



By: Tomorrow's Affairs Staff

# Putin's visit to Mongolia sets a dangerous precedent for the ICC's credibility



At the end of Vladimir Putin's two-day visit, the Government of Mongolia released a dynamic video featuring footage from the most crucial moments of the meeting between the Russian and Mongolian state officials, accompanied by dramatic music.

The promotional video, similar to a teaser trailer for an exciting action film, depicts the Ulaanbaatar government's joy upon welcoming the leader of one of its two massive neighbours between which it is sandwiched.

This was a symbolic message that Mongolia had no problem giving a warm **welcome** to Putin, even though the International Criminal Court (ICC) indicted him for war crimes a year and a half ago and issued an arrest warrant.

As one of the 124 states that recognise the ICC's jurisdiction, Mongolia was required to follow its March 2023 decision and arrest Putin on its territory.

Instead, they welcomed the Russian guest on the red carpet with the highest honours and sent him home in the same manner.

## Bad precedent

Putin's trip to Mongolia is not the first time he has been abroad since the ICC indicted him and issued an international arrest warrant. However, this is his first visit to a nation that has ratified the Rome Statute of the ICC and acknowledged its jurisdiction.

Last year he travelled to the UAE and Saudi Arabia, in May and June this year to China, North Korea, and Vietnam, and in July to Kazakhstan for the Shanghai Cooperation Organisation summit.

None of the countries that hosted Putin are in the ICC system because they do not accept its jurisdiction, and that was one of the more important reasons for Putin to decide to visit them.

**Putin's departure to Mongolia set a precedent**

For the same reason, the Russian leader skipped last year's BRICS summit in South Africa, not confident enough in the host's assurances that they would not follow the order of the ICC, whose jurisdiction they accept. At that time, he addressed his friends from the organisation in whose establishment he was involved via a video link from Moscow.

That is why his departure to Mongolia set a precedent, paving the way for a new chapter in the relationship between governments worldwide and the fact that the Russian leader is under an ICC indictment.

## Encouragement for the Kremlin

Putin's visit and return from Mongolia encouraged the Kremlin to defy the ICC, but also to more easily pressure hosts who may be reluctant to host the Russian leader in some future situations.

Putin's followers triumphantly greeted Mongolia's ignoring of the ICC ruling on Putin, even with insults. The ICC should be afraid of "a scenario where some madman tries to carry out their illegal arrest warrant. [...] In that case, their lives would be worth no more than the piece of paper on which this sh\*tty statute is written," said the former President of Russia Dmitry Medvedev.

Known for his sharp and unrelenting language, Medvedev demonstrated that Putin's undisturbed visit to Mongolia came as a great relief for the Kremlin, and that the international arrest warrant for Putin is actually a huge problem for the Moscow leadership.



*Dmitry Medvedev demonstrated that Putin's undisturbed visit to Mongolia came as a great relief for the Kremlin*

The Mongolian government apparently thought it would be too much to cancel hospitality to Putin because it recently made a capital decision that goes against fundamental Russian economic interests.

It **excluded** the construction of the "Power of Siberia 2" gas pipeline through its territory from its development plans for the next four years, thereby closing Russia's main chance to compensate for the loss of the European market with increased gas exports to China.

Ulaanbaatar has chosen to ignore its obligations towards the ICC as a lesser damage than further resistance to Russia, which will undoubtedly damage the credibility of the Hague-based court.

"Mongolia's membership in the ICC and its respect for the rule of law demands that it comply with this arrest warrant or let President Putin know that he is not welcome in Mongolia. This is a moment when Mongolia, as a State Party, has to put law over politics," **said** Mark Ellis, Executive Director of the International Bar Association, ahead of Putin's visit. However, the opposite happened, and politics prevailed over law.

## The US contributed to undermining the ICC's authority

The US **opposition** to the indictment against Israeli PM Benjamin Netanyahu, in which the Democratic administration and the Republican

majority in the House found one of the few points of agreement, contributed to the undermining of the ICC's authority earlier this year.

Opposition to the ICC at the time, despite the fact that the US is not a signatory to its Rome Statute, directly helped weaken international pressure on the Russian leader.

**It is only a matter of time before the Russian president visits another country from the circle of 124 that recognises the ICC jurisdiction**

"By sanctioning ICC officials, the United States forfeits a potential deterrent against human rights violations and sets a dangerous precedent for nations seeking Chinese or Russian protection from future ICC prosecutions," **said** Ibrahim Al-Assil, a senior fellow at the Middle East Institute in June.

After the Mongolian episode, it is only a matter of time before the Russian president visits another country from the circle of 124 that recognises the ICC jurisdiction, from which he has so far refrained.