

On establishing a Special Tribunal for the punishment of the crime of aggression against Ukraine

The Congress of the Alliance of Liberals and Democrats for Europe (ALDE) Party convening in Stockholm, Sweden on 26-28 May 2023:

Recalls that:

- the impunity of the Russian leadership for the crimes committed since 2014 is one of the factors that led to the full-scale Russian invasion that began on February 24, 2022;
- the International Criminal Court, investigating the crimes of the Russian Federation against Ukraine, does not have sufficient jurisdictional powers to prosecute the Russian leadership for the crime of aggression, which made all other war crimes and crimes against humanity possible;
- the punishment of the guilty for unleashing the unprovoked war of aggression against Ukraine would be the guarantee of lasting peace in Ukraine and Europe and non-repetition of Russian aggression.

Notes that:

- the ALDE Resolution “Justice, rehabilitation, and compensation for the victims of wartime sexual violence in Ukraine” of December 2022 calls to bring Russia, including political and military leaders, to justice by measure of the special international tribunal for the crime of aggression by the Russian Federation against Ukraine;
- the European Parliament in its Resolution of 19 January 2023 (2022/3017(RSP)) underscores the urgent need to push for the creation of a special international tribunal to prosecute the crime of aggression against Ukraine perpetrated by the political and military leadership of the Russian Federation;
- a number of parliaments of EU member states have supported the idea of creating a special tribunal for the punishment of the crime of aggression against Ukraine through adopting relevant resolutions or statements;
- the international Core Group on accountability for the crime of aggression against Ukraine has been launched, featuring more than 30 states;

Calls for the ALDE Party and its member organisations to:

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- urge the member states to support the establishment of a Special Tribunal for the punishment of the crime of aggression against Ukraine, which would complement the exercise of jurisdiction by the ICC over other international crimes, and to join the respective Core Group;
- urge their respective national governments to use the principles of universal jurisdiction to investigate and prosecute crimes against humanity, genocide, or war crimes committed outside their territory;
- coordinate efforts to ensure that all those who made the crime of aggression against Ukraine possible were held accountable, in particular through the provision of necessary comprehensive support for the establishment of a Special Tribunal for the punishment of the crime of aggression against Ukraine and for the activity of the Core Group.

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