings. Targeted killings, torture and other forms of ill-treatment, involuntary abductions, and illegal deprivation of liberty have all occurred throughout the conflict in Donetsk and Luhansk, notably in 2014-2015.

Russia has blatantly disobeyed its international duties. Its acts are obviously in violation of the United Nations' founding laws and ideals. That behavior must be strongly condemned by all members of the United Nations. Russia's obvious disdain must not inspire others to follow suit, and the UN's capacity to regulate such behavior must not be jeopardized (Gostin & Rubenstein, 2022). Amnesty International has been monitoring the rise of breaches of humanitarian and human rights legislation since the Russian intervention, including civilian fatalities as a consequence of disproportionate assaults on residential areas and facilities. Strikes against designated targets like hospitals and schools, as well as the deployment of imprecise weapons like missile systems and forbidden munitions like cluster munitions, might all be considered war crimes. The paper will therefore discuss various

The Russian invasion of Ukraine has resulted in Europe's biggest humanitarian crisis since WWII. Countless lives have apparently been lost, and the livelihoods of millions of people have been disrupted as a result of displacement, unemployment, and lost revenue. People that are vulnerable are more inclined to become refugees, and they will struggle to deal with rising food and gasoline prices. Global relief activities are undertaken to continue providing people's basic needs for food, shelter, and psychological security, both inside and outside of disaster zones. Many governments are conducting early discussions about how to balance growing energy prices for everybody, and the first funds have been made available.

Volatility is prevalent in any war. In the short- and long - term, it is uncertain how the war situation, election system, and responses will play out throughout the world. Nevertheless, it is increasingly clear that interruptions will impact many people in Europe even more as a result of economic effects of the event on food and fuel prices. Humans present an early conceptualization of the difficulties in this essay, with full acknowledgement of the uncertainties. We begin with a view of the short- and medium-term disturbances, then

define possibilities for the likely impact on eurozone lives, in the idea that any recommendations to limit ambiguity are preferable than nothing. Therefore, the research question will seek to answer how the Russian-Ukraine conflict is causing a massive humanitarian crisis?

METHODOLOGY

The goal is to attentively study specially picked crisis-related literature in order to gather critical data. As a result, this thesis is a subjective desk research using the text analysis approach, with the goal of delving deeper into the attitudes and acts of the Russia power by carefully analyzing the selected material from various angles (Toropchenko & Trokhymets, 2021). This should perhaps draw attention to their distinct qualities and their crisis connection. It also enables for the appearance of minor elements that can help answer the study inquiries. Additional advantage of the approach used is that the correctness may be justified since the material acquired is precise and not misinterpreted. The thesis will be carried out as an abductive study. By re-contextualizing a single example in respect to broad structures and ideas, abductive study has provided an in-depth comprehension of it. The logic of deductively research is employed to figure out why individuals act the way they do and to build a case by finding primarily implicit data. Because the Ukraine issue is difficult to observe because of its intricacy and changing composition over time, one or more theories are required to gain a better comprehension of the human violation (Plamenac, 2021). As a result, the offensive realism theory will be discussed in the conceptual section.

From 2014 to 2021, OHCHR recorded over 1,300 instances of conflict-related detainment, such as secret and held in solitary confinement detention, brutality and ill-treatment, along with violence sexual abuse, committed by Governmental entities, militant groups, as well as other performers in territories held by the self-proclaimed "former soviet states." Field trips, visits to confinement facilities, and conversations with survivors and survivors of abuses of human rights, and also relatives of victims and their attorneys, representatives, community members, and other debaters, were used to obtain evidence. Data from court papers, government records, knowledge bases, or other related sources is also used in the study.

Forecasts of detainment connected to the conflict are centered on official data from Ukrainian police departments, readily accessible to the public data from different organs of identity,' data gleaned through HRMMU conferences, findings by civil rights NGOs, and other credible information publications. HRMMU had limited access to prospective respondents throughout 2014 and 2015; HRMMU had no private accessibility to prisoners in territory occupied by self-proclaimed 'republics'; and there were regular time interruptions between the incidence of the human rights abuse and its recording (Chumachenko & Chumachenko, 2022). COVID-related constraints also reduced HRMMU's capacity to engage with survivors, prosecutors, and other debaters beginning in March 2020.

The results of the OHCHR are based on verifiable data from main and supplementary sites that have been recognized as credible and reliable. The report includes observations where the reasonable premises to presume' level of proof is reached, for instance, where an ordinary reasonable viewer might have rational basis to assume that the facts occurred as explained predicated on a body of authenticated sources, and where lawful findings reached that all these data satisfy all of the components of a contravention. OHCHR collects and validates information in accordance with its methodology, and draws its judgments on confirmed individual instances. The information in this report is utilized with absolute respect for all providers' expressed permission as to its use, as well as OHCHR's evaluation of any risk of harm that such use may create.

Research design and Method- Text analysis

Text analysis is a procedure in which the researcher evaluates a supplied text content qualitatively. The goal is to construct a text's basic substance by having read the parts, the whole, and then categorizing the environment in which it is found. The investigator can use the specific sections of the article to emphasize and identify the bits that are important to the investigation. It is possible to locate fundamental data that is not clearly stated in the text by doing a thorough analysis of the selected material (Parks & Peters, 2022). The technique's primary premise is that the material is read carefully numerous times. The first phase in a text analysis is to ask the text a series of particular questions as well as queries based on the author's conceptual classifications. Diplomacy, economics, and military are the theoretical divisions selected (Isoaho, Gritsenko & Mäkelä, 2021). Additionally, it is critical to ask inquiries since they are the most crucial analytical instrument for gathering material that is relevant to the study. The responses are also said to be the answer to the study issue.

LITERATURE REVIEW

The Findings chapter includes excerpts from a variety of publications and academic research on the Ukraine situation, NATO and EU expansion, and the Black Sea Region. Various parts have been selectively picked from the publication *The Ukraine Issue* (2014) released by Foreign Affairs in terms of data concerning the Ukraine crisis. Rickard Sakwa is another well-known expert on Russian and European affairs. His primary study topic is Russia, both in terms of its internal and overseas situation. Sakwa's study frequently aims to explain Russia's connection with the United States and the European Union in order to gain a better grasp of the relationship's framework and motivations. Sakwa is the author of several works, including *The Crisis of Russian Democracy*:

Putin and Oligarch: The Khodorovsky-Yukos Affair (2011), *The Dual State, Factionalism, and the Medvedev Succession* (2011) (2014). Because it analyzes the Ukraine situation from the standpoint of Russian powers, his latest work *Frontline Ukraine: Crisis in the Borderlands* (2015) will be reviewed. Sakwa says that the internal conflict in Ukraine

was created by a confrontation of two ideological beliefs: comprehensive patriotism, which seeks to create a homogeneous state, and plurality, which seeks to reconcile the nation's historical and cultural variety. According to Sakwa the point out that the core message is impacted by interactions between all parties engaged at both a global level, including the East-West connection. Sakwa goes on to say that this is one of the initiating elements for the country's ongoing struggle, which he illustrates by equating it to the Cold War (Sakwa, 2015:2-3, 35- 37).

John J. Mearsheimer, a political scientist, is yet another notable figure. He is recognized as an international affairs theorist and for his book *The Tragedy of Great Power Politics* (2001), that contains the offensive idealism thesis. However, he challenges whether it is appropriate to attribute the Ukraine issue on Russian aggression in one of his latest articles, *Why the Ukraine Crisis is the West's Fault* (2014). In this way, Mearsheimer stresses the US and Western responses to the catastrophe. He also feels that Russia grabbed Crimea and intervened in the eastern portion of Ukraine as a provocation in reaction to NATO's expansion. As a result, his argument is that Russia's activities and behaviour are the result of the US and its European ally's provocation, forcing Russia to respond as it did. Former adviser and political scientist Michael McFaul responds to Mearsheimer's critical work by arguing that Mearsheimer's strategy to the recession has some flaws. Only certain features of Russia's and the United States' relationship are explained by Mearsheimer's version of realist. There are still more factors to consider in order to comprehend why the crisis' ending resulted in such an inequity amongst the big nations. McFaul argues that instead of focusing on the constructed picture of the crisis, one must dig deeper and see the developments from beneath.

For example, in his piece *The Crisis is about Putin and His Adventurism*, McFaul refutes Mearsheimer's claim that NATO's expansion caused the crisis to reach a crisis moment. McFaul, on the other hand, focuses on developments in Russian and American internal policies, as well as collaboration and conflict programs (Motyl, 2010). The utilization of Sakwa, Mearsheimer, and McFaul is owing to the fact that each of them offers unique viewpoints on the problem. As a result, these works of literature are important not just for gaining a better grasp of what is going on in Ukraine, but also so that the Results chapter does not become excessively prejudiced. The Research Results chapter will include a selection of scholarly papers that concentrate whether on Russia's conduct and activities during the crisis, or the root causes for their participation. The papers have been carefully chosen to offer information to the debate.

Theoretical Framework

This study stresses on a two-sided approach to the Ukraine issue, and as previously said, the study is a deductively study that focuses on the crisis' policy, business, and military elements. The major goal is to collect evidence, such as Russian publications and remarks

critical of the US, that will be utilized within an explanatory context to describe and compare what is happening in Ukraine from a Russian and American viewpoint. Additionally, Mearsheimer's idea of offensive realism will be employed and will be very important for the study. The following is an overview of the theory's basic characteristics and concepts.

The choice of theory

Given that this study stems from the Ukraine issue, and the goal is to understand Russia's behavior, the application of a concept can help to explain descriptive elements, which can lead to a better understanding. According to Cohen & Stephen, 2012, et al., research might be either theory consumption, speculative theory, or functional attributes assessment. This thesis' starting premise, on the other hand, necessitates a theory-intensive study. As a way of doing research, one might employ one or more hypotheses. However, unlike if the research had employed various theories, this investigation will be centered on one theory, despite the knowledge that there is a larger probability that the chosen theory would not provide answers for the existing circumstances. The purpose of this thesis is to analyze the Ukraine problem and then apply the selected theory to support the analysis' findings, making theory-consuming research more appropriate.

The theory's major goal is to offer answers for the great powers' conduct and activities in the Ukraine issue so that it may be placed in perspective (Esaiasson et al, 2012). Attaching a theory to one's study might help to strengthen the link between research and the study questions, hence legitimizing the validity of the result. Offensive realism is the selected theory because of how it depicts and interprets political phenomena. In this form of research, realism is preferred because it concentrates on how players must best cope with their political relationships with others. Additionally, offensive realism, as Mearsheimer contends, focuses on how much strength a state has throughout the international system, instead of on people or local political difficulties within a country. As a result, offensive realism in international affairs concentrates on major powers. Although the theory cannot forecast when war would break out, it may explain why conflicts occur and why certain countries are more unstable than others. States seek chances to shift the distribution of forces by enhancing their comparative authority at the cost of others, as Mearsheimer contends.

Furthermore, governments employ a variety of strategies to tilt the distribution of forces in their advantage, including diplomacy, economics, and military action. Mearsheimer defines offensive realism as a doctrine that challenges the interdependence among great powers in his book *The Tragedy of Great Power Politics*. According to Mearsheimer, the major goal of realist theory is to foresee great power politics in the current period; in fact, he thinks that all social science concepts must be utilized to foresee future challenges (Can, 2021). The ability to foresee encourages the incorporation of policy discussion knowledge and may also add an antagonistic viewpoint that can further affect one's beliefs and feelings about an event. Offensive realism, according to Mearsheimer, is both a descriptive and

normative philosophy. Conversely, it develops normative since it explains how nations must thrive in the international stage in the greatest possible way.

Validity and Reliability of Material

The articles used for the research are source documents, which means they are affected by the writers' prior knowledge, and thus their neutrality may be challenged. In this regard, the study is centered on the Russian perspectives in order to separate their differing behaviors and actions in relation to the Ukraine conflict. The study includes a textual analysis, which ensures that the book is examined carefully numerous times and that the inquiries are founded on the theoretical divisions of politics, economics, and military (Bergström & Boréus, 2014). As a result, the articles' legitimacy and hidden implications are enhanced, and apparent impartiality is weakened to some (Stoner, 2014). The analytical tools improve article validity by ensuring that the investigator evaluates what it intended to measure, for instance, extracting the articles' important contents. Additionally, as a text evaluation is impacted by the study's pre-understanding, it is vital to be explicit and transparent in one's process in attempt to maximize dependability (Gorbunova, 2014).

What can explain Russia's behavior and actions in the Ukraine crisis?

Gibney, 2015, argues that it is nearly difficult for nations to rule the whole planet, and that instead, states should try to dominate in a certain zone. This is related to Delano's thesis in Article 2 that Russia is attempting to preserve and increase its naval might in order to secure its position in the BSR by dominating particular territories like as Georgia's South Ossetia and Abkhazia, as well as Ukraine's Crimean Peninsula (Rühle, 2014). The escalating tensions in the BSR between regional and exterior parties might be interpreted as one of the reasons Russia is concerned about other external challenges attempting to undermine Russia's supremacy. Great powers want to prevent possible rivals from becoming hegemonies in the same territory, as Mearsheimer contended. As a result, the fundamental factors of why the BSR have become a zero-sum competition between rivals can be observed. As a result, the balance of influence in the Black Sea has shifted since Russia took Crimea. Russia has now succeeded to protect the territory, resulting in a broader and better border, enhancing Russian military capability in the long term and reducing external influences in the Black Sea. Russia can now strengthen navigation and marine lines of communication in the Black Sea (Cornell, 2019). This will strengthen the use of military and political influence, as well as thwart the emergence of domestic disputes and external forces that can intimidate. From a future perspective, one may claim that Russia will succeed in promoting and protecting its economic as well as its strategic interests in the Region.

DISCUSSION

People that are vulnerable are more likely to becoming refugees, and they will fail to deal with rising food and gasoline prices. Global relief activities are undertaken to provide people's basic needs for food, shelter, and emotional security, both inside and beyond of disaster zones (Lazarenko & Chernohorenko, 2021). Many governments are holding early discussions on how to balance growing energy expenses for all citizens, and the first funds have been made available. Russia's threats to use military force is currently having an impact on the human dignity of millions of individuals in Ukraine and elsewhere. In 2014-2015, the crisis in eastern Ukraine triggered a full-fledged human rights catastrophe, the ramifications of which are still being felt today (Trummer, 2021). Millions of people have indeed been compelled to flee their communities, and those who have remained or stay in the contested area have been living on the margins of society, because the region's industry has been ravaged. Thousands of people have died as a result of extrajudicial killings, abuse, arbitrary arrests, forced displacement, and extraordinary rendition executions carried out by separatist and government troops. According to Ukraine's Ministry of Social Policy, 1.45 million individuals have been internally evacuated as a result of the fighting in Donbas and the occupation of Crimea (Sasse, 2020). "Imagining the extent of the refugee catastrophe in the case of increased conflicts in Ukraine is terrifying." With millions of people seeking asylum in bordering European nations, it will be a landmass humanitarian catastrophe.

The possibility of extended guerrilla warfare in Ukraine, coupled by illegal weapon exports, an infusion of uncontrolled military contractors, and a general escalation of violence and lawlessness, would further erode human rights in the area. The economic fallout and ramifications for the area, especially wider Europe, which relies on Russian gas coming across Ukrainian territory, may be enormous (Ingelevič-Citak, 2021). A new military confrontation in the heart of Europe, including a nuclear power and maybe involving additional nations, risks to destabilize the whole political order, with unforeseeable consequences for human rights across the world.

CONCLUSION

The announcement by the ICC Prosecutor that his office will seek to begin an investigation in Ukraine serves as a warning to all offenders of war offenses and crimes towards humanity in Ukraine, including those in places of power and responsibility. All states parties to the ICC, as well as the international community at large, are urged to cooperate with the ICC's inquiry, according to Amnesty International. The ICC's inquiry cannot be conducted in isolation. Comprehensive responsibility in Ukraine necessitates the UN and its organizations sustained and inventive initiatives, as well as national-level actions based on the concept of prosecutorial discretion. Evidence gathering and preservation are critical at this early stage for subsequent investigations to be successful. Above all, we must

send a message to the sadly growing number of casualties of war crimes in Ukraine that the global community is already working to bring justice to them.

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