

24 March 2022

LAWASIA STATEMENT ON UKRAINE

LAWASIA joins the international legal community in expressing grave concern regarding the government of the Russian Federation's (hereinafter referred to as "Russia") war in Ukraine in violation of international law and the rule of law.

LAWASIA condemns indiscriminate attacks on civilian targets, leaving many civilians including women, children and medical staff injured, buried in rubble and dead. Any attacks on civilians and civilian facilities, whether directed or collateral, is not acceptable and is a clear breach of international law and treaty provisions.

The UN Charter prohibits a state from using force, or threatening to use force, against another state unless acting in self-defence or pursuant to a United Nations Security Council resolution. Neither of these exceptions apply to the actions taken by Russia against Ukraine.

Russia is subject to international law through numerous international conventions, treaties and accords to which it is a party, which recognise the sovereignty of states and the fundamental rights and freedoms of human beings. Russia's aggression against Ukraine violates these fundamental international obligations and the rule of law, which LAWASIA and the broader international legal community aim to protect.

Attacking civilians or civil facilities, as reported, is in direct violation of the principles of international humanitarian law, including the 1949 Geneva Conventions to which Russia is a party, the 1977 Additional Protocols as well as customary international law. Relevant principles and rules of international humanitarian law include that belligerent parties:

- must, when attacking, distinguish combatant/military objects from civilians/civil use targets;
- are prohibited from indiscriminate attacks and must take precautionary measures to avoid civilian targets; and
- are prohibited from attacking highly dangerous or medical facilities.

It is of deep concern that Russia has failed to comply with each of these established international rules by indiscriminate targeting, attacking, injuring and killing of civilians, including children.

LAWASIA calls upon Russia to cease hostilities immediately, and peacefully withdraw its troops from Ukraine, to uphold the rule of law and respect the international conventions, treaties, accords and principles to which it has agreed to be bound.

We extend our unconditional support to all members of the Ukrainian Bar Association and to the Ukrainian people during this unlawful attack on the sovereignty of their nation. LAWASIA calls for peace in Ukraine, for the resumption of diplomatic dialogue and an end to all violence.

Melissa Pang

President, LAWASIA