

**Citizen Participation and Public Petitions Committee**  
**Wednesday 21 January 2026**  
**2nd Meeting, 2026 (Session 6)**

**PE2207: I demand the Scottish Parliament create a pilot court to try Russian war criminals with Ukraine**

**Introduction**

**Petitioner** Sviatoslav Rozenko

**Petition summary** I demand that the Scottish Government establish a pilot court to try Russian war criminals in cooperation with Ukraine and international bodies. This will make Scotland a center of international justice, ensuring punishment for the guilty, protection of victims, and adherence to international law, strengthening the country's authority globally and demonstrating commitment to justice and international legal principles.

**Webpage** <https://petitions.parliament.scot/petitions/PE2207>

1. This is a new petition that was lodged on 14 November 2025.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
4. Every petition collects signatures while it remains under consideration. At the time of writing, 13 signatures have been received on this petition.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received written submissions from the Petitioner and Scottish Government, which are set out at **Annexe C**.

**Action**

7. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**  
**January 2026**

## Annexe A: Summary of petition

### PE2207: I demand the Scottish Parliament create a pilot court to try Russian war criminals with Ukraine

#### Petitioner

Sviatoslav Rozenko

#### Date Lodged

14 November 2025

#### Petition summary

I demand that the Scottish Government establish a pilot court to try Russian war criminals in cooperation with Ukraine and international bodies. This will make Scotland a center of international justice, ensuring punishment for the guilty, protection of victims, and adherence to international law, strengthening the country's authority globally and demonstrating commitment to justice and international legal principles.

#### Background information

The situation with Russian war crimes in Ukraine is massive and systematic: killings of civilians, torture, deportations, and destruction of infrastructure. International tribunals, including the ICC in The Hague, and Ukrainian national courts are physically and procedurally unable to efficiently handle all cases, especially against mid- and lower-level command personnel. Ukraine needs partners to transfer some cases to expedite justice and protect victims' rights. Scotland has an independent judicial system, experience cooperating with international organizations, and infrastructure to hold trials, including in Edinburgh and Glasgow. Establishing a pilot court would allow cases against Russian war criminals to be heard on Scottish territory, ensuring transparency, compliance with international law, and witness protection. This would set an example for other countries and strengthen the international justice system.

## Annexe B: SPICe briefing on PE2207



The Information Centre  
An t-Ionad Fiosrachaidh

### Brief overview of issues raised by the petition

The petition calls for the Scottish Government to establish a pilot court to try Russian war criminals in cooperation with Ukraine and international bodies.

The petitioner states that this would make Scotland a centre of international justice, ensure punishment for the guilty, protection of victims and adherence to international law.

They go on to state that international tribunals, including the International Criminal Court in The Hague, and Ukrainian national courts are physically and procedurally unable to efficiently handle all cases, especially against mid- and lower-level command personnel. Therefore, Ukraine needs partners to transfer some cases to expedite justice and protect victims' rights.

#### Universal jurisdiction

The [principle of universal jurisdiction](#) gives countries jurisdiction over crimes against international law (including war crimes, torture, crimes against humanity and genocide) even where the person is not a national of that country or where the crime occurred elsewhere. It is intended to be used where the state where the crimes were committed is unable or unwilling to conduct an effective investigation and trial.

The UK Government published a [Note on the investigation and prosecution of crimes of universal jurisdiction](#) in 2018. While much of this is specific to the process within England and Wales, a section is included which refers to Scotland (pp 5-6).

It notes that Scottish courts have recognised the concept of universal jurisdiction under common law, and that it also has universal jurisdiction by virtue of some UK statutes enacted prior to the Scotland Act 1998 coming into force (including the 1949 Geneva Conventions and the 1984 UN Convention against Torture).

It states that:

“If an allegation of war crimes were to be made against any individual **in Scotland, or anticipated as visiting Scotland**, the Specialist Case Division of PSoS [Police Scotland] would seek direction and guidance from the Specialist Casework Division of COPFS [Crown Office and Procurator Fiscal Service].” [emphasis added]

The Note highlights that the Lord Advocate has not issued specific guidance in relation to the investigation of war crimes, but that prosecutors are required to comply with the [Scottish Prosecution Code](#). Therefore, proceedings should only be initiated where there is sufficient evidence and there is a public interest in doing so.

The Center for Constitutional Rights (CCR) [Factsheet on universal jurisdiction](#) provides details of actions that the CCR and their partners have initiated in Canada, France, Germany, Spain and Switzerland. Some of these have involved actions against former leaders or high-ranking officials who were either in, or due to visit, the country in which the action was raised.

In Germany, a complaint was brought on behalf of 12 torture victims (12 Iraqi citizens who were held at Abu Ghraib prison and one Guantánamo detainee) and in Spain an action was raised in terms of alleged torture and abuse of four former Guantánamo detainees. It does not state in these actions whether the defendants were due to visit the countries.

The CCR Factsheet states that neither the International Criminal Court (ICC) nor the international courts and tribunals have sufficient resources to investigate or prosecute all alleged perpetrators. They go on to note that the Office of the Prosecutor of the ICC had indicated that there was a “risk of an impunity gap”, meaning some human rights violators may fall through the legal cracks, unless “national authorities, the international community, and the ICC work together to ensure that all appropriate means for bringing other perpetrators to justice are used”.

### **International Criminal Court**

The [International Criminal Court \(ICC\)](#) has jurisdiction where genocide, crimes against humanity or war crimes were committed after 1 July 2002 and the following applies:

- the crimes were committed by a State Party national, or in the territory of a State Party, or in a State that has accepted the jurisdiction of the Court; or
- the crimes were referred to the ICC Prosecutor by the United Nations Security Council (UNSC) pursuant to a resolution adopted under chapter VII of the UN charter.

The ICC can only investigate or prosecute where states are unable or unwilling to do so themselves.

The ICC has an ongoing investigation in Ukraine which opened on 2 March 2022. The focus of the investigation is alleged crimes committed in the context of the situation in Ukraine since 21 November 2013.

There are six defendants listed as part of this investigation, who are all still at large. They are:

- Maria Alekseyevna Lvova-Belova, the Commissioner for Children’s Rights in the Office of the President of the Russian Federation
- Sergei Ivanovich Kobylash, Lieutenant General in the Russian Armed Forces, who at the relevant time was the Commander of the Long-Range Aviation of the Aerospace Force

- Sergei Kuzhugetovich Shoigu, Minister of Defence of the Russian Federation at the time of the alleged conduct
- Viktor Nikolayevich Sokolov, Admiral in the Russian Navy, who at the relevant time was the Commander of the Black Sea Fleet
- Valery Vasilyevich Gerasimov, Chief of the General Staff of the Armed Forces of the Russian Federation and First Deputy Minister of Defence of the Russian Federation at the time of the alleged conduct
- Vladimir Vladimirovich Putin, President of the Russian Federation.

**Kirsty Deacon**

**Senior Researcher**

22 December 2025

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at [spice@parliament.scot](mailto:spice@parliament.scot)

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

Published by the Scottish Parliament Information Centre (SPICe), an office of the Scottish Parliamentary Corporate Body, The Scottish Parliament, Edinburgh, EH99 1SP

## Annexe C: Written submission

### Petitioner written submission, 14 January 2026

#### PE2207/A: I demand the Scottish Parliament create a pilot court to try Russian war criminals with Ukraine

In light of the lack of an official response from the Scottish Government, I am submitting this additional clarification for your careful consideration. It should be made clear that the government's actions effectively constitute systematic sabotage of initiatives related to the consideration of criminal cases against Russian war criminals. Historically, such topics have been shown to evoke hysterical fear and panicky caution among government officials, leading to the ignoring, rejection, or delay of any "inconvenient" requests.

The purpose of this letter is to provide the Committee with a full and clear explanation of the legal, institutional, and practical aspects of my petition, to avoid any misunderstandings and ensure its proper consideration on 21 January.

#### 1. The petition is within the powers of Scotland.

My petition does not request action outside the powers of the Scottish Parliament or the government.

- The judiciary and criminal law are within the remit of devolution
- The judicial process is also entirely within Scottish jurisdiction.
- The petition does not request the implementation of foreign policy, a declaration of war, the conclusion of international treaties, or the establishment of an international UN tribunal.

It should be noted that on September 20 2025, I sent a letter to the Scottish Government regarding this initiative. This letter was very lengthy: I fully outlined my views and position, describing how the process should work, including the legal and institutional aspects. However, the Scottish Government failed to provide a substantive response, limiting itself to a bureaucratic reply in one short paragraph, shifting the blame entirely to Westminster. I would be content to share the letter with the Committee if requested.

Therefore, all the requested actions—the creation of a pilot judicial mechanism in Scotland—are within the scope of existing powers.

#### 2. The essence of the pilot court mechanism

The pilot court is designed to hear criminal cases against Russian war criminals in Scotland, in cooperation with Ukraine and international bodies.

Key points:

- No permanent body is being created;

- No sentencing in absentia is envisaged, without respect for the basic rights of the accused;
- No substitution of the ICC or Ukrainian courts;
- Existing Scottish court structures, including Edinburgh and Glasgow, are utilised, while respecting Scottish procedural rules;
- Full witness protection and compliance with international law are provided.

This is a viable, legally sound format that does not require changes to UK law or Scottish jurisdiction.

### **3. Universal Jurisdiction and International Practice**

The proposed pilot court is based on the principle of universal jurisdiction—an established doctrine of international law applied in a number of countries (Germany, Spain, the Netherlands, France):

- States can try the most serious international crimes regardless of where they were committed;
- The nationality of the accused and victims is irrelevant;
- The practical purpose is to handle cases that are physically impossible to effectively hear in the ICC or the national courts of Ukraine.

My petition is not a declaration, but rather a proposal for an instrumental solution to an existing problem.

### **4. The "Pilot Court" Format as a Strategically Safe Step**

Using a "pilot court" format, rather than a permanent international court, offers the following advantages:

- No systemic reform of the judicial system is required;
- The constitutional balance of powers is not altered;
- No significant budgetary or political risk is created;
- Real judicial practice is ensured;
- Potential political resistance is minimised.

In fact, this is an experimental format, completely legitimate within the framework of devolved powers.

### **5. Interaction with international bodies**

The pilot court does not compete with the ICC:

- It is physically impossible to hear all cases from the ICC and Ukrainian courts;
- The pilot court complements, rather than undermines, the existing system;
- Cases at the mid- and lower levels of command can be heard with full compliance with Scottish law and international norms;
- This strengthens international justice, rather than creating a parallel structure.

## 6. Benefits for Scotland

My petition is beneficial not only from the perspective of international justice, but also for Scotland itself:

- Strengthening international authority;
- Demonstrating independence within the framework of devolution;
- Developing forensic expertise and international cooperation;
- Creating precedents for future criminal cases involving international crimes;
- Symbolically strengthening Scotland's reputation as a rule-of-law state.

## 7. Absence of Legal Impediments

The petition is free of typical "stopping factors". It is entirely within the scope of its jurisdiction.

- does not require UK legislation;
- does not contradict international law;
- the demands are specific and clear;
- is not purely symbolic.

The only factor is political will, which will be decisive at the committee meeting.

## 8. Conclusion

Consideration of the initiative should be based on facts, legal arguments, and institutional feasibility, not on fears or political biases. Implementation of the proposed mechanism will allow Scotland to demonstrate leadership in international justice, protecting victims' rights, and strengthening trust in the judicial system.

I urge the Committee to ensure that the discussion on 21 January proceeds without artificial delays, evasive language, or formal disregard for the substance of the petition, taking into account its practical significance and strategic value for Scotland.

## Scottish Government written submission, 15 January 2026

### PE2207/B: I demand the Scottish Parliament create a pilot court to try Russian war criminals with Ukraine

#### Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable?

The Scottish Government does not consider what the petition asks for to be practical or achievable, and considers it is better that Scotland, the UK and the international community work together to achieve justice and accountability. The Scottish Government considers that accountability for international crimes committed in the context of Russia's illegal aggression in Ukraine is best achieved locally, or, failing that, by international processes such as those before the International Criminal Court, the proposed Special Tribunal for the Crime of Aggression against Ukraine, and efforts at Eurojust.

While it would be legally possible to create a new domestic court with universal jurisdiction over crimes committed in Ukraine, the policy of the Scottish Government is not to create a new domestic court to prosecute those crimes:

- It is impractical to prosecute crimes without any nexus to Scotland in Scotland given difficulties with gathering evidence for a fair investigation and prosecution, effectively supporting victims and witnesses, and securing accused persons' attendance at proceedings. Criminal justice processes must be able to deliver justice and not simply result in performative processes.
- We would expect most accused persons, victims and witnesses to speak either Russian or Ukrainian, meaning that the conduct of proceedings in Scotland in English is likely to pose difficulties, both practical and financial. This makes the conduct of local proceedings or international proceedings in local languages better for everyone involved and makes it easier for those proceedings to protect the human rights of those involved.
- The cost involved in creating a new court in Scotland would be significant and beyond what the Scottish Government can afford.

While there is already universal jurisdiction for core international crimes in Scotland where there is a nexus to Scotland, matters relating to the investigation and prosecution of those crimes is a matter for independent operational partners such as Police Scotland and the Crown Office and Procurator Fiscal Service.

#### What, if any, action the Scottish Government is currently taking to address the issues raised by this petition and is any further action being considered that will achieve the ask[s] of this petition?

The Scottish Government is a firm believer in the rule of law both domestically and internationally. It is appropriate that any breach or potential breach of international

law is investigated and, as a government, we support the investigation of war crimes and crimes against humanity.

All States must act in accordance with international humanitarian law, and the Scottish Government strongly supports the investigations conducted by international legal bodies. We have signalled our support for efforts to bring those responsible for crimes in Ukraine to justice. This includes through supporting national Ukrainian prosecutors and, if necessary, work undertaken internationally, such as that at the International Criminal Court in The Hague.

**Is there any further information the Scottish Government wish to bring to the Committee's attention, which would assist it in considering this petition?**

The Scottish Government resolutely condemns Russia's illegal war against Ukraine – as we have done since its invasion. Scotland stands for democracy, human rights and the rule of law at home and abroad. There are several international efforts seeking accountability for Russian aggression in Ukraine. The UK is active across these activities, particularly at the International Criminal Court, Eurojust and the Council of Europe. The Scottish Government supports all international efforts to secure a strong, just and durable peace, which respects Ukraine's sovereignty.

**Organised Crime and International Justice Cooperation Unit**