



Mahi for Ukraine Petition: Declare Russia a Terrorist State.

Written submission for the Petition of Mahi for Ukraine: Declare Russia a terrorist state.

The Petitions Committee
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Executive Summary

Acts of international terrorism by the Russian government, carried out by its armed forces and special services, have been consistently increasing over the past two decades. As part of this international terrorism, Russia has, since 2014, violated Ukraine's sovereignty on numerous occasions, most recently with the current invasion, which is now approaching its first anniversary.

There is overwhelming evidence, as reported by other states, international government and non-governmental organisations, as well as the media, that Russia and its armed forces are both sponsors and perpetrators of international terrorism.

The Russian state views its aggression against Ukraine as a decisive battle against the West. Russia has already been expelled from many important international organisations, as it no longer shows a desire to participate in global affairs within the framework of traditional multilateral institutions.

Declaring Russia to be a terrorist state would ensure New Zealand remains at the forefront of global condemnation for Russia's actions to date (aligning New Zealand with other European countries and the European Union) and will continue to keep Russia's invasion of Ukraine at the front of mind for New Zealanders – which is vital in ensuring there is still public support for those affected Ukrainians.

In this submission, we detail:

- a brief history of Russia's aggression towards Ukraine and evidence of terrorist activity;
- why a Parliamentary motion is necessary;
- examples of similar motions by other states; and
- supplementary information, including a timeline of the current invasion, declarations of genocide by other states, and investigations and prosecutions by international courts.

A history of Russia's aggression towards Ukraine and evidence of terrorist activity

Acts of international terrorism by the Russian government, carried out by its armed forces and special services, have been consistently increasing over the past two decades

In **1994**, Ukraine, the world's third-largest nuclear capability at the time, voluntarily renounced their nuclear weapons on the basis of territorial integrity guarantees, as enshrined in the Budapest Memorandum. The Memorandum was signed by the United States, Great Britain, and Russia, with additional assurances given by France and China. However, in 2014, Russia unilaterally violated the Memorandum by occupying Crimea and 1/3 of the Donetsk and Luhansk regions, where it formed terrorist entities, the Donetsk People's Republic (**DNR**) and Luhansk People's Republic (**LNR**).

In **March 2014**, Russia, violating Ukraine's confidence and good faith in granting it permission to deploy Russian military bases in Crimea, organised a pseudo-referendum on Crimea's accession to Russia and annexed Crimea. Following this, Russian sabotage units occupied the town of Slovyansk in the Donetsk region. Later, they occupied several other cities and districts of the Donetsk and Luhansk regions, where they instigated a proxy war and committed acts of terrorism with many civilian casualties (including the shooting down of the Malaysia Airlines flight MH17 by Russian-controlled forces using Russian-supplied military



equipment, killing all 298 civilians aboard). Ukraine designated both the DNR and the LNR as terrorist organisations in May 2014. On 21 February 2022, Russia officially recognised the DPR and the LPR as independent states, becoming the first UN member state to do so. All other UN member states consider the territory controlled by the DNR and LPR legal parts of Ukraine.

On **24 February 2022**, Russia launched an unprovoked full-scale invasion of Ukraine. Since then, the armed forces of the Russian Federation have been inflicting missile attacks and bombing airstrikes (including using cluster munitions and other explosive weapons with wide-area effects) against Ukrainian cities and towns, destroying residential buildings, hospitals, schools, and kindergartens, damaging nuclear power plants, historic buildings, churches, and critical civil infrastructure facilities, as well as threatening the world with the use of nuclear weapons.

During the Russian invasion of Ukraine, Russian authorities and armed forces have committed multiple war crimes in the form of deliberate attacks against civilian targets, massacres of civilians, torture and rape of women and children, and indiscriminate attacks in densely populated areas.

Over the last 11 months, Russia has engaged in deliberate and systematic bombing of civilian targets with over 4,500 missiles launched, which has so far resulted in [~7,000 civilian casualties](#) including almost 500 children. The UN Office of the High Commissioner for Human Rights (**OHCHR**) believes that the actual figures are considerably higher, as the receipt of information from some locations where intense hostilities are occurring has been delayed, and many reports are still pending corroboration.

Damage has been inflicted on over 130,000 civilian homes (>45 million square meters of housing destroyed), >900 education facilities, and ~2,500 healthcare facilities (including hundreds of hospitals destroyed).

After the Russian withdrawal from areas north of Kyiv, there was overwhelming evidence of war crimes by Russian forces. Mainly in the town of Bucha, where evidence has emerged of a massacre perpetrated by Russian troops, including torture, mutilation, rape, looting, and the deliberate killings of civilians. On 14 September, Ukrainian authorities discovered a mass grave with 440 corpses in Iziom after Russian forces withdrew from the area. The events were described as the [Iziom massacre](#). Other Ukrainian towns (such as Kherson) suffered a similar fate, including attempts to erase every trace of Ukrainian identity in the temporarily occupied towns. Other instances that could be deemed terrorism include the firing of Russian missiles at a shopping mall in Kremenchuk, killing at least 20 people and injuring dozens more, the siege of Mariupol, where the Russian assault killed as many as 22,000 civilians and destroyed 95% of the city, the deadliest attack involving civilians prior to January - an April 9 strike on a train station in Kramatorsk that left at least 52 people dead, according to The Associated Press-Frontline War Crimes Watch projector, or the most recent [attack on Dnipro](#) with at least 45 killed.

Thousands of civilians were killed by Russia's indiscriminate shelling and missiles strikes against civilian areas in [Borodianka](#), [Kramatorsk](#), [Vynnytsia](#), [Chasiv Yar](#), [Serhiivka](#), and others. Ukrainian officials report that Russia is using mobile crematoriums to dispose of bodies in Mariupol in an attempt to cover up evidence of war crimes and hide the number of people that have died. On 7 May 2022, the [Bilohorivka school bombing](#) killed dozens of people sheltering in a basement. [Odessa was bombed continuously for months](#). On 15 June 2022, the OHCHR expressed concerns over reports that Ukrainian children were being forcibly deported to Russia for rushed adoption, stating that these "do not appear to include steps for family reunification or respect the best interests of the child". The UN Children's Fund (**UNICEF**) similarly declared that "adoptions should never occur during or immediately after emergencies".

[Russian filtration camps](#) were set-up to detain, interrogate and torture Ukrainians suspected to have connections with the Ukrainian government. On 14 July 2022, the Organization for Security and Co-operation in Europe (**OSCE**) released a report finding that Russia was guilty of murder, rape, abduction and deportations of Ukrainian civilians. This included the [transfer of 2,000 children from orphanages and institutions to Russia](#), even though many have relatives in Ukraine, which qualifies as a widespread and systematic attack against a civilian population, and is a crime against humanity.



Several scholars have declared that **Russia is committing genocide in Ukraine**. This assertion was corroborated by a report by New Lines Institute for Strategy and Policy and Raoul Wallenberg Centre for Human Rights, which inferred that Russia breached two articles of the 1948 Genocide Convention.

Since October–November 2022, Russian forces have used missiles and drones to **systematically attack Ukraine's electrical grids**, leaving millions of civilians without heating, electricity, water, or other basic utilities during winter. These attacks on critical civilian infrastructure were deemed as illegal and as war crimes.

On 14 January 2023, a [Russian missile strike was fired directly at a nine-storey residential building in Dnipro](#), killing over 40 civilians and making over 1,000 people homeless.

Condemnation at the level of political rhetoric is not enough.

Why a Parliamentary motion is necessary.

Russia's ongoing and brutal military actions in Ukraine, apart from being illegal, provide fresh evidence of terrorist activities on an almost daily basis, primarily through continuous attacks on civilians with the intention of achieving a political goal. This is one of the basic definitions of terrorism.

'All the way up the chain of command'

The evidence suggests that these atrocities are not the acts of rogue units or individuals. Rather, they are part of a deeply disturbing pattern of reports of abuse across all areas where Russia's forces engage.

An example is the "filtration" camps, through which an untold number of Ukrainian civilians, including many children, have been processed and deported to Russia. The scale of such an operation suggests the Kremlin's direct support. Prosecutors will follow the evidence where it leads, but when we're seeing such systemic acts, including the creation of a vast filtration network, it's very hard to imagine how these crimes could be committed without responsibility going all the way up the chain of command.

This clearly demonstrates that the Russian government, its armed forces, and special services are both sponsors and perpetrators of international terrorism. Those who engage in terrorism to achieve political or other goals must be isolated and punished. Those who support it deserve the same.

The time for incrementalism is over. The Russian state treats its aggression against Ukraine as a decisive battle against the West. Russia has already been expelled from many important international organisations, as it no longer shows a desire to participate in global affairs within the framework of traditional multilateral institutions.

Why is a Parliamentary motion important?

- Declaring Russia a terrorist state would allow for secondary sanctions to be imposed on any entity or individual trading or supporting Russia government bodies, including state-owned banks.
- This would also prevent New Zealand entities from funding terrorism, genocide, and crimes against humanity. See [here](#) for example.
- Russians seeking to enter New Zealand would face heightened restrictions.
- The impact would be significant on New Zealand public opinion, preventing attention to the Ukrainian tragedy "cooling down", and reducing effects of Russian state propaganda.
- A designation has symbolic value and would be another step towards further isolating Russia internationally on the global stage.
- A declaration could speed up the process of setting up a separate court to investigate the war crimes and human rights violations carried out by Russia in Ukraine.



War crimes versus acts of terrorism are distinctions without a difference. The kind, extent, and purpose of premeditated, politically motivated violence that the Russian state is deploying against Ukrainian non-combatants is shocking. It demands a fitting response.

Similar motions/action in Europe

For Tallinn, Riga, and Vilnius, Russia was a terrorist state long before the war in Ukraine began, and their views on Russia were long seen as dramatic and overly worrisome by those in Western Europe.

- The following states have already passed resolutions declaring Russia a terrorist regime:
 - Estonia,
 - Lithuania,
 - Latvia,
 - Poland, and
 - Czech Republic.
- On April 7, 2022, the United Nations General Assembly Resolution ES-11/3 suspended Russia from the UN Human Rights Council due to war crimes in Ukraine.
- A [resolution](#) has been passed by the Parliamentary Assembly of the Council of Europe declaring the Russian Federation a terrorist regime (13 October 2022)
- The [NATO Parliamentary Assembly](#) called for the creation of a special international tribunal over Russia's aggression and [recognised it as a terrorist state](#) (21 November 2022)
- Hague Court has released its recent [decision](#) regarding flight MH17.
- On 23 November 2022, the European Parliament [declared Russia a state sponsor of terrorism](#). This, far more than the above institutions, reflects the mood of European society — the European Parliament declared that it “underlines that the deliberate attacks and atrocities carried out by the Russian Federation against the civilian population of Ukraine, the destruction of civilian infrastructure and other serious violations of human rights and international humanitarian law amount to acts of terror against the Ukrainian population and constitute war crimes; expresses its unreserved outrage at and condemnation of these attacks and atrocities and the other acts that Russia has committed in pursuit of its destructive political aims in Ukraine and on the territory of other countries; in the light of the above, **recognises Russia as a state sponsor of terrorism and as a state which uses means of terrorism.**” Additionally, the European Parliament called "diplomatic relations with Russia to be reduced further and for contacts with its official representatives at all levels to be kept to the absolute minimum necessary; calls on EU Member States to close and ban Russian state-affiliated institutions, such as the Russian Centres for Science and Culture and Russian diaspora organisations and associations, which operate under the auspices and leadership of Russian diplomatic missions and promote Russian state propaganda around the world." While the declaration mainly focussed on Russia's actions in Ukraine, the Parliament also called on EU leaders to include the Russian paramilitary organisation the Wagner Group of mercenary fighters, known for [some awful atrocities in Syria](#), and Russia's 141st Special Motorised Regiment, the Kadyrovites – (infamous for brutal operations in Syria and Ukraine) to the EU's terror list. ...Hours after the EP declaration, Moscow launched a string of missiles across Ukraine.
 - Additionally, to that On 2 Dec., 2022, the US secretary of state also designated the Wagner Group as an entity of particular concern under the International Religious Freedom Act (IRFA) of 1998 for its indiscriminate targeting and murder of members of minority religious groups in the [Central African Republic](#). Since then, Prigozhin has given up all pretences that the Wagner Group is a private company unaffiliated with the Russian state. Over the past several months, Wagner Group forces, with criminals recruited directly from Russia's prisons, **are fully integrated into Russia's military operations in Ukraine**. Reporting continues to tie Wagner Group members to [regular violations of the law of armed conflict](#) and the human rights of innocent civilians [worldwide](#). As an entity of particular concern under the IRFA, the Wagner Group joins the ranks of international terrorist groups like the



Taliban, Boko Haram, and al-Shabab, and other international terrorist groups designated under this Act.

- Moreover, [the US will designate](#) the Russian mercenary group Wagner as a “significant transnational criminal organisation”, imposing further sanctions on the military contractor which has been aiding Moscow in its invasion of Ukraine.
- On January 19, 2023, the European Parliament adopted a resolution for creating a special tribunal to punish Russian crimes against Ukraine. The decision was approved by 472 votes. In the resolution, members of parliament demand the Russian political and military leadership be held accountable for the crime of aggression against Ukraine.

Although some of these European institutions do not make policy, their views clearly indicate that the collective Europe has lost patience with Putin and his Russia. After months of war crimes, crimes against humanity and genocide, Europeans appear to have had enough. The harshness of the language they use demonstrates that they are no longer pulling their punches.

Supplementary information

Timeline of the war crimes Russia has committed in Ukraine since 24 February

24 February – Russia attacked 17 regions of Ukraine, killing 57 and wounding at least 170 people during the first day of the full-scale invasion. Over 30 missiles were launched on Ukrainian airports, 6 control posts were destroyed and Ukrainian positions were fired at 393 times.

13 March - A cluster munition attack in Mykolaiv killed nine civilians, including two children.

16 March – Russian armed forces bombed the Mariupol Drama Theatre killing approximately 600 people. Eyewitnesses state that there were at least 1000 people there. Citizens who were sheltering at the theatre displayed a huge sign saying “Children” outside of the building. This did not stop the pilot who dropped the bomb.

End of March – Bucha massacre. After the Russian withdrawal from areas north of Kyiv, there was overwhelming evidence of war crimes by Russian forces. In the town of Bucha, evidence emerged of a [massacre](#) perpetrated by Russian troops, including torture, mutilation, rape, looting and the deliberate killings of civilians. The UN Human Rights Monitoring Mission in Ukraine (OHCHR) later documented the unlawful killing of at least 50 civilians – mostly men, but also women and children – in Bucha. More than 1,200 bodies of civilians were found in the Kyiv region after Russian forces withdrew, some of them summarily executed.

There were reports of forced deportations of thousands of civilians, including children, to Russia, mainly from Russian-occupied Mariupol. There were additional reports of sexual violence, including cases of rape, sexual assault, gang rape, and deliberate killing of Ukrainian civilians by Russian forces.

30 March – The World Health Organization (**WHO**) reported that there had been 82 verified Russian attacks on medical care in Ukraine – including attacks on healthcare facilities, patients, and healthcare workers – since 24 February. WHO estimated at least 72 were killed and 43 injured in these attacks. By 8 April, WHO confirmed 91 attacks. These continued in the months following.

8 April – Kramatorsk train station attack. Peaceful civilians were trying to escape Russia’s shelling of the Donetsk region. They were waiting for the evacuation trains when the Russian military launched two Tochka-U missiles. 61 people were killed, including 16 children, and over 120 people were injured.



27 June— Kremenchuk shopping mall attack. Russia targeted a crowded shopping mall with over 1000 visitors. The building was badly damaged, including catching on fire. 21 people were killed, one went missing and at least 64 were injured. Between 25-27 June Russian forces fired at least 77 missiles at Ukrainian regions.

14 July— Attack on the Vinnytsia city centre. “Kalibr” cruise missiles hit the centre of a peaceful city, killing civilians, burning down cars and damaging several buildings. A fire partly destroyed a medical diagnostic center nearby. 26 people died in this attack, including 3 children. More than 200 were injured.

24 August— Chaplyne railway station attack. On Ukraine Independence Day, Russia attempted to intimidate Ukrainians by constantly and purposefully triggering the air raid alert system. In Kyiv alone, it went off 7 times in one day. Russian forces launched at least 8 missile attacks on Ukraine and hit Chaplyne railway station with nearby civilian homes. 25 people were killed and 31 injured, including children.

11 September - Following the 2022 Ukrainian Kharkiv counteroffensive, Russia launched missile strikes with Kalibr cruise missiles on critical infrastructure objects, including Kharkiv TEC-5, causing a total blackout and water shutdown in Northeastern Ukraine and the Kharkiv and Donetsk Oblasts.

14 September - Russian forces launched eight cruise missiles at the dam of the Karachunivske reservoir, causing extensive flooding in Kryvyi Rih and a 2.5 metre increase of water level in the Inhulets River.

16 September - BM-21 missiles and heavy artillery shelled Nikopol, injuring 1 and damaging 11 high-rise buildings, a kindergarten, a school, gas furnaces, and power lines.

19 September - A Russian missile hit the outskirts of the South Ukraine Nuclear Power Plant, damaging buildings and a neighbouring hydroelectric power station.

23 September - Russian-occupied regions held sham referendums to join Russia. In Izium, in the Kharkiv region, the exhumation of a mass burial was completed. 447 bodies were discovered: 414 bodies of civilians (215 men, 194 women, 5 children), 22 servicemen, and 11 bodies whose gender had not yet been determined as of 23 September. 30 had traces of torture.

28 September - The Ukrainian police have recorded at least 582 war crimes committed by Russia in the formerly occupied territories of the Kharkiv Oblast alone.

30 September—Russia launched 16 s-300 missiles, targeting the city of Zaporizhzhia. The missiles hit a convoy of civilian cars and a car market area. 32 people were killed, including 2 children, and 118 were injured.

1 October- A convoy of civilian cars on the outskirts of Kupiansk was discovered, with around 24 people killed including a pregnant woman and 13 children.

6 October- Ukrainian authorities found two mass graves in liberated Lyman. Russian forces launched seven rockets into apartment buildings in Zaporizhzhia, killing 17 people (including one child) and wounding twelve others.

9 October- Russian Armed Forces launched six missiles at an apartment block in Zaporizhzhia, resulting in the deaths of 13 people and injuring more than 89 others.

10 October—Russia launched a mass missile attack across the entirety of Ukraine using strategic aircraft, kamikaze drones and different types of missiles to target critical infrastructure and civilian objects in a number of cities in Ukraine. According to the General Staff of the Armed Forces of Ukraine, Russia launched more than 84 missile and air strikes. 23 people were killed, and over 100 injured. Putin said that Russia carried out this attack as revenge for the attack on the Crimean Bridge.



13 October- Russian forces launched eight missiles at Mykolaiv, hitting a five-story residential building. One of the victims was an 11-year-old boy.

18 October- Russian forces struck "critical infrastructure" north of Kyiv and in Zhytomyr, leading to water and power cuts in Zhytomyr. In Kyiv several explosions were heard, while in Mykolaiv a person was killed by a missile strike. Dnipro was also attacked. President Zelenskyy stated that over the 8 days, since 10 October, a third of Ukrainian power stations were destroyed. In total, over the 10 days following the attack, Ukrainian national emergency services claim that 70 people were killed, 290 were wounded and 1,162 villages and towns remain without power due to attacks on electrical infrastructure.

19 October– President Putin declared martial law in the annexed Donetsk, Luhansk, Kherson, and Zaporizhzhia Oblasts. Russia also introduced an "intermediate response level" in Crimea and Sevastopol, and in regions bordering Ukraine: Krasnodar Krai and the Belgorod, Bryansk, Voronezh, Kursk, and Rostov Oblasts.

After the town of Trostianets in Sumy Oblast was liberated from Russian control, the local doctor at the morgue reported that at least one person in town was killed by Russians after being tortured, and young people were abducted. The town's hospital was also shelled. Reporters from The Guardian visited the town after it was liberated from Russian troops and found evidence of executions, looting and torture carried out by Russian troops. According to the town's mayor, Russian armed forces killed between 50 and 100 civilians while they occupied the town. One local witness stated that Russian soldiers fired into the air to frighten women delivering food to the elderly while shouting "Run bitches!"

22 October- Power outages were reported across Ukraine as Russian airstrikes across the country struck critical infrastructure and energy facilities.

26 October - A Russian missile strike on Dnipro killed two people, including a pregnant woman.

31 October - Russian Armed Forces launched more than 50 missiles at energy infrastructure in Kyiv, and other regions such as Kharkiv, Zaporizhzhia, Cherkasy and Kirovohrad. At least 13 people were injured by the strikes. Up to 18 facilities were hit, according to Prime Minister Denys Shmyhal. 40% of Kyiv residents were left without water and 270,000 apartments were left without electricity. One missile shot down by Ukraine fell in the Moldovan village of Naslavcea.

15 November - Russia launched about 85 to 100 missiles at a number of Ukrainian cities. This strategic bombing campaign has caused severe shortages of electricity and water at multiple cities. After the missile strikes, more than 10 million people were without power by 17 November.

23 November - The Russian military launched 65 to 70 missiles at civilian settlements and energy infrastructure. The attack caused blackouts over much of Ukraine and forced several nuclear power plants to shut down. Much of Moldova was also experiencing blackouts due to the attack-related power grid failure in Ukraine.

5 December- Russia launched a renewed wave of missile strikes against Ukraine, consisting of about 70 cruise missiles. Russia claimed 17 targets have been hit on the ground. As a result, a missile fell again within the borders of Moldova, near the city of Briceni.

10 December - Russia used Iranian-made drones to hit two energy facilities in Odesa, leaving all non-critical infrastructure in the Ukrainian port without power and 1.5 million people without electricity.

14 December - Three explosions were heard in the centre of Kyiv. Ukrainian air defence forces shot down 13 Iranian Shahed drones. A children's torture chamber was uncovered in Kherson. The recently liberated city of Kherson was entirely without power following recent Russian shelling, which killed at least two people. The Kherson military administration stated that the city was hit 86 times with "artillery, MLRS, tanks, mortars and UAVs" over a period of 24 hours.



16 December - Russia launched around 76 missiles on Kyiv, Kharkiv, Poltava, and Kremenchuk, destroying infrastructure. Reports suggest at least four were killed in Kryvyi Rih. These 76 missiles were fired at 9 power plants. The following day missiles were also launched targeting infrastructure in Kyiv, Kharkiv, Kryvyi Rih and Zaporhizhzhia. Similar infrastructure attacks were carried out in the following weeks.

24 December - Russian forces shelled Kherson, leaving 10 dead and 55 injured according to the Ukrainian President and officials. The shelling first hit a department store and then a market.

29 December - Ukraine Presidential advisor Mykhailo Podolyak stated that over 120 missiles were launched at infrastructure facilities in Kyiv, Kharkiv, Lviv and other cities. Three people died in Kyiv; 90% of Lviv and 40% of Kyiv were without power.

31 December - Vitaly Klitschko, the Mayor of Kyiv, stated that a series of explosions directed at infrastructure killed at least one person and wounded twenty, including a Japanese journalist. A drone strike on Khmelnytskyi injured two persons.

14 January 2023 - a [Russian missile strike was fired directly at a nine-storey residential building in Dnipro](#), killing over 40 civilians (including 14 children), wounding 73 people, 30 are missing, and making over a 1,000 people homeless. Ukrainian energy minister German Galushchenko stated that Russian missiles hit critical infrastructure in most regions of Ukraine. Two Russian S-300 missiles attacked critical infrastructure in Kharkiv. As a result of another wave of Russian missile strikes against Ukraine, yet another missile fell into the territory of Moldova, in the village of Larga, violating Moldova's airspace.

By January 2023, the UN estimated 7,068 civilians were killed, and 2.8mln civilians illegally deported/forcibly moved to Russia as a result of Russia's invasion. Currently there are **63,826** of russian war crimes under investigation (according to Ukraine Prosecutor General's Office).

Energy infrastructure

Since October 2022, Russia has increased the intensity of attacks on power stations and other civilian infrastructure in a campaign intended to demoralize the Ukrainian people, threatening to leave millions of civilians without heating or water during winter. As at 20 October 2022, up to 40% of Ukraine's power grid had been attacked by Russia. The Ukrainian government has since asked citizens to conserve energy, and rolling blackouts have been introduced.

The WHO has warned of a potential humanitarian crisis, saying that "lack of access to fuel or electricity due to damaged infrastructure could become a matter of life or death if people are unable to heat their homes." Denise Brown, the United Nations Resident Coordinator for Ukraine, said that the attacks could result in "a high risk of mortality during the winter months."

Ravina Shamdasani, a spokesperson for the OHCHR, said that "attacks targeting civilians and objects indispensable to the survival of civilians are prohibited under international humanitarian law" and "amount to a war crime." The President of the European Commission Ursula von der Leyen and 11 members of NATO's eastern flank also called the attacks a war crime.

There is no political, historical or moral justification for the killing of civilians and attacks on infrastructure that ensures the survival of the population.

Genocide declarations

Several national parliaments, including those of Ukraine, as well as Canada, Poland, Estonia, Latvia, Lithuania, Czech Republic, and Ireland, have declared that the war crimes taking place in the invasion amount to genocide.



Scholars of genocide, including Eugene Finkel, Timothy D. Snyder, Norman M. Naimark and Gregory Stanton, and legal experts Otto Luchterhandt and Zakhar Tropin, said that along with the acts required by the definition of genocide, there is also genocidal intent, together establishing genocide.

A report by 30 genocide and legal scholars concluded that the Russian state is guilty of inciting genocide in Ukraine, that it has committed acts prohibited by the Genocide Convention, that a serious risk of genocide being committed exists, and that this triggers the obligation of state parties to the convention to take action to prevent genocide.

Cultural heritage

Russian armed forces have committed more than 540 war crimes against cultural heritage in Ukraine. Over 1000 cultural sites have been damaged or destroyed since the beginning of Russia's full-scale invasion.

The use of explosive weapons with wide-ranging effects has raised concerns about the threat to historic monuments, works of art, churches, and other cultural properties. Russian forces damaged, destroyed, and looted the Kuindzhi Art Museum in Mariupol, the Soviet-era Shchors cinema and a Gothic revival library in Chernihiv, the Babyn Yar Holocaust memorial complex in Kyiv, the Soviet-era Slovo building and the regional state administration building in Kharkiv, a 19th-century wooden church in Viazivka, Zhytomyr Region, and the Historical and Local History Museum in Ivankiv. On 24 June, UNESCO stated that at least 150 Ukrainian historical sites, religious buildings, and museums were confirmed to have sustained damage during the Russian invasion.

Cultural property enjoys special protection under international humanitarian law. Protocol I of the Geneva Convention and the [Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict](#) (both binding on Ukraine and Russia) prohibit state parties from targeting historic monuments in support of a military effort and from making them the objects of acts of hostility or reprisals. Protocol II of the Hague Convention allows attacks on cultural property only in the case of "imperative military necessity", provided that there is no feasible alternative. While Protocol II does not apply as such, as only Ukraine is a party and it applies only between parties, the provision on imperative military necessity may be applicable if it is interpreted as informing the convention, rather than adding to it. Attacks against cultural heritage amount to war crimes and can be prosecuted before the International Criminal Court (ICC).

European Court of Human Rights

Due to impunity for Russian soldiers in Russia, hundreds of victims of abuse have filed applications with the European Court of Human Rights (ECHR). By 2009, the ECHR issued 115 verdicts (including in [Baysayeva v. Russia](#) case) finding the Russian government guilty of enforced disappearances, extrajudicial executions, torture, and for failing to properly investigate these crimes in Chechnya.

On 21 January 2021, the ECHR also found Russia guilty of murder, torture, looting, and destruction of homes in Georgia, as well as preventing the return of 20,000 displaced Georgians to their territory.

International Criminal Court

In response to the ICC investigation of Russia's annexation of Crimea for possible violations of international law, Russia withdrew its membership on 16 November 2016. Nonetheless, in its preliminary 2017 report, the ICC found that "the situation within the territory of Crimea and Sevastopol would amount to an international armed conflict between Ukraine and the Russian Federation" and that it "factually amounts to an ongoing state of occupation". It further found that there is credible evidence that at least 10 people have disappeared and are believed to have been killed in Crimea for opposing the change of its status. In January 2016, the ICC also opened an investigation into possible war crimes perpetrated during the 2008 Russo-Georgian War.

International Court of Justice



Ukraine brought a case before the International Court of Justice (ICJ) against Russia in response to Russia's ongoing invasion of its territory. On 16 March 2022, a ruling was reached, and the ICJ ordered Russia to "immediately suspend the military operations" in Ukraine.

International Commission of Inquiry on Ukraine

On March 4, 2022, the United Nations Human Rights Council voted 32 in favour versus 2 against and 13 abstentions to create the International Commission of Inquiry on Ukraine, an independent international committee of three human rights experts with a mandate to investigate violations of human rights and of international humanitarian law in the context of the 2022 Russian invasion of Ukraine.

Conclusion

The aggression against Ukraine is a manifest violation of the UN Charter, and there is mounting evidence that this aggression has been accompanied by systemic war crimes committed in every region where Russia's forces have been deployed. This includes deliberate, indiscriminate, and disproportionate attacks against the civilian population and elements of the civilian infrastructure. Amongst these are custodial abuses of civilians and prisoners of war, as well as efforts to cover up these crimes.

The Russian Federation is responsible for a brazen and comprehensive assault on human rights and international law in relation to the territory of Ukraine. In carrying out this campaign, Russia has committed systematic violations of the International Convention for the Suppression of the Financing of Terrorism (ICSFT), and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

It is time we called a spade a spade. All the atrocities that the Russian regime is committing and has committed over the years in Ukraine, in Chechnya, in Syria and against its opponents in Europe and at home do not leave any doubt.

The recognition of the fact that Russia is a terrorist state by the New Zealand Parliament will send a clear political signal. New Zealand and New Zealanders do not want to remain passive when Russia is violating humanitarian and international standards.

Today marks the 336th day since Russia invaded Ukraine on Feb. 24, 2022. Since then, President Putin has deployed Russian civilians to the frontlines, illegally annexed four regions of Ukraine, and destroyed heap s of Ukraine's critical infrastructure. Under his watch, Russian soldiers have ransacked, battered, and mass executed thousands of Ukrainians, rocketed civilian apartment buildings, and instigated a mass exodus of Ukrainians, scattering them across the globe. There is no questioning the factual basis underpinning call to designate Russia as a terrorist state.

The pain that the international community (including New Zealand) is already inflicting on the Russian regime needs to be further increased in order to help end the war as early as possible .

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