

INFORMATION AND NETWORKING
EVENT TO SUPPORT UKRAINIAN
LAWYERS

WEDNESDAY 27 JULY 2022

2.00 PM – 6.00 PM

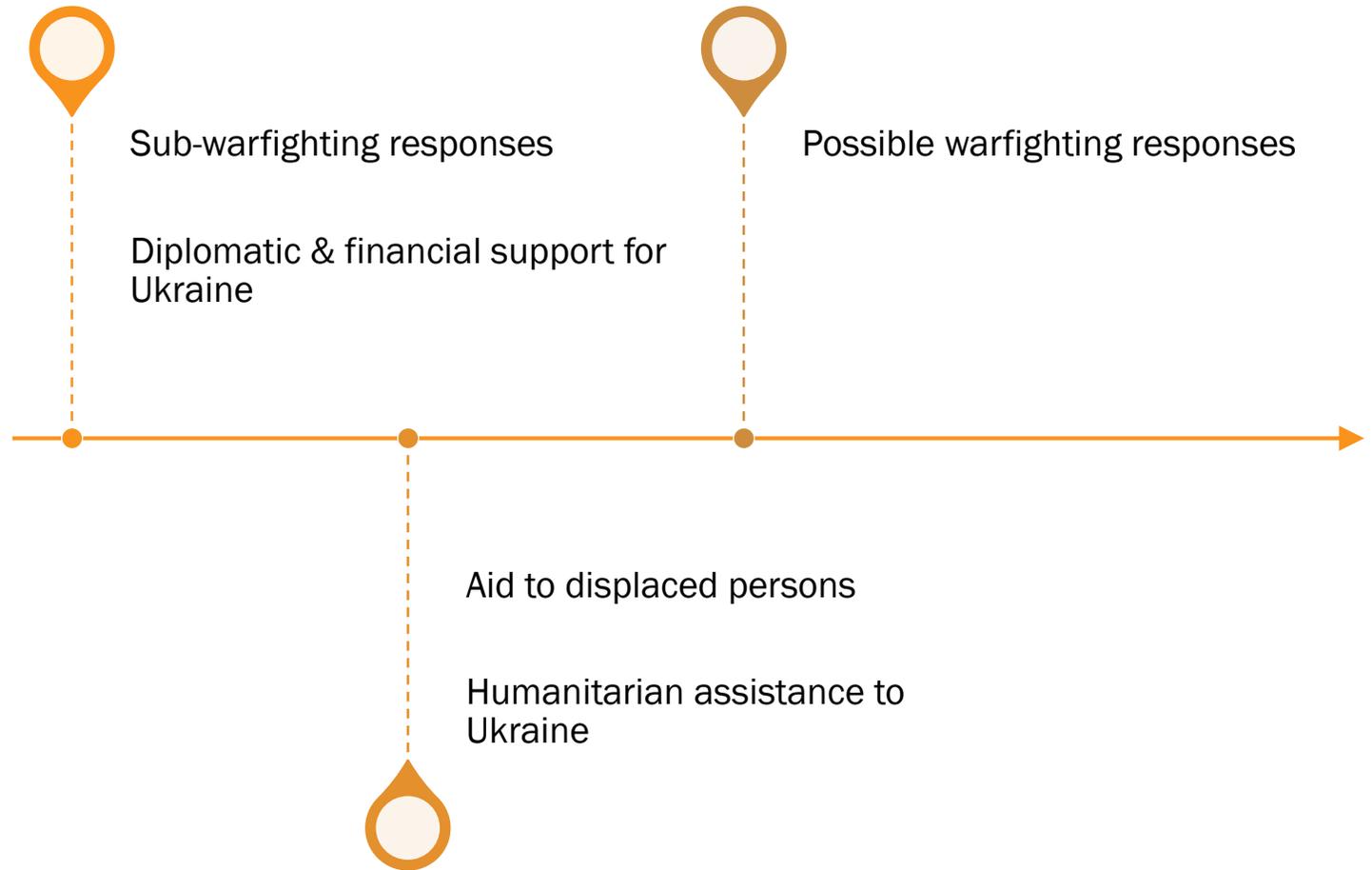
MAIN LECTURE THEATRE AND
ATRIUM – LAW SOCIETY OF
IRELAND

* IN PERSON AND ACADEMIC
CAPACITY

Legal implications of the Russian Federation's criminal war of aggression against Ukraine

Richard Humphreys*

Legal implications of Russian invasion



Sub-warfighting responses

1. Information war
2. Legal proceedings
3. Economic measures
4. Interruption of diplomatic relations
5. Support of combat functions

Information war

- EU / UK Ban on RT & 4 other channels
- Actions by private actors – Meta/ TikTok/ YouTube geo-blocking RT/ Sputnik in EU
- War propaganda e.g. Z symbols
- Actions to undermine enemy morale/ boost allied morale



Legal proceedings



- International courts/ tribunals
 - ICJ
 - ECtHR – up to 16th Sept, 2022
 - ICC
 - Independent Intl Cmn of Inquiry on UA - UNHRC
 - Hypothetical tribunal on aggression (GA/ multilateral)
 - Hypothetical tribunal on compensation
- National courts
 - Ukrainian
 - Other – universal jurisdiction/ enforceability requires legislation

Sanctions



- UNSC – e.g. Iraq/ DPRK
- UNGA UfP (1950) – e.g. colonial Portugal/ SA
- EU 7th package 21st July – limited use of jurisdiction/ individual-based/ national laws – RU & BY
- asset freezes RCB / NordStream 2/ trade/ investment/ finance (e.g. SWIFT)/ ports and airports
- Immigration measures against nationals
- Asset confiscation / measures against professional enablers

Diplomatic isolation



- Expulsion from organisations – CoE suspension/ UN Human Rights Council
- Expulsion from private organisations – Eurovision/ World Cup etc
- Expulsion of “diplomats”/ spies
- Expulsion of other diplomatic staff
- Interruption of diplomatic relations (Portugal/ SA)

Assistance with combat functions



- Intelligence e.g. Moskva
- Matériel
- Finance e.g. EU Peace Facility – Council Decision (CFSP) 2022/338 & 239/2022/1284 & 1285 - €2.5 Bn in total including for equipment and platforms designed to deliver lethal force – Ireland excluded under art 4(4) of 2022/338

Legal to-do list

- Intensify information war
- Legal proceedings including ECtHR vs RU
- Domestic legislation re civil & criminal liability
- Enhance sanctions/ broad jurisdictional basis/ beyond individuals/ confiscation/ RU/BY/ collaborators
- Further diplomatic isolation
- Support combat functions

Thank you / Дякую

