

UKRAINE CASE – CASE STUDY PROVIDED TO STUDENTS

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Facts

Russia launched a military invasion into Ukraine on February 24th, 2022, where fighting has caused thousands of civilian deaths and pushed millions of Ukrainians to flee to neighbouring countries – the majority of whom have arrived in Poland, a NATO country where U.S. troops are preparing to aid refugees. Some of the Russian invaders and attackers who disguised themselves as refugees, found their way to England in the United Kingdom.

Questions posed to the students:

- 1. Both the Ukraine and UK governments would like the background and facts that have led to the Russian invasion into Ukraine clarified.**
- 2. What is the difference between Eastern and Western Ukraine? What are the complexities of nation building and Ukrainian national identity in Ukraine?**
- 3. The government of Ukraine would like advice on whether it should engage in retributive or restorative justice and why it should do so.**
- 4. The government of Ukraine would like to know if President Putin can be taken before the International Criminal Court for war crimes or crimes against humanity.**
- 5. The UK government would like to know if it can try the Russian invaders (who were disguised as refugees) for the heinous crimes they carried out in Ukraine, in its national courts. The UK would also like a description of the criminal justice process in England and the rights of the suspects /defendants.**
- 6. How else can the UK provide international cooperation to Ukraine for the war crimes or the crimes against humanity that Russia presents. What agencies would be involved?**

Suggested answers expected from the students:

1. For question one, students are expected to apply their research skills to find accurate information about the Ukraine crisis. They should know how to access academic sources and analyse data. Students should also offer understandings from other disciplines such as history.

2. Students should be able to expand on question one and offer insights from politics or international relations and discuss the issues surrounding national identity and nation building. For example, they may wish to discuss the use of nationalism as a tool to secure power and influence foreign policy. They should be able to distinguish between Eastern and Western Ukraine.

3. For question three, students are expected to apply their knowledge from the core discipline of crime and criminal justice but also add dimensions of human rights discourse when discussing various aspects of justice. Students can also offer examples from other case studies.

4. For question four, students are expected to apply knowledge from international law and the core discipline of crime and criminal justice. Students should identify the law surrounding the Rome Statute and the International Criminal Court. However, they are also expected to acknowledge whether Russia is party to the Rome Statute and if not, what other vehicles may or may not be available as a sanction against President Putin. This is an opportunity for students to look beyond the ICC and perhaps the wider political action such as that of the Security Council etc.

5. Question five expects students to review and apply the process of the criminal justice system in England from investigation, arrest, charge, and trial and should be familiar with the concept of universal jurisdiction. Students will acknowledge that the disguised refugees will have human rights protection and students should be familiar with the international law surrounding refugee protection.

6. Question six invites students to look beyond the law and identify agencies that assist in security and border protection where they can help in data sharing. Students should note that evidence may be gathered and collated from the legitimate refugees. However, students are reminded of the utility of Interpol services for instance. Students should also note whether the tools of diplomacy would be useful.