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Can there be peace in Ukraine without justice?



This is a question many journalists, experts, and Western leaders are asking. Many insist that lasting peace is not possible without those responsible being held accountable – not only those who committed war crimes but also those who planned and ordered them.

Ukraine has already **recorded** around 159,000 war crimes. Investigations are ongoing, and legal proceedings have begun. Around 850 Russians are under official suspicion, 608 cases have been brought to court, and 158 people have been convicted – some in person, others in absentia.

But the key question remains unanswered: will it be possible to hold Vladimir Putin and Russia's top military and political leadership accountable? This is where the need for a special international tribunal becomes clear.

Back in March 2023, the International Criminal Court **declared** Vladimir Putin a war criminal and issued an arrest warrant for the unlawful deportation and transfer of children from the occupied Ukrainian territories to the Russian Federation.

Two years later, on 9 May 2025, 35 foreign ministers from European countries signed a historic **declaration** in Lviv supporting the establishment of a special tribunal for the crime of aggression against Ukraine.

This would be a modern-day equivalent of the Nuremberg Trials – but unlike Nuremberg, this tribunal is set to begin while the war is still ongoing.

It will be based in The Hague and tasked with holding Russia's top military and political leadership accountable for the crime of aggression itself – in other words, for launching the war.

“Aggression is not just one of many international crimes – it is the ‘crime of crimes’, the foundation on which thousands of others have been built: extrajudicial killings, torture, deportations, the destruction of cities,” **wrote** international and war crimes lawyer and former prosecutor Gyunduz

Mamedov.

The tribunal could begin its work as early as 2026

Some optimistic diplomats predict that the tribunal could begin its work as early as 2026. This was reported by Serhii Sydorenko for European Pravda, who spoke directly with diplomats at the site where the declaration establishing the tribunal was signed.

“In 2026, the court is expected to begin drafting its procedures, creating a registry of judges, and setting up its structure. Ideally, the first investigations would also start that year – but that's an optimistic scenario,” one of his sources admitted.

Ukraine officially launches the process of establishing the Special Tribunal in Luxembourg

Tomorrow, Ukraine officially launches the process of **establishing** the Special Tribunal in Luxembourg. In two weeks, the documents are set to be approved in Strasbourg, after which Ukraine and the Council of Europe will sign an agreement to establish the tribunal as an international organisation.

The texts have already been finalised and will not be subject to further changes.

Despite opposition from some countries – including Hungary, Serbia, and others – the Council of Europe has enough **support** to move forward, as unanimity is not required. The Ukrainian parliament also still has to ratify the agreement.

Leadership Immunity

What follows is the longest stage: member states will gradually join the tribunal by ratifying the “enlarged partial agreement,” a process that will require approval by national

parliaments and may prove politically challenging in some cases.

The Tribunal will only become fully operational once it receives a sufficient number of ratifications. After that, bilateral agreements will be signed and ratified to enable the enforcement of court decisions — such as extraditing suspects or confiscating assets.

But for many, the most pressing question remains: will Vladimir Putin and his closest political circle — the ones who started this war — ever be held personally accountable? At the heart of this is the issue of leadership **immunity**.

The tribunal could only pass verdicts against Putin and others once they have left office

According to current plans, the tribunal could only pass verdicts against Putin and others once they have left office. But Putin shows no intention of stepping down — not in this lifetime.

There is another obstacle: many countries are still unwilling to publicly condemn Putin. For instance, despite being a signatory to the Rome Statute, Mongolia **welcomed** Putin in September 2024, citing “diplomatic neutrality” and its dependence on Russian energy.

Hungary became the first country to formally **withdraw** from the jurisdiction of the International Criminal Court — although this was in the context of ICC charges against Israeli Prime Minister Benjamin Netanyahu.

However, this means that Hungary can now host Putin without being obligated to arrest him. Similarly, Mexico **rejected** Ukraine’s request to detain Putin, who had been invited to attend the inauguration of the newly elected president.

Though a signatory to the Rome Statute, Mexico claimed, “They can’t do it.” Putin ultimately did not attend — but the case

speaks volumes.

Putin may never stand trial

Legal experts acknowledge that it could take years — or even decades — to enforce the verdicts, even if the tribunal is launched quickly.

In 1998, former Chilean dictator Augusto Pinochet was **arrested** in London at the request of Spain. Although he was never extradited, the case set a milestone for universal jurisdiction over former heads of state.

In 2022, Kunti Kamara, a Liberian field commander, was **sentenced** to life in prison for torture, sexual violence, and even acts of cannibalism. In 2024, Ousman Sonko, the former interior minister of Gambia, received a 20-year **sentence** — the first time a high-ranking African official was convicted in Europe.

And in 2023, a Paris court **sentenced** French citizen Philippe Hategemimana to life imprisonment for his role in the 1994 Rwandan genocide. That case took nearly 30 years to bring to justice.



The countries establishing the proposed tribunal have agreed on a model permitting a limited number of in absentia sentences for selected individuals

This year, Putin will turn 73, which is already older than the average life expectancy in Russia. If the tribunal drags on for decades and justice has to wait until the end of his rule, it is

entirely possible that Putin may never stand trial. And even if a verdict is reached, it risks being largely symbolic.

With careful planning, Putin can simply avoid countries under ICC jurisdiction. Even the United States is not a party to the Rome Statute — nor are most nations in Asia and the Middle East.

As we have already seen, even some European countries are willing to expand the list of “safe destinations.”

It is important to remember: during the Nuremberg Trials, all top Nazi officials were already in custody and on fully controlled Allied territory. In Ukraine’s case, we do not have that advantage.

Based on available information, the countries establishing the proposed tribunal have agreed on a model permitting a limited number of in absentia sentences for selected individuals.

However, charges against the ruling trio—Putin, Russian PM Mishustin, and Foreign Minister Lavrov—are likely to be deferred until the end of their terms.

Mamedov highlights a paradox: “The tribunal, ostensibly created to hold Putin accountable, may be unable to prosecute him. Instead, it will target less prominent figures, such as Russian Security Council members. While their roles are significant, is this the justice Ukraine and the international community seek?”