

We condemn the Russian government's invasion of Ukraine by Russian forces, which began on February 24. The Russian military actions violate the principle of prohibition of the use of force in Article 2, paragraph 4, of the Charter of the United Nations (UN), but also infringe on Ukraine's territorial integrity and sovereignty. We demand immediate withdrawal of the Russian troops from Ukraine.

1. Cease the Russian 'special military operation' as aggression

Russia invaded Crimean Peninsula in Ukraine and annexed it in March 2014. In Resolution 68/262, the UN General Assembly called upon all states "not to recognize any alteration of the status" of Crimea. In conjunction with this annexation of Crimea, parts of Ukraine's Donetsk and Lugansk Oblasts, which have a large pro-Russian population, declared their independence in April 2014 as the "Donetsk People's Republic" and "Lugansk People's Republic" respectively. This declaration of independence leads to this Russian invasion of Ukraine in 2022. In response to this declaration of independence, on February 21, 2022, Russia became the first UN member state to recognize their independence from Ukraine and asserted that, at their request, it exercised its right of collective self-defence and launched a 'special military operation' to achieve peace in these regions and to neutralize Ukraine militarily, because Ukraine had committed genocide there.

However, the UN General Assembly Emergency Special Session adopted a resolution (A/RES/ES-11/1) on March 2, deploring in the strongest terms the aggression by the Russian Federation against Ukraine in paragraph 2 and demanding that the Russian Federation immediately, completely and unconditionally withdraw all of its military forces from the territory of Ukraine in para. 4 with 141 countries in favour, 5 against, and 35 abstentions. Although the UN General Assembly resolution is not legally binding, the fact that only 5 countries (Russia, Belarus, North Korea, Syria, and Eritrea) opposed the resolution and most UN member states voted for it indicates that the majority of the international community believes that Russian 'special military operation' is unacceptable as the exercise of the right of collective self-defence.

2. Make efforts to settle the international dispute by peaceful means

All members of the UN have an obligation to "settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered" (Article 2, paragraph 3, of the UN Charter). Thus, even in the midst of an armed conflict, Russia is not exempt from this obligation and must negotiate in good faith with Ukraine to resolve the conflict.

Regarding Russia's claim that genocide acts have occurred in the Luhansk and the Donetsk oblasts of Ukraine, Ukraine filed an application instituting proceeding against the Russian before the International Court of Justice (ICJ) on 26 February 2022. In its application, Ukraine denies that such genocide has occurred and states that it submitted the Application "to establish that Russia has no lawful basis to take action in and against Ukraine for the purpose of preventing and punishing any purported genocide." On March 7, the ICJ held the public hearing on the request for the indication of provisional measures submitted by Ukraine in this case. Oral arguments on provisional measures were presented by Ukraine, but Russia was absent from this hearing. Russia should immediately cease its aggression against Ukraine and seek a peaceful resolution to clarify the facts.

3. Comply with international humanitarian law

More than 10 days have already passed since the Russian invasion, and it is reported that Russian troops have attacked civilian facilities in Ukraine, towns have been destroyed, and many civilians have been killed. Russian attacks against civilian facilities and civilians are war crimes, and on February 28, the Chief Prosecutor of the International Criminal Court (ICC) decided to open an investigation into the situation in Ukraine after receiving referrals from 39 countries that are parties to the Statute of the ICC.

We require the Russian Government to comply with the obligations under the Protocol Additional to the Geneva Conventions of 12 August 1949 and relating to the Protection of Victims of International Armed Conflicts (Protocol I), to which Russia is a contracting state. By this Protocol, the civilian population and individual civilians shall enjoy general protection against dangers arising from military operations (Article 51, paragraph 1), and they shall not be the object of attack (paragraph 2). Furthermore, attacks that do not distinguish between military targets and civilians or civilian objects are prohibited as indiscriminate attacks (paragraph 4).

Concerning the use of nuclear weapons, the ICJ held in its 1996 advisory opinion that "the threat or use of nuclear weapons would generally be contrary to the rules of international law applicable in armed conflict, and in particular the principles and rules of humanitarian law." In his speech on February 24, President Putin stated that since Russia is one of the nuclear-weapon-states and possesses state-of-the-art weapons, a nuclear attack on Russia would result in unfortunate consequences. It suggested the use of nuclear weapons. The ICJ avoided judging on legality or illegality of the use of nuclear weapons in an extreme circumstance of self-defence, in which the very survival of a State would be at stake. There is no fact that Ukraine has conducted an armed attack against Russia. Moreover, since Ukraine is a non-nuclear-weapon state, there is no need for Russia to counter nuclear weapons with nuclear weapons in self-defence. The statement by President Putin constitutes a threat of a nuclear weapon in violation of international law. His thoughts, words, and actions disrespect the voices of the Hibakusha of Hiroshima and Nagasaki who, despite the loss of their health and the lives of their loved ones, have continued to appeal to the world to ensure that no more victims of nuclear weapons will be created.

On March 4, a Russian military attack on the Zaporizhia nuclear power plant caused a fire. Other attacks and occupations of nuclear research facilities and the Chernobyl nuclear power plant have also been reported. Article 56 of Additional Protocol I prohibits attacks on nuclear power plants. In addition, the Russian government announced the establishment of a "humanitarian corridor" on March 7. It is essential to ensure escape routes for civilians. However, some of these evacuation routes are designed to lead to Russia and its ally Belarus, which is not a safe haven for the civilian population of Ukraine. Unless they are provided with a truly safe haven, the "humanitarian corridors" will become a tool to fend off criticism from the international community. The protection of civilians should be a top priority.

4. Respect for human rights

Fundamental human rights should be guaranteed even in times of armed conflict. In its 2004 advisory opinion on "Legal Consequences of the Construction of the Wall in the Occupied Palestinian Territory," the ICJ considered that "the protection offered by human rights conventions does not cease in case of armed conflict, save through the effect of provisions for derogation of the kind to be found in Article 4 of the International Covenant on Civil and Political Rights" (para. 106). The Human Rights Committee expresses extreme concern at the ongoing military invasion of Ukraine by the Russian Federation. International human rights law requires the

protection of persons under its jurisdiction even outside its territory. Russia must take its own responsibility to guarantee human rights for the population of Ukraine not only in areas under military occupation but also in areas under military attacks.

The anti-war movement grows in Russia despite the crackdown by public authority such as police officers. Participants are reportedly being arrested indiscriminately. Russia is also committing human rights abuses on its own territory. We strongly urge Russia to comply with the Covenant on Civil and Political Rights, to which Russia is also a party. At the same time, we would like to express our respect and solidarity with the Russian people who have raised their voices against the war.

5. Adhere to the rule of law

The international community has built a system of governance on the foundation of international law. In the international community, there is no executive body to enforce laws. As a result, when violations of international law do occur, it is allegedly ineffective. Nevertheless, states as members of the international community have recognized international law as law and have complied with it. It is because this is in the interest not only of the international community but also of individual states. International law has been recognized as law since it is expected to be observed by states. If Russia ignores international law, the result might be favourable to Russia in short term. However, It will lead to the denial of the rule of law in the international community and the creation of a system dominated by the rule of power. In the long run, Russia will also suffer from a society where power is rampant. We strongly urge Russia to find a peaceful solution to the conflict in accordance with international law.

- We, respecting the sovereignty of Ukraine, call for the immediate withdrawal of the Russian troops to ensure that the lives and property of the people who live in Ukraine are not further damaged.
- We demand that Russia, Ukraine, and the countries and organizations concerned resolve the conflict peacefully in accordance with international law. We also call on the international community to make efforts to this end.
- We express our solidarity with the people of Ukraine who are fighting for freedom, independence, and peace while their lives are threatened by the Russian military invasion.
- We express our respect and solidarity with the citizens of Russia who are speaking out against the aggression against Ukraine despite the control of information and the repression.