

## Legal Challenges to Ukraine Arising from the Russian Aggression

### Basic information

<b>Field of study</b> Law		<b>Education cycle</b> 2023/2024	
<b>Speciality –</b> <b>Department</b> Faculty of Law and Administration		<b>Subject code</b>  <b>Lecture languages</b> English	
<b>Study level</b> long cycle		<b>Subject related to scientific research</b> Yes	
<b>Study form</b> full-time degree programme		<b>Disciplines</b> Legal science	
<b>Education profile</b> General academic		<b>ISCED classification</b> 0421 Law	
<b>Mandatory</b> elective		<b>USOS code</b>	
<b>Subject coordinator</b>	Piotr Szwedo		
<b>Lecturer</b>	Oleksij Kresin		
<b>Periods</b> Semester 2, Semester 4, Semester 6, Semester 8, Semester 10	<b>Examination</b>  exam  <b>Activities and hours</b> lecture: 30		<b>Number of ECTS points</b> 3.0

### Goals

C1	<p>The course is providing the complex understanding of international legal issues of qualification and solving international legal issues created by the russian aggressive war against Ukraine. It starts with the legal aspects of creation, development and dissolution of the Soviet Union and the following independence of Ukraine and other post-Soviet states. Main russian political and (quasi)legal claims for the expansion or political control are analyzed as well as the politics of hidden aggression again Moldova and Georgia using proxy-groups and pseudo-states. Legal regimes of the effective control and occupation of Ukrainian territories are defined and the responsibilities of the occupying state. Main russian crimes committed towards and in Ukraine are considered including aggression, genocide, war crimes. Possible international mechanisms of bringing russia and its citizens to criminal and civil responsibility are analyzed.</p>
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### Subject's learning outcomes

Code	Outcomes in terms of	Effects	Examination methods
<b>Knowledge – Student knows and understands:</b>			
W1	Legal and historical factors preceding Russian aggression against Ukraine. A model of legal actions by Russia in the occupied territories of Ukraine, as well as models of conduct in relation to the territories taken from Moldova and Georgia. Criminal and civil aspects of Russia's liability in connection with aggression against Ukraine.	PRA_K3_W02, PRA_K3_W07	written exam - open questions

<b>Skills – Student can:</b>			
U1	Present the complexity of factors and legal actions on the part of Russia preceding Russian aggression. Historical preconditions that led to legal and political actions taken. Mechanisms for bringing criminal and civil liability to Russian citizens participating in hostilities on the territory of Ukraine.	PRA_K3_U04, PRA_K3_U08	written exam - open questions
<b>Social competences – Student is ready to:</b>			
K1	Discussion on the process of preparing the legal basis preceding Russian aggression, starting from the collapse of the USSR and ending with contemporary doctrine. Discussion on the similarity of legal aspects of the mechanisms of action in relation to Moldova and Georgia compared to the solutions adopted in the case of Ukraine. Comment on effective solutions to the civil and criminal liability of Russia and its citizens after the end of the war.	PRA_K3_K02, PRA_K3_K05	written exam - open questions

### Calculation of ECTS points

Calculation of ECTS points		
Activity form	Activity hours*	
lecture	30	
preparation for classes	20	
preparation for the exam	25	
Student workload	Hours 75	ECTS 3.0

<b>Workload involving teacher</b>	<b>Hours</b> 30	<b>ECTS</b> 1.0
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\* hour means 45 minutes

### Study content

No.	Course content	Subject's learning outcomes
1.	Legal aspects of the creation and development of the Soviet Union	W1, U1, K1
2.	Historical and ideological determinants of Russian aggression in Eastern Europe	W1, U1, K1
3.	Theory, practice and legal aspects of Russian hybrid wars on the territory of post-Soviet countries	W1, U1, K1
4.	The validity of Russia's international legal justification for aggression against post-Soviet states	W1, U1, K1
5.	Russian aggression, illegal control of territory in Ukraine and annexation in 2014-2022	W1, U1, K1
6.	Genocide and the practice of Russia in its aggressive war against Ukraine from the point of view of Ukrainian law	W1, U1, K1
7.	Russian responsibility for the rights of individuals in the occupied territories of Ukraine from the perspective of Ukrainian civil law	W1, U1, K1
8.	Responsibility of the Russian political and military leadership and direct perpetrators of war crimes from the point of view of the criminal law of Ukraine	W1, U1, K1

### Course advanced

#### Teaching methods:

Introductory lectures with slide examples; class discussion; case studies; small-group work.

Activities	Examination methods	Credit conditions
lecture	written exam	exam in the form of open questions

### Entry requirements

Good command of English is required.

### Literature

#### Obligatory

1. Materials distributed to students before and/or during class periods
2. De-Occupation of Ukraine. Legal expertise [Electronic publication] / State University of Trade and Economics, Ukrainian Association of Comparative Jurisprudence, Ukrainian Association of International Law, Association of Reintegration of Crimea; Ed. by O.V. Kresin. Kyiv: State University of Trade and Economics, 2022.

3. Kresin O., Kresina I. Illegal control over the territory in international law and the status of Donbas determination // Przegląd Strategiczny. 2021. Issue 14.

**Optional**

1. Kresin O., Kresina I. Crisis Management Instead of Peacekeeping: EU Security Law Transformation in the Context of Russian Armed Aggression in Ukraine // The Lawyer Quarterly. 2021. No 1.
2. Peacekeeping Operations in Ukraine / Ed. by O.V. Kresin; transl. and ed. by W.E. Butler. London: Wildy, Simmonds & Hill, 2019.