



# War Crimes and Crimes Against Humanity in Ukraine

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IPHR

Submission to the International Criminal Court (ICC)

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In an effort to help fight impunity for war crimes and crimes against humanity perpetrated in the context of the ongoing armed conflict in southeast Ukraine, International Partnership for Human Rights (IPHR) is submitting a unique compilation of first-hand testimonies of such crimes to the International Criminal Court (ICC).

Since last year, IPHR has been engaged in documenting crimes of an international character in southeast Ukraine, as part of a project carried out in the framework of the Civic Solidarity Platform. IPHR's Ukraine field mission team was able to collect more than 270 statements from the victims and witnesses over the course of one year starting in October 2014. The acquired information has been processed and analysed and will be presented to the Office of the Prosecutor (OTP) of the ICC in the form of a Communication under Article 15 of the Rome Statute, on **23 October 2015**.

Although Ukraine is not a state party to the Rome Statute, the ICC's jurisdiction extends to events taking place in Ukraine's Donbass Region as a result of a declaration that Ukraine formally filed to the OTP on 8 September 2015.

*"The research conducted by IPHR's field mission in Ukraine indicates that both war crimes and crimes against humanity have been committed during the ongoing conflict. While the evidence of crimes is compelling, there is little sign of justice being done at the local level", said **Brigitte Dufour**, Director of IPHR. "We acknowledge the difficulties that the Ukrainian authorities are facing in investigating the allegations about international crimes committed on its territory and welcome their decision to grant the ICC jurisdiction over these crimes. We trust and believe that this will help ensure that impunity cannot prevail and that victims of international crimes in Ukraine will obtain justice", she continued.*

According to **Roman Romanov**, Human Rights and Justice Program Initiative Director at the International Renaissance Foundation (Ukraine): *"Through its declaration to the OPT, the Ukrainian government sent an important message with respect to combating impunity. It is, in fact, unique that a*

*country accepts the ICC's jurisdiction at the time of an ongoing armed conflict."* He added: *"At the same time, the ICC will not replace Ukrainian authorities, who have a key role to play with respect to ensuring accountability for grave crimes. It is therefore imperative that the international community continues to support efforts to increase the capacity of the national justice system in this regard".*

**Alexandre Prezanti**, Partner at the Global Diligence LLP, who helped IPHR with analysing the acquired evidence further stated: *"As available information about the tragic events in southeast Ukraine has largely been distorted by Cold War era politics and disinformation, the ICC is in a unique position to establish a fair and balanced record of history".* He continued: *"With the conflict still under way, the ICC may also help compel the warring parties to comply with international humanitarian and human rights law".*

IPHR will continue its documentation work in the Southeast of Ukraine and will also make its further findings available to the ICC, as well as to the investigative authorities of Ukraine.

See also: Comprehensive IPHR report on fighting impunity in Eastern Ukraine, 7 October 2015, <http://iphronline.org/new-report-fighting-impunity-in-eastern-ukraine-20151007.html>