

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

Petitioner written submission, 14 January 2026

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.