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The rule of law at the national and international levels

Letter dated 1 August 2022 from the Chargé d'affaires a.i. of the Permanent Mission of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

In our statement in the Security Council meeting on 29 July, we mentioned horrific incidents related to the large-scale use of scatterable anti-personnel PFM-1-type land mines (“Lepestok”) by the Ukrainian armed forces against civilians in Donbass. These lightweight mines are planted remotely by rockets with cluster munitions fired by the Ukrainian military towards densely populated districts of the city of Donetsk. The alarming reports about such incidents have been piling up over the weekend. A weblink to photos of these mines, scattered on the ground in Donetsk, is contained in the annex to the present letter.

If used in civilian areas, such mines, by their shape and colour, pose a significant danger to civilians since they are hard to detect when planted in the grass and detonate on contact, maiming their victims. PFM-1-type landmines are especially dangerous to children, as they do not immediately recognize these small plastic mines as a weapon and can easily mistake them for toys.

We would like to stress that the use of these indiscriminate weapons against the civilian population is not only immoral and inhumane, but constitutes a grave violation of international humanitarian law.

The Ukrainian armed forces violate the very basic rule of international humanitarian law, as enshrined in article 48 of the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 8 June 1977, which stipulates: “Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives”.

Paragraph 4 of article 51 of the Protocol clearly prohibits indiscriminate attacks, defining them as those which are not directed at a specific military objective and those which employ a method or means of combat, which cannot be directed at a specific military objective.



The above-mentioned land mines have been planted by the Ukrainian armed forces in residential areas with no military objectives, so there could be no “military advantage anticipated” for the Ukrainian armed forces from these brutal acts. According to eyewitness reports on the ground, these mines are scattered in the central Donetsk, where 28 parks, 23 educational institutions, 20 kindergartens, 15 schools, 14 hospitals, 5 museums and 2 churches are located.

It is clear that these mines are specifically targeted at the civilian population and that the goal is to cause as much damage to civilians as possible to intimidate and terrify the people of Donetsk.

We would like to recall that paragraph 2 of article 51 of the Protocol stipulates the following: “The civilian population as such, as well as individual civilians, shall not be the subject of attack. Acts or threats of violence the primary purpose of which is to spread terror among the civilian population are prohibited”. Therefore, the dispersion of the above-mentioned mines in civilian areas by Ukrainian armed forces is not only a grave violation of international humanitarian law, but amounts to act of terror and a war crime against the civilian population.

I would be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 85, and of the Security Council.

(Signed) Dmitry **Polyanskiy**
Chargé d'affaires a.i.

**Annex to the letter dated 1 August 2022 from the Chargé d'affaires
a.i. of the Permanent Mission of the Russian Federation to the
United Nations addressed to the Secretary-General and the
President of the Security Council**

https://drive.google.com/drive/folders/163NtvERKnL9YSI_JnK6y4oifQjbuX2rw
