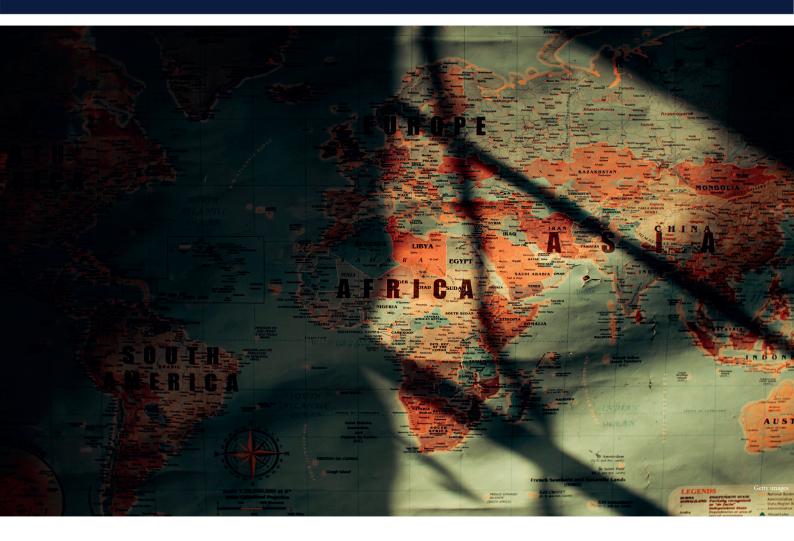




Alliance School of Law Centre for Global Affairs and International Relations



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About AC-GAIR

The Alliance School of Law Centre for Global Affairs and International Relations (AC-GAIR) intends to serve as an academic platform to foster interest in the dynamic web of international relations and contemporary global affairs. In an increasingly globalized and connected world, it is not only pertinent to be aware of global happenings but also to understand the related background and historical facts. AC-GAIR seeks to engage with the current and future stakeholders of the Globalized World by providing an opportunity to comprehend, evaluate and analyze the topics of International Law, Global Affairs, and Human Rights.

LETTER FROM EDITOR - IN - CHIEF

"War made the State, and the State made war" - Charles Tilly

Increasing tensions between nations has distressed the fabric of peaceful international relations. The race towards globalization and development has given rise to scaling complexities in the field of Global Affairs and International Relations. The epilogue of the COVID-19 pandemic marked the advent of one of the most aggressive conflicts in the 21st Century.

The Alliance Centre for Global Affairs and International Relations (AC-GAIR) through its newsletter intends to provide a platform for scholars, academicians and students to opine, discuss and deliberate on complex issues of Global Affairs and International Relations.

The theme of the current newsletter focuses on the disastrous situation ubiquitous in Ukraine. On February 24, 2022, we witnessed a terrifying act of aggression. Russian troops, under the command of Vladimir Putin, began a full-scale operation to "demilitarise and denazify" Ukraine. In what appeared to be antagonistic escalation of the Russo-Ukranian War, Russia launched an invasion from Belarus towards Kyiv, laying siege to Ukraine for an indefinite period.

The newsletter hopes to provide its readers with unique perspectives on the issue, while providing them with a steady factual background on the issue. It becomes pertinent to understand not only the on-going conflict, but also the historical background of Russo-Ukranian conflicts, and the consequences it bears for the common people.

Alliance University, and Alliance Centre for Global Affairs and International Relations extends its gratitude to all the contributors and editors of this flagship Newsletter, and we hope the readers are provided with relevant information showing the situation in Ukraine.

Thanking You,

Prof (Dr) Kiran Gardner Dean Alliance School of Law



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Getty images



UNDERSTANDING THE EFFECT OF RUSSIA-UKRAINE WAR ON GLOBALIZED WORLD

The war will end. The leaders will shake hands. The old woman will keep waiting for her martyred son. That girl will wait for her beloved husband. And those children will wait for their heroic father. I don't know who sold our home-land, but I saw who paid the price.

Mahmoud Darwish

Invading Ukraine: What took Russia so long?

With a history of being conquered by numerous powers, it is difficult to trace the number of years of independent Ukraine. Ukraine is so complexly woven in and with Soviet Union, both in terms of territory and culture, that it is difficult to trace the division of culture, religion and nationality into Russian and Ukrainian. In 1921, when Treaty of Brest-Litovsk was internationally recognized, Ukraine got 1 year of independence to subsequently get merged into Soviet Union. Until as late as 1991, when most of the world had got its independence, Ukrainians claimed their independence through a referendum with 92% votes. While this number indicates that even Russian population residing in Ukraine wanted freedom from Soviet Union, it would unfair to ignore that majority population wanted their country to be associated with the west, i.e., Europe. However, Russian control over the territory was so deep (owing to large Russian population, especially on the Eastern side) that it was, however temporarily, settled in 1993 with the Budapest memorandum where Russia agreed to peace in exchange of Ukraine's nuclear arsenals. However, it wasn't

enough. With the entry President Zelensky who was inclined towards its association with West and NATO particularly, in 2014, Russia invaded Crimea with Donetsk People's Republic and Luhansk People's Republic declaring themselves independent. While Ukrainians believe that war started in 2014, what happened on 24th February had been predicted already.

Understanding the International implications

Rwanda, Palestine, Afghanistan and now Ukraine. The United Nations was born out of war with the fundamental objective to end wars. However, it would not be an exaggeration to say that international law and its organizations are failing to protect peace. Russian recognition of self-declared Donetsk and Luhansk republics in eastern Ukraine along with full scale military invasion in Ukraine violates several international laws and conventions. Existing International law is pillared on respecting sovereignty and principle of non-intervention . Russian attack on Ukraine and recognition of the self-declared republic is clearly an action of using force against territorial integrity and political independence of Ukraine. By resort-

United Nations Charter Art. 2(5) https://legal.un.org/repertory/art2.shtml#:~:text=All%20Members%20shall%20give%20the,taking%20pre-ventive%20or%20enforcement%20action.



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Max Fishermax, Everything you need to know about the 2014 Ukraine crisis VOX (3 September 2014, 11:01am EDT) https://www.vox. com/2014/9/3/18088560/ukraine-everything-you-need-to-know

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ing to force and not settling the dispute by peaceful means Russia not only violated Article 2(3) of UN Charter but also Budapest Memorandum among other international conventions, where Moscow pledged in exchange of Ukraine's massive nuclear stockpile to not use threat or force against Ukraine.

Domino effect of the 'Special Military Operation'

Undisputedly, wars not only affect the countries directly involved in the aggression but also have severe political and economic effects on the global community. Therefore, following the Russian invasion, which President Putin termed as nothing more than a 'Special Military Operation', we could see actions and reactions from nations around the world. Be it imposing economic sanctions or providing military/ cyber support, depending on domestic political and diplomatic stance, states and international organizations have taken and in some cases, changed their positions. It is pertinent to note that wars never exist in isolation. Moreover, with world organizations like the United Nations, we have seen the member nations voting on the US resolution against the Russian use of aggression. India here, like always maintaining its diplomatic stand, abstained from the voting on UN Security Council and General Assembly resolutions, emphasizing the importance of dialogues for a peaceful resolution. Reasons behind India's decade long policy of abstaining from voting is an unending and interesting debate in the international arena, which also affects the dynamics of these relations.

For example, the instances of Ukrainian citizens hostaging Indian students in war zones, does not just indicate India's potential to safeguard its own countrymen but also shows how important India is in the political dynamics of the war.

It is pertinent to note that India was also among the leading nations for Non-Aligned Movement. Contrary to its constitutional visions, New Delhi's neutral stand on the UNSC vote can be attributed to its strategic alliance with Moscow. Aside from being the members of organizations like BRICS, and sharing the common goal of having a multipolar world, Russia supplies 50% of military ammunitions to India. The silent endorsement of Russian aggression, however, can pull India under the critical sanctions by the West. This war will not only affect the countries around the world economically but might also disrupt the global political alliance and the territorial integrity. From inflating prices of oil and food to staggered currency values, the export and imports of the commodities will be greatly affected in this globalized world. As cited by Nomura, India along with Philippines and Thailand are the most impacted economies in Asia due to war.

Opportunity to begin or beginning of an end

There are countries like China and the US which might turn this disaster as an opportunity for their economic and political advancements. With severe sanctions being imposed on Russia from around the world, the US has the potential to boost its exports in various commodities like renewable energies to provide the world with

The Print Team, Full text of Vladimir Putin's speech announcing 'special military operation' in Ukraine, THE PRINT (24 February 2022, 5:18PM IST) https://theprint.in/world/full-text-of-vladimir-putins-speech-announcing-special-military-operation-in-ukraine/845714/



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alternative options even at the higher prices. With the big corporations exiting Russia, opportunities for transnational movement of investment will yield benefits to other countries. The loss of investments from the Russian economy will not only mar its already sinking exchequer but also impact the world economy in ways we have not yet mulled over. India's silence on aggression may lead to threat to India and catalyse Chinese interest in the South Asian region. From the upsurge in price of oil per barrel to significant increase in price of petrol, the risk of Russian war can toll India more than 1% of its GDP in less than a month. With every day passing, the war is affecting innocent human lives and the generations to come. Though sanctions imposed by the west will not have an immediate effect on the Russian aggression but a slow and deeper impact on the world economy will make the 'new normal' even more difficult for the pandemic hit and now de-globalized world. With the world being divided in two sides, we slowly slipped into the cold war. However, with the Chinese economy and Russian technology, unlike the 1950s the two sides will lead the world to more competitive and dangerous situations.

> Sunidhi Setia Academic Tutor Sonipat Samanvi Narang TRIP Fellow at OP Jindal Global Law School

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The past weeks have truly lifted the veil on the imperialistic tendencies of the Russian Federation; with their illegal and arbitrary invasion of Ukraine, causing devastation in the region. However, if one closely analyzes the Foreign Policy of Russia, especially in the last decade, it will be revealed that Russia has been using its hard powers (military capabilities) to induce territorial hegemony on areas they claim sovereignty over. This is evident in the conflict over the territorial claims of Kuril Island dispute between the Russian Federation and the Kingdom of Japan.

The history of the dispute is unique in nature. To gain a holistic understanding of the dispute, it is pivotal to understand the history behind the issue. At the outset, as per historical treaties, the global world recognized the Kuril Islands as under the control of the Kingdom of Japan; as in 1875, the two countries signed the Treaty for the Return of Sakhalin wherein Japan had to return dominion over the Sakhalin Islands to the then Tsar Ruled Russian Territory, and in return gained 18 Kuril Islands. Close to 30 years later, after the conclusion of the Russo-Japan War, even the southern half of Sakhalin Island was transferred to the Kingdom of Japan.

The status-quo over the control and dominion of the Islands were not contested, until the Second World War. Under the chaos that was perpetuated towards the end of the Second World War, the Soviet forces invaded and claimed dominion over all the islands in the Kuril Area. Furthermore, in 1951, after the defeat of the Axis Forces by the Allied Powers, the San Francisco Peace Treaty was signed which led to Japan surrendering – "any right, title, and claim to the Kurile Islands, and to that section of Sakhalin and the islands close to it over which Japan achieved sovereignty as a result of the Treaty of Portsmouth of 5 September 1905." However, post political changes in both the countries (Democratisation of Japanese Society, and the dissolution of the Soviet Union) has reignited the issue. This article will further analyze arguments from both countries and attempt to ascertain the validity of their claims.

Japanese Argument.

Japan's claim to sovereignty over the four islands is principally based on the historical argument that these islands are distinct from the rest of the Kurils and are thus essentially Japanese. Tokyo claims that Japanese merchants and officials from the Matsumae Clan of Hokkaido Island visited and dealt with the Ainu, the indigenous people of the Kurils, including the four contested islands, in the early 1600s, a century before any Russians were aware of the islands. Later, the Ainu became a Japanese minority.

Tokyo then alleges that the Soviet Union violated the Neutrality Pact by declaring war on Japan within the period covered by the Pact. Tokyo claims that the secret Yalta Agreement between the Allied Powers and the Soviet Union, which allowed the Soviet Union to transfer "the Kurile

Elleman, B.A., Nichols, M.R. & Ouimet, M.J., 1999. A Historical Reevaluation of America's Role in the Kuril Islands Dispute. Pacific Affairs, 71(04). Mendl, W., 1987. Japan's Northern Territories: An Asian Falklands? Royal Institute of International Affairs, 43(06).

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Islands" in exchange for entering the war against Japan, is "irrelevant." First, Tokyo claims that it was unaware of the Yalta Agreement when it signed the capitulation. Yalta was also not included in the Potsdam Declaration, which Japan recognized when it surrendered, hence it is not legally binding on Japan. Second, Japan claims that the four disputed islands are not included in the term "Kurile Islands.

Russian Argument.

As previously noted, the Russians concentrate the most emphasis in their arguments for sovereignty on key agreements reached between the Allied forces near the end of World War II. First and foremost, the Yalta Agreement is a "legally enforceable international treaty." It expressly specified that following Japan's defeat, the Soviet Union would acquire the Kurils and Sakhalin islands, and it incorporated the Potsdam Declaration, which Japan agreed to when it signed its surrender. The Potsdam Declaration stated that the Allies would deter- mine Japan's postwar territorial limits. Furthermore, the Potsdam Declaration was formed from existing wartime accords, notably the Yalta Agreement, which carried more weight than the earlier Cairo Declaration, which had a non-aggrandizement provision.' Finally, all parties recognized the phrasing in the Potsdam Declaration restricting Japanese sovereignty to its four major islands "and such lesser islands" as the allies concluded

not to include the islands Japan named as its "Northern Territories." ' The Allied commander's memorandum of 1946, which excluded the disputed islands from its depiction of Japan's territory, merely cemented this idea. Conclusion.

There are several theories that elucidate how to resolve the dispute between two sovereign states, however, the one that gets the most traction is through the analysis of the San Francisco Treaty. Proponents of this theory claim that that the treaty, while ensuring that most of the Islands in the area were reverted back to the dominion of the USSR, and by way of it, the Russia. However, the Treaty did not define what the 'Kuril Islands' consist of, and Japan claim that 4 islands, i.e., the ones in dispute, are not included as part of the treaty. Furthermore, they claim that the residents of the 4 islands speak and are ethnically Japanese, and have a right to be governed under Japanese Law.

In conclusion, it has been seen throughout the contemporary world that maritime disputes are often un-decided due to the lack of an arbitral or judicial body (the dispute resolution process under the UNCLOS has proved to be insufficient), therefore a more comprehensive dispute resolution process would help several areas, including the South China Sea, the Panama Canals, and the Kuril Islands.

> **Rohit Jayakrishnan** NMAM Institute of Technology

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5.



Soo Jin, C., 2008. The State of Japan's Domestic Politics in the Northeast Asian Territorial Dispute. The Journal of East Asian Affairs, 22(02).

The Prime Minister of Japan was in New Delhi last month for a bilateral summit with his Indian counterpart. Six agreements were signed over the course of the summit, including a Japanese investment venture in India valued at \$42bn over the next five years.

The two countries have had a relationship that contains elements of shared history, religion and political interests spanning over decades. But there were certain factors at play during the present summit which went beyond these shared elements.

Let's see what they were.

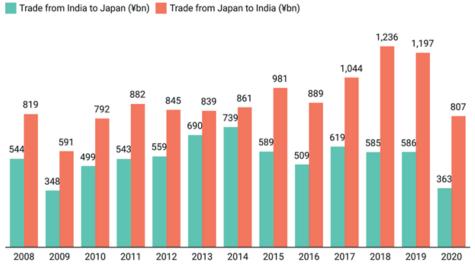
Behind the Japanese Generosity

Ties between the two countries trace back to the 6th Century A.D. when Buddhism spread to Japan, and so did Indian culture, filtered through Buddhism. India was also one of the first countries to establish diplomatic relations with Japan in the post-World War II period.

These mutually beneficial elements soon gave way to mutually-benefitting trade relationship which was heavily premised on Indian coal exports to Japan which helped the latter rebuild its economy and industries following the devastation in the War. As per the latest figures, the size of bilateral trade between India and Japan stood at north of \$11.87bn in 2019-2020.

However, Japanese investments in India outnumber Japanese trade with India by almost thrice. Japan ranks third among the major investors in India and Foreign Direct Investments (FDI) from Japan to India stands at \$4bn.

Now \$4bn simply comes through the direct investment route. But a majority of investments from Japan to India flow through the Official



India-Japan Trade

Source: Japan Ministry of Foreign Affairs • Created with Datawrapper



Development Assistance (ODA). ODA is a type of government aid sanctioned by the OECD that aims for economic development in targeted sectors in the recipient countries.

Japan offers a large amount of ODA to many South Asian and South East Asian countries through Yen loans. Yen loans are long-term low-interest loans offered by Japan to developing nations like India. Today, more than 95% of Japan's ODA to India flows in the form of Yen loans. Some of the biggest projects in India carried out through Japan's ODA are:

- * The Ganga Action Plan Project
- * High Speed Rail Projects (Delhi and Mumbai-Ahmedabad)
- * The UP Buddhist Circuit Development Project
- * North Karanpura Super Thermal Power Project

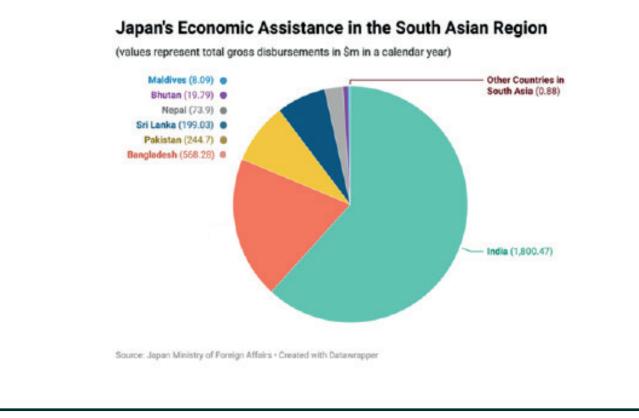
Now, one would assume that soft loans of this magnitude can't simply be extended by a country without some quid pro quo. That's true. One of the preconditions of receiving Yen loans was that the recipient countries have to buy technical equipment for Japanese-funded projects from Japanese companies. Which means the Yen loans were a sort of "tied-aid" that were designed to maintain Japanese presence in the recipient economies and markets.

Post-1990s, however, Japan did away with this precondition and the recipients were free to buy technical equipment through open auctions. But while this didn't affect the quantum of Japanese aid towards India, unfortunately, it also didn't affect the quantum of Japanese trade with India which has hovered at levels below potential for a while now.

How?

Let's take a look at India's trade relationship with Japan. Both countries signed a free trade agreement called CEPA (Comprehensive Economic Partnership Agreement) in 2011. This allowed for more than 90% tariff elimination for exports and imports on both sides.

Although the Agreement initially gave a fillip to the merchandise trade between the two nations





(by 38%), it has failed to meet the bilateral trade goals repeatedly. In the ten years since its implementation, trade volumes have increased quite marginally. Japan is India's 12th-biggest trading partner while India is Japan's 27th-biggest, which goes to show the underwhelming improvement in bilateral trade relations.

This tells us two things: First, even though bilateral ties between India and Japan have strengthened through the launch of new initiatives and programs, bilateral trade remains short of spectacular. This explains the second thing which is the renewed zeal behind Japan's latest new investments in India. The six new agreements signed recently include provisions for expansion of bilateral cooperation in a number of sectors spanning clean energy, infrastructure, healthcare, biodiversity etc. In recent years, India has also pitched for an amendment in the CEPA to firm up its deficit visa-vis Japan and increase trade volumes to emerge as a trade leader with Japan above other Asian countries. Which brings us to the elephant in the room...

QUAD Goals Against China... and Now Russia As Well

The US has spent quite a bit of diplomatic and political flex to convince Japan to play more of an active role as a security provider in Asia. And while its efforts bore limited fruits for a while, over the past few years, Japan's willingness to hedge against China's rise has grown more urgent owing to a number of reasons.

A major part of this willingness has manifested itself through increased Japanese attention to India. Apart from enlisting India's participation in the QUAD, Tokyo also wishes to pursue closer economic ties with New Delhi. While both the nations have an active interest in maintaining freedom of navigation, they are also both big trading partners with China. A shift in these trade dynamics would effectively allow both Japan as well as India to cut back on trade reliance with China and keep its economic leverage under control.

More evidence of an ever-increasing Indo-Japan economic partnership emerged when Japan said that it won't sign the RCEP (Regional Comprehensive Economic Partnership) - a China-backed regional trade deal - if India doesn't join too. It's a reaffirmation of Japan seeking to bolster its ties with India to balance China's clout in Asia.

In fact, the Western agenda on courting India through a proxy Japan becomes more palpable when considering the timing of Fumio Kishida's visit. As more and more diplomatic muscle descends on New Delhi pressuring it to condemn Russia's actions in Ukraine (and also stop buying Russian oil at a discount), it remains to be seen if Japan's role will stand out.

But if Japan's objective remains firm on enlisting New Delhi's support, then it must offer a lot more in economic terms before India sets out for more lucrative partners (like the UAE, with whom India signed an FTA recently, or Australia, Canada and the UK, with whom talks for FTAs are speeding up). But as the power differential between the US and China narrows, the role of countries like India and Japan in reconfiguring the regional order takes more prominence. That's why it's essential for them to engage more closely with each other before they are called upon to engage with bigger global powers.

> **Padmini Subhashree** Editor Transfin Media Pvt. Ltd



Introduction- ICJ and its Role

The International Court of Justice, often known as the ICJ or the World Court, is the principal judicial instrument of the United Nations. It was founded in 1945 and began operations in 1946. The principal role of the International Court of Justice is to settle state disputes, offer legal opinions on matters raised by authorized UN bodies and specialized agencies, and interpret such opinions. The article's main goal is to explain the importance of the International Court of Justice as well as other legal issues in the Ukraine and Russia conflict. The most important international laws and treaties are examined. The history and core cause of the problem is also discussed in depth in the article. The article is adequate to offer an overview of the situation and ICJ's position on the Ukraine and Russia conflicts.

About Ukraine and Russia

The Ukraine issue is centered on a dispute over Post-Cold War central European territoriality and the resurrection of a tarnished Russian history. Hundreds of years have passed since Ukraine and Russia shared cultural, linguistic, and familial ties. For many years in Russia and the ethnically Russian parts of Ukraine, the common heritage of the nations is a touchy

subject that has been exploited for electoral and military purposes. Ukraine was the Soviet Union's second-most powerful republic after Russia, and it played an important geopolitical, economic, and cultural role. The current conflict is mostly caused by the regional power balance. Ukraine's role is a vital buffer between Russia and the West. Ukraine has an ambition for NATO membership and Russian interests in the Black Sea, followed by demonstrations in Ukraine. The fight is currently Europe's most significant attack by one state on another since World War II, and it's the first since the 1990s Balkan conflict. As a result of the invasion of Ukraine, agreements like the Minsk Protocols of 2014 and the Russia-NATO Act of 1997 are Practically annulled, and the G7 nations have harshly criticized Russia's invasion.

Various sanctions have been imposed by several nation against Russia. China condemned the term "invasion" to describe Russia's actions in Ukraine and encouraged all parties to maintain moderation. India did not join the Western nations in condemning Russia's incursion in Crimea and kept a low profile.

Russia has been bolstering its military along the country's border with Ukraine, a potential NATO member. As per Russian officials, Russia's force deployment is in response to NATO's

INDIAN EXPRESS, https://indianexpress.com/article/explained/everyday-explainers/international-court-of-justice-russia-ukraine-7795024/ (last visited Apr. 29, 2022).



LIVE LAW, https://www.livelaw.in/top-stories/ukraine-v-russia-live-updates-from-international-court-of-justice-hearing-193566 (last visited Apr. 30, 2022).

Devika Sharma, Ukraine v. Russia | ICJ to hold public hearings in allegations of Genocide under Convention on Prevention and Punishment of Crime of Genocide, SCC ONLINE (Apr. 29, 2022, 8:00 PM), https://www.scconline.com/blog/post/2022/03/02/allegations-of-genocide-under-convention-on-the-prevention-and-punishment-of-crime-of-genocide/.

continued eastward expansion, but Russia claims that its actions are safeguarding its security interests. On its border with Ukraine, Russia has deployed roughly a million troops. Russia is requesting assurances from the United States that Ukraine will not be admitted to NATO. As a result, tensions have arisen between Russia and the West, which has backed Ukraine. The United States has assured Ukraine that if Russia invades, it will "act decisively."

The Legal stance of ICJ in conflict

The ICJ is headquartered in The Hague, Netherlands. Ukraine has now filed a request for legal action against Russia with the International Court of Justice (ICJ). They have accused Russia of falsely alleging that "acts of genocide happened in Ukraine's Luhansk and Donetsk oblasts" and using this as a pretext to recognize these areas' independence and wage war against Ukraine. The conflict is around the 1948 Convention on the Prevention and Punishment of Genocide (the "Genocide Convention").

Russia claimed that the ICJ lacked jurisdiction since Kyiv's request fell beyond the ambit of the 1948 Genocide Convention, which it relied. Moscow also claimed that it was justified in using force in Ukraine because it was "acting in self-defense." Ukraine filed the case "to demonstrate that Russia has no legitimate basis to act in and against Ukraine to prevent and punish any alleged genocide" while categorically rejecting the charge. In the Application, Ukraine also accused Russia of "planning acts of genocide in Ukraine ," claiming that Russia is "actively murdering and inflicting significant suffering on members of the Ukrainian nationality — in violation of Article II of the Convention, which covers the actus reus of genocide." According to Article 41 of the Court's Statute and Articles 73, 74, and 75 Rules of Court, Ukraine asked the Court to take interim remedies "to avert irreparable harm to Ukraine's and its people's rights, as well as to avoid worsening or prolonging the dispute between the parties under the Genocide Convention."

Recent Development

A forum that can oversee proceedings on war crimes and genocide for those who have ordered and committed atrocities against the civilian population of Ukraine, given that Russia is not a member of the International Criminal Court and has not engaged in oral proceedings at the ICJ The concentration and restructuring of soldiers in the east and south of Ukraine is said to be part of Russian intentions in Ukraine' invasion. There is no indication that military activities will be halted and simultaneously, protests against abuses of international humanitarian law are becoming more vocal. Time, money, and courage will be required to conduct the investigations necessary to hold President Putin and his forces responsible. Creating commissions or referring cases to the ICC is excellent, but attribution will be the biggest challenge.

Conclusion

As Russia has not participated in the oral proceedings, it has shown a gesture of disrespect for international law and international institutions. The regime's reputational damage will worsen if Russia does not comply with the ICJ's provision-

Devika Sharma, ICJ | Ukraine institutes proceedings against Russian Federation and requests Court to indicate provisional measures, SCC ONLINE (Apr. 29, 2022, 8:00 PM), https://www.scconline.com/blog/post/2022/02/28/ukraine-institutes-proceedings-against-russian-federation-and-re-quests-court-to-indicate-provisional-measures/.

Christy Shucksmith-Wesley, War Crimes and Genocide in Ukraine, JURIST – Academic Commentary, April 20, 2022, https://www.jurist.org/commentary/2022/04/Christy-Shucksmith-Wesley-Russia-Ukraine-war-crimes.

al measures shortly. Moreover, non-compliance with interim measures will legitimize and justify counter-measures against Russia. While the ICJ's decisions are final and irreversible, the Court has no practical means of enforcing them. A party can only compel a state to follow an ICJ rulling by petitioning the United Nations Security Council (UNSC).

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^{1.} LIVE LAW, https://www.livelaw.in/top-stories/ukraine-v-russia-live-updates-from-international-court-of-justice-hearing-193566 (last visited Apr. 30, 2022).

^{2.} Devika Sharma, ICJ | Ukraine institutes proceedings against Russian Federation and requests Court to indicate provisional measures, SCC ONLINE (Apr. 29, 2022, 8:00 PM), https://www.scconline.com/blog/post/2022/02/28/ukraine-institutes-proceedings-against-russian-federation-and-requests-court-to-indicate-provisional-measures/.

^{3.} Devika Sharma, Ukraine v. Russia | ICJ to hold public hearings in allegations of Genocide under Convention on Prevention and Punishment of Crime of Genocide, SCC ONLINE (Apr. 29, 2022, 8:00 PM), https://www.scconline.com/blog/post/2022/03/02/allegations-of-genocide-under-convention-on-the-prevention-and-punishment-of-crime-of-genocide/.

^{4.} INDIAN EXPRESS, https://indianexpress.com/article/explained/everyday-explainers/international-court-of-justice-russia-ukraine-7795024/ (last visited Apr. 29, 2022).

^{5.} Christy Shucksmith-Wesley, War Crimes and Genocide in Ukraine, JURIST – Academic Commentary, April 20, 2022, https://www.jurist. org/commentary/2022/04/Christy-Shucksmith-Wesley-Russia-Ukraine-war-crimes.

Looking at it from a factual lens, the whole of the Israeli-Palestinian conflict can be simply summarized in four words: another British colonial legacy. The story roughly begins in 1897 with the birth of a movement called Zionism. This movement was started by a man named Theodor Herzl and its philosophy was as such: Jews around the world (predominantly Western Europe) could not survive in the wake of rising anti-Semitist sentiments and as such the only way for them to survive was to create a nation of their own or the "Jewish Homeland". Regardless of how accurate the assertions made would soon become, at the time this movement and its seemingly radical ideologies were largely ignored by the Great Powers of the era (Britain and France).

That is, they were ignored until the start of the First World War, when Britain realized they could use this movement to their strategic advantage. The British did what they have always historically done so well, carve up territories won in war and offer everyone a piece with no regard to the native population. This was to be the fate of the Ottoman Empire, with Arabs and Turks pitted against each other through newly emerging sovereign-nationalist movements (conveniently supported by foreign actors during a time of war). The British thus incited the Arab Nationalists (under Hashemite leadership) to rise up against the Ottoman Emperor and weaken the regime from within, by making empty promises of an Arab homeland. Meanwhile, to garner the support of the (allegedly) easily-swayed American civilian population (and by extension, the American government), the British also promised a Jewish homeland to the Zionists. The increasing persecution of Jews

during and after the First World War had helped to generate more sympathy and support for the Zionist cause.

The problem was, the same land (Palestine) had been promised to two separate peoples (by a country who had no right to promise this land to anyone in the first place). When the First World War ended and the victors assembled in Versailles, both the Hashemite and Zionist leaders appeared to make their claims to the Palestinian land as their homeland. To no one's surprise, the British and American leadership forgot their promises of self-rule, nationhood, and sovereignty to the Hashemite Arabs and in fact deposed their leader from Palestine. Instead, the British took over and established what was now to be a Jewish state or homeland (hilariously, with only 6% of the native population being Jewish at the time). Overnight, the statehood of the Arab majority and other minorities who had lived in those lands for centuries, was erased from history. Thereafter, through a carefully-crafted Public Relations strategy, Palestine was advertised as THE Jewish Homeland where all Jews from around the world belonged, and in fact, any Jew could potentially become a citizen of Palestine. Simultaneously, the citizenship and rights of the majority Arab population who were actually residents of the land, was strategically demolished.

Thus began the conflict, and it has only been compounded throughout the years by the overwhelming involvement of external forces (US and Britain) in local conflicts between the newly arrived Jewish settlers and the native



Arab Palestinians. The creation of Israel in 1948, UN Resolution 181 passed in 1947, and even the Oslo Accords of 1993, have all been a series of failed and half-hearted attempts to solve what is essentially the last standing and the most falsely legitimized colonial settlements in world history.

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Recommended Documentary:

Timeline. October 4, 2017. Promises & Betrayals: The Complex History Of The Israeli–Palestinian Conflict. ">https://www.youtube.com/watch?v=7VBlBekw3Uk>





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