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Resolution on Ukraine

Resolution of the ELI Council





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Resolution of 24 February 2022

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The European Law Institute

This Resolution was passed by the European Law Institute (ELI) Council at its meeting of 24 February 2022.

ELI is an independent non-profit organisation established to initiate, conduct and facilitate research, make recommendations and provide practical guidance in the field of European legal development. Building on the wealth of diverse legal traditions, its mission is the quest for better law-making in Europe and the enhancement of European legal integration. By its endeavours, ELI seeks to contribute to the formation of a more vigorous European legal community, integrating the achievements of the various legal cultures, endorsing the value of comparative knowledge, and taking a genuinely pan-European perspective. As such, its work covers all branches of the law: substantive and procedural; private and public.

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In the circumstances of the deployment of Russian armed forces into Ukraine, the European Law Institute (ELI), an entirely independent non-profit organisation established to provide practical guidance in relation to European legal development, and which has Fellows in Ukraine and Russia, wishes:

(a) to summarise three fundamental legal principles:

(1) All States must respect the fundamental obligations, values, principles and freedoms set out in the Charter of the United Nations, the Statute of the Council of Europe, the European Convention of Human Rights, and other general principles of public international law.

(2) The use of armed forces by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, is a crime under international law, which was clearly defined in the Nuremberg Principles of 1945 and has been widely reflected in numerous charters and statutes including the Rome Statute of the International Criminal Court.

(3) Individual persons who commit or participate in such a crime are responsible under international law for their actions.

(b) to reiterate its unwavering support for Ukraine and its people.

As approved by the ELI Council.

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