International Criminal Court (ICC)

Topic: **"Enforcing International Criminal Justice: Examining the ICC Arrest Warrant Against Vladimir Putin ".**

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Writer's note:

Welcome delegates to the International Criminal Court of LIMUN 2027. This committee, unlike the others, will be in an actual court deciding whether the criminal is guilty or innocent. This is considered as one of the most challenging committees, and for that we recommend to revise the guide that is provided and to investigate as much as possible about your prosecutor, defender, or judge. Good luck delegates.

I. COMMITTEE BACKGROUND

The Internationak Criminal Court (ICC) originated from post-World War II tribunals and the 1998 Rome Statute, officially opening on July 1, 2002, in The Hague, Netherlands, to permanently prosecute genocide, war crimes, and crimes against humanity. It is meant to serve as a permanent, independent global tribunal to investigate and prosecute individuals accused of the world's most severe atrocities, specifically genocide, war crimes, crimes against humanity, and the crime of aggression. The ICC seeks to ensure that criminals do not evade justice due to political power or legally binding protection, as opposed to other international courts.

According to the complementarity principle, the Court merely steps in whenever national courts are unable or unwilling to proceed with accusations. The ICC, comprised of 124 States Parties, is essential to fostering accountability, discouraging future crimes, and enforcing the rule of law globally.

II. HISTORY OF THE TOPIC

a. Introduction of the topic

Vladimir Vladimirovich Putin, President of the Russian Federation, is allegedly responsible for the war crime of unlawful deportation of children and that of unlawful transfer of population from occupied areas of Ukraine to the Russian Federation (under articles 8(2)(a)(vii) and 8(2)(b)(viii) of the Rome Statute). The crimes were allegedly committed in Ukrainian occupied territory at least from 24 February 2022. There are reasonable grounds to believe that Mr Putin bears individual criminal responsibility for

the aforementioned crimes, for having committed the acts directly, jointly with others and/or through others (article 25(3)(a) of the Rome Statute), for his failure to exercise control properly over civilian and military subordinates who committed the acts, or allowed for their commission, and who were under his effective authority and control, pursuant to superior responsibility (article 28(b) of the Rome Statute).

b. Evolution of the topic

In a formal judicial decision stemming from the Prosecution's 22 February 2023 applications, ICC Pre-Trial Chamber II established that there are reasonable grounds to believe the named suspects bear individual criminal responsibility for the ongoing war crimes of unlawfully deporting and transferring Ukrainian children from occupied territories to the Russian Federation. Although arrest warrants are typically kept confidential to protect victims and witnesses and to safeguard the integrity of active investigations, the Chamber determined that the continuing nature of these offenses warranted a public exception. Exercising its judicial discretion in the interests of justice, the Chamber authorized the Registry to publicly disclose the existence of the warrants, the identities of the suspects, the specific legal charges, and the applicable modes of liability in order to raise international awareness and help prevent the further commission of these crimes

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III. CURRENT ISSUES

a. Panorama

On 22 February 2023, the International Criminal Court's Pre-Trial Chamber II found reasonable grounds to hold key Russian leaders, including President Vladimir Putin, criminally responsible for the ongoing war crimes of unlawfully deporting and transferring Ukrainian children from occupied areas to the Russian Federation. The legal charges rely on both **direct liability**—for ordering, planning, or facilitating the policy—and **superior responsibility**—for failing to exercise control over military and civilian subordinates who carried out the acts. Although arrest warrants are typically kept secret to protect witnesses and preserve evidence, the Chamber chose to publicly disclose the suspects, charges, and modes of liability in the interests of justice, using public awareness as a strategic tool to help deter further unlawful removals of children while the conflict continues.

All 123 ICC member states are officially required to arrest Putin if he enters their territory. The ICC cannot send officers into Russia to arrest him. Putin avoids traveling to member nations that would enforce the warrant.In retaliation, a Moscow court convicted and sentenced the former ICC prosecutor and several ICC judges to prison terms in absentia (up to 15 years).Russia also placed the targeted ICC prosecutor and judges on its own wanted lists

b. Involved Actors

Mongolia

Putin traveled to Mongolia, an ICC member state, in September 2024 without being arrested, prompting the International Criminal Court Pre-Trial Chamber II to formally find Mongolia in non-cooperation and refer the matter to the Assembly of States Parties.

Tajikistan

Putin visited Tajikistan, which is also a signatory to the Rome Statute, and was not detained, drawing criticism from groups like the Coalition for the International Criminal Court for failing to meet treaty obligations.

Note: Member states are legally bound to cooperate and execute warrants, but leaders often weigh these obligations against diplomatic and geopolitical priorities, meaning no member government has actively attempted to arrest him during his foreign trips

IV. Past Actions

The court relies entirely on member countries of the Rome Statute to detain suspects and surrender them to the ICC headquarters in The Hague. Because Russia is not a member state, Russian authorities will not arrest Putin. Instead, the warrant forces Putin to avoid traveling to any of the over 120 countries that are member states of the ICC, as those nations are legally obligated to arrest him. In 2025, when it was rumored Putin would travel to Tajikistan (an ICC member state), court representatives held direct meetings with Tajik authorities to remind them they were legally obligated to arrest him. Tajikistan ultimately refused, citing regional agreements and political ties with Russia. In 2023, South Africa was scheduled to host the BRICS economic summit. Because South Africa is an ICC member, local opposition parties and international groups pressured the government to arrest Putin if he arrived. To avoid a major international crisis, South Africa quietly asked Putin not to come, and he attended virtually instead. As of today Vladimir is still out due to the fact that ICC has no police force of its own, therefore; no physical task force has raided Russia to capture Vladimir Putin.

V. CONCLUSION

In conclusion, while the ICC's arrest warrant officially charges Vladimir Putin with war crimes, actually capturing him depends completely on other countries. Because the court has no police force of its own, it relies on its member states to arrest suspects who enter their territory. In reality, political ties and national interests often outweigh treaty promises—as seen when countries like Mongolia and Tajikistan chose not to arrest Putin during his visits, and South Africa asked him to attend a summit online to avoid a diplomatic crisis.

Furthermore, Russia counterattacks, by sentencing former ICC prosecutors and several ICC judges to prison. And, making their own wanted list targeting many ICC members, placing them in great danger and unable to enter the country.

VI. QUESTIONS TO CONSIDER

1. Has my prosecutor,defender,or judge any position against or with Vladimir Putin?
2. Has Russia completely stopped deporting children from Ukraine?
3. What are other similar cases from the ICC?
4. What past actions have been taken in past situations?
5. What other rules could be enforced?
6. What will happen to the deported children?
7. What new measures should be taken if Vladimir enters one of the ICC's countries?
8. Why is it important to stop and arrest Vladimir Putin?
9. If Vladimir Putin is found guilty and arrested, what will happen to the Russian government?
10. What if Russia strikes again not only in Ukraine but in other countries?

VII. REFERENCES

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