

WIN WITHOUT WAR



Progressive Foreign Policy Debrief

Intel for Advocacy

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SL: [War Crimes: Justice For Ukraine, Accountability For Putin](#)

The Takeaway:

- Putin's soldiers have committed and are continuing to commit war crimes against the people of Ukraine.
- Possible accountability measures include bringing forward a case at the International Criminal Court or a special international tribunal.
- The Biden administration must show leadership on delivering justice for the Ukrainian people and hold Putin accountable for the war crimes committed within the established international framework.

Content Warning: The following includes details of graphic violence and sexual assault.

War Crimes in Ukraine

Overview

After columns of Russian soldiers retreated from the siege of Kyiv, the Ukrainian government and the world were left to confront a gruesome scene of terror. Countless videos and images confirmed what the [Human Rights Watch](#) called “apparent war crimes” committed by the Russian soldiers.

Summary executions of people at point blank range, repeated rapes, and the deliberate targeting of hospitals — in the midst of an ongoing global pandemic — are just some of the many documented crimes. And the discovery of [mass graves](#) in the ruins of Bucha over the weekend has aroused world leaders in calling for accountability.

Ukrainian President Volodymyr Zelenskyy [appeared before the United Nations](#) this week, accusing the Russian army of the gruesome atrocities and calling for an international tribunal to investigate and prosecute those responsible.

Mechanisms of Accountability

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War brings out the worst of humanity. Throughout the 20th century, the international community came together to establish a series of laws on the conduct of armed conflict and accountability measures for violators. The Geneva Conventions of 1949 were born out of repeated atrocities committed throughout the two world wars. Accountability measures against perpetrators of war crimes took the form of international tribunals — the first being the Nuremberg Trials and leading to establishment of the International Criminal Court (ICC) in 2002.

The ICC, based out of The Hague in the Netherlands, now serves as the permanent standing international tribunal with jurisdiction over prosecuting the most heinous and unspeakable acts of cruelty committed during war.

Discussions of accountability on crimes Putin and the Russian soldiers have committed in Ukraine have revolved around presenting a case at the ICC or setting up a separate international tribunal modeled after the Nuremberg Trials as President Zelenskyy demanded. The United States government has [begun the process](#) of collecting evidence to build a war crimes case against Putin at the ICC — sourcing information from intelligence services, Ukraine, international organizations, and news media outlets. The international community also took a step towards accountability by [voting to expel Russia](#) from the UN Human Rights Council — an unprecedented removal of a permanent member of the UN Security Council.

The ICC and DC

ICYMI — the United States is not a member of the ICC. The U.S. government has long opposed any international commitment which could theoretically expose U.S. government officials to international prosecution.

Former President Donald Trump's National Security Advisor John Bolton threatened the [ICC with sanctions in 2018](#). And subsequently in 2020, the Trump administration imposed sanctions and visa restrictions to top ICC officials in response to its [probe](#) of possible U.S. crimes in Afghanistan. Hostility towards the ICC in Congress also stems from the ICC's unwavering commitment towards investigating the repeated abuses the Palestinian people suffer at the hands of the Israeli government.

During the George W. Bush administration, at the onset of the global war on terror, Congress passed and President Bush signed the American Service-Members Protection Act which theoretically gave the U.S. government [legal authority to invade The Hague](#) and extract any service member held and prosecuted by the ICC. A law emblematic of the freedom fries era of U.S. foreign policy.

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After President Biden came into office, [he reversed course](#), lifting sanctions and visa restrictions imposed under the previous administration. And in the wake of Putin's barbaric war against Ukraine, has [ordered the review](#) of U.S. policy towards the ICC.

Why the U.S. Must Lead

The uncomfortable conversation we in the United States must have is whether we are willing to subject ourselves to the jurisdiction of the ICC. So far the answer has been a bipartisan no. But it is hypocritical for the U.S. to pursue and expect an international institution like the ICC to hold a leader of a major power accountable while stubbornly refusing to participate ourselves.

Lack of U.S. participation in the ICC is a major blow to the legitimacy of the institution and harmful to the best chance of justice and accountability for Ukraine.

The progressive foreign policy path is one of dialogue and diplomacy. That includes engaging with international tribunals like the ICC as a multilateral avenue for victims of war crimes to seek justice, rather than, as the U.S. has done in the past, cloaking unilateral regime change wars in the language of international law. At this critical moment, the Biden administration must show leadership and work to legitimize the international institutions that have the best chance to deliver justice for the Ukrainian people, and hold Putin accountable for his war crimes.

Now is Not the Time for Yet Another Pentagon Spending Spree

President Biden's recently released FY23 federal budget would dump \$31 billion more than last year into the already-stuffed coffers of the Pentagon. When will we stop gifting taxpayer money to an agency that can't pass an audit, spends billions on planes that don't fly, and helps greedy contractors profit off of war? No amount of funding for weapons and bombs can protect us from some of the biggest security challenges — like Covid, climate change, and authoritarianism. More money for the Pentagon will make us less safe, and it's about time we started investing in a new security paradigm for the true threats we face this century.

Read our full statement on the president's budget [here](#).

BURIED LEDES

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Right now we're witnessing a harrowing and life-threatening campaign against transgender rights all across the country. In honor of Transgender Day of Visibility which was on March 31, see drag queen Masvusi [break down](#) what transgender rights have to do with foreign policy, and what we can all do to fight for them today.

All eyes are on Yemen this week after its president, Abdrabbuh Mansour Hadi, [transferred power](#) to a presidential council to negotiate a ceasefire with the Houthis and end the civil war. We hope all parties meaningfully engage in peace talks and try to bring this nightmare for Yemeni civilians to an end.

As gas prices continue to weigh on everyone's pockets, we're proud to [endorse](#) a bill from Sen. Sanders and Reps. Bush and Crow that would leverage previous national security legislation to increase clean energy production. We need climate action now (seriously, we can't all afford Teslas).

After weeks of vicious, bad faith attacks against Judge Ketanji Brown Jackson, yesterday she got [confirmed](#) to the Supreme Court. Hopefully, soon-to-be Associate Justice Jackson helps [protect](#) the rights of those historically ignored and marginalized by the court, and that the court continues to diversify in the future.

On Wednesday, the House passed the [Burma Act](#), legislation that aims to cut off financial support to Myanmar's military, seek accountability for genocidal acts against the Rohingya people, and boost support for the pro-democracy movement. We hope this legislation helps improve the security of people in Myanmar, and gain justice for those forcefully driven elsewhere.

We applaud the administration for closing an avenue for nuclear conflict by [cutting](#) sea-launched cruise missile funding in its proposed FY2023 budget. Next order of business: stop funding nuclear weapons development, period. Reduce the nuclear stockpile, while you're at it.

The Biden administration finally decided to [end](#) the discriminatory, Trump-era Title 42 policy, and almost immediately, some members of Congress launched an effort to force it to remain in place. To those elected officials, consider this: **stop protecting white supremacist immigration policy, and [let it go](#).**

We're outraged at the lack of justice and accountability for the murder of [Amir Locke](#) at the hands of the Minnesota police department. As law enforcement get away with being judge, jury, and executioner, we're reminded that militarism, at home and abroad, threatens us all.

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Last week, David finally beat Goliath — **Amazon workers in a Staten Island warehouse became the first among their colleagues to succeed in creating a union.** Empowering more workers to help shape labor standards is necessary to improve the human security and well being of people across this country. Congratulations to all of those who organized, and godspeed to the [50 other warehouses](#) seeking to recreate that success!

And finally, April is National Poetry Month! **Follow the [search](#) for the next National Youth Poet Laureate.**