

# 2025 – Time to End Russian Impunity

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The beginning of 2025 is a crucial time for European policymakers to lock in the issues of justice and accountability in any potential deal intended to end the hostilities in Russia's war of aggression against Ukraine. Likewise, European policymakers now have a unique opportunity to stand up for the principles and institutions of international law, which are likely to face significant political and economic challenges in the new year. The 50th anniversary of the Helsinki Final Act in 2025 also offers an important reminder of the importance of restoring respect for the principles of the European security order.

Since the start of Russia's war in 2014, Ukraine has documented well above [one hundred thousand](#) war crimes, identified hundreds of Russian suspected perpetrators, and started prosecuting many of them at the national level. Ukraine has also launched a comprehensive legal campaign against Russia across multiple international forums, including the [International Court of Justice](#), the [European Court of Human Rights](#), and the [Permanent Court of Arbitration](#). Ukraine's partners have supported these efforts by providing forensic expertise, legal guidance, financial support, and diplomatic backing. Several countries are conducting national-level investigations into war crimes and crimes against humanity related to Russia's war in Ukraine under the principle of universal jurisdiction. International actors also provide support, such as the Council of Europe's (CoE) [Register of Damage for Ukraine](#) and the EU's initiatives through [Eurojust](#), offering institutional support for investigations into the crime of aggression. The possibility of setting up a [Special Tribunal](#) for the Crime of Aggression against Ukraine under a bilateral agreement between the CoE and Ukraine is being assessed. Finally, the International Criminal Court (ICC) has issued [arrest warrants](#) for Russian President Vladimir Putin and Maria Lvova-Belova for the forceful displacement and deportation of children, and for two high-ranking Russian [military commanders](#) for war crimes and crimes against humanity.

However, as Russia's war continues to drag on, and as US President-elect Donald Trump is soon to take office, some voices have started calling for some form of [deal](#) to end the hostilities. Such a deal might involve excluding Ukraine's NATO membership, committing to Ukraine's forced neutrality, and establishing a demilitarised zone along the current battlelines (thus violating principles of international law like national sovereignty and territorial integrity). This and similar proposals often fail to consider the importance of the on-going legal processes against Russia and of ensuring accountability in any long-term peace-settlement. Russian impunity must end to prevent the country from posing a fundamental security threat to Europe. For this to happen, Moscow must not be offered any territorial or other forms of concessions as a result of its aggression and nuclear blackmail.

Apart from potential deals that pay insufficient attention to accountability and that effectively would undermine international law, the institutions of international law will face significant challenges as the world enters 2025. During his first presidential term, Donald Trump introduced sanctions against the International Criminal Court (ICC). The risk for such sanctions being introduced under his second term, not least following the issuance of arrest warrants for Israeli Prime Minister Benjamin Netanyahu and former Defence Minister Yoav Gallant, are imminent. US sanctions against ICC officials or against the ICC as an institution could seriously impede the work of the court, its service providers, and partners.

For these reasons, the first months of 2025 are a crucial time for European policymakers to lock in the issues of justice and accountability in any potential deal intended to end the hostilities in Russia's war. European policymakers also have a unique opportunity to step up their political, economic, and legal support to Ukraine and to the institutions of international law in their on-going and planned processes for holding Russia accountable. Ending Russian impunity is a strategic interest for European countries, which have contributed to and benefit from a global order in which interstate relations are based on rules that ensure order and predictability, and in which the territorial integrity and national sovereignty of all states are respected.

European policymakers should consider the following steps for strengthening international law and ending Russian impunity:

### **1. Ensure Europe's seat at the table**

Ahead of any potential talks about deals to end the hostilities in Russia's war, European policymakers should step up Europe's military support to Ukraine and pursue active public diplomacy efforts to ensure that the European Union is at the table from the outset in shaping the future of European security. This will give European countries better opportunities to make a strong, common case that for there to be long-term peace and stability in Europe and beyond, Russia must not be offered any territorial or other forms of concessions, such as limitations to Ukraine's sovereignty, as a result of its aggression.

## **2. Make a Helsinki Final Act at 50 Declaration**

The imperative of ensuring accountability could be communicated by European policymakers in the form of a high-level declaration, binding the signatories to not recognise any form of negotiations that from the outset disregard the issues of justice and accountability and allow Russian impunity to continue. Such a declaration would reaffirm the principles of the European security order that were outlined 50 years ago in the Helsinki Final Act, and lock in accountability in any potential deal.

## **3. Kick the mechanisms of international justice into action**

Once the mechanisms of international justice kick into action, they take on a life of their own and move ahead regardless of what may seem to be politically expedient in the moment. For this reason, European policymakers should now prioritise opening investigations and legal proceedings to hold Russian individuals accountable for war crimes under the principle of universal jurisdiction. Likewise, policymakers in Europe should express clear political support for, and ensure financial backing of, the establishment of a special tribunal for Russia's crime of aggression, potentially within the framework of the Council of Europe.

## **4. Protect and support the institutions of international law**

For European policymakers, one practical step to ensure the functioning of the ICC and other institutions of international law that risk being sanctioned by the incoming Trump administration is to invoke the [EU Blocking Statute](#), which can shield actors operating in the EU from extra-territorial sanctions. This Statute should be activated as soon as threats of sanctions emerge. In the long term, European policymakers could develop and establish a mechanism tailored to defend the integrity and independence of international courts and justice institutions in the EU from extra-territorial sanctions. Such legal protection could also be extended to non-governmental organisations (NGOs). Finally, European policymakers should step up their cooperation with and financial support to accountability-focused NGOs, as a way to complement evidence collection and to advance international accountability for Russia's war against Ukraine.



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