Ukraine’s prosecutor general, Iryna Venediktova, said in April that her office was investigating 5,800 cases of Russian war crimes and had identified more than “500 suspects . . . including Russian politicians, military personnel and propaganda agents.”90 Weeks later, Venediktova reported that the number of war crimes investigations had risen to 13,000.91 In May, Venediktova announced that the first “handful of cases have now been filed or are ready to be submitted,” including cases against Russian soldiers in Ukrainian custody.92 The first trial began in Kyiv on May 13,93 and concluded with a guilty plea.94

INTERNATIONAL HUMAN RIGHTS AND HUMANITARIAN LAW

United States and Allies Provide Humanitarian Aid to Ukraine and Its Citizens
doi:10.1017/ajil.2022.30

The invasion of Ukraine has unleashed massive humanitarian consequences, including displacement of a significant portion of Ukraine’s population, deaths of civilians, and widespread damage to civilian infrastructure in the country. The conflict’s effects on wheat exports may also cause humanitarian harms around the world. Neighboring countries and others have taken in Ukrainian refugees, and many governments and other entities have offered humanitarian assistance, though even after the fighting is over, recovery and rebuilding will be a long process.

The ongoing conflict makes accurate reports of casualties difficult, but the human toll of the invasion is clearly high and growing. On March 12, Ukrainian President Volodymyr Zelensky stated that 1,300 Ukrainian military personnel had been killed;1 that number has not been verified.2 The toll among civilians appears to be even higher. Through April

2 Emily Rauhala, Dan Lamothe, Adela Suliman & Jennifer Hassan, Russia Could Have Lost as Many as 15,000 Troops in Ukraine War, NATO Official Estimates, WASH. POST (Mar. 12, 2022), at https://www.washingtonpost.com/world/2022/03/24/russia-troops-casualties-nato-ukraine. The Russian military has reportedly suffered significant losses, though the exact number is unclear. NATO estimates that between 7,000 and 15,000 Russian troops had been killed by the end of March. Daniel Michaels, NATO: Up to 40,000 Russian Troops
28, the UN Office of the High Commissioner for Human Rights officially recorded 2,829 civilian casualties, but believes the actual numbers are significantly higher. Media reports indicate that since “Russian forces withdrew in early April, mass civilian graves have been found in most towns” around Kyiv that the Russians had occupied, and satellite images suggest Russian forces dug even larger mass graves near the long besieged city of Mariupol.

In addition to widespread civilian deaths, the conflict has also caused mass displacement of Ukrainian civilians. On April 1, the International Organization for Migration estimated that over four million Ukrainians had become refugees, and a further seven million were internally displaced. These totals represent one quarter of Ukraine’s population of 44 million. Such rapid displacement is unprecedented in modern history, and the United Nations has “projected that the number of refugees could rise to 8.3 million” the end of 2022. Estimates suggest that a further twelve million people remaining in Ukraine need humanitarian aid.

European countries have taken steps to welcome Ukrainian refugees. On March 4, the European Union (EU) activated its “Temporary Protection Directive,” which grants asylum seekers from Ukraine a range of protections, including a residence permit and the ability to obtain housing and employment. This is the first time the Directive has been activated since its adoption in 2001 in response to wars in the former Yugoslavia. However, there are concerns that individual countries may not be able to absorb the large numbers of refugees arriving. Countries bordering Ukraine have been bearing the brunt of the refugee crisis. For example, in the first three weeks after the invasion, Poland welcomed over 1.7 million


8 Sarah Chodosh, Zach Levitt & Gus Wezerek, Ukraine’s Refugee Crisis Is Unprecedented. The Response Must Be Too, N.Y. TIMES (Mar. 15, 2022), at https://www.nytimes.com/interactive/2022/03/15/opinion/ukraine-refugee-crisis.html (comparing refugee flows from Ukraine in the first eighteen days after the invasion to other countries’ largest yearly outflows of refugees).


12 Id.
refugees from Ukraine.\textsuperscript{13} Moldova, which has a population of 2.59 million, took in more than 420,000 refugees as of April 21.\textsuperscript{14} Germany recently called for more even distribution of refugees throughout Europe.\textsuperscript{15} The United Kingdom has promised to expedite visas for Ukrainians and offer more support for those arriving.\textsuperscript{16} Stating that “this is an international responsibility,”\textsuperscript{17} U.S. President Joseph R. Biden Jr. has pledged that the United States will welcome up to 100,000 Ukrainian refugees,\textsuperscript{18} and the Biden administration has launched “Uniting for Ukraine,” which it describes as “a streamlined process for Ukrainian citizens who have been displaced by Russia’s aggression to apply for humanitarian parole in the United States.”\textsuperscript{19}

Governments worldwide are providing humanitarian aid to Ukraine to address the impacts of the conflict.\textsuperscript{20} Although the United States is taking in many fewer refugees than countries neighboring Ukraine, it is the largest donor of humanitarian aid to the country.\textsuperscript{21} According to the U.S. Agency for International Development (USAID), through the end of March, the United States pledged $301 million in humanitarian funding to address the Ukraine crisis.\textsuperscript{22} Through April 17, the EU had released €143 million in humanitarian aid,\textsuperscript{23} as well as developed logistical hubs to deploy medical aid.\textsuperscript{24} Numerous countries outside Europe, including

\textsuperscript{13} Chodosh, Levitt & Wezerek, supra note 8.
\textsuperscript{16} Maite Fernández Simon, Britain Pledges to Expedite Visas for Refugees from Ukraine, WASH. POST (Mar. 8, 2022), at https://www.washingtonpost.com/world/2022/03/08/britain-ukrainian-refugees-visas.

\textsuperscript{20} For an overview of humanitarian aid for the Ukraine crisis, see UN Office for the Coordination of Humanitarian Affairs, Financial Tracking Service, Ukraine 2022, at https://fts.unocha.org/countries/234/summary/2022.
Australia, New Zealand, and Japan, have also committed varying levels of aid, and non-governmental organizations, such as the International Committee of the Red Cross and World Central Kitchen, have provided support on the ground in Ukraine and neighboring countries. However, ongoing fighting has hampered both civilian evacuations and aid delivery.

Concerns are also increasing about the conflict’s effects on food supplies around the world, particularly in low-income countries. Russia and Ukraine export a substantial portion of the world’s grain products, including a quarter of the world’s wheat supply. The COVID-19 pandemic had already increased prices of important commodities like wheat in 2021, but those prices have continued to increase since the invasion. Russian ships have blocked Ukraine from exporting wheat via ports on the Black Sea, and in order to “protect the domestic food market,” Russia has limited its own exports, including banning grain exports to ex-Soviet countries that are part of the Eurasian Economic Union and “not subject to Russia’s grain export quotas.” Ukrainian officials and the UN Food and Agriculture Organization have also alleged that “Russian troops have looted stocks of Ukrainian grain and destroyed grain storage facilities, compounding the widespread destruction and suffering inflicted in the war.” The disruption of grain supplies risks significant consequences worldwide. The World Food Programme “buys half of its grain from Ukraine,” and UN officials have warned that “[t]he conflict threatens to exacerbate other crises—such as those in Afghanistan, Yemen, and the Horn of Africa—as those countries and regions are already grappling with food insecurity and

31 Id.
35 Bearak, supra note 32.
economic fragility.”  

To mitigate some of the harms to low-income countries, the United States has announced that it will provide $670 million in aid to Ethiopia, Kenya, Somalia, Sudan, South Sudan, and Yemen in response to food insecurity exacerbated by the invasion of Ukraine.

Even after the fighting ceases, remediating the conflict’s effects on civilian life in Ukraine will take significant resources and time. The remnants of war, particularly landmines and other explosive devices, pose ongoing hazards to civilians. Through the end of May, Ukraine’s State Emergency Services had cleared more than 127,000 “explosive devices,” and estimates suggest that half of Ukrainian territory will require de-mining when the conflict concludes.

Ukraine will also need significant resources for rebuilding. The UN estimated that $100 billion worth of Ukrainian infrastructure was damaged in just the first three weeks after the invasion.

Amidst the destruction, there are, however, hopeful signs. By mid-May, with fighting having shifted to the eastern portion of Ukraine, the Ukrainian border service reported that “[m]ore people have returned to Ukraine than left the country in recent days.”

USE OF FORCE, ARMS CONTROL, AND NON-PROLIFERATION

The United States and Allies Provide Military and Intelligence Support to Ukraine
doi:10.1017/ajil.2022.31

In response to Russia’s invasion, the United States and numerous other countries have provided Ukraine with both lethal and non-lethal military aid, as well as intelligence assistance. In doing so, they are attempting to strike a balance between supporting Ukraine and avoiding further escalation of the conflict.

Although the United States has provided foreign and military aid to Ukraine since the collapse of the Soviet Union, those amounts increased after Russia’s invasion of Crimea in 2014. From the invasion of Crimea through early October 2021, the United States “allocated more than $2.5 billion in security assistance to Ukraine.” During the Obama

39 USAID, supra note 22, at 3.
2 Id. at 33.