

INTERNATIONAL LEGITIMACY OF THE RUSSIAN-UKRAINIAN WAR

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Abstract:

It is worth mentioning that there are international laws governing the use of military force, such as the Charter of the United Nations and the principles of international humanitarian law, which set restrictions and conditions on the use of military force and the interference of States in the affairs of other States. In general, it can be argued that the debate over the legality of the Russian oak war is persistent and complex, and depends on different perspectives and multiple interpretations of international law. Hence the chapter is divided into researchers for the first research on the concept of international intervention. In the second study, we dealt with the legal cover of the Russian oak war.

Keywords: Legitimacy, Intervention, International Law, Ukraine.

1. INTRODUCTION

Deemed illegal and unjustified General Assembly of the United Nations, While Russia upholds its legitimate right as Oak Arnea attempts to join NATO, threatening its security and peace. This is a facade of various reactions from the UN. International justice for several issues related to the Oak-Arni Russian war. The international legitimacy of wars depends on a set of international principles and laws governing the conduct of states in Alan Zawat military. With regard to the Russian oak-Arnah War, the international legitimacy of the war may give rise to much controversy. Discussions on the international legitimacy of the Russian-oak-Arnah War begin from the beginning of Az Zar in 2014, when Russia joined Crimea and officially announced its annexation. Many countries considered it to violate international laws and the principles of national sovereignty. In addition, Az Zawat is raging in the eastern regions of Oak Arnia, where Russia supports local armed factions, raising further debate about the international legitimacy of Russia's interference in these farms.

2. Study Problem.

The problem with research lies in the fundamental question of what is the international legitimacy of the Russian-Oak Arni war? The problem of research into the international legitimacy of the Russian War in Ukrainian requires a thorough and comprehensive analysis of many of the complex legal and political aspects surrounding this international destiny.

3. Study Importance.

1. Understanding the best principles of international law relating to war and using military force.
2. The International Legitimacy of Free Russian Ukrainian, this contributes to the challenge of the legal and political responsibility of the Arf concerned in accordance with international law.
3. Understand the political and six-rounder dimensions of LN2 between Russia and Ukrainian and how it affects the international system.
4. Contributes to the formation of the R.I.A. and the general policies relating to the armed forces and the use of military forces.

4. Study Objectives.

1. Assess whether the Russian war against Ukrainian is consistent with internationally recognized standards and principles.
2. The research also aims to analyze and evaluate legal violations that may have occurred during the YSG.
3. Understanding the international and regional dimensions of "UNiTE", including the impact on regional and global security.

5. Study Methodology.

To study and examine the principles and rules governing the uses of international rivers, we have taken the analytical approach to analyse the legal texts contained in international treaties and conventions dealing with international watercourses.

6. Concept of International Intervention.

The notion of "interference" in international law is linked to the notion of "exposure". When a State interferes in the internal affairs of another State, this is a violation of the sovereignty of the latter. The Charter of the United Nations prohibits interference in accordance with Article 2-7, which provides that "States may not intervene in cases which are essentially within the domestic jurisdiction of any State."

This principle aims to preserve States' autonomy against the interventions and pressures of stronger States.

6.1. Definition of International Intervention.

Interference with respect to international law is the term used to refer to forced interference by overriding the sovereignty of another State by tampering with its internal or external affairs. In most cases, interference is considered to be illegal, but some interventions are considered to be lawful (Ashour, A.J. 2018).

It is a State or a group of States or an international organization that engages in a human intervention within the sphere of competence of another State. "Forced labour by States involves the use of armed force in another State without the consent of its Government, whether with or without the authorization of the United Nations Security Council, in order to prevent or put an end to gross and mass violations of human rights or international human law (Boumaza & Boumaza, 2019).

6.2. Roots of Russian-Ukrainian Interference.

The name Ukrainian means in Ukrainian homeland "But in Russian it means 'frontier land', and it seems that the name holds these two connotations to this day, Ukrainian appears to be literally divided over itself centuries ago along the river." DNIPR ", with the Arnese-Dnipro oak, with the western half heading to Europe and the eastern half to Russia, It still feels like it is made up of two different states (Boumaza & Boumaza, 2019). The population is rarely crossed from West Catholic farming to its Orthodox industrial east. One of the main causes of the war is the Russian feeling that part of Ukrainian belongs to the state of Russia after being part of the Soviet Union. Ukrainian is also an important part of Russia ' Mother of Russian Cities ", the corridor of eastern Orthodox civilization, as well as the existence of deep cultural, historical, economic, cultural, ethnic and religious roots linking the two peoples (Nadia Diaa Shakara, 2017).

The present Ukrainian areas have been isolated from the rest of Russia during the long period since the Mongolian occupation and the dark period when the sedition and civil wars continued in Russia. This deterioration led to the erosion of customs, dialects and even religious beliefs between east and west, especially after the land of Western Ukrainian and Belarus was subjected to Lithuanian occupation in 1316. - 1341, hence the Polish, in 1344-1345, during which time the Caesarean Authority was "Trois". These areas were built in the towns of Odessa, Jerson, Ngolaev, Sevastopol and Mariupel, which became fully Russian in nature. The western regions, particularly Galicia and Wolfov, were under the control of Austria and Prussia (Ashour, A.J., Mashaf, D. A. 2021).

7. Causes of Russian Interference in Ukraine.

Today's Russian-Ukrainian War is a landmark and most important event at the regional and global levels, because of its many occasions and at various levels, it represents a severe international crisis that is difficult to predict the course to end, with the beginning of the armed forces in 2014.

7.1. Political & Economic Reasons.

Firstly: Political Reasons. After the dissolution of the Soviet Union in 1991, Ukraine, like other republics, declared its independence. Its first president, Leonid arvchuk, began to assert Ukraine's European identity and its cultural and linguistic distinction from Russia (Al-Taani & Al-Zaqiba, 2023). They were helped in this by the imbalance of power in favor of America, in light of the weakness that surrounded Russia throughout the nineties, the deterioration of its economic and social conditions, and the political instability there. However, with the assumption of a new Russian leadership for Russia, led by Russian President Vladimir Putin, Russia was able to recover from its slump, and Ukraine regained its attraction to a position consistent with it being a natural extension of Russia (Asmaa Haddad, 2017)

Secondly: Economic Reasons. Russia has raised some concerns because of the European-Euro Arni convergence that could affect relations between it and Okernya, as well as the European Partnership Agreement ", the Partnership Agreement between Ukraine and the European Union, a partnership agreement between the European Union, the European Atomic Energy Community, Ukraine and the 28 member States of the European Union) They are separate parties in addition to the European Union and the European Atomic Energy Community) Russia is one of the largest consumers of Russian energy in

Europe, Because its production only exceeds about 16% of natural gas More than 80% of Russia's natural gas exports to Europe pass through the extended pipes of Ukraine which represents more than 20% of Europe's total natural gas consumption in addition to the large commercial market between the two countries of importing from Ukraine spare parts for war products, components of the Russian aeronautics "Glonas" system and others (Ashour, A.J. 2019).

7.2. Military Reasons.

Russia's military intervention in Ukraine came on 24 February 2022, following the annexation of Crimea -- and the March 16, 2014 referendum -- after it was under the control of Ukraine. Crimea is a major destination for many tourists. On Crimea there are 15 Oak Arni military bases and Crimea is one of the areas of East-West confrontation (Ashour, A.J., Wahab, H.A. 2016).

As a result of Russia's war against Ukraine, outside the framework of the collective security system, the United States of America, as well as the European countries, tried to employ the collective security system against Russia, and tried to obtain a UN Security Council resolution against it, to pressure it to stop this war, but did not succeed as a result of Russia's veto (Al-Taani & Al-Zaqiba, 2023). The United States of America has mobilized as much of the international community to exert pressure on Russia by turning to the United Nations General Assembly, which represents the international community. On 26 February 2022, Russia vetoed a draft resolution submitted to the United Nations Security Council, denouncing Russia's invasion of Ukraine, while China abstained in the vote, in a move that Western countries triumphantly demonstrated Russia's international isolation (Ashour, A.J., Mashaf, D.A. 2021).

8. Legal Cover of the Russian War.

The Russian-Ukrainian war has complex legal implications influenced by many factors, including international law, where the Charter of the United Nations is the main source of international conventional law on wars and the use of force. The Charter provides for the right of States to legitimate self-defence, but prohibits the use of unlawful force against other States (Al-Jumaili, 2013). The Convention also protects civilians, detainees, wounded and sick in situations of armed conflict, strictly prohibits attacks on civilians and civilian installations and, in general, prohibits the use of excessive force to seize foreign land by unlawful means, and United Nations Security Council resolutions can be internationally binding and hold Contracting States responsible for complying with them (Abdul Shafi, 2022).

8.1. War in the Light of Traditional International Law.

The conflict between Russia and Ukraine deals with many legal aspects in the light of traditional international law. In general terms, international law is recognized as a set of rules and principles governing relations between States and defining their rights and duties in situations of conflict and conflict (El-Sheikh, 2014).

According to international reports issued by the United Nations, its various agencies and international human rights organizations, international humanitarian law has been violated in Hague and Geneva Conventions by Russia, where Russian forces have blocked humanitarian access to civilians "Mariupol", in violation of articles 38, 39, 55 and 71 of the Fourth Geneva Convention and obstruction of the evacuation of civilians by attacks on humanitarian corridors in violation of article 17 of the Fourth Geneva Convention as well as article 49 if the forcible transfer amounts to deportation (Al-Taani & Al-Zaqiba, 2023). The targeting of civilians and civilian objects violated article 48 of Additional Protocol I and indiscriminate attacks in breach of article 51, paragraph 5, of Additional Protocol I, The use of proscribed weapons violated article 35, paragraph 2, of Additional Protocol I to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, as well as Additional Protocol I to the 1977 Geneva Conventions (Fahmy, 2014).

However, Russia has committed a number of other crimes, including attacking and seizing the nuclear infrastructure "Chernobyl nuclear power plant" and the nuclear power plant "Izporizhzhia", in direct violation of article 56 of Additional Protocol I to the Geneva Conventions, on the protection of engineering works and installations containing dangerous forces (Ashour, A.J. 2021).

8.2. War in Accordance with New International Rules.

There are no "new international norms" in the sense that there are radical changes in international law applicable to the Russian conflict of Ukraine. However, there could be evolution in the understanding and application of international laws based on new experiences and practices, decisions and evolution in international courts and trials. In addition, technological development may affect the way in which certain international laws, such as the laws of war and those relating to the peaceful use of outer space and digital technology, are understood. Nevertheless, the main foundations of international laws on international conflicts, human rights and humanitarian law remain firm (Al-Sharif, 2000).

9. Russian Interference in Ukraine in Accordance with the Rules of International Law.

The text of Article 51 of the Charter of the United Nations is another reason for justifying the use of military force by the Aggressor State, but rather establishes a principle that adheres to the nature of the State and its right to protect itself and defend its existence (Ashour, A.J., Mashaf, D.A. 2021). Russia has justified its war against Ukraine in accordance with its right to self-defence; This study will therefore attempt to indicate the applicability of the provisions of the legitimate defence to the Russian war against Ukraine, which requires a reference to the conditions established for the legitimate defence under the provisions of Article 51 of the Charter, in addition to the expanded interpretation of this provision, which in some jurists includes preventive legal defence (Abu Zeid, 2014).

9.1. Interference with the Legitimate.

The most important conditions to be met in the act of defence; the act of defence is necessary to repel an attack directed by the aggressor State and proportionate to the act of aggression (Al-Taani & Al-Zaqiba, 2023). The proportionality requirement contributes to the distinction between acts of retaliation, or unlawful reprisals, and self-defence, which is lawful under its conditions. It also requires the provisional nature of self-defence, through the extrapolation of the text of Article 51 of the Charter of the United Nations, where the provisional nature of self-defence by the aggressor State is found to be a necessary condition; in other words, the act of defence ends as soon as the Security Council intervenes to take the necessary measures to maintain international peace and security (Ashour, A.J. 2019).

9.2. Intervention to Protect Russia's National Security.

It is worth mentioning, in this regard, that the disagreement over the scope of the right to self-defence and the interpretation of the text of Article 51 of the United Nations Charter led to the result that those who advocated a narrow interpretation of this article made self-defence in response to an armed attack the only manifestation of self-defence, while those who advocated a broad interpretation of self-defence included other cases within its scope, including preventive self-defence (Asmaa Haddad, 2017).

Preventive defense can be defined as the initiative of one or more states to carry out military attacks when they have reasons to believe that another state or more will begin to attack them militarily (Ashour, A.J. 2021).

Among the most important measures that the Security Council can take in order to restore international peace and security are: adopting retroactive self-defence measures, imposing a ceasefire on the parties to the conflict, and demanding the withdrawal of the forces of the parties to the conflict to the dividing line before the conflict occurred (Ashour, A.J., Mashaf, D.A. 2021).

CONCLUSION

Contemporary international conflicts, such as the Russian-Ukrainian War, represent a major challenge to international law and international security in general. Through this study, the legitimacy of the use of military force by Russia in Ukraine was explored and analyzed in accordance with international legal standards relating, initially, to the legal framework of the analysis, which contributed to the understanding of the basic concepts of the legitimate use of military force and the conditions to be provided in accordance with international law.

First: Results:

1. The study shows that determining the legality of the use of military force in international conflicts depends on multiple interpretations of international legal norms .
2. The impact of war on the civilian population and potential violations of international human rights and humanitarian laws emerge as an integral part of the legitimacy assessment .
3. The study notes the complexities of the international dimensions of the conflict, including the impact on regional security and repercussions .
4. The study emphasizes that war is not a sustainable solution to international conflicts .
5. The international community should reinforce adherence to international law and strengthen legal frameworks to protect global peace and security .

Second: Recommendations:

1. Awareness of international legitimacy standards for military use and human rights in international conflicts should be promoted .
2. International leaders and institutions should embrace dialogue as a key tool for resolving international conflicts.
3. Strengthen international mechanisms to monitor and document legal and human rights violations in international conflicts .
4. Strengthen international commitment to international humanitarian laws and ensure their implementation on the ground .

5. The international community should provide the necessary support for peace processes and reconstruction in areas affected by international conflicts .

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