



# CALL FOR PAPERS: EUROPEAN FORUM SPECIAL FOCUS ON “THE RUSSIAN WAR AGAINST UKRAINE AND THE LAW OF THE EUROPEAN UNION” THE EU IN THE FACE OF WAR

On February 24, 2022, the Russian Federation launched a so-called special operation aimed at the military invasion of Ukraine. This move was soon widely condemned on the international scene as a blatant violation of Ukraine’s territorial integrity and a most serious breach of peremptory international law prohibiting the use of force in international relations.<sup>1</sup> The EU took part to this collective denunciation on the very same day of the invasion.<sup>2</sup> Since then it has assured Ukraine of its full support and its Member States have demonstrated strong commitment as well.

Notwithstanding the efforts deployed by part of the international community to cooperate and give less ground possible to a situation deriving from such a blatant disrespect for international law,<sup>3</sup> the war that has been triggered by the Russian invasion of Ukraine has now entered its second year. This perduring situation, with on the one hand the blockade of the UN Security Council, the primary responsibility of which is to maintain international peace and security,<sup>4</sup> and on the other hand the development of long-term Russian alliances on its Eastern and Southern fronts, has deeply reshaped international relations. And EU law and practice in this respect is no exception.

In the face of tragic devastation, suffering and loss of human life, EU institutional and legal reactions have abounded. While the European Parliament, the Commission and the Council rapidly agreed on a conditioned candidate status for Ukraine, on a new series of

<sup>1</sup> Art. 2(4) UN Charter; Report A/74/10 of the International Law Commission of 20 August 2019, Yearbook of the International Law Commission, Part Two, volume II, 2019.

<sup>2</sup> European Council Conclusions of 24 February 2022 on Russia’s unprovoked and unjustified military aggression against Ukraine.

<sup>3</sup> Art. 41 of the International Law Commission Articles on Responsibility of States for International Wrongful Acts (ARSIWA), adopted by General Assembly resolution 56/83 of 12 December 2001, and corrected by document A/56/49(Vol. I)/Corr.4.

<sup>4</sup> Art. 24 UN Charter.



sanctions and on the use of the European Peace Facility (EPF) to assist the Ukrainian military forces with equipment, platforms and weapons designed to deliver lethal force, these areas of intervention show ever evolving challenges. For instance, the Council has recently agreed to deploy 1 billion euro from the EPF to partially reimburse the Member States for deliveries of ammunition and measures are being taken to secure joint procurement of military supplies from the EU and the Norwegian industries. In addition, the opposing priorities of the Member States have led to more significant hurdles on a variety of further measures, such as a common response to imports of Russian oil and natural gas or the identification of the items to be targeted by economic restrictive measures.

15 months after the Russian invasion, while carefully avoiding to take part to the war as potential co-belligerents, the European Union and its Member States have reportedly taken concrete action in a variety of areas, including:

- the conduct of the armed conflict and the respect for international humanitarian law;
- the reshaping of EU security and defence policy, in terms of overall progression of the integration process, cooperation among national military forces and EU industrial capacity;
- the reshaping of international security alliances, with a focus on NATO;
- the deployment of emergency support to civil populations, including humanitarian aid and protection to displaced persons;
- the imposition of EU restrictive measures to Russia and associated States, individuals and entities;
- the deployment of coordinated intervention at, and cooperation with, international judicial institutions;
- the use of enlargement perspectives and the neighborhood policy to contribute securing the situation at EU borders;
- the deployment of specific action in EU market-related areas that have particularly been affected by the war, including food supply and energy;
- the use of various financial instruments to ensure macro-financial assistance where needed;
- the involvement in the debate on and planning of the future reconstruction of Ukraine.

These contemporary aspects of EU internal and external action require further elaboration and analysis. The present *Special Focus on 'The Russian War Against Ukraine and the Law of the European Union'* aims at contributing to this debate, through a panorama of EU's polymorphic reaction to the war.

We are now inviting expressions of interest and submissions on **all issues that authors consider clearly related to the EU position and practice on the situation resulting from the Russian invasion of Ukraine**. Non-legal contributions that take into

account the evolving landscape of EU law and international relations are also expressly invited.

The **European Forum** accepts contributions in English, French, Italian or Spanish. They can take the form of *Highlights* or *Insights*; please consult web-site on [Submitting Highlights and Insights to the European Forum](#) for a [template](#), the [EP Style Guide](#) and additional information.

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