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UKRAINE'S EXISTENTIAL WAR: DIMENSIONS OF A GLOBAL CONFLICT

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Ukraine's Existential War: Dimensions of a Global Conflict

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Abstract: This third special issue of *Connections: The Quarterly Journal*, dedicated to the ongoing Russia-Ukraine war, expands the understanding of the roots and where Russia's aggression is headed. Kremlinism is presented as an attack on civilization, deeply rooted in fascist ideology, where hybrid attacks and information-psychological operations are used to advance the geopolitical goal of establishing the Russkiy Mir. The issue examines how the current rules-based legal order is positioned in such a manner that it actually abets Russia's impunity, including ongoing war crimes and crimes against humanity, and calls for the creation of a special tribunal. The role of women in the realm of war, victimhood, and peacemaking is analyzed through the lens of UN Security Council Resolution 1325 on women, peace, and security, which advocates for the meaningful inclusion of women in peacebuilding and conflict prevention. The fate of Belarus, as a state and nation, usurped by Russia's expansionary policies, is examined, with a critique of poor Western policies toward it. Russia's cyber aggression against Europe and Europe's reactionary stance are discussed in detail. Additionally, the impact of the war on global food security, particularly through changes in fertilizer prices crucial to food production, is analyzed. The final article takes a deep look at the urgent need for modernizing Ukraine's personnel management system within the armed forces.

Keywords: Putin's war in Ukraine, new world order, women in conflict, human rights, war crimes, kremlinism, ruscism, hybrid warfare, Ruskiy mir, Belarus, Ukrainian Armed Forces, armed forces modernization, EU cyber-security, fertilizer prices.

With the war of aggression against Ukraine, the Kremlin endeavors to destroy the Ukrainian nation and territorial sovereignty. The consequences of the war are now felt far beyond the Ukrainian theater. Countries around the world are experiencing Russia's revitalized imperialism. "Post-truth" and "hybrid warfare" became buzzwords at the beginning of the 21st century. Since then, Russia has increasingly employed in its foreign policy disinformation and hybrid attacks, directly targeting the post-WWII World Order – particularly the values and principles upon which it was founded. This very World Order, which facilitated Russia's restructuring after the Soviet Union's collapse, its permanent seat on the UN Security Council, and the rise of China, Russia's strategic ally, is now under direct threat.

This is the third special issue of *Connections: The Quarterly Journal* dedicated to Russia's aggression against Ukraine. It is our intention to provide our readers with insights into how and why Russian aggression against Ukraine constitutes a war against humans, states, and institutions worldwide. This collection of articles offers such insights into the multifaceted and international aspects of the Kremlin's ongoing aggression and terror.

To start, in "Kremlinism: Russia's Malign Civilizational Force," Roslycky, Liubovets, and Korol present Russia's aggression as an attack on civilization deeply rooted in fascist ideology. They consider its imperial strategy, where corruption is used as statecraft and information warfare is employed to either polarize or subdue polarizations. Kremlinism, the Kremlin's cult-like political vertical, is identified as a combination of "Putinism" and "Ruscism," in which hybrid attacks and information-psychological operations are used to advance the geopolitical goal of establishing the *Ruskiy Mir*.

As the Kremlin's hybrid malign civilizational force continues to encroach upon new and old territories, understanding its methods and developing counterstrategies is crucial. In "State and Personal Responsibility: War Crimes, Crimes of Aggression and Genocide in Ukraine," Andrii Lapkin calls for accountability of those responsible for committing international crimes in Ukraine. Justice is not only about prosecuting the perpetrators but also ensuring reparations for the damage caused by Russia. Accountability and justice are paramount tasks. The article reveals that what should have been a neatly woven web of juridical and jurisdictional solutions is actually a legalistic quagmire. It is abetting impunity for Russia's ongoing war crimes and crimes against humanity—the juridical building blocks of genocide. The multitude of possible jurisdictions and sometimes incomplete legislation—on both national and international levels—necessitate the creation of a special tribunal where both state and personal responsibility can be realized. Lapkin argues that it is time to take inspiration from the architects of justice after World War II, who created the unprecedented Nuremberg Tribunal. With modern technology at hand, there is no need to wait for the war's end to pursue justice.

Men have effectively been separated from women and children, as essentially all men aged 18-60 are banned from leaving the country. Of the estimated

14 million Ukrainians displaced from their homes, a staggering 90 percent are women and children. Whether fighting on the frontlines, contributing to civil society, or becoming casualties of the Kremlin's war, women's roles demand attention. Their contributions are explored in "Women, Peace, and Security Dimensions of the War in Ukraine" by Iryna Lysychkina and Olha Lysychkina. While many women need support to simply survive, they also have the potential to play a key role in the peacemaking process. Their stories and the lessons they have learned must be shared to prevent others from falling victim to Russia's so-called liberation.

With the transfer of Russia's tactical nuclear weapons to its territory, Belarus is a prime example of a state that has fallen as a direct result of Russia's revived imperialism. In "Russia's Invasion of Ukraine and the Modern History of Belarusian Statehood" by Pavlo Troian, Belarus serves as an example of how poor and inadequate policies led to the loss of a potential ally. The article argues that preserving Belarusian statehood and promoting democratization is contingent on ensuring Ukraine's victory. Despite the significant role Belarus could have played in enhancing European stability and security, it now continues actively supporting Russia's war of aggression.

The Kremlin's aggression is far-reaching and has global effects. In "The Impact of the Russian-Ukrainian Hybrid War on the European Union's Cybersecurity Policies and Regulations," Roland Kelemen explores the Kremlin's effective pursuit of domination through cyber-terror. Its army of hackers and trolls is directly impacting European Union cybersecurity policies and regulations by attacking critical infrastructure, enforcing strict censorship and monitoring, committing cybercrime, and utilizing AI-generated deep fakes and doppelgangers. Civilized nations and institutions must shift from reactionary measures to proactive strategies to safeguard themselves and prevent future cyberattacks. The Kremlin's cyber aggression is expected to continue destabilizing systems and terrorizing hearts and minds.

From advanced cyber operations to the weaponization of one of humankind's oldest vulnerabilities—food security—the Kremlin's seemingly abstract imperial ambitions have tangible, far-reaching effects. In "The Change in Fertilizer Prices Due to the Russo-Ukraine War," Tamás Kun and István Takács clearly illustrate how Russia's invasion of Ukraine triggered global market disruptions for key food crops and fertilizers, endangering food security worldwide. The Kremlin's destruction of Ukraine's agricultural industry and its seizure of grains, oils, and natural resources have bolstered Russia's influence. By exploiting Ukraine's looted resources to create new dependencies among some of the world's most vulnerable populations, particularly in the Global South, Moscow secures new allies and followers.

At the end of the day, Russia's aggression is teaching states how their defense complex must be improved. Ukraine is at the front of this war, where cutting-edge innovation and modernization are requisite for its survival. In "Modernizing Personnel Management in the Armed Forces of Ukraine During Military Conflict:

Training New Officers,” Oleh Semenenko, Liliia Semenenko, Roman Sirchenko, Mariia Yarmolchuk, and Vitalii Kostrach utilize statistical analysis and argue that the Ukrainian Armed Forces’ existing personnel management system requires significant modifications to effectively address the challenges of modern military operations. While Ukraine’s personnel management framework has strong foundations and a willingness to cooperate with partners, focus on staff development, and integrate modern technologies, it currently lacks the necessary levels of capability to secure national strategic interests and protect lives. Comprehensive training—ranging from practical skills to simulation exercises, hands-on experience with specialized equipment, and medical training—is urgently needed for Ukraine’s armed forces.

* * *

In the third year of the Russo-Ukraine war, the journal remains committed to providing its readership of scholars and practitioners with insightful analyses of the war’s complexity and its broader implications for defense and security. We welcome original contributions that explore lessons for better organizing, equipping, and training armed forces, innovations in strategy and tactics, and maintaining resilience in the face of a dreadful enemy. Additionally, we are interested in examining the war’s impact on international relations and European and global security.

The horrors of Russia’s new-generation warfare against Ukraine provide Ukraine’s allies with access to knowledge and insight into never-seen-before battlefield realities. Only through effective cooperation and mutual support for democratic values and freedoms can we hope to overcome the anti-civilizational forces that Russia unleashed against Ukraine in 2014 and against the world in 2022.

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Kremlinism: Russia's Malign Civilizational Force

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Abstract: This article considers Russian aggression against Ukraine within the context of a global clash between malign anti-civilizational forces and civilization. It posits that today's world situation should be understood as one positioned on a civilizational fault line. The conflict between these two dynamics is a key feature of the 21st century. The contemporary global terror stemming from the genocide of the Ukrainian people is linked to the growing phenomenon of the "new enemies of totalitarian Russia." This situation puts individuals and states worldwide at risk. Moscow's ambitions are not limited locally, regionally, or geographically; they are already impacting the peaceful future of the planet and its existence.

The terms Kremlinism, Ruscism, and Putinism are introduced as manifestations of the Kremlin's traditional fascism, which is central to Moscow's anti-civilizational force. The authors analyze Russia's internal and international use of rhetoric and lawfare. While the Kremlin may be effective in frightening or fooling leaders of democracies, its own citizens are the primary targets of its terrorist efforts. The objective is to demonstrate that a global response is required from civilized citizens and states. This response must outline a favorable vision of a future world where civilization thrives and confidently overcomes the forces of autocracy, authoritarianism, and corruption.

Keywords: Kremlinism, Ruscism, Putinism, Muskovy, Putin's regime, totalitarianism, global hybrid terrorism, hybrid-messianic aggression, communication-content capabilities, creative law.

It was not us who "took" this land: plain, open, and defenseless – it came to us; it made us possess it...
– Ivan Ilyin

Introduction

After the fall of the Soviet Union, the Kremlin veiled its barbaric imperialist nature with elaborate political and diplomatic ruses, mainly directed towards the democratic West. Today, Putin's Russian Federation no longer disguises its intention to carry on the legacy of the Russian Empire and the Soviet Union; it glorifies it. Despite rhetoric to the contrary, it is virtually impossible to conceal its aggressive policy of military interventions within foreign countries, as well as the nominal federation. Moscow's full-scale war of aggression launched against Ukraine on February 24, 2022, testifies to this fact.

By now, it should be clear that the Kremlin's insatiable appetite will not be satisfied with Ukraine.¹ Dreaming of a reconstructed world where all key decisions align with Moscow's wishes, the Kremlin's dictatorial regime is laying a claim for geostrategic dominance. Consequently, all efforts of the Kremlin regime should be viewed not as mere attempts to return to their "glorious past" but as attempts to shape their own future and that of the entire planet according to the Kremlin's death-cult vision of empire.²

Contrasting civilization with malign civilizational forces is key to understanding the global environment of the 21st century. For civilized citizens and states to provide an adequate global response, they must recognize the current situation as one in which the Kremlin is at the helm, leading the malign civilizational forces of autocracy, authoritarianism, and corruption. The expansion of Russia's dominance is a form of "black-matter imperialism" because it destroys rather than nurtures what it absorbs. As Russia expands its control over foreign territories and citizens, it pillages everything. Its scorched earth policy continues to cause unsurpassed damage to Ukraine's cultural heritage, environment, and life.³

The purpose of this article is to facilitate the development of an adequate global response towards Russia. To this end, it posits that the primary conflict of modern history should be viewed as one between civilization on the one hand and "malign civilizational" forces on the other. This perspective is based on the premise that the entire world population constitutes a single civilization, albeit

¹ Fiona Hill and Angela Stent, "The Kremlin's Grand Delusions: What the War in Ukraine Has Revealed About Putin's Regime," *Foreign Affairs*, February 15, 2023, www.foreignaffairs.com/ukraine/kremlins-grand-delusions.

² "Kremlin's Never-Ending Thirst for Death and Devastation," *European Security*, July 7, 2022, <https://european-security.com/kremlins-never-ending-thirst-for-death-and-devastation/>.

³ Council of Europe Register of Damage for Ukraine, <https://rd4u.coe.int/en/about-the-register>.

divided by historical, cultural, or territorial specificities.⁴ Furthermore, this conflict is represented by Ukraine and its supporters on the side of civilization and by Russia alongside malign civilizational forces such as rogue states recognized as state sponsors of terrorism, including Iran, North Korea, Cuba, and Syria.

Second, the Kremlin's game-like simulation of anti-fascism represents a continuation of fascism from the previous century. It is necessary to consider the historical relationship with fascism to understand how claims of anti-fascism are employed to justify and whitewash the most heinous acts it is committing against Ukraine and its population.

Third, Moscow uses corruption as a statecraft and combines it with its extensive communication capabilities to subject its citizens and citizens globally to Machiavellian information and psychological warfare. Both are integral parts of the governance system manifested by the Russian Federation. The phenomenon of Kremlinism is presented as a complex of technological, resource-based systems and stylistic approaches designed to upend and destroy the peaceful realm of law and order. Ruscism and Putinism are presented as constituent parts of Kremlinism, which has successfully discredited the foundation of post-World War II civilized existence. Finally, the article outlines ways in which Kremlinism appears to be becoming the impetus for the collapse of the Russian Federation itself.

Civilization and Malign Civilizational Forces

From the onset, it is important to stress that the focal point of communication here is "civilization," not "empire." Civilization is intricately intertwined with the fight for the future. At the start of the 21st century, state-driven terrorism is a prominent manifestation of malign civilizational forces. While global historiography points to the Principality of Moscow (henceforth, Muscovy⁵) as the birthplace of terrorism,⁶ all elements of modern history's global hybrid terrorism highlight Muscovy's traditional role in world processes.

What raises the most concern about this multi-faceted evil is its spreading access to the advanced military-industrial complex and nuclear weapons. It has gradually evolved from a localized issue to an isolated regional phenomenon and is now a global occurrence. The European Parliament's identification of the Russian Federation as a State Sponsor of Terrorism indicates Russia's direct

⁴ In this case, the authors, familiar with Samuel P. Huntington's thesis, *The Clash of Civilizations*, and his theory of nine civilizations and the divisions between them, as well as the role of Ukraine in these processes, will not engage in polemics on the topic.

⁵ The term Muscovy is used here as an indicator that the Russian Federation itself is a federation of captured nations who have fallen under the helm of the Principality of Moscow.

⁶ Stanislav V. Kulchytskyi and Yana L. Prymachenko, "Terror and Terrorism," *Encyclopedia History of Ukraine*, <http://www.history.org.ua/?termin=Teroryzm>.

involvement in state-condoned organized terrorism, which has also gained profitable malign affiliations in the process.⁷

Malign civilizational forces have constituted serious threats in the past, but never before have they played such a decisive role in global processes. Today, the Kremlin's designation as a terrorist state and a state sponsor of terrorism, with deep ties to the Russian mafia (a constituent part of which are its so-called private military corporations), further exposes its global and informal reach.⁸

Expanding its potential, Moscow's so-called Russian Federation has become a source generating the stylistics of a malign civilizational force. The fact that the Kremlin is now posing as the leader of an entirely distinct "civilization" highlights the malign civilizational nature of the Muscovite neo-empire, or black matter imperialism.⁹ While displaying the obvious attributes of an empire resurrected from the past, the modern Kremlin employs up-to-date technology to manipulate government institutions, local populations, elites, and the populations of other states. This emphasizes its communication-content capabilities, particularly its game-like simulation of anti-fascism.

Game-like Simulation of Anti-fascism

Fascism does not give us new ideas, but only new attempts to implement this Christian, Russian, national idea in our given conditions following our views.

– Ivan Ilyin

The Kremlin continues to single out Russia (formerly the USSR) as the sole victor against fascism. The global population, particularly the Russian one, has been immersed in an almost game-like simulation of the anti-fascist, anti-Hitler coalition defeating Germany in 1945. Little is said about the atrocities committed by the Soviet-Communist leadership against hundreds of thousands of people, and Moscow has never been held accountable for them.

At some point, the Russian and German offshoots of basic socialism (the Russian Social Democratic Labor Party, the All-Union Communist Party of Bolsheviks, the Communist Party of the Soviet Union, and the National Socialist

⁷ Delegation of the European Union to Ukraine, "European Parliament Declares Russia to Be a State Sponsor of Terrorism," November 23, 2022, www.eeas.europa.eu/delegations/ukraine/european-parliament-declares-russia-be-state-sponsor-terrorism_en.

⁸ Veronika Lutska, "Russia Is a Terrorist State and Should Be Recognized as One Internationally," *Official Website of Ukraine*, September 21, 2022, <https://war.ukraine.ua/articles/russia-is-a-terrorist-state-and-should-be-recognized-as-one-internationally/>; see also "European Parliament Declares Russia to Be a State Sponsor of Terrorism," *European Parliament News Release*, November 23, 2022, www.europarl.europa.eu/news/en/press-room/20221181PR55707/european-parliament-declares-russia-to-be-a-state-sponsor-of-terrorism.

⁹ "Russia – a State and a Civilization. What Vladimir Putin Talked about at the Valdai Club Meeting," *TASS*, October 3, 2019, <https://tass.ru/politika/6960522>; "Putin Claimed Russia to Be a Separate Civilization," *Interfax*, May 17, 2020, www.interfax.ru/russia/709039.

German Workers' Party) diverged in their understandings of global supremacy and the regime characteristics of the "greater good" for humanity. If it were not for the divergence in nuanced opinions between Hitler and Stalin regarding the implementation of these ideals, the idea of fascism could have come to fruition and obtained global capabilities a century ago.¹⁰

As a result of this divergence, the term "fascism" and its entire accompanying philosophical and mental superstructure acquired negative connotations in Russia and was temporarily rejected from public discourse. While the Nazi element became an international taboo and was somewhat subdued over time, the Muscovy communist element continued to accumulate its negative potential and prepare for revenge.

Yale University Professor of History Timothy Snyder, a scholar of nationalism, totalitarianism, and the Holocaust, defines the Kremlin's current political regime as fascist. In Putin's modern Russian Federation, one can observe various displays of Russian fascism and a multitude of other phenomena that accompany the xenophobic policies of different powers within the "modern" Muscovite empire. Snyder draws parallels between Putin's Russia and Hitler's Germany, concluding that a Kremlin victory would lead to decades of darkness.¹¹

Ben Wallace, the British Secretary of State for Defense, shares this sentiment. In a speech at the National Army Museum on May 9, 2022, he stated: "Through their invasion of Ukraine, Putin, his inner circle and generals are now mirroring the fascism and tyranny of 77 years ago, repeating the errors of last century's totalitarian regimes."¹²

The communist element finally achieved its revenge when, with the complicit consent of the international community, the Kremlin's regime wiped Grozny off the face of the Earth, tore Chechnya apart, attacked Georgia, occupied parts of Moldova, and destroyed Syria. The invasion of Ukraine was supposed to be the pinnacle of this impunity. The violent, barbaric actions committed by the Kremlin's invaders in Ukraine served as a wake-up call for the global community and a chance for a reality check.

Kremlinism

After a decade of war against Ukraine (2014 – present), geostrategic aggressions against global democracy are flourishing. Today, alongside Ukraine, the rest of the world is being subjected to the Kremlin's ordinal capabilities of aggression, i.e., Kremlinism. Kremlinism is a boundless source of contemporary transnational

¹⁰ Laurence Rees, *World War II: Behind Closed Doors: Stalin, The Nazis and The West* (BBC Books, 2009).

¹¹ Timothy Snyder, "We Should Say It. Russia is Fascist," *The New York Times*, May 19, 2022, www.nytimes.com/2022/05/19/opinion/russia-fascism-ukraine-putin.html.

¹² "Ben Wallace: Russia 'Mirroring' WW2 Fascism in Ukraine Invasion," *BBC*, May 9, 2022, <https://www.bbc.com/news/uk-61376463>.

crime, including genocidal wars, terrorist attacks, and hybrid-messianic aggression. Ruscism and Putinism are the constituent elements of this malign civilizational force. These terms are important to understand and differentiate: Ruscism depicts the geostrategic aspect of Moscow's imperial ambitions, while Putinism points to the dictator or institutional leadership. Together, they combine to form Kremlinism as a geostrategic threat.

Ruscism

Ruscism—Russian fascism—is based on imperialistic state ideology and the uniquely Muscovite concept of “Russkiy Mir” (The Russian World). Importantly, it should not be examined solely through the lens of its ethnic component (the distinction between “Russkiye” and “Rossiyane” is significant). Instead, it represents a corporate manifestation of the Kremlin's imperialistic statehood. It is a central mental narrative that defines “Russian” by political affiliation rather than ethnicity.

20th-century Russian philosopher and writer Ivan Ilyin, an uncompromising opponent of communism, was a key figure in Russian messianism and fascism. Vladimir Putin frequently relies on Ilyin's works. Many of Putin's speeches and the Kremlin's pseudo-scientific research on Ruscist ideas about “the great state” draw clear inspiration from fascism. Ilyin, one of the prominent figures of the so-called White movement, is also cited by the President of Russia, former President Dmitry Medvedev, Foreign Minister Sergei Lavrov, Russian governors, Patriarch Kirill, various leaders of the United Russia Party, and many others.¹³

As shown above, Russian fascism is not new. Mimicking various ideological forms, it has been expertly cultivated into Ruscism, creating suitable conditions for the “Russian World” ideology.¹⁴ This represents a continuation of the historical ideological line of “Great State” chauvinism and xenophobia, which form the foundation of the Kremlin's global hybrid terrorism. Importantly, this phenomenon has been and continues to be strongly supported by Russian scientific and philosophical discourse.

The Kremlin shapes public opinions in targeted communities or countries by employing communication-content aggression to realize its policies. A good example of this is the ongoing double-edged sword approach to the genocide of the Ukrainian people: destroying “defiant people” while intimidating the world into submission. Journalists, linguists, scientists, engineers, and others unite under a vertical hierarchy to fulfill specific tasks assigned by the Kremlin. They work as a single mechanism to produce Kremlin-desired narratives. Essentially, they constitute Putin's paramilitary propaganda task force, constantly on standby and

¹³ Anton Barbashin, “Ivan Ilyin: A Fashionable Fascist,” *Riddle*, April 20, 2018, <https://ridl.io/ivan-ilyin-a-fashionable-fascist/>.

¹⁴ John O'Loughlin, Gerard Toal, and Vladimir Kolosov, “Who Identifies with the ‘Russian World’? Geopolitical Attitudes in Southeastern Ukraine, Crimea, Abkhazia, South Ossetia, and Transnistria,” *Eurasian Geography and Economics* 57, no. 6 (2016): 745-778, <https://doi.org/10.1080/15387216.2017.1295275>.

not hindered by issues of morals or civilizational responsibility. What is often overlooked, however, is the “Lenin–Stalin–Putin” chain that attempts to mask communist totalitarianism with notes of fascism.

Globally, it has also become an effective Machiavellian fear-mongering weapon. This chain and its implications, termed “Ruscism,” warrant further study. The basic existential trend in establishing “Putin’s new statehood” involved reconstructing a reality dominated by the belief in Russian chosen-ness, its invincibility, hatred towards Kremlin-selected enemies, and a willingness to make the ultimate sacrifice for the state’s future (a traditional historical narrative). The total immersion of the Russian population in the Kremlin’s communication-content unreality is a tragic historical experiment on the peoples within the Kremlin’s federation. Notably, Putin’s own informational bubble has often been cited as the cause of his loss of touch with reality.¹⁵

Putinism

Russian political scientist and publicist Stanislav Belkovskiy asserts, “Putin, just like Stalin, bets on the boundless patience of the Russian people.”¹⁶ Over the years, Russian tsars, general secretaries, and presidents have all taken advantage of this. Looking back, the apparent insensitivity to their own suffering—both from a medical and socio-political standpoint—is quite dangerous and often lethal. Why do Russians and other peoples of the nominal federation silently tolerate the endless abuse by their Kremlin leaders?

The game-like simulation of anti-fascism is increasingly cult-like. In line with the Kremlin’s traditions is the myth of a past golden age of imperial greatness, to be restored through a murderous war on Ukraine. There is also a cult of the dead, centered around World War II, and a cult around a single leader – this time, Vladimir Putin, hence Putinism.¹⁷

Ivan Okhlobystin, a former priest, actor, and political activist, delivered a surreal speech immediately after Putin’s September 30 annexation speech. Speaking on Red Square, dressed like a comic book villain from a Nazi Germany play-book, he called for a Holy War, rallying the audience with the little-known word “Goida.” This term is not innocuous; it is a battle cry associated with Ivan the Terrible, invoking calls for killing, blood, and attack.¹⁸ His speech exemplifies Kremlinism, a combination of Russkiy Mir and Putinism.

¹⁵ Gordon Corera, “Ukraine War: Western Agents Seek to Get Inside Putin’s Head,” *BBC*, March 20, 2022, <https://www.bbc.com/news/world-europe-60807134>.

¹⁶ “Putin Bets on the Boundless Patience of the Russian People.” Belkovskiy Talks about How Long the War Will Last and What Will Happen to the Soldiers from Azovstal,” *Current Time TV*, May 23, 2022, www.currenttime.tv/a/belkovskiy/31858618.html.

¹⁷ Snyder, “We Should Say It. Russia Is Fascist.”

¹⁸ Michele A. Berdy, “Гойда! They Shouted. Say What? What Were They Shouting on Red Square and Should We Worry?” *The Moscow Times*, November 10, 2022, www.themoscowtimes.com/2022/10/07/goida-they-shouted-say-what-a79021.

Transcript of Ivan Okhlobystin Speech on Red Square, September 30, 2022 ¹⁹

Finally, I will not be ashamed to look into the eyes of the people of Novorossiia! Finally, Donbas has returned home. And with it, the real Russian Ukraine returned. Alas, not all. But this is just the beginning. I am sure that in the near future, just give this time, Odessa, Nikolaev, Kharkov, and other Russian cities will be with us. Thank God we have nowhere to retreat. And it is wrong to assume that a confrontation is taking place between the united West and Russia. NO, everything is much more serious. It's a battle between good and evil. Between light and darkness. Between God and the devil. Sooner or later, what everyone expects will happen. Eventually, we will win. There is an opinion that what is called the "Special Military Operation" will be renamed to a "Counter-terrorist operation." Some say it will be a "Patriotic War." But I believe that even this is not enough. It would be correct to call it a "Holy War." "HOLY WAR!" Because Muslims have such a concept as "Jihad." This is not only a holy battle on the battlefield with the enemy. First of all, it is a struggle with your sins inside your heart. And, our main battle in our "Holy War" will take place in our souls. And if we win it, we will win every other battle.

There is such an old Russian interjection: "Goida!" It means a call for immediate action. We really miss such battle cries now. "Goida" brothers and sisters "Goida!" Tremble Old World! Which is devoid of true beauty, true faith, true wisdom! And ruled by madmen, perverts, Satanists! Tremble! We are coming! "Goida! Goida!!!"

Those serving Putin and the Kremlin's vertical structure are well aware that their victory in this modern global conflict will not be defined by the quantity of informational-content impact points but by the quality of the impact their messaging has on various dimensions of human existence. Here, quality refers to the strength of the mental and cultural influence generated by the Kremlin. Modern Putinism, with its aggression and atrocious crimes, continues to rattle the entire world and poses a real threat to civilizational peace and prosperity. This is the key to understanding the true nature of this regime and its subsequent actions. Therefore, even if attempts to "factor in Russia's interests" in the current war cease, without providing Ukraine with the necessary support, primarily in weapons and consolidated efforts, time will work in the Kremlin's favor.

Collective Putinism is a geostrategic phenomenon with currently undefined potential for negativity. Until very recently, many representatives of the global establishment hoped to help Putin "save face" and encouraged others to do the same.²⁰ Had their calls been heeded, it would have delivered a significant, if not crushing, defeat to sustainable democracy.

¹⁹ "Speech by a Former Priest on Red Square, after Putin's Speech," September 30, 2022, <https://www.youtube.com/watch?v=E60A8fiB5DM>.

²⁰ Irina Drabok, "Where Do 'Initiatives with a Russian Twist' Come from and How to Deal with Them," *Ukrinform*, May 20, 2022, <https://www.ukrinform.ua/rubric-world/3487958-sud-mn17-dokaziv-dostatno-risenna-ocikuetsa-do-15-grudna.html>.

Putin's unwillingness to accept the compromises offered by the European community further confirms this assumption.²¹ It becomes clear that Putinism is a dictatorship with genocidal intentions, not content with merely waging war or supporting terrorism on continental testing fields. As a modern manifestation of Russian totalitarianism, Putinism wages a sophisticated offensive against the civilizational potential of society, declaring anyone who rejects the Kremlin's narratives to be an enemy of the system.

Austrian Chancellor Karl Nehammer, who met with the Kremlin's dictator in April 2022, claimed that the Russian President only uses "war logic."²² Over the years, Putin has used his minions to transform civil societal characteristics in the Russian Federation into government and corporate characteristics, later turning the state into a base of combined messianism, total cynicism, and global hybrid terrorism. Putinism is a dictatorship with genocidal intentions, not just a perpetrator of war or terrorist aggressions on continental testing fields. Kremlinism sets a precedent by using the technologically creative potentials of the modern age to assist "profound Putinism" in modeling the future through the annihilation of civilization and the consecration of the past. Hence, it is neo-barbaric.

Putinism is simultaneously a geostrategic phenomenon, an ideology, and a complex of technological and resource-based systems, along with stylistic approaches, designed to undermine the realms of peace, international law, and civilized existence.

Kremlinism and the International Community

Whereas Ruscism and Putinism are independent phenomena of modern reality in which Putin and his supporters materialize the continuation of the Kremlin's oppression (Kremlinism), what makes Kremlinism unique is that it is not based purely on an ethnic or national component. Like its Soviet predecessor, it transcends state borders. Unlike Stalinism, which was tied to a single individual, Kremlinism is not confined to one person. Instead, it functions like a club-like corporation whose members seek to dominate the world. Notably, in the global public space, they have almost succeeded.

Kremlinism in action involves more than just physical aggression. Primarily, the Kremlin leverages a new generation of technological capabilities to achieve diplomatic and geostrategic dominance. A significant aspect of its strategy is directing a flow of communication-content disinformation to shape global perceptions and define Russia's presence on the international stage. A 2022 study by the Bratislava-based think tank GLOBSEC, covering nine European countries,

²¹ "Putin Is Not Ready for Any Real Negotiations with Ukraine – Slovakian PM," *European Pravda*, June 2, 2022, www.eurointegration.com.ua/news/2022/06/2/7140533/.

²² "The Chancellor of Austria Stated that He 'Doesn't Feel Optimistic' after Meeting Putin," *Radio Svoboda (Freedom)*, April 12, 2022, <https://www.radiosvoboda.org/a/news-nehammer-putin/31798492.html>.

highlighted the effectiveness of this approach. A month into the full-scale invasion, approximately half of those interviewed in Hungary, Bulgaria, and Slovakia did not view Russia as the aggressor in the war with Ukraine.²³ In the ongoing struggle between civilizational and malign civilizational forces, those who view Putin's Russia as a civilizational state and Putin as its legitimate leader are fundamentally mistaken.

The Kremlin pursues an aggressive public policy to shape desired opinions in nearly every country worldwide. It employs a range of technological and communication capabilities to spread its narratives. Consequently, the international community faces the following key challenges:

- Finding ways to neutralize the impact of Kremlin disinformation effectively
- Developing a unified strategy for physically deterring the global hybrid aggressor
- Preventing the Russian Federation from reverting to or exporting its dictatorial totalitarianism on a global scale.

Kremlin's operatives have transformed terror and genocide from static facts into a technological, intellectual, and verbal process. The world is already experiencing the consequences of this aggression. By portraying the West as satanic, the Kremlin is pushing the Middle East, the Global South (where African countries face famine as a direct consequence), and Asia further into turmoil. The EU and North America are experiencing destabilization due to political radicalization, often linked to Russian influence. This situation is particularly alarming in an unprecedented election year.

The Kremlin seeks to distort reality by convincing the global population, particularly African nations, that the EU and Ukraine, rather than Russia, are to blame for this tragedy. Additionally, the continued activities of the Wagner Group and other so-called private military corporations signal Moscow's neo-imperial ambitions.

Conclusion and Recommendations

Kremlinism employs transformational technology to undermine international civilization, aiming to dismantle the current civilizational system and replace it with one that secures the geostrategic dominance of malign forces. This technology targets not just specific regions or locations but the entire world, including the Russian Federation itself.

Today, the Kremlin's operatives, including Putin, hold content and technological superiority in the global distribution of suitable information. They interpret global events according to their own agenda, manipulating formats and targeting

²³ Dominika Hajdu et al., *GLOBSEC Trends 2022: Central and Eastern Europe amid the War in Ukraine* (GLOBSEC, May 2022), <https://www.globsec.org/publications/globsec-trends-2022-central-and-eastern-europe-amid-the-war-in-ukraine/>.

through advanced technological and design methods. Consequently, international communal truth is filtered through this information “sieve,” becoming an elaborate lie.

A prompt, widespread, and convincing narrative explaining a country's actions on the international stage is crucial in shaping public opinion and the official stance of governments, particularly benefiting a third state or a conspiring group of states. For the past ten years, the global communication-content realm has been distorted by Russia's widespread misinformation about the realities of fighting global fascism, particularly through the war in Ukraine. This has significantly impacted the world and the agenda of the global community. Within the framework of information security, governments should prioritize providing accurate translations of key events and processes into the most common languages. This is essential for all states interested in ensuring a peaceful future for the civilization.

Having appropriated the victory in WWII, the Kremlin has used this victorious narrative as a foundational building block to create a new Russian reality. Simultaneously, the dogmatic interpretation of the war events, as propagated by the Kremlin and its agents, prohibits any criticism of the USSR and its public figures, as stipulated by Russia's laws. This is how Putin's Russia entered a state of Ruscism—Russian fascism—a corporate cluster manifestation of imperialistic statehood. This classification gives grounds to label the modern form of government in the Russian Federation as Kremlinism, a contemporary phenomenon. It is unique because it is not based purely on an ethnic component and can thus operate within various communities abroad. It has evolved into a club-like corporation whose members seek global domination. Collective Kremlinism is a geostrategic phenomenon with an as-yet unidentified potential for negativity, posing a real, albeit not fully comprehended, threat to democracy.

The destruction of Ukraine and its identity, live-streamed for the entire world to see, represents a technological aspiration and innovation of Putin's regime. It serves as a “test run” for global hybrid terrorism, with the lessons learned from this attempt likely to be employed later against other countries and regions, including the Baltics, the Middle East, and beyond.

In order for civilized citizens and states to provide an adequate global response, they must understand the current situation as one where the Kremlin is at the helm, leading the malign civilizational forces of autocracy, authoritarianism, and corruption.

Analyzing the impact of the Russian Federation on global affairs, it becomes clear that, alongside using political and diplomatic leverage, the regime invariably utilizes an arsenal of informational and media tools to influence specific states and regions. By closely examining the communication-content network deployed by the Kremlin's political regime globally, it is evident that all content transmission channels are engaged, including multiple means of immediate (sometimes even simultaneous) translation, tools for amplification, geostrategic event creation, and manipulation.

To further expose the anti-civilizational effects of Moscow's geostrategic policies and defend against them, civilized states must consider the following:

- The monopolization of the regime's cynical diplomatic style of post-state territorial management, where electoral or international and public laws do not constrain the government. Respectively, the need to counter Russia's lawfare by enforcing international legal standards and maintaining vigilance against Russia's manipulative tactics.
- The totalitarian and seductive power of criminal-economic traditions and the need to identify and eradicate Russia's corrupt networks within, holding the actors accountable through robust legal frameworks and international cooperation to dismantle these networks.
- The geostrategic variability of aggressive acts aimed at destroying the remaining institutions of democratic civilization within existing statehoods. It is necessary, therefore, to understand that Russia weaponizes democratic values and principles to undermine civil societies and, hence, develop public policies that balance the protection of national security with the prevention of the abuse of freedoms by foreign agents, ensuring that democratic institutions remain resilient against such tactics.

Throughout history, the Kremlin has designed a system of public communication that has impacted national communities worldwide. Under Putin's reign, this system has evolved into a key element of domestic governance, shaping public opinion to align with Moscow's interests. It also serves as a mechanism for political and diplomatic coercion on the international stage. This is how Putin's Russia has been influencing global information trends and narratives.

Key ways to combat Kremlinism are through creative law and unbiased historical analysis. The following facts must be considered when developing pro-civilizational strategies:

1. Despite its various forms throughout history—Grand Duchy of Moscow, Tsarism, Bolshevism, or pseudo-democratic federation—the state has consistently been rooted in totalitarianism. The present-day Russian Federation is a logical product of the historical development of the Muscovite Empire in terms of its political structure and societal evolution.
2. The Russian Federation is a multinational state where the central regime has historically had to either consider the interests of national minorities or harshly repress them. Putin's regime has launched a mechanism of creating the concept of "Russians by political affiliation," designed to eradicate ethnic distinctiveness and "rewire" mentalities to fit Kremlin interests. One of the most effective ways to rewire the mentality includes canceling classes taught in national languages and deliberately ignoring national (indigenous) cultural heritage.

3. Multi-faceted communication content and physical aggression against Kremlin-identified enemies are historically commonplace. Isolation of civil societies, inhibition of economic and societal growth within the federation, and denial of horizontal partnerships and autonomous capacities of each federal entity have all added to the regime's mobilization potential to maintain usurped power.
4. The Kremlin's tyrannical despotism is manifested through economic totalitarian traditions, cynical diplomatic styles of the monopolized regime independent of electoral, international, and civil law, geostrategic aggressions aimed at dismantling remnants of civilized democracy within the framework of present statehood, and global transformative changes to traditional terrorism and practical neo-barbarism.
5. Public attributions indicating the success of the Kremlin's aggressions on the global stage have developed into claims of global hegemony, complete disregard for international law, and destruction of the global security system. This has pulled the political regime of the Russian Federation out of the civilizational orbit into the status of a malign civilizational force representing absolute evil.
6. Russia's nuclear weapons, the Kremlin's strategic consolidation of certain states supporting Moscow's policies, and some political authoritarian regimes aligning with Russia have led to the emergence of a new civilizational faultline.
7. In contrast to the bipolar world of the 20th century, the 21st century has seen a dramatic increase in the significance of individual states driven by technological advances, global infrastructure, and service dependencies. Nowadays, "small" states with robust technological potential have a say in the international community's final decisions, which is something the major global players must consider.

By observing the aforementioned points and the situation in Ukraine, the global community should become acutely aware of the potential losses it will face if the Kremlin remains unaccountable. The Kremlin's regime sets a dangerous precedent, as it absorbs the technologically creative potential of the modern age to further its malign objectives.

Bringing an end to Kremlinism is the key mission for securing victory for global democracy and stability. This can be achieved by turning Russia back to its true roots and removing the cloak of historical fallacy obscuring the vision of Russians and those internationally seduced by Kremlinism. The legacy of humanity must not be destroyed by global hybrid terrorism on the Kremlin's whim.

Disclaimer

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Research Article

State and Personal Responsibility: War Crimes, Crimes of Aggression and Genocide in Ukraine

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Abstract: This article examines international crimes committed on the territory of Ukraine since February 24, 2022. Ukraine faces explicit acts of aggression, with a multitude of war crimes—including murder, sexual violence, and deliberate attacks on civilian property and infrastructure—being perpetrated within its borders. Additionally, there are indications of genocidal intent. Urgent attention is required to investigate the violations of international humanitarian law. Further, the article identifies the main causes of war crimes committed by the military: military errors or failures, the use of civilians as “human shields,” insufficient discipline, inadequate inculcation of legal norms related to international humanitarian law and Just War Theory within military ranks, and the use of targeted terror aimed at crushing the enemy’s will to resist. The author examines the interrelation of war crimes and information warfare in light of the importance of discerning truth amidst a sea of disinformation and cover-up. Finally, he explores national and international mechanisms for bringing perpetrators of crimes to justice, as well as seeking compensation for the damage they caused.

Keywords: Russo-Ukrainian war, war crimes, international crimes, genocide, crime of aggression.

Introduction

On February 24, 2022, the Russian Federation launched a full-scale military invasion of Ukraine. This armed conflict, ongoing since 2014, has acquired an open international character and has spread across most of Ukraine’s territory.

Ukraine’s eight most densely populated regions—Donetsk, Zaporizhzhia, Kyiv, Luhansk, Sumy, Kharkiv, Kherson, and Chernihiv—have become immediate

areas of hostilities. The rest of the country is regularly exposed to enemy air-strikes. After staged referenda, on September 30, 2022, Russia unilaterally declared the annexation of Donetsk, Kherson, Luhansk, and Zaporizhzhia oblasts, which, along with the Crimean Peninsula, amount to over 136 thousand square kilometers, equivalent to the combined territories of Bulgaria and North Macedonia. Currently, more than half of these territories and the people residing there are temporarily occupied.

The Russo-Ukrainian war stands as an unprecedented conflict in Europe since the end of World War Two, both in terms of the scale of hostilities and the intensity of the conflict between the warring parties. It is accompanied by widespread violations of human rights and immense suffering among the civilian population. The most severe offenses in this conflict include tens of thousands of military and other international crimes. The essential tasks ahead include documenting these crimes, ensuring their proper classification, conducting thorough investigations, prosecuting the perpetrators, and providing compensation for the victims. This responsibility falls not only on Ukraine but also on the entire civilized world community.

International Crimes: Legal Framework, Concept and Types

Although neither Russia nor Ukraine had formally declared war on each other until that time, the actual circumstances indicate its existence. Consequently, there is an international armed conflict in accordance with Article 2 of the 1949 Geneva Convention.

Legal relations in the context of international armed conflict are regulated by international humanitarian law (IHL), with the Geneva Conventions of August 12, 1949,¹ forming its basis, along with the two Additional Protocols of June 8, 1977.² IHL, alongside other relevant laws, plays a crucial role in ensuring the protection of civilians and their properties from harm in armed conflict zones, thereby mitigating the adverse impact of hostilities on innocent victims.³

¹ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field of August 12, 1949; Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of August 12, 1949; Geneva Convention relative to the Treatment of Prisoners of War of August 12, 1949; Geneva Convention relative to the Protection of Civilian Persons in Time of War of August 12, 1949, United Nations, *Treaty Series* 75, no. 970-973 (1950), <https://treaties.un.org/doc/Publication/unts/Volume%2075/v75.pdf>.

² Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Additional Protocol to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), United Nations, *Treaty Series* 1125, no. 17512-17513 (1979), <https://treaties.un.org/doc/publication/UNTS/Volume%201125/v1125.pdf>.

³ S.L. Kipsamu and Martin Otundo Richard, "International Humanitarian Law Is Not Only Poorly Implemented but in Need of Additional Enforcement Mechanisms," *SSRN Electronic Journal* (February 20, 2022), <https://ssrn.com/abstract=4039123>.

The branch of international criminal law (ICL) is closely linked to IHL and defines the list of violations of IHL that constitute international crimes and regulates states' cooperation in combating such crimes, including their detection, investigation, and prosecution. The norms of international criminal law are enshrined in the Rome Statute of the International Criminal Court, adopted on July 17, 1998 (RS).⁴ In addition, the jurisprudence of the International Criminal Court (ICC) and international tribunals, such as the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), serve as crucial sources of ICL. While other international, hybrid, and national courts do not treat ICTY or ICTR decisions as binding law, they often draw upon their findings on customary law, general principles of law, interpretations of treaty provisions, and reasoning when interpreting their own laws.⁵

International crimes are acts provided for by international criminal law that infringe on the entire international community and pose an increased danger to the existence of states and international relations. These crimes inflict harm on humanity, often involving coordinated violence that necessitates shared responsibility and punishment across national borders.⁶

The list of international crimes is defined by Article 5 RS, which includes: a) the crime of genocide, b) crimes against humanity, c) war crimes, and d) the crime of aggression. Each category of international crimes includes a more or less broad list of specific acts falling under the ICC jurisdiction.

National Legislation of Ukraine

While international crimes primarily affect the interests of individual states, the response to them heavily depends on national legislation. The regulation of this domain by Ukrainian law can be examined through three interconnected aspects: international legal norms, criminal law, and criminal procedure.

International-Legal Aspect

An aspect of international legal regulations concerning Ukraine is that while it signed the Rome Statute (RS) on January 20, 2000, it did not ratify it. However, following the signing of the Association Agreement with the EU in 2014, ratification of the RS became one of its direct international obligations. The Parliamentary Assembly of the Council of Europe (PACE) has urged Ukraine to ratify and

⁴ United Nations, "Rome Statute of the International Criminal Court, 17 July 1998," *Treaty Series* 2187, no. 38544 (2004), <https://treaties.un.org/doc/publication/unts/volume%202187/v2187.pdf>.

⁵ "What is International Criminal Law?" (part of the OSCE-ODIHR/ICTY/UNICRI Project "Supporting the Transfer of Knowledge and Materials of War Crimes Cases from the ICTY to National Jurisdictions"), 13, <https://iici.global/0.5.1/wp-content/uploads/2018/03/icls-training-materials-sec-2-what-is-intl-law2.pdf>.

⁶ Alejandro Chehtman, "War Crimes: A Brief Road Map for Philosophical Inquiry," *Criminal Law and Philosophy* 12 (2018): 267-270, 267, <https://doi.org/10.1007/s11572-017-9419-8>.

implement the RS in several resolutions, including Resolution No. 2198 (2018) on the “Humanitarian consequences of the war in Ukraine.”⁷

Ukraine’s reluctance to ratify the Rome Statute can be attributed to political reasons, including the apprehension among senior officials about being held accountable for decisions that may have contributed to mass casualties. There is also a fear of bringing the Ukrainian military to responsibility in connection with the implementation of the anti-terrorist operation. Additionally, there is concern about potential claims against Ukraine at the International Criminal Court (ICC) by the Russian Federation.⁸ These concerns persist even after the onset of the Russo-Ukrainian war. For instance, in May 2022, Andrii Smirnov, Deputy Head of the Office of the President of Ukraine, suggested postponing Ukraine’s ratification of the RS until victory in the war. He cited the threat posed by numerous accusations from the aggressor country regarding alleged Ukrainian war crimes, which the ICC would be obligated to evaluate.⁹

Simultaneously, Ukraine took advantage of Part 3 of Article 12 of the Rome Statute (RS), acknowledging the jurisdiction of the RS without formal ratification. This was accomplished through two statements issued by the Ministry of Foreign Affairs, filed on April 17, 2014, pertaining to crimes against humanity committed by high state officials during peaceful protests between November 21, 2013 and February 22, 2014, and on September 8, 2015, regarding crimes against humanity and war crimes committed on Ukrainian territory by top officials of the Russian Federation and leaders of terrorist organizations such as the “Donetsk People’s Republic (DPR)” and “Lugansk People’s Republic (LPR).”

Despite the lack of ratification of the Rome Statute, Ukraine possesses a sufficient international legal basis to hold representatives of the Russian side accountable for committing international crimes on its territory through the International Criminal Court (ICC) and, at the same time, preventing the application of such a mechanism to representatives of the Ukrainian side.

Criminal Law Aspect

Criminal law in Ukraine is regulated through the Criminal Code of Ukraine (CCU),¹⁰ which addresses international crimes within Section XX, titled “Criminal

⁷ Parliamentary Assembly of the Council of Europe, “Resolution 2198 (2018) – Humanitarian Consequences of the War in Ukraine,” text adopted by the Assembly on January 23, 2018, <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=24432>.

⁸ N. Bodnar, “The Problem of Ratification of the Rome Statute of the International Criminal Court in the Light of the European Choice of Ukraine,” *European and Comparative Law Journal*, no. 8 (2018): 79-96, 89. – in Ukrainian

⁹ “The OP Told When Ukraine Might Ratify the Rome Statute,” *Ukrinform*, May 26, 2022, accessed June 29, 2022, <https://www.ukrinform.ru/rubric-society/3492341-v-op-rasskazali-kogda-ukraina-mozet-ratificirovat-rimskij-statut.html>. – in Russian

¹⁰ “Criminal Code of Ukraine, on April 5, 2001,” no. 2341-III, <https://zakon.rada.gov.ua/laws/show/2341-14#Text>.

Offenses against the Peace, Security of Mankind and the International Legal Order.”

It is worth noting that the regulation of international crimes in the CCU presents several challenges, for example:

- The CCU lacks provisions for universal jurisdiction and thus limits the possibility of prosecuting individuals responsible for committing international crimes solely within Ukrainian jurisdiction;
- The CCU does not include provisions regulating crimes against humanity as outlined in Article 7 of the Rome Statute;
- The *corpus delicti* of the crime of genocide under the CCU does not fully comply with Article 6 of the Rome Statute. While the wording is generally the same, there is a difference in terminology: whereas Article 6 of the RS mentions “serious bodily injury or mental disorder,” Article 442 “Genocide” of the CCU uses the concept “grievous bodily injury”;
- The *corpus delicti* of the crime of aggression under the CCU does not correspond to Article 8 bis of the Rome Statute. The CCU lacks provisions for a special subject responsible for committing this crime – namely, individuals capable of actually exercising control over the political or military actions of the state or directing them. Consequently, the responsibility for such actions in Ukraine may fall upon ordinary performers, including military personnel. Also, Article 437 of the CCU does not encompass the concept of an “act of aggression” or the actions that constitute it;
- The wording of war crimes under the CCU¹¹ is overly general and lacks differentiation in responsibility for their commission. Article 438 of the CCU does not fully align with the provisions of the Rome Statute, as Article 8 of the Rome Statute outlines 34 war crimes, along with an additional 16 war crimes in the event of a non-international armed conflict;
- The CCU does not include provisions for holding commanders accountable for war crimes as defined by Article 28 of the Rome Statute. Under the CCU, commanders are only held responsible for issuing orders to commit crimes as outlined in Article 438 of the CCU;

¹¹ Article 438 “Violation of the laws and customs of war” of the Criminal Code is devoted to war crimes. It provides for criminal liability for: 1) ill-treatment of prisoners of war or the civilian population; 2) involvement of the civilian population in forced labor; 3) looting of national values in the occupied territory; 4) the use of means of warfare prohibited by international law; 5) other violations of the laws and customs of war, provided for by international treaties, consent to be bound by which is provided by the Verkhovna Rada of Ukraine; 6) issuing an order to perform such actions. Separately, this article regulates liability for any of these acts associated with premeditated murder. In addition, Section XX of the Criminal Code provides for liability for the use of weapons of mass destruction (Article 439) and crimes against persons and institutions with international protection (Article 444), although these crimes are covered by Article 438.

- The Criminal Code of Ukraine includes privileged elements of certain war crimes for Ukrainian military personnel within Section XIX, titled “Criminal Offenses against the Established Procedure for Military Service (Military Criminal Offenses).” This section specifically addresses crimes committed by Ukrainian military personnel and primarily encompasses military disciplinary offenses, commonly referred to as “military crimes, not “war crimes.” However, it also includes certain war crimes, such as violence against the population in the area of military operations (Article 433), mistreatment of prisoners of war (Article 434), and illegal use and abuse of symbols of the Red Cross, Red Crescent, and Red Crystal (Article 435). Consequently, Ukrainian servicemen are subject to criminal liability for such acts under special articles of the CCU, which impose sanctions that are often more lenient than those under Article 438 of the CCU.¹²

Attempts were made to amend the CCU with the aim of overcoming these problems. On December 27, 2019, the Cabinet of Ministers of Ukraine submitted to the Verkhovna Rada of Ukraine Draft Law No. 2689 “On Amendments to Certain Legislative Acts of Ukraine on the Implementation of the Norms of International Criminal and Humanitarian Law.”¹³ This draft was approved by experts and adopted by Parliament on May 20, 2021. However, it was not signed by the President of Ukraine and, therefore, never entered into force. Subsequently, after the outbreak of war, on April 15, 2022, the Cabinet of Ministers of Ukraine submitted to the Verkhovna Rada Draft Law No. 7290,¹⁴ addressing similar issues. Parliament is currently considering this draft. However, compared to Draft Law No. 2689, Draft Law No. 7290 has several shortcomings and does not fully comply with the Rome Statute. Furthermore, the application of new norms may raise concerns regarding their retroactive effect, which is prohibited by Article 58 of the Constitution of Ukraine and Article 5 of the CCU.

¹² For example, war crimes such as violence, illegal destruction of property, and illegal seizure of property under the pretext of military necessity, committed against the population in the area of military operations, are punishable under Art. 433 of the Criminal Code with imprisonment for a term of three to eight years. Mistreatment of prisoners of war, under Art. 434 of the Criminal Code, carries a maximum penalty of three years in prison. However, if these acts are qualified under Art. 438 of the Criminal Code as violations of the laws and customs of war, the punishment increases to imprisonment for a term of eight to 12 years.

¹³ “Draft Law on Amendments to Certain Legislative Acts of Ukraine on the Implementation of International Criminal and Humanitarian Law of December 27, 2019,” no. 2689, http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=67804.

¹⁴ “Draft Law on Amendments to the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine of April 15, 2022,” no. 7290, <https://itd.rada.gov.ua/billInfo/Bills/Card/39449>.

Criminal-Procedural Aspect

The Criminal Procedural Code of Ukraine (CPCU)¹⁵ regulates the criminal procedures. CPCU, until 2022, did not incorporate specific rules regarding international crimes aside from referring them to the jurisdiction of the Security Service of Ukraine (SSU). However, in anticipation of prosecuting perpetrators through supranational mechanisms, Section IX-2, titled “Peculiarities of Cooperation with the International Criminal Court,” was added to the CPCU on May 3, 2022.

It is important to note that the cooperation provided for in Section IX-2 of the CPCU pertains exclusively to the jurisdiction of the ICC concerning individuals who, at the time of the crime, acted with the intent of committing armed aggression against Ukraine. Consequently, the Ukrainian legislature intentionally excluded the possibility of cooperation with the ICC regarding international crimes committed by representatives of the Ukrainian side.

War Crimes on the Territory of Ukraine

According to official data from the Prosecutor General’s Office (PGO), as of the beginning of July 2022, 20,012 crimes were recorded under Article 438, “Violation of the Laws and Customs of War” of the Criminal Code of Ukraine. Among these, 3,638 were related to premeditated murder.¹⁶

From February 24 to July 12, 2022, the Office of the UN High Commissioner for Human Rights (OHCHR) documented 11,544 civilian casualties in Ukraine, comprising 5,024 fatalities and 6,520 injuries. The majority of these casualties resulted from the use of explosive weapons with wide-area effects, such as shelling from heavy artillery, multiple launch rocket systems, and missile and air strikes. OHCHR acknowledges that the actual figures could be significantly higher due to delays in receiving information from certain locations with intense hostilities and the pending verification of many reports.¹⁷

Even based on limited official data, Ukraine confronts a wide array of war crimes. For instance, the Ministry of Culture and Information Policy of Ukraine has documented 417 instances of Russian war crimes against Ukrainian cultural heritage.¹⁸ According to the Ministry of Education and Science of Ukraine, as of July 10, 2022, a total of 2,116 educational institutions have been subjected to

¹⁵ “Criminal Procedure Code of Ukraine of April 13, 2012,” no. 4651-VI, <https://zakon.rada.gov.ua/laws/show/4651-17#Text>.

¹⁶ Office of the Prosecutor General, “About Registered Criminal Offenses and the Results of Their Pre-Trial Investigation: Unified Report on Criminal Offenses by State for June 2022,” <https://gp.gov.ua/ua/posts/pro-zareyestrovani-kriminalni-pravoporushennya-ta-rezultati-yih-dosudovogo-rozsliduvannya-2>.

¹⁷ UN, Office of the High Commissioner for Human Rights, “Ukraine: Civilian Casualty Update,” July 12, 2022, <https://www.ohchr.org/en/news/2022/07/ukraine-civilian-casualty-update-12-july-2022>.

¹⁸ “Russia Has Committed 417 War Crimes against the Cultural Heritage of Ukraine – MCIP,” *Ukrinform*, July 9, 2022, <https://www.ukrinform.ua/rubric-culture/3525116-rosia-skoila-417-voennih-zlociniv-proti-kulturnoi-spadsini-ukraini-mkip.html>. – in Ukrainian

bombing and shelling, with 216 of them completely destroyed.¹⁹ According to the Minister of Health of Ukraine, 628 healthcare institutions have been damaged during the war, with 118 of them deemed irreparable.²⁰ In particular, Russian airstrikes on residential buildings in Odesa (April 23), Kyiv (June 26), Mykolaiv (June 20), Sergiivka (July 1), Chasiv Yar (July 10), Kharkiv (July 11) resulted in mass casualties. Incidents include attacks on a maternity hospital and theater in Mariupol (March 9 and March 16), a station in Kramatorsk (April 8), a shopping center in Kremenchuk (June 27), and the center of Vinnytsia (July 14), among others. Many civilian casualties occurred due to indiscriminate artillery shelling by Russian troops in residential areas of Kharkiv, Chernihiv, Mariupol, Izium, Severodonetsk, Lysychansk, Popasna, and numerous other towns.

Information regarding the situation in the Russian-occupied territories of Ukraine is not comprehensive or objective. Ukrainian mass media frequently report on extrajudicial persecution of pro-Ukrainian activists by the occupiers, massacres of civilians, forced deportations to Russia, confiscation of property, and instances of sexual violence.²¹ However, verifying this information is challenging and cannot be accomplished until Ukrainian control over these territories is restored.

Common reasons for the commission of war crimes include:

Military errors or failures. One can speculate that the damage to protected objects from certain Russian strikes was due to their insufficient accuracy or countermeasures by Ukrainian air defenses. According to reports, the depletion of high-precision weapon stocks in Russia has led to the recent use of outdated Kh-22, Kh-55, Kh-59, and “Tochka-U” missiles for missile strikes, known for their inaccuracy and excessive power.²² The strikes on Serhiyivka and Kremenchuk, resulting in the deaths of dozens of civilians, were attributed to Kh-55 missiles. In these instances, deviations from the intended targets may have occurred.

Combat tactics. Many of the intense battles occur within urban areas, inevitably leading to casualties among the civilian population. The assaults by the Russian army on Mariupol, Popasna, Izium, Rubizhne, and Severodonetsk resulted in significant destruction of these towns, with fierce battles fought for control of

¹⁹ Ministry of Education and Science of Ukraine, “1900 Institutions Damaged, 216 Totally Destroyed,” July 10, 2022, <https://saveschools.in.ua/en/>.

²⁰ Ministry of Health of Ukraine, “Europe Will Participate in the Restoration of Destroyed Hospitals in Ukraine,” June 25, 2022, <https://moz.gov.ua/article/news/evropadoluchatimetsja-do-vidnovlennja-zrujnovanih-likaren-v-ukraini>. – in Ukrainian

²¹ “The Kremlin Turned the Military Crimes Committed by Russian Army Men in the Ukrainian Occupied Territories into a Weapon,” *Holos Ukrainy*, www.golos.com.ua/zviri. – in Ukrainian

²² Vladimir Datsenko, “Russia Is Increasingly Hitting Ukrainian Cities with Old, Inaccurate Missiles. How Many Are Left and Why Does Air Defense Not Provide Full Protection? Big Guide,” *Forbes*, July 6, 2022, <https://forbes.ua/ru/inside/rosiya-vse-bilshe-gatit-po-ukrainskikh-mistakh-starimi-netochnimi-raketami-skilli-ikh-zalishilos-ta-chomu-ppo-ne-dae-povnogo-zakhistu-velikiy-gayd-06072022-7020>. – in Russian

every house and street. The lack of early and complete evacuation exacerbates the number of victims. Even in cities distant from the front line, both sides actively exploit protected civilian facilities, such as kindergartens, schools, hospitals, museums, shops, and even temples, for housing soldiers or storing ammunition. Additionally, military equipment is often concealed under the cover of residential buildings, making them military targets. The use of civilian presence to shield certain points, areas, or armed forces from hostilities, a prevalent tactic in this war, constitutes a war crime under Article 8(2)(b)(xxiii) of the Rome Statute. Although such tactics do not justify other war crimes, they lay the groundwork for committing them.

Insufficient level of discipline and legal culture of service personnel. Committing war crimes, if not a result of deliberate policy, primarily depends on the intent of the perpetrator and the control exerted by their commander or superior. Consequently, some war crimes are committed due to low levels of discipline, ignorance of international humanitarian law (IHL), or a sense of permissiveness fostered by a lack of external oversight. Additionally, typical for war crimes is that each party denies the occurrence of such crimes by its representatives. This denial leads to the concealment of war crimes, thereby encouraging their future commission.

An attempt to intimidate the enemy. Despite the role of these factors, many war crimes are not limited to their direct impact. These include systematic indiscriminate shelling of residential areas, massacres of prisoners of war and civilians, and other violent acts without obvious military objectives. Thus, one can conclude that, in such cases, war crimes serve as a means of deliberate terror and suppression of the enemy's will to resist. President Volodymyr Zelenskyy has specifically described this as "Russian terror against peaceful Ukrainian towns."²³

War Crimes and Information War

Despite intermittent successes on the battlefield, Ukraine has a clear advantage in the information war against Russia. The significance of war crimes in this context lies in the following factors: 1) dehumanizing and demonizing the enemy; 2) rallying society in the face of a common external threat; 3) activating international assistance; 4) disrupting the enemy's plans for integrating occupied territories and their populations; and 5) rejecting diplomatic methods of conflict resolution.

²³ "Russian Terror, Armaments and Delayed War: Zelenskyy Addresses NATO Summit in Madrid," *Ukrainska Pravda*, June 29, 2022, <https://www.pravda.com.ua/eng/news/2022/06/29/7355371/>.

For example, on March 29, 2022, a meeting between Russia and Ukraine was held in Istanbul, which experts considered the most effective round of negotiations, raising cautious hopes for a peace agreement.²⁴ However, from April 1-3, 2022, numerous war crimes by Russian military personnel in Bucha, known as the “Bucha Massacre,” were discovered. These events elicited a negative reaction from the global community and significantly increased international support for Ukraine. Subsequent peace negotiations were effectively curtailed. In an interview on April 14, 2022, President Volodymyr Zelenskyy stated that “the atrocities apparently committed by Russian troops in Mariupol, and in the Kyiv suburbs of Bucha and Borodyanka, had further narrowed the possibility of peace talks with the Russians.”²⁵

Information about sexual crimes committed by Russian military personnel caused a wide resonance in the media. Ukraine’s Ombudsman, Lyudmila Denisova, stated that “Russia uses sexual violence as a tactic of warfare, systematically, everywhere, and with astonishing cruelty.” She frequently cited examples of sexual violence by Russian forces, committed with particular cruelty or in a perverted form, including against children and the elderly.²⁶ However, Denisova was later dismissed, partly due to focusing on the details of civilian rapes without proper evidence.²⁷ After her dismissal, Denisova explained: “I am convinced that information about the sexual crimes of the Russian occupiers is a weapon of Ukraine. The disclosure of these facts may influence the decision of certain countries to impose sanctions against Russia or provide weapons to Ukraine.”²⁸

Sexual violence by the Russian military likely occurred, but not on the scale or in the forms initially reported. According to Deputy Minister of Internal Affairs of Ukraine K. Pavlichenko, as of early July 2022, police had opened more than 20

²⁴ “Experts React: After Russia-Ukraine Talks in Istanbul, Is an End to War Imminent?” *Atlantic Council*, April 1, 2022, <https://www.atlanticcouncil.org/blogs/turkeysource/experts-react-after-russia-ukraine-talks-in-istanbul-is-an-end-to-war-imminent/>.

²⁵ Clive Myrie and Joel Gunter, “Ukraine’s President Zelensky to BBC: Blood Money Being Paid for Russian Oil,” *BBC*, April 14, 2022, <https://www.bbc.com/news/world-europe-61107725>.

²⁶ Vadim Rebrina, “The Occupiers Rape Children in the Kherson Region, Even Infants – Denisova,” *LIGA.net*, May 23, 2022, <https://news.liga.net/politics/news/okkupanty-nasiluyut-detey-v-hersonskoy-oblasti-daje-mladentsev-denisova>. – in Russian

²⁷ Igor Burdyga, “Why Did the Rada Dismiss Ombudsman Denisova,” *DW*, June 1, 2022, <https://www.dw.com/ru/pochemu-verhovnaja-rada-otpravila-v-otstavku-ombudsmena-denisovu/a-61996650>. – in Russian

²⁸ Daria Demyanik, “The Ex-Ombudsman Explained Why She Told about the Rape of Babies by Russians,” *Glavcom*, June 3, 2022, <https://glavcom.ua/ru/news/eks-ombuds-men-obyasnila-zachem-rasskazyvala-ob-iznasilovanii-mladencev-rossiyanami-850403.html>. – in Russian

criminal proceedings for sexual crimes committed by Russians against Ukrainians.²⁹ Nonetheless, the issue of sexual crimes remains a significant tool in the information war, actively propagated by the media.

The logic of information warfare, which frames a military conflict as a confrontation between good and absolute evil, contributes to exaggerating the scale and severity of the enemy's crimes. Conversely, it hinders not only the objective investigation of war crimes committed by one's own side but also the acknowledgment of such crimes altogether. For example, at the end of March 2022, several videos appeared on social networks showing Ukrainian servicemen allegedly committing violence against Russian prisoners of war, including shooting them in the legs and killing the wounded. *The New York Times* published confirmation of one of these videos.³⁰ However, the Commander-in-Chief of the Armed Forces of Ukraine, Valery Zaluzhny, called these videos staged and stated that "service members of the Armed Forces of Ukraine and other legitimate military formations strictly adhere to the norms of international humanitarian law."³¹ To date, only two criminal proceedings have been registered in Ukraine under Article 434, "Bad Treatment of Prisoners of War," of the Criminal Code, and they have not yet yielded any results.³²

This is the reaction of the Ukrainian authorities to the shelling of cities occupied by Russia, such as Donetsk, Horlivka, Shakhtarsk, and others, resulting in the deaths of dozens of civilians. The Center for Combating Disinformation stated that Russian troops are shelling these Ukrainian cities under Russian control to attract military aid and create additional motivation for soldiers from the temporarily occupied territories of the Donetsk and Luhansk regions.³³

Some facts of human rights violations and the commission of war crimes in territories controlled by Ukraine are recorded in reports by international organizations. The UN Human Rights Monitoring Mission in Ukraine has documented 12 cases of possible enforced disappearances or abductions in territories controlled by the Ukrainian government, with reports indicating that seven of these

²⁹ "The Police Opened 20 Cases of Sexual Violence by the Russian Military," *Ukrinform*, July 4, 2022, www.ukrinform.ua/rubric-ato/3521575-policia-vidkri-la-20-provaden-zodo-seksualnogo-nasilstva-rosijskih-vijskovih.html. – in Ukrainian

³⁰ "Video Appears to Show Ukrainian troops Killing Captured Russian Soldiers," *The New York Times*, April 6, 2022, <https://www.nytimes.com/live/2022/04/06/world/ukraine-russia-war-news>.

³¹ Official telegram channel of the Commander-in-Chief of the Armed Forces of Ukraine "Holovnokomanduvach ZSU," <https://t.me/CinCAFU/28>.

³² Office of the Prosecutor General, "About Registered Criminal Offenses and the Results of Their Pre-Trial Investigation: Unified Report on Criminal Offenses by State for June 2022."

³³ "Why Are the Russians Shelling Donetsk: The NSDC Gave Two Reasons," *Ukrinform*, June 14, 2022, www.ukrinform.ua/rubric-ato/3506751-naviso-rosiani-obstriluut-doneck-u-rnbo-nazvali-dvi-pricini.html.

individuals have since been released.³⁴ The OHCHR's report highlighted the possibility that the Ukrainian armed forces, albeit on a much smaller scale than the Russian forces, do not fully comply with International Humanitarian Law (IHL) in the eastern parts of the country. The report documented instances of military installations being placed near civilian objectives and the use of human shields by both sides of the conflict. Additionally, it drew attention to alarming reports of torture and ill-treatment by both parties, including against prisoners of war. The report also noted the detention of over a thousand individuals suspected of supporting Russian armed formations and their affiliates.³⁵ Such messages caused a negative reaction from the Ukrainian side. For example, the Head of the Office of the President of Ukraine, Andrii Yermak, noted that "putting the victim and the aggressor in the same row blurs responsibility and removes the focus from the main problem. ... The construction 'both sides commit crimes, only the second – less' is simply unacceptable."³⁶ It is obvious that such an approach does not contribute to the prevention of war crimes and their objective investigation.

Crime of Aggression

The crime of aggression committed by Russia against Ukraine is the most obvious. According to researchers, Russia's pretext under *Jus ad bellum* does not satisfy any recognized right for military presence or operation in a sovereign country. Therefore, Russia's attack on Ukraine is neither just nor legal.³⁷ Russia's actions since February 24, 2022, fully comply with the definition of "aggression" as the use of armed force by a state against the sovereignty, territorial integrity, or political independence of another state, or in any other way inconsistent with the UN Charter.³⁸ Resolution of the UN General Assembly No. A/ES-11/L.1 "Ag-

³⁴ Commissioner for Human Rights of Council of Europe, "Memorandum on the Human Rights Consequences of the War in Ukraine," Strasbourg, July 8, 2022, <https://rm.coe.int/memorandum-on-the-human-rights-consequences-of-the-war-in-ukraine/1680a72bd4>.

³⁵ UN High Commissioner for Human Rights Michelle Bachelet, "Presentation on Ukraine (Human Rights Council Res. 47/22) and Interim Report of the Secretary-General on the Situation of Human Rights in the Temporarily Occupied Autonomous Republic of Crimea and the city of Sevastopol, Ukraine (GA res. 76/179)," July 5, 2022, <https://www.ohchr.org/en/statements/2022/07/ukraine-high-commissioner-updates-human-rights-council>.

³⁶ Official telegram channel of the Head of the Office of the President of Ukraine, "Andrii Yermak," <https://t.me/ermaka2022/870>. – in Ukrainian

³⁷ Kudakwashe Mapako, "Recourse to Use of Force or Threat Thereof, Justification of An Illegal War: A Tale of the Ukraine-Russia War," *SSRN Electronic Journal* (June 9, 2022), <https://doi.org/10.2139/ssrn.4132649>.

³⁸ "Official Reports of the General Assembly, 29th session, Supplement No. 31," 181-182, <https://research.un.org/en/docs/ga/quick/regular/29>; "Definition of Aggression,

gression against Ukraine,” dated March 2, 2022, acknowledged the military aggression of the Russian Federation against Ukraine.³⁹ Therefore, Russia’s actions qualify under Article 8 bis of the Rome Statute as a crime of aggression.

According to the Prosecution General Office (PGO), as of July 10, 2022, there were 73 criminal proceedings under Article 437 of the Criminal Code of Ukraine (CCU), which pertains to the “Planning, preparing, unleashing and waging aggressive war.” The main case of the crime of aggression involves 624 suspects from among the top military-political leadership of the Russian Federation, including the President, ministers, deputies, military leadership, heads of law enforcement agencies, and others.⁴⁰

At the same time, bringing the perpetrators of the crime of aggression to justice is the most difficult task. Since the highest military-political leadership of Russia is responsible, this can only become possible if they are completely replaced and extradited to international judicial bodies.

Crime of Genocide

Genocide is considered the most severe international crime, and both sides in the conflict are attempting to leverage accusations of genocide for their own agendas. Prior to the invasion, on February 15, 2022, Russia accused Ukraine of committing genocide against the population in Donbas. In response, on April 14, 2022, the Verkhovna Rada of Ukraine recognized the actions of Russian troops in Ukraine as genocide against the Ukrainian people. Subsequently, various countries and political entities also recognized these actions as genocide: the Polish parliament on March 23, 2022; Estonia and Latvia on April 21; Canada on April 28; Lithuania on May 10; the Czech Republic on May 11; and Ireland on June 2. Additionally, world leaders such as US President Joe Biden, British Prime Minister Boris Johnson, Polish President Andrzej Duda, and others have labeled Russia’s actions on Ukrainian territory as genocide. Therefore, the issue of genocide in Ukraine has become heavily politicized.

According to the CPCU, as of July 10, 2022, there were ten criminal proceedings under Article 442, “Genocide” of the Criminal Code. Notices of suspicion were announced in three of them.⁴¹

The complexity of qualifying genocide lies in determining whether the victims belong to a protected group, such as Ukrainian nationality or an ethnic group.

United Nations General Assembly Resolution 3314 (XXIX),” <http://hrlibrary.umn.edu/instree/GAres3314.html>.

³⁹ UN General Assembly, “Aggression against Ukraine,” Resolution adopted by the General Assembly on March 2, 2022, A/RES/ES-11/1-EN, www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/a_res_es-11_1.pdf.

⁴⁰ Office of the Prosecutor General, “Crimes Committed in the Conditions of a Full-Scale Invasion of the Russian Federation,” <https://gp.gov.ua/>.

⁴¹ Office of the Prosecutor General, “About Registered Criminal Offenses and the Results of Their Pre-Trial Investigation: Unified Report on Criminal Offenses by State for June 2022.”

The qualification does not depend on the actual number of victims but rather on the intent to destroy the protected group as such. Therefore, the relevant actions should be considered within the context of a systematic pattern of behavior by the perpetrator towards members of the protected group. Thus, isolated killings or other acts committed against individual members of the group, which do not and could not create a threat to the group as a whole, do not constitute genocide. Qualifying an act as genocide requires establishing a clear pattern of repeated acts specifically directed against the group as a whole rather than against individuals who happen to be members of that group.

The example of genocide against Ukrainians often cited involves the events in Bucha and other towns in the Kyiv region, which were under the control of Russian troops. According to Ukrainian reports, at least 1,200 dead were found in these areas. The UN Human Rights Monitoring Mission in Ukraine has documented at least 300 cases related to these events.⁴² Experts also point to the destruction inflicted on Mariupol and credible reports of deportations of Ukrainian women and children to remote parts of Russia as evidence of genocidal acts. The evidence of genocidal intent to destroy Ukrainian identity is bolstered by statements from Russian President Vladimir Putin and his advisers, such as “There is no Ukraine” and assertions that Russians and Ukrainians “are one people.” Intercepted military communications preceding massacres also contribute to this evidence.⁴³

However, these arguments are not indisputable. The significant number of victims in Bucha, Mariupol, and other towns in Ukraine does not automatically signify total destruction, nor does it confirm that the destruction was specifically targeted against Ukrainians as a protected group. The transfer of a large number of Ukrainians (about 1.3 million people) to Russia, even if characterized by signs of deportation, does not constitute genocide. Statements by Russian officials justifying the military invasion, despite their tendentious nature, do not contain explicit calls for the destruction of Ukrainians as a national or ethnic group. Therefore, the presence of numerous war crimes alone does not provide sufficient grounds to classify them as genocide. Establishing the crime of genocide requires thorough investigation, which gets more complicated by the politicization of the issue.

Prosecution and Reparation

Bringing those responsible for committing international crimes in Ukraine to justice and securing reparation for the damage they have caused is a crucial task.

⁴² Commissioner for Human Rights of Council of Europe, “Memorandum on the Human Rights Consequences of the War in Ukraine.”

⁴³ Martin McKee, Amir Attaran, and Jutta Lindert, “How Can the International Community Respond to Evidence of Genocide in Ukraine?” *The Lancet Regional Health – Europe* 17, no. 100404 (June 2022), <https://doi.org/10.1016/j.lanepe.2022.100404>.

Two approaches—at the national and supranational levels—can be used in this regard.

The national level depends on the Ukrainian criminal justice system. Despite its shortcomings, the necessary legal framework to bring perpetrators to justice exists. Since the first days of the war in Ukraine, large-scale efforts have been organized to record and investigate war crimes. Authorities and public organizations have created over ten chatbots and portals to collect information about these crimes. The total number of criminal proceedings exceeds 23,000, indicating close attention from Ukrainian law enforcement agencies.

The pre-trial investigation of war crimes falls under the jurisdiction of the SSU (Part 2 of Art. 216 of the CPCU), a paramilitary special-purpose body responsible for state security and counterintelligence. This status of the SSU presents two main issues: first, it does not allow the allocation of sufficient resources to investigate the dramatically increased number of war crimes; second, it may raise doubts about the objectivity and impartiality of the investigations. Overall, the investigation results of war crimes are not impressive: out of 3,638 criminal proceedings for violations of the laws and customs of war related to premeditated murder, suspects were identified in only 21 cases (0.6%). For other war crimes, the situation is even worse, with only 85 suspicions out of 20,012 criminal proceedings, or 0.4%.⁴⁴

At the beginning of July 2022, six criminal proceedings on war crimes had been sent to court with indictments, resulting in notable convictions of Russian servicemen. For example, on May 23, 2022, V. Shishimarin was sentenced to life imprisonment for the murder of a civilian in the Sumy region.⁴⁵ On May 31, A. Bobikin and A. Ivanov were sentenced to 11.5 years in prison for shelling settlements in the Kharkiv region.⁴⁶ Additionally, M. Romanov was charged in absentia with rape and murder of civilians in Bucha.⁴⁷ Thus, Ukraine can realistically bring to justice at the national level only those Russian servicemen who are in its captivity. However, the conviction of prisoners of war carries the risk of similar retaliatory actions by the opposing side. For instance, on June 9, the court of the self-proclaimed “DPR” sentenced to death British citizens Sean Pinner and Aiden

⁴⁴ Office of the Prosecutor General, “About Registered Criminal Offenses and the Results of Their Pre-Trial Investigation: Unified Report on Criminal Offenses by State for June 2022.”

⁴⁵ Evgenia Nakonechna, “The First Russian Soldier Was Sentenced for a War Crime,” *DW*, May 23, 2022, <https://www.dw.com/uk/pershyi-vyrok-voiennomu-zlochytysi-soldat-rf-shyshymarin-otrymav-dovichne/a-61901215>. – in Ukrainian

⁴⁶ “The Verdict Was Announced for Russian Military Personnel Oleksandr Bobykin and Oleksandr Ivanov,” *Mind*, May 31, 2022, <https://mind.ua/news/20242297-rosijskim-vijskovim-oleksandru-bobikinu-ta-oleksandru-ivanovu-ogolosili-virok>. – in Ukrainian

⁴⁷ “In Ukraine, the First Criminal Case of Rape during the War Was Sent to Court,” *Mind*, May 30, 2022, <https://mind.ua/news/20242254-v-ukrayini-napravleno-do-sudushu-kriminalnu-spravu-pro-zgvaltuvannya-pid-chas-vijni>. – in Ukrainian

Aslin, as well as Moroccan citizen Saadoun Brahim, who fought on Ukraine's side and were captured.⁴⁸

Compensation for damage caused by war crimes faces similar difficulties. The most common scenario involves an individual bringing a civil action against a state before a national court, alleging that the defendant state committed a flagrant violation of human rights and seeking damages. The realization of such an action can encounter two main obstacles:

- 1) If the defendant state is summoned before a national court of another state (the forum state), the action will confront the immunity from the jurisdiction of the foreign state;
- 2) If the defendant state is the forum state (i.e., if the action is lodged before a national court of the state allegedly the wrongdoer), the action will most likely face judicial abdication, known as the act of state doctrine.⁴⁹

Due to the weakness of national mechanisms for accountability, supranational (international) mechanisms play an important role. Researchers note that war crimes are increasingly being adjudicated in international courts and national courts with no territorial links to the crimes under the doctrine of universal jurisdiction. Such extraterritorial trials are justified by an interest in accountability that is not based on the location of the crimes or the nationalities of the perpetrators or victims.⁵⁰

There are two main scenarios for bringing the perpetrators of international crimes in Ukraine to justice: (1) with the help of the International Criminal Court (ICC) and (2) through a special tribunal.

The ICC is a permanent body empowered to investigate and try perpetrators of international crimes and complements the activities of national criminal justice authorities. Ukraine has partially recognized the jurisdiction of the ICC, and ICC Prosecutor Karim Khan has announced the initiation of an investigation into international crimes related to Russia's military invasion. An international group of investigators and prosecutors is working in Ukraine to document international crimes that may become the subject of consideration by the ICC.⁵¹ Therefore, we

⁴⁸ "In the 'DPR' Two Britons and a Moroccan Were 'Sentenced' to Death. They Fought in the Armed Forces," *BBC News Ukraine*, June 9, 2022, <https://www.bbc.com/ukrainian/features-61750643>. – in Ukrainian

⁴⁹ Francesco De Santis di Nicola, "Civil Actions for Damages Caused by War Crimes vs. State Immunity from Jurisdiction and the Political Act Doctrine: ECtHR, ICJ and Italian Courts," *International Comparative Jurisprudence* 2, no. 2 (December 2016): 107-121, 108, <https://doi.org/10.1016/j.icj.2017.02.002>.

⁵⁰ Margaret M. deGuzman, "Justifying Extraterritorial War Crimes Trials," *Criminal Law and Philosophy* 12 (2018): 289-308, 289, <https://doi.org/10.1007/s11572-017-9421-1>.

⁵¹ "Prosecutor of the International Criminal Court: We Have a Large Amount of Information about the Crimes of the Russian Federation in Ukraine and the Desire to Achieve Justice," *Interfax-Ukraine*, June 16, 2022, <https://interfax.com.ua/news/general/839506.html>. - in Ukrainian

can state that certain steps have been taken towards the implementation of this scenario of international jurisdiction.

However, there are many obstacles on this path, namely:

- *Duration of ICC Proceedings:* Cases in the ICC are considered for a long time;
- *Extradition Challenges:* The ICC cannot consider cases without the presence of the accused, creating a problem of extradition that cannot be resolved without the active assistance of Russia;
- *Limited Capacity:* As a complement to the national criminal justice system, the ICC will not be able to consider all cases of war crimes in Ukraine;
- *Jurisdictional Limitations:* The ICC is not authorized to bring the top Russian military-political leadership to justice for the crime of aggression, as the Russian Federation is not a party to the Rome Statute;
- *Limited Scope of Reparations:* ICC damages are limited to individual cases.

The creation of a special tribunal for international crimes committed by the Russian Federation in Ukraine appears more effective. Unlike the ICC, it would be established solely for this purpose and remain in effect until its objectives are achieved. The statute of this tribunal can regulate all aspects necessary for the effective administration of justice. A special tribunal (“Tribunal for Putin”) would be able to consider the crime of aggression committed by Russia and condemn its top political and military leadership, including in absentia. Additionally, according to its decision, the arrested assets of the Russian Federation may be confiscated and transferred to Ukraine to compensate for the harm caused by international crimes against its people.

The main problem in creating a special tribunal is its format. It is unlikely to be established under the UN, like the ICTY or the ICTR, because Russia, as a permanent member of the Security Council, would block any initiative to create it. Therefore, a more realistic scenario is that a special tribunal would be formed by countries loyal to Ukraine that act as geopolitical opponents of the Russian Federation. However, without the complete defeat of Russia in this war, such a tribunal format might raise doubts about the legitimacy of its decisions and deepen international contradictions instead of demonstrating unity and solidarity.

Conclusions

During the Russo-Ukrainian war, a large number of international crimes have been committed, ranging from the crime of aggression to various war crimes. It can be foreseen that as the conflict develops, the number of these crimes will increase.

The main causes of war crimes are military errors or failures, tactics of warfare involving civilian cover as “human shields,” and insufficient discipline and

legal culture in the field of International Humanitarian Law (IHL) among military personnel. In some cases, war crimes are used as a means of targeted terror to suppress the enemy's will to resist; however, they often achieve the opposite effect. War crimes also play a significant role in information warfare, rallying society in the face of a general external threat and activating international military and financial assistance. Yet, the logic of information warfare leads each side to refuse to recognize the war crimes committed by its representatives and to exaggerate the scale and severity of the enemy's war crimes. This hinders their objective and impartial investigation.

Bringing to justice the perpetrators of international crimes and redressing the damage they have caused is a major task, that can be approached through the national criminal justice system or supranational mechanisms. At the national level, Ukraine is actively working to document and investigate international crimes, but the effectiveness has been limited so far. The national justice system can realistically bring to justice only those in captivity. Additionally, the national mechanism has not been effective in holding representatives of the Ukrainian side accountable.

The ICC or a special tribunal can be instrumental at supranational level. The limited capacity of the ICC indicates the need for a special tribunal to hold the top Russian political and military leadership accountable for the crime of aggression and confiscate their seized assets. The proposed format, involving a coalition of leading democratic states, seems promising but could raise doubts about the legitimacy of its decisions and deepen international contradictions.

Thus, bringing perpetrators of war and other international crimes to justice largely remains the prerogative of the winner in the war and highlighta the need to improve international justice.

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Women, Peace, and Security Dimensions of the War in Ukraine

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Abstract: The ongoing war in Ukraine has evident devastating consequences. It is an urgent reminder of the relevance of UN Security Council Resolution 1325 on women, peace, and security, which calls for the meaningful inclusion of women in all areas of peacebuilding and conflict prevention. This paper highlights the involvement of Ukrainian women in the war, emphasizing their roles across politics, defense, and humanitarian response. The authors examine some critical issues to stimulate and support women's active position in peace-building and conflict resolution in the Ukrainian context.

Keywords: UN SCR 1325, women, peace and security agenda, refugees, war, post-war, gender, Ukraine.

Introduction

The Women, Peace and Security (WPS) agenda is a policy framework recognizing that women must be critical actors in all efforts to achieve sustainable international peace and security. As stated in the Assessment of the Implementation of UN Security Council Resolution 1325,

The world has lost sight of some of the key demands of the women's movement while advocating for the adoption of Resolution 1325: reducing military expenditures, controlling the availability of armaments, promoting non-violent forms of conflict resolution, and fostering a culture of peace.¹

¹ *Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325* (UN Women, 2015), accessed September 17, 2023, <https://wps.unwomen.org/index.html>.

Ukraine adopted its first WPS National Action Plan (NAP) in 2016, covering the period from 2016 to 2020. The NAP includes six pillars of action: peacekeeping and peace-protecting activities, women's participation in peacebuilding, the prevention of conflicts and violence, the protection of women and girls affected by conflicts, the provision of assistance and rehabilitation for people affected by conflicts, and monitoring efforts. As the document states,

The NAP approaches the implementation of the WPS agenda both domestically and internationally, with the overall goal of eliminating cultural barriers that hinder the full participation of women in all aspects of negotiations and the resolution of conflicts and/or matters of peace and security.²

Ukraine is revising its NAP for 2020-2025 in the context of the 2022 Russian invasion. During the war, Ukraine adopted the necessary national legislation on domestic violence and ratified the Istanbul Convention on July 18, 2022, which marked a significant step in implementing the WPS agenda. Currently, the WPS agenda is a focal point of strategic communication. Ukraine's President Volodymyr Zelensky and other top authorities invest significant efforts to praise the nation's male and female defenders. Gender equality is heavily emphasized across all of the country's media. Social media posts frequently feature images and videos of male soldiers cooking, female fighters, and people cuddling kittens and dogs.

Russia, whose leadership appears to embrace toxic masculinity as a core attribute of its strategic narratives, stands in stark contrast to Ukraine, which highlights its female military narrative. Researchers from the Nordic Centre for Gender in Military Operations state that "both parties to the conflict use gender perspective to their advantage, mainly through strategic communication."³ Other researchers believe that "if Kyiv matches its rhetoric with action, its military can reflect its society, honor its heroes, and serve as a shining model for the world."⁴

For more than 20 years, WPS academic research has been contributing to solving the problem of practical implementation of the WPS agenda. Researchers address WPS in different countries⁵ from various security perspectives,

² "National Action Plan for the Implementation of UN Security Council Resolution 1325 on Women, Peace and Security until 2025," approved by Order of the Cabinet of Ministers of Ukraine No. 1544-r, dated October 28, 2020, Kyiv, accessed September 17, 2023, <http://1325naps.peacewomen.org/index.php/ukraine/>.

³ "Thematic Analysis: The Use of Gender Perspective in the Conflict in Ukraine," NCGM Thematic Analysis (Nordic Centre for Gender in Military Operations, June 23, 2023), www.forsvarsmakten.se/siteassets/english/swedint/engelska/swedint/nordic-centre-for-gender-in-military-operations/thematic-analysis_ukraine_ncgm_june23.pdf.

⁴ Olga Olikier, "Fighting While Female: How Gender Dynamics Are Shaping the War in Ukraine," *Foreign Affairs*, November 21, 2022, <https://www.foreignaffairs.com/ukraine/fighting-while-female>.

⁵ Míla O'Sullivan and Kateřina Krulišová, "Women, Peace and Security in Central Europe: in Between the Western Agenda and Russian Imperialism," *International Affairs* 99, no. 2 (March 2023): 625-643, <https://doi.org/10.1093/ia/iia021>.

namely in the context of a refugee crisis,⁶ peacekeeping⁷ and peacemaking,⁸ and war,⁹ including the war in Ukraine.¹⁰

This article aims to highlight the current wartime roles of Ukrainian women in politics, defense, and humanitarian response. The research focuses on critical issues that support women's active position in peace-building and conflict resolution within the Ukrainian context.

Female Leadership Before and During the War

In Ukraine, women's political participation has been advancing. Following the 2019 elections, 21 % of the members of the Verkhovna Rada, the Ukrainian parliament, are female. This is a significant improvement from the 12 % representation from 2014 to 2019, indicating a clear trend toward increasing female representation. The government also reflects this positive trend, with five female ministers (23 %) overseeing important areas such as the economy, social policy, Euro-Atlantic integration, veterans' affairs, and reintegration of territories. In addition, three out of five deputy prime ministers are female, with Julia Svyrydenko serving as the first deputy. However, there are currently no female oblast governors in Ukraine; the last female governor left the position in 2021, long before Russia's full-scale aggression.

Ukrainian women are increasingly involved in politics through civil society organizations. Prior to February 24, 2022, Ukrainian women concentrated on the peace and development agenda. However, since then, female politicians, diplomats, and activists have been working tirelessly to gather protective gear, weaponry, humanitarian aid, and other resources that can help Ukraine win the military battle.

In 2022, Olena Zelenska, the First Lady of Ukraine, took on speaking engagements that extended beyond the traditional scope of her role. She addressed the U.S. Congress on behalf of her nation, as well as the UN General Assembly, the

⁶ Aiko Holvikivi and Audrey Reeves, "Women, Peace and Security after Europe's 'Refugee Crisis'," *European Journal of International Security* 5, no. 2 (June 2020): 135-154, <https://doi.org/10.1017/eis.2020.1>

⁷ Sabrina Karim and Kyle Beardsley, *Equal Opportunity Peacekeeping: Women, Peace, and Security in Post-Conflict States* (Oxford, UK: Oxford University Press, 2017).

⁸ Jana Krause and Louise Olsson, "Women's Participation in Peace Processes," in *Contemporary Peacemaking: Peace Processes, Peacebuilding and Conflict*, 3rd edition, ed. Roger MacGinty and Anthony Wanis-St. John (Cham, Switzerland: Palgrave Macmillan, 2022), 103-119, https://doi.org/10.1007/978-3-030-82962-9_6.

⁹ Kathleen Kuehnast, Chantal de Jonge Oudraat, and Helga Hernes, eds, *Women and War: Power and Protection in the 21st Century* (Washington, D.C.: United States Institute of Peace, 2011).

¹⁰ Katharine A.M. Wright, "Where Is Women, Peace and Security? NATO's Response to the Russia-Ukraine War," *European Journal of Politics and Gender* 5, no. 2 (2022): 275-277, <https://doi.org/10.1332/251510821X16499363293389>.

World Economic Forum in Davos, and several other summits, promoting Ukraine's external strategic narrative.

During the first half of 2022, prisoner-of-war exchanges were supervised by Iryna Vereshchuk, the Deputy Prime Minister of Ukraine and Minister of Reintegration of Temporarily Occupied Territories. Hanna Maliar, the deputy minister of defense, was responsible for the Military Media Center, a comprehensive media platform consolidating all communication capabilities of Ukraine's security and defense forces. It is, however, premature to assess the precise impact of Ukrainian women's involvement in strategic decision-making during wartime.

The extent of female leadership during conflict is the outcome of investments made in gender equality before the full-scale hostilities. Some corresponding projects continued despite the war. One such initiative is the #politicsWITHOUTsexism mobile educational center, established in Ukraine in early 2022. It aims to cultivate a new cohort of female leaders from diverse social backgrounds who would improve the political, public, and human rights landscapes. A team of professional trainers specializing in psychology, gender equality in politics, and public speaking has already visited five regions of our country to engage with women leaders, legislators, and activists and share their expertise and experiences.¹¹ As the target audience expands, the program has evolved to address contemporary needs. The project organizers emphasize to participants that their role in the nation's reconstruction is vital and should not be underestimated. Even amidst current challenging circumstances, participants are encouraged to uphold the earlier gender-related achievements attained at local and state levels.

In Western democracies, the feminist movement is typically associated with peace,¹² supporting anti-militarist theories, advocating for the peaceful and diplomatic resolution of international disputes as a means to preserve global peace and security, working to prevent new wars on a global scale, and raising awareness of the negative impacts of war on women, girls, boys, and men. Ukrainian feminists refute this approach by referencing a different historical experience. They argue that Western analyses often lack a post-colonial or decolonial perspective, fail to generate knowledge from local contexts due to a lack of focus, and exclude the voices and visions of colonized countries regarding their definitions of "peace" and "freedom."¹³

¹¹ Iryna Tishchenko, "Iryna Tyshko: 'Society Should Get Used to the Fact That Women Can Be Leaders'," *Gender in Details*, November 16, 2022, <https://genderindetail.org.ua/library/politika/iryna-tyshko-suspilstvo-mae-zvyknuty-do-toho-scho-zhinky-mozhut-buty-liderkamy.html>. – in Ukrainian

¹² See Tarja Väyrynen, Swati Parashar, Élise Féron, and Catia Cecilia Confortini, eds., *Routledge Handbook of Feminist Peace Research*, 1st ed. (London: Routledge, 2021), <https://doi.org/10.4324/9780429024160>.

¹³ Iryna Dedusheva and Oksana Potapova, "Five Theses on Feminism and Militarism," *Gender in Detail*, January 30, 2023, <https://genderindetail.org.ua/season-topic/dosvidy-viyny/pyat-tez-pro-feminizm-i-militaryzm.html>.

War is often based on rigid binary concepts of masculinity (the strong defend the weak from the enemy) and femininity (the need for protection, vulnerability, and passivity). Ukrainian feminist organizations work to increase the visibility of the diverse roles of women, men, and non-binary individuals in war, moving beyond the binary view of women's roles as solely victims or soldiers. Notably, this has been a significant priority for NATO for many years.

Currently, financial support is needed for feminist and women's rights organizations working to prevent and respond to trafficking and gender-based violence, as well as providing healthcare, childcare, and education in Ukraine. Psychological support and rehabilitation should be available to women and children affected by the war, especially those from vulnerable groups, regardless of their location – be it abroad, in zones of intensive combat, or liberated territories.

Women in the Armed Forces

Since 2016, the number of women serving in the armed forces has drastically increased. Women engage in combat roles alongside men on the front lines. According to Ukrainian officials, women comprise 15% of the armed forces, or approximately 50,000 individuals. However, as more men enlist, the proportion of women in the Armed Forces has realistically declined to around 8%. Presently, 5,000 women are either fighting on the front lines or working in positions that might place them there. In Ukraine, women are eligible to apply for all military jobs, including roles as tankers, UAV pilots, gunners, company and platoon commanders, and others.

Since 2014, women have been serving in the Ukrainian Armed Forces, Security Sector Agencies, and volunteer battalions. Despite their contributions, many issues persist, including sexual harassment, discrimination, and the lack of proper uniforms and body armor designed for women. As Olga Oliker points out,

Before the February invasion, activists including Invisible Battalion and some of Ukraine's foreign partners had convinced Ukrainian military officials to establish a network of over 400 advisers on gender-related issues. Now, however, according to one of those advisers, who spoke with me on the condition of anonymity, these individuals have been removed or sidelined.¹⁴

Through various initiatives, NGOs, and government agencies, women actively fight for their rights and gender equality in the Ukrainian Armed Forces. The Invisible Battalion, a prominent Ukrainian advocacy campaign for gender equality in the armed forces, is renowned both in Ukraine and abroad for its commitment to the Women, Peace, and Security (WPS) agenda. This organization engages in advocacy, conducts sociological research, and promotes civil rights, making significant contributions to advancing gender equality in the military.

According to new legislation from 2021, women between the ages of 18 and 60 who work in certain professions are required to register for military service.

¹⁴ Oliker, "Fighting While Female: How Gender Dynamics."

During wartime, this expanded reserve of women would be mobilized as part of the national reserve to serve in a broad range of military specialties, including as librarians, journalists, musicians, veterinarians, translators, and psychologists. So far, registration for mobilization has been voluntary for women. The government has postponed mandatory registration for women by a year, until October 2023, and has limited the professions required to register to medical doctors, nurses, and pharmacists. In contrast, men have been required to register for military service all along, meaning that mobilization affects eligible men and women very differently.

Women and Children at War

Prior to the war, Ukraine had an imbalance in sex representation within the population: 54 % women to 46 % men, with a pronounced skew toward women in those over the age of 45.

From February 24, 2022, to September 11, 2023, the Office of the UN High Commissioner for Human Rights (OHCHR) recorded 27,149 civilian casualties in the country: 9,614 killed and 17,535 injured, including¹⁵:

- a total of 9,614 killed (4,461 men, 2,672 women, 236 girls, and 289 boys, as well as 29 children and 1,927 adults whose sex is yet unknown)
- a total of 17,535 injured (5,231 men, 3,625 women, 378 girls, and 516 boys, as well as 286 children and 7,499 adults whose sex is yet unknown)

The Small Arms Survey estimates “that about 88,000 Ukrainians lost their lives during the first year of the conflict,”¹⁶ and “three-quarters of these fatalities were combatants.”¹⁷ Overall, 94 % of Ukrainians killed were men, and about one in five civilian deaths (22 %) were women.

According to data from the United Nations High Commissioner for Refugees,¹⁸ as of September 12, 2023, there are 5,830,500 refugees from Ukraine in Europe and 369,200 Ukrainian refugees recorded beyond Europe. Positive trends have been observed in the first half of 2023 concerning the rising number of returnees. On January 24, 2023, there were 7,996,573 Ukrainian refugees in Europe (making up 20 % of the country’s total population), and 4,952,938 Ukrainian refugees were registered for Temporary Protection or other national protection programs in Europe.

¹⁵ UN, Office of the High Commissioner for Human Rights, “Ukraine: Civilian Casualty Update 11 September 2023,” September 11, 2023, <https://www.ohchr.org/en/news/2023/09/ukraine-civilian-casualty-update-11-september-2023>.

¹⁶ Gergely Hideg and Callum Watson, “Russia’s War: Weighing the Human Cost in Ukraine,” *Small Arms Survey*, May 15, 2023, <https://smallarmssurvey.medium.com/russias-war-weighing-the-human-cost-in-ukraine-9ecc73a41987>.

¹⁷ Hideg and Watson, “Russia’s War: Weighing the Human Cost in Ukraine.”

¹⁸ “Ukraine Refugee Situation,” *Operational Data Portal*, UNHCR, the UN Refugee Agency, September 15, 2023, <https://data.unhcr.org/en/situations/ukraine>.

However, every second refugee living abroad has no intention of returning to Ukraine after the war.¹⁹ This is alarming, particularly because women with children constitute the great majority of refugees. They continue to be among the most vulnerable groups, facing risks such as human trafficking, financial difficulties, and mental health issues. As part of its ongoing support to Ukraine, ODIHR surveyed nearly 1,000 Ukrainian refugee women to ensure their experiences and vulnerabilities were considered in policy responses and assistance efforts. According to ODIHR's latest report²⁰ published on January 20, 2023, various challenges impact the safety and security of refugees. These challenges include insufficient proficiency in the local language, a lack of financial resources, difficulty in renting housing, inadequate healthcare, a lack of social networks and community, domestic violence, and prejudice. Additionally, some respondents reported encountering instances of sexual harassment, domestic violence, requests for sexual favors, offers to work in the sex industry (including surrogacy), proposals to create pornographic materials, and instances of sexual violence since leaving Ukraine. Some respondents revealed that their own children or children under their care had experienced domestic violence, sexual harassment, requests for sexual favors, and proposals to create pornographic materials, along with instances of bullying, discrimination, and harassment in schools, universities, or the local community. Nearly half of the respondents stated that they had not received any information regarding human trafficking or how to stay safe, while two out of every five indicated that they were concerned about it. One in five respondents emphasized the need for more action to prevent the trafficking of women and girls, stressing the necessity of gender-sensitive approaches to address the problem of human trafficking of female refugees and the lack of control over refugees' movements once they have crossed the border. Many Ukrainian women and children participate in various gatherings and protests abroad to raise awareness of the war in Ukraine and solicit support for the country.

As of June 24, 2023, there are 4,8 million officially recognized internally displaced persons, mostly women and children.²¹ The government of Ukraine, in collaboration with several international organizations, has implemented several programs for additional social support measures for internally displaced and affected persons. However, many internally displaced people suffer from psycho-

¹⁹ Maria Horban, "The Life of Ukrainian Refugees in Numbers: The Results of a Study Based on a Survey of Ukrainians in Different Countries," *Radio Svoboda*, September 19, 2023, <https://www.radiosvoboda.org/a/zhyttya-bizhentsiv-u-tyfrakh-doslidzhen-nya/32599058.html>. – in Ukrainian

²⁰ "ODIHR Survey on the Safety and Security of Women Refugees from Ukraine," *Reliefweb*, February 1, 2023, <https://reliefweb.int/report/poland/odihr-survey-safety-and-security-women-refugees-ukraine>.

²¹ "Vereshchuk Named the Number of Registered and Unregistered Migrants in Ukraine," *Ukrinform*, June 24, 2023, <http://www.ukrinform.ua/rubric-society/3727098-veresuk-nazvala-kilkist-zareestrovanih-i-nezareestrovanih-pereselenciv-v-ukraini.html>. – in Ukrainian

logical stress due to temporary housing rentals, a lack of resources, discrimination, unemployment, worries about their loved ones, and domestic violence, which is on the rise. The situation is exacerbated by former combatants who have suffered psychological trauma.

Thirteen million Ukrainians remain in zones of intensive combat. In addition to the challenges of raising children under shelling and missile attacks, often in basements and on occupied territories, the majority of workers in the medical and nursing fields are women. They also work as social workers, postal workers, shop assistants, and train conductors for evacuations. Amid chronic stress, women provide children with emotional support, give birth in bomb shelters, and conduct lessons between air strikes to help them cope with the difficulties of war. It is important to note that the majority of schools operate online in areas of intense warfare, with municipal kindergartens closed. Many females, including single mothers, wives of military personnel, and mobilized individuals, face a difficult choice between caring for their children or continuing to work and earn money.

Although the common belief is that men are more affected by unemployment than women during the war, the Employment Center reports that 69 % of the registered unemployed are female. Women typically work in the budget sector of the economy, which has proven to be far more resilient to layoffs or compensation reductions.²²

Ukrainian women often encounter significant financial, social, and psychological hardships both at home and abroad. However, they demonstrate exceptional fortitude as they continue to serve as role models for their families and children. Many women take on active social roles and participate in movements that support the civilian population. In general, men tend to volunteer more in the security and defense sector, while women are more likely to volunteer in humanitarian work, aiding vulnerable populations and providing civilian logistical support for the armed forces. Support can manifest in many different forms, from financial donations to the organization of supply networks for food and medicine, as well as assistance to enterprises. Women frequently engage in activities such as producing candles, sawing camouflage nets, and preparing food for the defenders, and often involve children in these efforts.

WPS Agenda in Ukraine after the War

The WPS agenda prioritizes ending conflicts rather than solely making conflicts safer for women.²³ As such, it encompasses participation, conflict prevention,

²² Yaroslav Vinokurov, "Millions of Ukrainians Lost Their Jobs Because of the War. Where Do They Get the Money to Live?" *Ekonomichna Pravda (Economic Truth)*, December 8, 2022, <https://www.epravda.com.ua/publications/2022/12/8/694732/>. – in Ukrainian

²³ "Preventing Conflict: The Origins of the Women, Peace and Security Agenda," in *Preventing Conflict, Transforming Justice, Securing the Peace*, accessed September 22, 2023, <https://wps.unwomen.org/preventing/>.

protection, relief, and recovery. The WPS agenda aligns with the UN concept of human security, which advocates for both government and international community protection of individuals, along with the empowerment of people and communities to address various challenges, such as poverty, violence, and diseases.

This war cannot endure indefinitely. At the same time, the duration of the conflict will determine its impact on the WPS agenda and how the WPS agenda, in turn, affects the conflict. Presently, the prevailing strategic narrative promoted in Ukraine revolves around achieving ultimate victory at any cost.

Prior experience in post-war societies shows that there should be a synergy between the WPS agenda and post-war priorities in several key areas:

- Demographic losses
- Return of the refugees
- Healthcare
- Mental health and psychological support networks
- Gender-related violence
- Education
- Childcare
- Unemployment
- Women in the Armed Forces
- Landmines and contaminated farmland
- Women and youth empowerment
- Sports and entertainment
- Culture.

The estimated losses of population for Ukraine vary widely, ranging from 500,000 to 600,000 to as high as five to six million. The final figure will largely depend on the duration of the war. The longer the war continues, the less likely it becomes for Ukrainian women and children to return as they become more settled and adapted to life abroad. Sociological studies conducted in Poland and Germany indicate that over 70% of Ukrainian refugee women residing there hold a college degree. Consequently, Ukraine is losing some of its most intelligent, business-minded, and independent women, who took the risk of leaving their homeland with their children, often without external assistance. The fertility rate in Ukraine is currently 1.1 and is projected to drop to 0.7 by 2023. As the protracted war draws to an end and bans on men to leave the country are lifted, Ukrainian families may reunite, but they are likely to do so outside of Ukraine.²⁴

²⁴ “Only About 1.5 Million Ukrainians Left Through the Western Border, but the Biggest Demographic Losses Will Be after the War – Demographer,” *TEXTY.ORG.UA*, December 22, 2022, <https://texty.org.ua/fragments/108541/za-kordon-vyyihalo-lyshe>

To ensure that both Ukrainian refugees return to the country and citizens remain, providing good prospects, including housing, employment opportunities, access to healthcare, children's education, and other necessities, is imperative. A concise action plan must be developed now to address these challenges effectively after the war. It is crucial to prioritize the inclusion and empowerment of women and girls. This emphasis should not wait until the end of the war. The WPS agenda can be implemented partly through state initiatives to foster the growth of new industries, construct new civilian infrastructure, and implement educational and support programs for children, seniors, members of specific communities, and vulnerable populations.

Societal progress relies heavily on the healthcare system, which is significantly affected by the ongoing conflict. As civilian casualties continue to rise, the number of individuals with disabilities in need of rehabilitation, extensive therapy, and prosthetics is difficult to determine. Due to widespread damage to hospitals and the departure of many healthcare professionals from the country, access to healthcare in Ukraine will be severely restricted. In Ukraine's post-war WPS agenda, establishing a system of psychological support and rehabilitation for women and children is imperative. This should involve the creation of a network of women's centers, engagement with local communities, and the involvement of school psychologists. Additionally, the healthcare system should provide special assistance programs for women and girls who are victims of gender-based violence, particularly domestic violence.

Gender-related violence, including domestic violence and sexual harassment, needs to be effectively addressed through proper investigation by the police and prosecution of perpetrators. Special initiatives should be implemented to dispel the myth that "she is to blame." Given the sharp increase in war-related violence across society, women will require increased protection from their abusers and clear legal procedures after the war ends. Additionally, it is necessary to develop a comprehensive system of support for victims of gender-based violence.

Education is another critical area requiring attention. Ukrainian schoolchildren, regardless of their location, have experienced significant educational setbacks due to the COVID-19 pandemic and the consequences of full-scale war. According to Serhiy Horbachov, the educational Ombudsman for Ukraine, "Topics missed by schoolchildren, and consequently, non-acquired knowledge and skills, need to be identified and compensated for. Representatives from the Education Sector of the World Bank believe that these educational losses in Ukraine may equate to more than one year of schooling."²⁵ The extent of educational losses, strategies for their compensation, and established follow-up procedures at the state level are still to be defined. In the medium term, Ukraine's economic

blyzko-15-mln-ukrayinciv-ale-najbilshi-demohrafichni-vraty-budut-uzhe-pislya-vijny-socioloh/. – in Ukrainian

²⁵ "Ukrainian Schoolchildren Are a Year Behind Schedule Because of the War," *Konkurent Information Agency*, January 27, 2023, <https://konkurent.ua/publication/110854/ukrainski-shkolaryi-vidstaut-na-rik-vid-programi-cherez-viynu/>. – in Ukrainian

growth will require significant investments in human capital, particularly in restoring the system of providing high-quality education. It is worth mentioning that nearly 90 % of school teachers in Ukraine are women, according to the latest available data from 2019.²⁶ Additionally, women play a significant role in overseeing their children's online education balancing family responsibilities and work. Thus, education is integral to the WPS agenda for post-war Ukraine. Systemic reforms in education represent one approach to addressing difficulties in education. Throughout the conflict, numerous kindergartens and schools were destroyed, significantly impacting both pre-school and school education systems and reducing institutional resources for childcare, the latter of which is crucial in achieving the WPS goal.

The level of unemployment can be reduced by investing in education. Ukraine will require qualified employees, especially in the fields of industry, construction, and energy. Implementing dual education programs in higher education could help meet the state's needs and decrease unemployment. As reconstruction efforts begin after the war, job openings are expected to increase significantly. Ukraine's path toward European integration will also contribute to job creation.

Under such circumstances, it is crucial that Ukrainians are well-prepared for employment. As the fighting continues, more individuals may become unable to work, and their skills may be affected. Finding normal jobs, as before the war, may become more challenging.²⁷

According to the Ministry of Economy, there are 2.6 million unemployed people in Ukraine, although individuals who are abroad or in temporarily occupied territories are not included in this figure. The International Labour Organization projects a more pessimistic unemployment rate of 28.3 % for 2022. After the war, it will be crucial for the government and businesses to collaborate in creating new jobs to prevent the deterioration of labor relations. High poverty rates and low economic activity among women pose additional challenges for the WPS agenda, particularly when unemployment rates are high.

A robust operational system of gender advisers at all levels can empower women in the Ukrainian Armed Forces and other defense and security agencies. Drawing from the lessons learned during this war, institutional adjustments should be made regarding structures, functions, and organizational culture. To ensure that women's voices are heard, reform boards should include female officers, non-commissioned officers, and soldiers. The military must mainstream gender within their organization and integrate a gender perspective into all decision-making processes, policies, and programs, ensuring that these efforts are not merely theoretical but serve as operational mechanisms.

²⁶ Olga Golovina, "Education – Purely a Woman's Business? Or Why Are Men in School," *NUSH – New Ukrainian School*, March 9, 2019, <https://nus.org.ua/articles/osvita-sutozhinocha-sprava-abo-navishho-choloviky-u-shkoli/>. – in Ukrainian

²⁷ Vinokurov, "Millions of Ukrainians Lost Their Jobs Because of the War."

To ensure the gender balance necessary for decision-making at all levels and in all aspects of human life, it is essential to empower women across all economic spheres. Women's organizations require financial support from both the state and international organizations. Their training initiatives will contribute to increased representation of women in leadership positions, thereby effectively protecting women's rights and interests and implementing human-centered and inclusive policies. Gender equality and the equal participation of men and women in leadership roles are vital for the reconstruction of the country. Engaging in a dialogue with states and organizations willing to participate in the reconstruction of Ukraine is crucial, emphasizing the importance of cooperation with women's organizations. It is also important to develop a feminist analysis of the key spheres of life that will be affected by the reconstruction, including the economy, infrastructure, social services, education, and healthcare. The history of other nations demonstrates that, often, women's participation in reconstruction efforts is limited to "women's only" subjects, such as combating gender-based violence or providing assistance for survivors of sexual assault resulting from conflict. While these issues are undeniably important, women must be involved in the recovery process holistically, influencing decisions in all significant areas.

Women will face increased risks from landmines and contaminated land in rural regions of Ukraine. The contamination levels are severe, leading to an ongoing burden on Ukrainian demining agencies like the State Emergency Service. According to international demining specialists, the proportion of unexploded Russian munitions is between 10 and 30 percent, leaving a significant amount in the ground for years.²⁸ Currently, 10-20 percent of the country's farmland is contaminated by explosive hazards. The presence of unexploded ordnance, landmines, and other explosive remnants of war will negatively impact Ukraine's food production and supply chain. It will also hinder aid workers' access to the country's worst-affected regions and complicate the reconstruction of vital civilian infrastructure. Furthermore, areas contaminated by explosive relics of war will face an influx of returning refugees to the country. Ukraine will need assistance from the international community to remove the explosive war remnants and ensure the safety and security of affected populations, particularly women and children.

After the war, youth will be a group that requires special attention, as they are both vulnerable and strategically significant. In terms of societal growth, social, leadership, educational, and vocational initiatives should focus on young people, with a particular emphasis on young women. Empowering young people is crucial for the multifaceted restoration and sustainable growth of Ukraine, as well as for preventing the rapid deterioration of the situation of women.

²⁸ Karen Chandler, Panel: "The Evolving Crisis in Ukraine – How Different Parts of the USG Are Reacting in Real Time," Remarks at The Society for International Development Washington Chapter Annual Conference, *U.S. Department of State*, May 26, 2022, <https://www.state.gov/panel-the-evolving-crisis-in-ukraine-how-different-parts-of-the-usg-are-reacting-in-real-time/>.

In Ukraine, there has been extensive damage to or destruction of sports infrastructure due to the conflict. While restoring it will require time and resources, it is necessary because sports infrastructure is interconnected with healthcare and education. Engaging in sports and leisure activities can help alleviate the weight of tension and hardships experienced by individuals. Therefore, people need to have access to activities that allow them to unwind mentally and feel alive. This includes options such as attending theater performances, ballet shows, stand-up comedy, or participating in sports activities.

Utilizing current societal perspectives, Ukraine should aim to eliminate political and cultural conservatism, patriarchal gender norms, and gender stereotypes that suppress women's voices and hinder their equal participation in decision-making processes. In 2021, 56 % of Ukrainians believed that gender inequality in Ukraine was rare.²⁹ However, the majority of gender stereotypes are being challenged by the realities of war, highlighting their artificial and imposed nature on society. In Ukrainian culture, entrenched stereotypes regarding women's weakness and beauty persist. Rather than perpetuating these stereotypes in the media, efforts should focus on eradicating them through education, starting in the classroom. As refugees return, Ukraine's culture should be open to foreign influences, recognizing that certain cultural concepts may gain prominence over time. Ukrainian culture must be further infused with principles of gender equality to foster a sustainable and inclusive society.

Hatred, reconciliation, and forgiveness remain controversial topics. Drawing from the experience of World War II's devastating effects on Ukraine, Ukrainians have learned the importance of establishing friendly ties, even with former adversaries. For instance, now, 77 years after the war, Germans generously support the country and its people. Achieving peace after the war will require a strategy to address these complex issues and promote societal friendship and harmony in the absence of hostility and violence. Family and family values can play a crucial role in such efforts, with women making significant contributions to security, prosperity, and stability. However, navigating these issues remains a painful challenge in Ukraine at present.

Conclusion

The war in Ukraine has brought to light numerous gaps in the implementation of the WPS agenda. While elements of the WPS agenda have been integrated into Ukrainian society for some time, there are still areas where progress is needed. Nevertheless, Ukraine demonstrates effective narratives of equity and equality, with a society that is open to progressive liberal viewpoints and shares European values. The war has served as a form of shock treatment that assisted in eradicating gender preconceptions from society. Bravery is exhibited on all fronts, regardless of gender, with both men and women displaying remarkable courage in

²⁹ "Gender Roles and Stereotypes," *Rating Group*, March 4, 2021, https://ratinggroup.ua/research/ukraine/gendernye_rol_i_stereotipy.html. – in Ukrainian

various aspects of life, including social, informational, and economic spheres. The significant contribution to the victory should be recognized in order to construct the legitimacy and power of voices in post-war Ukraine. Individuals with combat experience, often men, may carry more political and symbolic weight. Furthermore, it is important to acknowledge that the impact of the war extends beyond the frontlines, affecting the daily lives of people and society as a whole.

In the aftermath of the war, the Ukrainian women's movement will face a range of institutional and structural issues in addition to communication and discursive challenges. Drawing from the lessons learned, several concrete measures can be implemented to encourage and support women's active participation in peacebuilding and conflict resolution in the Ukrainian context:

- Ensure gender balance in decision-making across all sectors, with a particular focus on key areas such as the economy, defense, and healthcare
- Implement constant monitoring of gender perspectives
- Develop a compelling strategic narrative of equality and equity
- Initiate leadership programs to empower women and young people
- Provide support and resources for women's organizations.

Disclaimer

The views expressed are solely those of the authors and do not represent official views of the PfP Consortium of Defense Academies and Security Studies Institutes, participating organizations, or the Consortium's editors.

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Russia's Invasion of Ukraine and the Modern History of Belarusian Statehood

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Abstract: This article examines the evolution of Belarusian statehood, highlighting the transition from its independence in 1991 to the increasingly authoritarian regime under President Aleksandr Lukashenka. It scrutinizes the complex relationship between Lukashenka and Russian President Vladimir Putin and the repeated breaches and renegotiations of their political contract. The analysis covers Belarus' oscillation between integration with Russia and attempts at Western engagement, particularly noting the period of soft Belarusification from 2014 to 2020 as a response to fears of Russian annexation. The 2020 presidential elections marked a turning point, with mass protests against Lukashenka's claimed victory leading to severe crackdowns and the erosion of Belarusian sovereignty. The article argues that Belarus' support for Russia's 2022 invasion of Ukraine signifies a further decline in its autonomy. It advocates for a strategic approach by the West, bolstering the Belarusian opposition, supporting independent media, and exploiting moments of Russian weakness to restore and secure Belarusian democracy and independence. The author suggests that through comprehensive support for Ukraine and a proactive stance on Belarus, the West can counteract the Kremlin's influence and prevent Russia's complete absorption of Belarus.

Keywords: Belarusian statehood, Alyaksandr Lukashenka, Belarus-Russia relations, Belarusian sovereignty, 2020 Belarus protests, Soft Belarusification, Western sanctions on Belarus, Russo-Ukraine war.

Introduction

Belarus is an Eastern European country that could have played a significant role in ensuring European stability and security. However, since February 2022, it has actively supported Moscow in the Russo-Ukrainian war. Only four years ago, the

then Minister of Foreign Affairs of Belarus, Vladimir Makei, was shaking hands with his European colleagues during visits to EU capitals.^{1,2} At that time, Belarusian state-owned media and President Alyksandr Lukashenka portrayed the country as a net contributor to European security³ and an oasis of peace and stability in Europe.⁴

After the signing of the Minsk Agreements in 2014, which suspended the war in Ukraine, the Belarusian president found himself in a favorable position. He effectively leveraged the location of the negotiation platform on Belarusian territory to advance Belarus' interests. Between 2014 and 2020, the Belarusian authorities actively promoted the need for détente and proposed the conclusion of the so-called Helsinki 2 pact.⁵ At that time, Belarus even attempted to position itself as a neutral country, equidistant from Moscow and Brussels. Neutrality was officially declared in the Constitution of Belarus from its adoption in 1994 until 2021 when the provisions on neutrality were excluded from this integral document. This is paradoxical, given that Belarus has been part of the Russian-led military organization CSTO since 1992 and the Union State of Russia and Belarus since 1999.

Everything changed dramatically on August 9, 2020. On this day, mass protests erupted in Belarus following the presidential elections, the results of which were not recognized by the West and a significant part of Belarusian society. To maintain his regime, Lukashenka resorted to the harshest repressions in the history of independent Belarus, imprisoning tens of thousands of people behind bars and, according to several sources, being responsible for the deaths of at least 15 protesters.⁶ In light of clear evidence of election fraud and the regime's violence against civil society, the EU, the U.S., and other Western countries had no choice but to suspend contacts with the Belarusian authorities. Neighboring Ukraine did the same, and new sanctions were introduced against Lukashenka

¹ "Federica Mogherini met with the Foreign Minister of Belarus Vladimir Makei," *European Union External Action*, May 31, 2018, https://www.eeas.europa.eu/node/45658_en.

² "On the Visit of Foreign Minister of Belarus to Vienna," *Ministry of Foreign Affairs of the Republic of Belarus*, November 25, 2014, https://mfa.gov.by/press/news_mfa/fd06eeb6571a8070.html.

³ "Meeting with High-Ranking Officials of OSCE Parliamentary Assembly," *President of the Republic of Belarus*, July 5, 2017, <https://president.gov.by/en/events/meeting-with-high-ranking-officials-of-osce-parliamentary-assembly-16621>.

⁴ "Belarus Described as Regional Security Donor," *Belarusian State Information Agency (BELTA)*, October 6, 2017, <https://eng.belta.by/politics/view/belarus-described-as-regional-security-donor-105657-2017>.

⁵ "Makei: Belarus' Helsinki-2 Initiative Seeks to Boost Global Security," *Belarusian State Information Agency (BELTA)*, May 23, 2018, <https://eng.belta.by/politics/view/makei-belarus-helsinki-2-initiative-seeks-to-boost-global-security-111959-2018>.

⁶ "At Least 15: Deaths Linked to Post-Election Protests in Belarus," *Belsat*, May 27, 2021, <https://belsat.eu/en/news/27-05-2021-at-least-15-deaths-linked-to-post-election-protests-in-belarus>.

and his associates. At the same time, the West left a window for the Belarusian authorities to maneuver, calling for an all-encompassing dialogue with the opposition and the release of political prisoners.⁷

Previously, Lukashenka often employed what Stephen Hall termed “Adaptive Authoritarianism,”⁸ a blend of violence with elements of political, economic, and cultural liberalization. However, this time, he reacted differently. Instead of gradually mitigating the conflict, he escalated attacks on opposition politicians as well as on thousands of individuals and hundreds of public organizations that had nothing to do with politics.

February 24, 2022, marked another turning point, not only for Russia, which initiated a full-scale war against Ukraine but also for Belarus, which became involved in various ways in this armed conflict. How did this happen, and could Belarus have followed a different path? This article examines the historical trajectory and chain of events that led Belarus to its current situation.

Belarus' Historical Path from Democracy to Dictatorship and Involvement in the Russian Aggression against Ukraine

Like other republics of the former USSR, Belarus gained independence in the early 1990s with the collapse of the Soviet Empire. On the one hand, in ethnic terms, Belarus was more homogeneous than at any time in its history (the 1989 Soviet census recorded a healthy ethnic Belarusian majority of 77.9 %).⁹ On the other hand, as Slavomir Serakovski mentioned, “Belarus in 1990 was to Soviet communism what the Vendée had once been to the ancien régime of France – a grand redoubt of belief in the old order.”¹⁰ In the March 1991 referendum, 83 % of Belarusians voted against independence and expressed their preference to remain part of the Soviet Union. Moreover, in a poll conducted across the USSR in the same year, Belarusians were the most likely to identify themselves as “citizens of the USSR” (69 %)¹¹ rather than citizens of their Republic (24 %). Andrew Wilson believes that at that time, Belarus was analogous to Austria after 1918, “the rump state that did not want to be born.”¹²

⁷ Aliaksandr Kudrytski, “Belarus Raises Pressure on Opposition as EU Calls for Dialog,” *Bloomberg*, August 19, 2020, <https://www.bloomberg.com/news/articles/2020-08-19/belarus-opposition-leader-urges-eu-to-reject-lukashenko-poll-win>.

⁸ Stephen Hall, “The End of Adaptive Authoritarianism in Belarus?” *Europe-Asia Studies* 75, no. 1 (January 2023): 1-27, <https://doi.org/10.1080/09668136.2022.2093332>.

⁹ Andrew Wilson, *Belarus: The Last Dictatorship in Europe* (New Haven, London: Yale University Press, 2011), 121.

¹⁰ Sławomir Sierakowski, “Belarus Uprising: The Making of a Revolution,” *Journal of Democracy* 31, no. 4 (October 2020): 5-16, <https://www.journalofdemocracy.org/articles/belarus-uprising-the-making-of-a-revolution/>.

¹¹ Wilson, *Belarus: The Last Dictatorship in Europe*, 141.

¹² Wilson, *Belarus: The Last Dictatorship in Europe*, 141.

The results of the first democratic elections to the Parliament of the then Belarusian SSR clearly demonstrated the immaturity of Belarusian national identity and the insufficient popularity of the democratic movement. In the elections in the spring of 1990, the country's most well-known national democratic movement, the Belarusian Popular Front (the BNF), led by Zyanon Pazniak, received only 26 seats in the Parliament out of 328, while candidates affiliated in one way or another with the Communist Party received 289 seats.¹³ Although Belarusian researcher Valer Bulgakov believes that up to 100 elected deputies of this parliament belonged to a broader "Democratic Club,"¹⁴ most likely, these were just people who lacked clear ideological stances and were influenced by the political trends of that era. Consequently, the parliamentary group "Communists for Democracy" emerged, led by none other than the future president of Belarus, Alyaksandr Lukashenka.¹⁵

The real power in the country still resided with the communists. In fact, the republic was governed by a triumvirate composed of the Chairman of the Parliament, Mikalai Dementei, the Head of the Government, Vyacheslav Kebich, and the leader of the Communist Party of Belarus (Belarusian SSR), Anatol Malafeev. However, despite their dominance, the communists did not prevent the Belarusian parliament from adopting the Declaration of State Sovereignty on July 27, 1990.

An intriguing question arises: why did Belarus, unlike its neighboring countries, Ukraine and Russia, not establish a presidential position at the outset of its independence? This anomaly can be attributed to the support of the Belarusian leadership at the time for the coup attempt aimed at preserving the USSR. In August 1991, during the final days of the Soviet Union, there was an attempted coup d'état by the State Committee on the State of Emergency (GKChP). The then head of the Belarusian Communist Party, Malafeev, supported the coup¹⁶ and, as some reports suggest, intended to declare himself President of the Belarusian SSR.¹⁷ According to Wilson, it was precisely Malafeev's intention that dis-

¹³ Alexander Feduta, Oleg Bogutsky, and Viktor Martinovich, *Political Parties of Belarus Are an Essential Part of Civil Society. Workshop Results* (Minsk, Belarus: Friederich Ebert Stiftung, 2003), <https://library.fes.de/pdf-files/bueeros/belarus/07073.pdf>.

¹⁴ Valer Bulgakov, *Belarus, 1994-2004: Development of the State and Persecution of the Nation* (Vilnius: Belarusian Collegium, 2012), <https://kamunikat.org/belarus-1994-2004-gg-bulgakaw-valer>. – in Belarusian

¹⁵ Zakhar Shybeko, *An Outline of the History of Belarus, 1975-2002* (Minsk: Ėtytsyklapedyks, 2003).

¹⁶ Olga Shestakova and Olga Ulevich, "GKChP Retained Power in Moscow, but Changed Leadership in Minsk," *Komsomolskaya Pravda*, August 19, 2009, <https://www.kp.ru/daily/24345/535209/>. – in Russian

¹⁷ Anatoliy E. Taras, *History of Imperial Relations. Belarusians and Russians, 1772-1991* (Smolensk, Russia: Posokh, 2008). – in Russian

credited the idea of establishing a presidential post in Belarus for a certain period.¹⁸ Unlike Ukraine and Russia, where such a position was established in 1991 to safeguard democracy, Belarus postponed its creation for the same purpose.

Shortly after the coup's failure, a wave of declarations of independence swept across the Soviet Union. Belarus, however, exercised caution by not declaring independence through a separate act but instead elevating the Declaration of State Sovereignty (1990) to the status of a constitutional act. On September 19, 1991, the Belarusian Parliament also changed the state's name from BSSR to the Republic of Belarus. It is important to note that Belarus, unlike neighboring countries, never held a referendum on independence. This omission could still pose a threat in the context of Russia's potential intentions to "rebuild" the USSR.

Since the position of President was not introduced in Belarus, the new Chairman of the Parliament, Stanislav Shushkevich, was considered the nominal head of state. Shushkevich signed the famous Belovezha Accords in December 1991 on behalf of Belarus, which ended the existence of the USSR. Vyacheslav Kebich, the Prime Minister of Belarus, also signed the Accords.

The dualism of power and the struggle between Shushkevich and Kebich shaped the political landscape of Belarus for the next three years. The former university teacher, Shushkevich, soon began to yield to his more experienced colleague in bureaucratic gamesmanship. Belarusian political scientist Viktor Charnov characterized the form of government in Belarus from 1991 to 1994 as a quasi-parliamentary, prime-ministerial republic.¹⁹

The introduction of the white-red-white flag, which the Belarusian People's Republic used in 1918-1919, and the ancient coat of arms "Pahonia" as the state symbols of Belarus in 1991 marked the most significant victory for the Belarusian national democratic forces at that time. In the subsequent years, these forces, particularly the BNF, fought to awaken national identity, advocating for the development and popularization of the Belarusian language. However, these issues did not resonate with the electorate, which was more focused on the adverse socio-economic conditions of the country.

Many Belarusians and the political leadership saw the restoration of economic ties and a general rapprochement with Moscow as solutions to the country's problems. It is important to note that the integration of Belarus with Russia began even before Lukashenka came to power. In 1993, thanks to the efforts of Kebich, Belarus joined the Collective Security Treaty Organization (CSTO), a military alliance created a year earlier by Russia and several other former Soviet re-

¹⁸ Wilson, *Belarus: The Last Dictatorship in Europe*, 150.

¹⁹ Viktor Chernov, "Form of Government in Post-Communist Belarus: Evolution and the Problem of Choosing the Optimal Constitutional Model," September 24, 2004.

publics. Shushkevich, representatives of the BNF, and several other political parties opposed this move unsuccessfully,²⁰ insisting on the need to adhere to the neutrality outlined in the 1990 Declaration on State Sovereignty.

Due to internal political intrigues, Shushkevich was dismissed in January 1994. Notably, this occurred two weeks after the first, and so far only, visit of a U.S. President to Belarus.²¹ After Shushkevich's resignation, Myechyslav Hryb, considered close to Kebich, became the speaker of the Belarusian parliament. This allowed Kebich to concentrate significant power in his hands. According to many experts, Kebich felt politically confident at that time. Consequently, he supported the adoption of the constitution of Belarus in March 1994, which introduced the country's presidential post.

The first presidential elections in Belarus were held on June 23, 1994. Even a few months before the election, experts considered Kebich the apparent favorite. However, the results were unexpected. In what may be the only truly democratic presidential election in Belarusian history, Lukashenka took first place with 44.82 % of the vote, while the acting Prime Minister Kebich received only 14.17 %. The second round was a mere formality, in which Lukashenka, according to official data, received 80.34 % of the votes, thus becoming the first president of Belarus.

Experts identify different reasons for Lukashenka's victory. Alyksandr Fyaduta, then a political strategist for Lukashenka, mentions the covert support of many representatives of large businesses.²² Wilson also notes possible veiled Russian support, particularly recalling Lukashenka's speech in 1994 in the State Duma, which added to his political weight and publicity.²³ Lukashenka's victory appears to have been largely predetermined by the population's fatigue with the old, corrupt nomenklatura and the simultaneous lack of a strong demand for national revival. Using populist slogans promising a return to "everything that was good in the USSR" and capitalizing on the insufficient political strength of Kebich, Lukashenka managed to come to power. According to well-known Belarusian journalist Pavel Sharamet, Lukashenka's victory represented a delayed democratic revolution and embodied the Belarusian dream.²⁴ However, even if we

²⁰ Alicia Ivanova, "Belarus and the CSTO," Memorable Notes No. 15, *Minsk Dialogue*, April 5, 2021, <https://minskdialogue.by/research/memorable-notes/belarus-i-odkb>.

²¹ Daniel Williams and Ann Devroy, "Clinton Provokes Dispute in Visit to Belarus Purge Memorial," *The Washington Post*, January 16, 1994, <https://www.washingtonpost.com/archive/politics/1994/01/16/clinton-provokes-dispute-in-visit-to-belarus-purge-memorial/906fb2c2-1238-45cb-8c0e-d9c81184be25/>.

²² Alexander Feduta, *Lukashenka. Political Biography* (Moscow, Russia: Referendum, 2005), 130, 176. – in Russian

²³ Wilson, *Belarus: The Last Dictatorship in Europe*, 165.

²⁴ Vitaly Portnikov, "20 Years: Period of Decay or Half-life? Belarus without the USSR," *Radio Free Europe/Radio Liberty*, November 23, 2011, <https://www.svoboda.org/a/24398317.html>. – in Russian

consider this perspective, it is worth noting that very soon, for many Belarusians, the “dream” turned into a “dystopia.”

In May 1995, at the initiative of Lukashenka, Belarus held the first referendum in its history. According to the voting results, new state symbols were adopted, which differed from the Soviet ones only in minor details. Additionally, the Russian language was granted the status of a state language alongside Belarusian. The president also gained the authority to dissolve parliament early. The referendum also supported the integration of Belarus with Russia.

Soon, the situation with political and economic freedoms in the country deteriorated sharply. Lukashenka, who initially considered economic reforms, cooperation with the West, and even attempted to reduce dependence on Russian energy resources,²⁵ confirmed his intention to cement personal power, strengthen the alliance with Russia, curtail reforms, and return to a planned economy.

In the fall of 1996, Lukashenka initiated another referendum, resulting in changes to the Belarusian constitution that significantly strengthened presidential power. The vote was preceded by a new confrontation, not only with the Parliament but also with the Constitutional Court of Belarus, which deemed the president's actions illegal. In November 1996, the Parliament and the Constitutional Court considered the possibility of impeaching Lukashenka. However, primarily due to the mediation efforts of Russia,²⁶ he managed to deflect this threat. The acting Belarusian Parliament was dissolved as a result of the referendum. A new bicameral Parliament was formed from among the pro-presidential deputies: the National Assembly, consisting of the Council of the Republic and the House of Representatives. Lukashenka also gained control of the country's Constitutional Court and virtually unlimited power.

Russia congratulated Lukashenka on his success, while several Western states and international bodies, including the OSCE, the Council of Europe, and the European Union, did not officially recognize the results of the referendum and declared them illegal, citing serious procedural violations. Some politicians and researchers consider the November 1996 events in Belarus a *coup d'état*.²⁷

As for integration with Russia, Lukashenka was not a pioneer here. After brief attempts to flirt with the West,²⁸ he continued the path already outlined by his actual predecessor, Kebich. On January 6, 1995, an agreement on the Customs Union with Russia was signed. On February 21, 1995, the Treaty of Friendship,

²⁵ Wilson, *Belarus: The Last Dictatorship in Europe*, 169.

²⁶ Tatiana Snitko, “Russian PM to Meet Belarus President,” *United Press International*, November 21, 1996, <https://www.upi.com/Archives/1996/11/21/Russian-PM-to-meet-Belarus-president/4585848552400/>.

²⁷ Fabian Burkhardt, “The Standoff over Constitutional Reform in Belarus Leaves the EU and Russia on Opposite Sides of the Barricades,” *Russian Analytical Digest* 257 (October 23, 2020): 5-7, <https://doi.org/10.3929/ethz-b-000446834>.

²⁸ David R. Marples, *Belarus: A Denationalized Nation* (Amsterdam: Harwood Academic Publishers, 1999), 111.

Good Neighborliness, and Cooperation²⁹ was established, allowing Russia to maintain its military presence in Belarus until at least 2010.³⁰

It is interesting to note that at a certain stage, Lukashenka was the driving force behind integration with Russia, and it was the Russian side that slowed down the process. On April 2, 1996, Lukashenka and then-Russian President Boris Yeltsin signed an agreement establishing the Community of Belarus and Russia. The agreement provided for the creation of a Parliamentary Assembly in which Minsk and Moscow were to have equal representation.³¹ During 1996-1997, an agreement was developed to transform the Community into a Union and create a de-facto unified state. At Lukashenka's suggestion, the union agreement could have included very broad integration provisions. Thus, the formation of the Supreme Council of the Union was envisaged with the participation of the presidents of Belarus and Russia and a joint parliament with equal representation of deputies from Belarus and Russia. This was despite the fact that Russia's population at the time was 148 million people, while Belarus had 9.5 million.³² The provisions of the proposed agreement gave Lukashenka a strong chance to become the de facto ruler of the joint state of Russia and Belarus. Moreover, at that time, he enjoyed good media recognition in Russia and the support of certain Russian local political groups.

According to the memoirs of Boris Yeltsin's daughter Tatyana Yumasheva, the signing of the union agreement in this desired by Lukashenka form was halted only at the last moment in March 1997, thanks to the efforts of the then First Deputy Prime Minister of Russia, Anatoly Chubais. Chubais convinced Yeltsin to change the terms of the agreement.³³ As a result, on April 2, 1997, the Treaty on the Establishment of the Union of Russia and Belarus was nevertheless signed – but not in the form desired by Minsk. Disagreements between Lukashenka and Yeltsin led to a deterioration of the relations between Belarus and Russia for some time.

Nevertheless, the integration processes between Minsk and Moscow soon resumed. On December 25, 1998, Lukashenka and Yeltsin signed the Declaration on the Further Unity of States, which outlined the creation of a Union State and the introduction of a single currency with a centralized emission center. Then, on December 8, 1999, a full-fledged Treaty on the Establishment of the Union State was finally signed. This agreement entails the creation of several supranational bodies, the implementation of coordinated foreign and defense policies,

²⁹ Commonwealth of Independent States, "Agreements between the Governments of CIS Member States," <https://e-cis.info/cooperation/3748/86880/>.

³⁰ Wilson, *Belarus: The Last Dictatorship in Europe*, 172.

³¹ Audrius Žulys, "Towards a Union State of Russia and Belarus," *Lithuanian Foreign Policy Review*, no. 15-16 (2005): 148-169.

³² Denis Stadji, "Mustache on the Throne. How Lukashenko Tried to Become President of Russia," *DSNews.ua*, July 3, 2018, <https://www.dsnews.ua/society/usy-na-trone-kak-aleksandr-lukashenko-pytalsya-stat-prezidentom-03072018220000>. – in Russian

³³ Personal blog of Tatyana Yumasheva, <https://t-yumasheva.livejournal.com/>.

the introduction of a single currency, and other measures aimed at closer integration.

Experts cite various reasons for Lukashenka's efforts aimed at integration with Moscow. These include his desire to lead the union state himself, the advantages of economic cooperation with Russia, and the perceived support of the Belarusian population for such a political course. Nevertheless, regardless of the motivations, the legal documents regarding the creation of a joint Belarusian-Russian (or rather Russian-Belarusian) state were signed, laying a time bomb under Belarusian independence.

The end of the Twentieth and the beginning of the Twenty-first century marked the final establishment of the Belarusian authoritarian regime. During this time, a series of well-known Belarusian opposition politicians disappeared. Many Belarusian and foreign experts blamed the Belarusian authorities for these disappearances. In 2001-2002, following publications in the press that implicated the authorities in these disappearances,³⁴ protests took place in some Belarusian cities. However, these protests were limited in number and did not lead to any visible results.

In September 2001, according to official data, Lukashenka won the presidential elections for the second time, securing 75.65 % of the vote. However, the United States and the European Union did not recognize the results. Small protests ensued after the elections. In the fall of 2004, Lukashenka initiated and held the third referendum in the history of Belarus, granting himself the opportunity to participate in presidential elections an unlimited number of times. Subsequently, according to official data, Lukashenka also confidently won the third presidential election in 2006 (with 82.97 % of the vote) and 2010 (with 79.65 %). Once again, the results were not recognized by the West. This time, the elections were accompanied by significant civil protests.

The confrontation following the 2010 elections proved to be particularly intense. On December 19 of that year, an estimated 30,000 to 60,000 people gathered in the center of Minsk to express their disagreement with the official election results. The police and internal troops brutally dispersed the protest action. During the crackdown, more than 630 people were charged, including numerous opposition politicians and journalists. These events entered the history of Belarus as "Ploshcha 2010" or simply "Ploshcha"³⁵ (Square). The 2010 Belarusian elections and the forceful dispersal of protests afterward symbolized the defeat of the opposition and the consolidation of a dictatorship in the country. However, as the events of 2020 have shown, the resilience of civil society should never be underestimated.

Meanwhile, relations between Belarus and Russia were like a rollercoaster, experiencing various ups and downs. By the early 2000s, Lukashenka realized

³⁴ Asya Tretyuk, "SOBR Commander Pavlyuchenko Is Back on the Job," *BelGazeta*, July 30, 2001, http://www.belgazeta.by/ru/2001_07_30/sobytiya_otsenki/2847.—in Russian

³⁵ Andrei O. Sannikov, *My Story: Belarusian Amerikanka or Elections under Dictatorship* (Minneapolis, MN: East View Press, 2016).

that after Putin came to power in Moscow, his chances of leading the union state of Belarus and Russia were nil. Recognizing this, he began to deliberately slow down the integration processes, now viewing them as a threat to Belarusian sovereignty and, thus, to his personal power.

This, in turn, did not suit Putin, who already focused on recreating the Russian/Soviet Empire. Lukashenka's reluctance to advance further along the path of integration, coupled with economic issues such as the price of Russian oil and gas for Belarus, remained problematic. At that time, so-called gas, oil, and even milk³⁶ and meat³⁷ "wars" characterized Belarusian-Russian relations. In 2010-2011, a series of films titled "Krestniy Backa" was shown on the popular Russian TV channel NTV. According to many experts, these films were produced and broadcast at the Kremlin's order³⁸ and depicted Lukashenka in an extremely negative light.³⁹ This may have been an attempt to pressure Lukashenka into further integration with Russia, especially as his relations with the West continued to deteriorate.

Lukashenka's relations with the West remained relatively low throughout this period. Only during escalations with Russia did the Belarusian president rhetorically hint at the possibility of reestablishing ties with the EU and the U.S., attempting to demonstrate to Moscow that his foreign policy still had some maneuvering capabilities. Until 2014, Lukashenka had no genuine intention of earnestly improving relations between Belarus and the West, believing that this would require too much liberalization of the country, which he viewed as a threat to his personal reign.

The situation changed significantly in 2014 after Russia seized Crimea and started a proxy war in eastern Ukraine. By the summer of that year, Lukashenka initiated a symbolic shift towards Belarusification (promoting the Belarusian language, culture, and folk traditions) by delivering a speech in the Belarusian language on Belarus' Independence Day.⁴⁰ Many experts, including those from the Belarusian Institute for Strategic Studies, established by Lukashenka, viewed this policy as Belarus's response to Russian aggression in Ukraine. They directly stated that Belarusian interests are not identical to Russia's.⁴¹

³⁶ Ellen Barry, "'Milk War' Strains Russia-Belarus Ties," *New York Times*, June 14, 2009, <https://www.nytimes.com/2009/06/15/world/europe/15belarus.html>.

³⁷ "Russia to Toughen Rules on Meat Transit from Belarus," *Reuters*, November 24, 2014, <https://www.reuters.com/article/uk-russia-meat-idUKKCN0J818A20141124>.

³⁸ Olga Demidova, "Minsk Accused Moscow of Information War against Lukashenko," *Deutsche Welle*, July 5, 2010, <https://tinyurl.com/4wnvke9k>; Pilar Bonet, "El Kremlin Humilla al Presidente de Bielorrusia," *El Pais*.

³⁹ "The Godfather 1996-2011 All Episodes of the NTV Russia Channel," Russian TV Documentary, <https://www.youtube.com/watch?v=KDeQj8SGB40>.

⁴⁰ "Belarus Leader Switches to State Language from Russian," *BBC*, July 10, 2014, <https://www.bbc.com/news/blogs-news-from-elsewhere-28246782>.

⁴¹ Piotr Rudkouski, "Soft Belarusianisation. The Ideology of Belarus in the Era of the Russian-Ukrainian Conflict," *Ośrodek Studiów Wschodnich (OSW) im. Marka Karpia (Centre for Eastern Studies), OSW Analytical Commentary No. 253, November 3, 2017,*

During 2014–2015, Lukashenka strengthened his position and ties with the West by hosting negotiations to end the war in eastern Ukraine. These talks led to the signing of documents known as the Minsk Agreements. In February 2015, French President Emmanuel Macron and German Chancellor Angela Merkel arrived in Minsk to participate in the Ukrainian peace talks. Given Lukashenka's well-established image as Europe's last dictator, this development was hard to imagine just a year earlier.

Unlike previous elections, the 2015 presidential elections were relatively calm, with no mass opposition rallies. As expected, Lukashenka retained power, claiming a comfortable win with 83.47% of the vote. Although the OSCE reiterated the lack of democracy during the electoral process,⁴² there were no harsh US or EU statements following the election results. Moreover, shortly after the elections, some US⁴³ and European sanctions against Belarus were lifted in response to the release of several political prisoners by the authorities.

During this period, Belarus began positioning itself as a neutral country and "a donor of security in Europe." Belarusian Foreign Minister Vladimir Makei traveled to European capitals and hosted EU colleagues in Minsk. High-ranking American officials also visited the country. In August 2019, US National Security Adviser John Bolton met with Lukashenka in Minsk. At that time, the United States and Belarus planned to resume their diplomatic presence at the ambassadorial level, which had been interrupted since 2008. In December 2020, the Senate confirmed Julie Fisher as the first U.S. Ambassador to Belarus since 2008.⁴⁴

After 2014, the rhetoric of the Belarusian authorities towards the West became much friendlier, and ideological changes were noticeable. In March 2018, the authorities allowed a mass rally with long-banned white-red-white flags to commemorate the centenary of the founding of the Belarusian People's Republic.⁴⁵ In November 2019, Deputy Prime Minister of Belarus Ihar Petrishenka par-

<https://belinstitute.com/be/article/myagkaya-belorusizaciya-ideologiya-beloruskogo-gosudarstva-v-period-rossiysko-ukrainskogo>.

⁴² Organization for Security and Co-operation in Europe (OSCE), Office for Democratic Institutions and Human Rights (ODIHR), "Republic of Belarus Presidential Election, 11 October 2015," OSCE/ODIHR Election Observation Mission Final Report (Warsaw, January 28, 2016), <https://www.osce.org/odihr/elections/belarus/218981>.

⁴³ Artyom Shraibman, "Official Visit Symbolizes New U.S. Attitude to Belarus," Commentary, Carnegie Endowment for International Peace, September 3, 2019, <https://carnegiemoscow.org/commentary/79765>.

⁴⁴ U.S. Department of State, Bureau of European And Eurasian Affairs, "U.S. Relations with Belarus: Bilateral Relations Fact Sheet," August 30, 2021, <https://www.state.gov/u-s-relations-with-belarus/>.

⁴⁵ Valérie Gauriat, "Belarus: Stifled Freedoms and Glimmers of Hope," *Euronews*, April 6, 2018, www.euronews.com/my-europe/2018/04/06/belarus-stifled-freedoms-and-glimmers-of-hope.

icipated in the reburial ceremony of the remains of Kastuś Kalinoŭski, a Belarusian national hero and one of the leaders of the anti-Russian uprising of 1863, which took place in Vilnius.⁴⁶

Unfortunately, all hopes for further democratization and an alternative development path for Belarus, separate from integration with Russia, were shattered by the dramatic events of the following year.

In 2019, another aggravation of relations between Minsk and Moscow happened. Lukashenka was extremely dissatisfied with the activities of the Russian ambassador to Belarus, Mikhail Babich, who apparently tried to establish direct contacts between the leadership of Belarusian regions, large enterprises, and the Kremlin. Babich was sharply criticized even by the Belarusian Ministry of Foreign Affairs⁴⁷ and, as a result, was forced to leave Minsk after serving in the country for just over six months.

The presidential elections in Belarus, scheduled for 2020 amidst the COVID-19 pandemic—which Lukashenka dismissed as “psychosis”—initially carried a sense of intrigue. Firstly, the exact date of the elections was uncertain, with rumors suggesting it might be postponed due to the coronavirus. Secondly, several strong non-establishment candidates, including the popular blogger Siarhieŭ Tsikhanousky, banker Viktor Babarika, and ex-diplomat Valery Tsepkala, announced their intention to run.

Interestingly, all three candidates had connections with Russia. Tsikhanousky visited the temporarily occupied Crimea in 2017, violating Ukrainian laws.⁴⁸ Babarika was the head of the board of Belgazprombank, a subsidiary of the Russian state-owned energy corporation Gazprom, for over twenty years.⁴⁹ Tsepkala organized Lukashenka’s trip to Moscow when he was a candidate for the presidency of Belarus in 1994.⁵⁰

⁴⁶ “Belarus’ Vice Premier: Kastus Kalinovsky’s Figure Should Unite Nations,” *Belarus State Telegraph Agency (BELTA)*, November 22, 2019, <https://eng.belta.by/society/view/belarus-vice-premier-kastus-kalinovskys-figure-should-unite-nations-126138-2019>.

⁴⁷ Ministry of Foreign Affairs of Belarus, “Answer of the Head of the Information and Digital Diplomacy Department of the Ministry of Foreign Affairs of Belarus A. Glaz to the Question of RIA Novosti,” March 15, 2019, https://mfa.gov.by/print/press/news_mfa/f117caa7096d06f8.html.

⁴⁸ “Informnapalm: In 2017, Tikhonovsky visited annexed Crimea,” *Nasha Niva*, July 24, 2020, <https://nashaniva.com/?c=ar&i=255893&lang=ru>.

⁴⁹ Mary Ilyushina, “Belarus Strongman Faces Mass Protests after Jailing of His Main Rivals,” *CNN*, June 21, 2020, <https://edition.cnn.com/2020/06/21/europe/belarus-protests-intl/index.html>.

⁵⁰ Mikhail Broshin, “‘Cunning Man’, Former Ambassador to the USA, Creator of the HTP... Who Is Valery Tsepkalo,” *UDF.BY*, May 9, 2020, <https://ex-press.by/rubrics/politika/2020/05/09/xitryj-chelovek-byvshij-posol-v-ssha-sozdatel-pvt-kto-takoj-valerij-czepakalo.-in-Russian>

The first indications of trouble for Lukashenka appeared already in the spring. Tsikhanousky quickly gained popularity and organized mass rallies where he accused Lukashenka of various transgressions, even comparing him to a cockroach.⁵¹ Such a de-sacralisation of power clearly posed a threat to Lukashenka's regime. Additionally, several Telegram channels began to gain popularity by sharply criticizing Lukashenka and the current situation in the country. Some of these channels, among which NEXTA is the most famous, were oriented towards the West, while several others were clearly pro-Russian. DFRLab, a research lab at the American think tank Atlantic Council, identified eight popular pro-Russian Telegram channels that were spreading disinformation amid the ongoing elections.⁵²

Lukashenka addressed the problem posed by Tsikhanousky and another popular candidate, banker Viktor Babarika, using his proven methods. Both were arrested and subsequently barred from registering as candidates for the elections. Tsikhanousky faced charges of assaulting police officers, while Babarika was accused of bribery and tax evasion. Valery Tsepkala managed to avoid arrest, but he was also denied candidate registration and forced to leave Belarus.

Lukashenka may have thought the electoral field cleared, but unexpectedly, Svyatlana Tsikhanouskaya decided to run for president in place of her husband. Initially, Lukashenka did not see Tsikhanouskaya as a serious threat, publicly mocking her as a "girl"⁵³ and a "housewife."⁵⁴ Despite his dismissive attitude, Tsikhanouskaya was registered as a candidate for the elections. Perhaps Lukashenka soon regretted this decision. Pre-election meetings for Tsikhanouskaya drew tens of thousands of supporters, and polls conducted by independent online media suggested she would win by a landslide.

Before the elections scheduled for August 9, 2020, the situation in the country escalated to a critical point. Lukashenka suspected everyone, including Russia, of wanting to take power away from him. The widely publicized story of the detention of members of the Russian PMC Wagner near Minsk added to the tension.⁵⁵ Initially, Lukashenka suggested that they had been sent to Belarus to overthrow him.

⁵¹ Andrei Makhovsky, "Stop the Cockroach': Protests Rattle Belarus President Lukashenko before Election," *Reuters*, June 2, 2020, <https://www.reuters.com/article/idUSKBN23923P/>.

⁵² "Anonymous pro-Russian Telegram Channels Target Protests in Belarus," *Medium.com*, February 25, 2020, <https://medium.com/dfrlab/anonymous-pro-russian-telegram-channels-target-protests-in-belarus-16ac3d0a1a12>.

⁵³ "Lukashenka Called Tikhonovskaya and Her Associates Miserable Girls," *Reform.by*, accessed August 15, 2023, <https://reform.by/152790-lukashenko-nazval-tihanovskuju-i-ee-sorathnic-neschastnymi-devchonkami>.

⁵⁴ "'The Housewife Forgot That I Saved Her.' Lukashenko Said That Tikhonovskaya Herself Asked the Security Forces to Take Her to Lithuania," *Currenttime.tv*, October 9, 2020, <https://www.currenttime.tv/a/lukashenko-tikhonovskaya/30884592.html>.

⁵⁵ "Belarus Accuses 'Russian Mercenaries' of Election Plot," *BBC*, July 31, 2020, <https://www.bbc.com/news/world-europe-53592854>.

After the announcement of the preliminary official results, which claimed that Lukashenka won with 80 % of the votes, mass protests erupted in many cities across Belarus. In the first days of the protests, thousands of people were detained. The media and human rights groups reported widespread beatings and torture of protesters.⁵⁶ The confrontation on the streets of Belarusian cities lasted several months, but the protest movement never came to fruition. Tens of thousands of people, including many opposition leaders, were imprisoned, and many were maimed or even killed. Tsikhanouskaya, under pressure, was forced to leave Belarus and settle in neighboring Lithuania.⁵⁷ During the most difficult moments of the confrontation, Lukashenka repeatedly hinted that he might turn to Russia for help.

The U.S., EU, many Western countries, and neighboring Ukraine did not recognize the election results and condemned the violence by the Belarusian authorities. New packages of US and EU sanctions were introduced against Lukashenka and his entourage, destroying in an instant the relationships that had been building over the previous six years. Subsequently, Lukashenka still had some room for maneuver. He could have gradually eased the pressure on civil society, released some political prisoners, and started a dialogue with the opposition mediated by the EU or the OSCE. However, apparently fearing the resumption of large-scale protests in 2021, he continued to tighten the screws.

The May 2021 incident involving the forced landing of a Ryanair aircraft in Minsk gained particular resonance. On board was one of the administrators of the NEXTA Telegram channel, Raman Pratasevich. The incident, which was widely viewed as a hijacking⁵⁸ and piracy⁵⁹ conducted by the Belarusian authorities, resulted in the interruption of Belarus' air traffic with the EU and neighboring Ukraine. In response to the deteriorating civil rights situation, personal and sectoral sanctions against the Belarusian economy were introduced.⁶⁰

With limited room for maneuvering and facing serious economic challenges, Lukashenka increasingly leaned toward Russia. This move made the country's

⁵⁶ "Belarus: Systematic Beatings, Torture of Protesters. OSCE, UN Human Rights Council Inquiries Needed," *Human Rights Watch*, September 15, 2020, <https://www.hrw.org/news/2020/09/15/belarus-systematic-beatings-torture-protesters>.

⁵⁷ Mary Ilyushina and Tara John, "Belarus Opposition Candidate Flees to Lithuania amid Crackdown on Election Protests," *CNN*, August 11, 2020, <https://edition.cnn.com/2020/08/11/europe/belarus-opposition-leader-flees-intl/index.html>.

⁵⁸ Andrew Roth, "Belarus Accused of 'Hijacking' Ryanair Flight Diverted to Arrest Blogger," *The Guardian*, May 23, 2021, <https://www.theguardian.com/world/2021/may/23/belarus-diverts-ryanair-plane-to-arrest-blogger-says-opposition>.

⁵⁹ U.S. Department of Justice, Office of Public Affairs, "Belarusian Government Officials Charged with Aircraft Piracy for Diverting Ryanair Flight 4978 to Arrest Dissident Journalist in May 2021," January 20, 2022, <https://www.justice.gov/opa/pr/belarusian-government-officials-charged-aircraft-piracy-diverting-ryanair-flight-4978-arrest>.

⁶⁰ U.S. Department of the Treasury, Office of Foreign Assets Control, "Belarus Sanctions," <https://ofac.treasury.gov/sanctions-programs-and-country-information/belarus-sanctions>.

economy increasingly dependent on Russian aid and allowed for a greater presence, including military, of Moscow on Belarusian territory. However, this path ultimately led Belarus to support Russia, which in February 2022 launched a full-scale aggression against Ukraine.

Conclusions

In 1991, Belarus gained independence with a population that largely lacked a strong sense of national consciousness. From 1990 to 1994, this consciousness began to emerge, but due to the prevailing “Soviet” identity among the majority, the country gradually slid into authoritarianism and closer integration with Russia. Alyaksandr Lukashenka’s nearly 30-year rule perpetuated this trend, resulting in contradictory consequences.

Belarus followed some of the worst practices of the Soviet era, characterized by a lack of genuine electoral competition, disregard for human rights and freedoms, and a diminishing role for the Belarusian language and culture. Lukashenka was determined to maintain his supremacy in Belarus rather than becoming just another regional governor under Moscow’s authority. The period from 2014 to 2020 played a significant role in shaping the national consciousness of Belarusians. Fearing the possibility of annexation by Moscow, Lukashenka pursued a policy of soft Belarusification during this time.

The mass protests in August 2020 were likely partly influenced by Moscow, presenting a win-win situation for Russia. Understanding that Lukashenka would not relinquish power easily, Russia could benefit regardless of the outcome. By suppressing the protests, Lukashenka risked losing an alternative path for the country’s development, severing ties with the West, and limiting his room for maneuver. The West, compelled to respond harshly to evident election fraud and excessive violence, left Lukashenka with few options. Furthermore, even if the opposition gained momentum, Russia could intervene, either at Lukashenka’s request or unilaterally, under the guise of “restoring constitutional order.”

The history of relations between Lukashenka and Putin suggests the existence of a political contract aimed at keeping Belarus within Russia’s sphere of influence. However, both parties have, at times, violated or attempted to violate this agreement. Lukashenka may perceive Russian information campaigns against him, trade disputes instigated by Moscow, Ambassador Babich’s efforts to exert direct control in Belarus, and Kremlin-backed candidates participating in Belarusian elections as breaches of the contract. Conversely, from Russia’s perspective, Lukashenka’s attempts to forge relations with the West and promote Belarusian identity (soft Belarusification) from 2014 to 2020 likely contravened the terms of the agreement.

The events of 2020 and the subsequent Russian aggression in Ukraine have undoubtedly altered the terms of the contract between Minsk and Moscow (Lukashenka and Putin). The nature of this revised agreement has been explored in the third section of this article.

Lukashenka's nearly 30-year tenure has plunged Belarus into an incredibly challenging political, economic, and military predicament. By permitting a substantial presence of Russian troops and enabling armed aggression from Belarusian soil, Lukashenka has endangered not only his own future but also the independence of the entire country. However, as Giselle Bosse pointed out, part of the responsibility for the situation in Belarus rests with the West, which often chose reactive measures over proactive ones in its relations with the country.⁶¹

The war between Russia and Ukraine may persist for an extended period or come to an abrupt end due to various factors, such as a successful offensive by one of the sides or a collapse in the Russian leadership caused by the death of the ruler and/or military defeats.

Without significant success on either side, the continuation of the war could lead to further erosion of Belarusian sovereignty, with the country increasingly falling under the Kremlin's jurisdiction. Over time, Lukashenka may be compelled to make additional concessions to Moscow, relinquishing certain aspects of his authority and permitting greater presence of Kremlin agents in Minsk's corridors of power in exchange for Russia's economic, political, and military support.

In the foreseeable future, this trajectory could culminate in the complete absorption of Belarus by Russia, resulting in the loss of its formal independence. Minsk might emerge as a consolation prize for the Kremlin in the event of unfavorable developments in Ukraine or as an easy target following a potential Russian victory in Ukraine.

Regrettably, many scenarios offer scant hope for Western intervention to save Belarus. With Russian troops stationed on Belarusian soil, Moscow has the capabilities to employ them not just against Ukraine but also to seize control in Minsk and annex the country. Such a move would extend Russia's immediate border with NATO, posing a substantial threat to Europe and the wider world and may lead to a new, even larger-scale war.

Nevertheless, scenarios and potential inflection points exist where a change of leadership in Belarus, its democratization, and its disentanglement from Moscow become plausible. These scenarios all hinge on various outcomes favoring Ukraine and the restoration of its internationally recognized borders as they stood in 1991. Thus, to safeguard Belarus from Russian influence, it is imperative to take every conceivable measure to secure Ukraine's victory. The West must reject any compromise solutions to the conflict, as doing so would signal weakness to the Kremlin and possibly embolden Russia to seek compensation for its losses in Ukraine at the expense of Belarusian sovereignty.

There are no magic recipes to pull Belarus out of Russia's sphere of influence immediately, nor is it the aim of this article to provide such recipes. Nevertheless, it is possible to highlight a few fundamental steps that could be beneficial in this regard.

⁶¹ Giselle Bosse, "Authoritarian Consolidation in Belarus: What Role for the EU?" *European View* 20, no. 2 (2021): 201-210, <https://doi.org/10.1177/17816858211061839>.

Securing a military or diplomatic victory for Ukraine in the ongoing war is essential for preserving Belarusian statehood. Furthermore, to ensure the preservation of Belarusian statehood and facilitate its democratization, such a victory should lead to dismantling or significantly weakening the Putin regime.

Simultaneously, alongside providing military assistance to Ukraine, a comprehensive strategy for Belarus should be urgently developed and implemented. This strategy should focus on strengthening engagement with the Belarusian opposition, making concerted efforts to unite its political and military factions. A united opposition would be better positioned to assume power when the opportune moment arises. Additionally, there is a need to significantly bolster informational efforts in this direction by enhancing support for independent Belarusian media outlets. There may even be merit in establishing an analog of “Voice of America” specifically tailored for the Belarusian audience.

The West must also be prepared to act decisively when the Russian government is weakened and can no longer support its Belarusian ally. At such times, there is a real possibility that the Belarusian people, the majority of whom aspire to democracy and freedom, will have their opportunity to prevail.

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The Impact of the Russian-Ukrainian Hybrid War on the European Union's Cybersecurity Policies and Regulations

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Abstract: While Russia transitioned from hybrid to conventional warfare in Ukraine, NATO recognized cyberspace as another domain where allied response can be invoked. The European Union also decided to enhance the cybersecurity capabilities of the organization and its member states, making social resilience a priority area. It is recognized that the security of cyberspace and related systems is not just an economic issue but one that affects the whole society, necessitating a more complex strategy and regulation. The EU has taken steps to mitigate the cyber risks associated with hybrid warfare, enhancing network and cognitive security. However, offensive cyber operations could increasingly lead to open armed conflict. During existing conflicts, some cyber operations may undermine public confidence and further escalate the situation. The EU and its Member States must pay closer attention to escalation dynamics in their legislation and practices. It is crucial to scrutinize cyber policies, set specific targets and deadlines, and regularly update them. This will require stakeholders to find the appropriate regulatory levels and align national regulations, practices, and standards.

Keywords: hybrid warfare, cognitive warfare, cybersecurity, European Union, NATO, resilience.

Introduction

Russia's armed attack on Ukraine in February 2022 shaped the European Union's conception of security. In many ways, it can be seen as the culmination of a long-standing conflict that preceded it. The hybrid conflict, which persisted for almost a decade before the large-scale war, also influenced and actively shaped the EU's

security concept.¹ The evolving attitudes and regulations towards cybersecurity have been an intrinsic part of this transformation. The high degree of digitalization in Member States and their societies has made them extremely vulnerable in cyberspace.

It is important to emphasize that, in the context of this study, cybersecurity is a category that encompasses two broad areas: network security and cognitive security. Network security refers to the protection of data in electronic information systems and the systems that manage it,² including software, hardware, and human actors. Cognitive security means resilience against cognitive hacking. Cognitive hacking tools include fake news, deepfakes, and disinformation, among others, which are cyberattacks that exploit psychological vulnerabilities to ultimately compromise logical and critical thinking and lead to dissonance.³ Attacks may be motivated by nation-state geopolitical aspirations, ideological and extremist views, or even economic motives. The Russian hybrid action related to the “yellow vests” protests in France is a typical example. Avaaz examined the top 100 most viewed fake news stories on Facebook from November 2018 to March 2019 related to the protest. These stories covered political anti-establishment (28%), police brutality (27%), unrealistic and fabricated support for the movement (19%), state censorship (14%), uncontrolled immigration, racism and xenophobia (10%) and some uncategorized issues (2%).⁴ Russia actively participated in spreading fake news, publishing these stories in German, Spanish, Dutch, Polish, Swedish, and Italian. Astonishingly, the 100 fake stories examined were shared by more than four million people and viewed by over 105 million. The central body of the disinformation campaign, RT France, generated more than 30 million hits during this period.⁵ This data alone demonstrates the effectiveness of such a hybrid disinformation campaign. Adding the speed at which

¹ James K. Wither, “Hybrid Warfare Revisited: A Battle of ‘Buzzwords’,” *Connections: The Quarterly Journal* 22, no. 1 (2023): 7-27, <https://doi.org/10.11610/Connections.22.1.02>.

² Muha Lajos and Krasznay Csaba, *Az elektronikus információs rendszerek biztonságának menedzselése [Managing the Security of Electronic Information Systems]* (Budapest: Nemzeti Közszolgálati Egyetem, 2019), 11, <https://tudasportal.uninke.hu/xmlui/handle/20.500.12944/12932>. – in Hungarian

³ Kevin Matthe Caramancion, Li Yueqi, Elisabeth Dubois, and Ellie Seo Jung, “The Missing Case of Disinformation from the Cybersecurity Risk Continuum: A Comparative Assessment of Disinformation with Other Cyber Threats,” *Data* 7, no. 4 (2022): 49, <https://doi.org/10.3390/data7040049>.

⁴ “Yellow Vests Flooded by Fake News: Over 100M Views of Disinformation on Facebook,” *Avaaz Report*, March 15, 2019, accessed October 12, 2023, 5-6, www.politico.eu/wp-content/uploads/2019/03/AVAAZ_YellowVests_100miofake.pdf.

⁵ Jarmo Makela, “Countering Disinformation: News Media and Legal Resilience,” Hybrid CoE Paper 1, Workshop organized by the Hybrid CoE and the Media Pool, part of the Finnish Emergency Supply Organization, April 24-25, 2019 (Helsinki, Finland: The European Centre of Excellence for Countering Hybrid Threats, November 2019), 10-13, https://www.hybridcoe.fi/wp-content/uploads/2020/07/News-Media-and-Legal-Resilience_2019_HCPaper-ISSN.pdf.

each piece of content spreads makes the scale of the problem even more apparent. For example, one fake post depicted civilians with bleeding heads, claiming they were victims of police brutality. Published on November 20, 2018, this post was quickly shared by 136,000 people and viewed by more than 3.5 million people. It was later revealed that the pictures were taken in various countries at different times, and the compilation aimed to depict police brutality, radicalize the protesters and stir solidarity among societies in France and other states.⁶ Cognitive security has, therefore, become an intrinsic part of cybersecurity, significantly due to Russian hybrid activities and the rise of social media. The primary difference between network security and cognitive security lies in their targets: while classical cyberattacks focus on IT systems, cognitive attacks aim at sub-complexes of the social totality. These two areas are not always sharply separated. They often complement each other to enhance overall effectiveness.

Hybriditý's cyberspace-connected toolbox has made it possible to attack not only the (social) networks of the states involved in the hybrid conflict but also those of geopolitical adversaries. In the case of these hybrid threats, the likelihood of open military confrontation is relatively low. Instead, using hybrid assets intends to assert the interests at stake in the geopolitical contest and weaken opposing interest groups.⁷ The Russian state employs a very advanced hybrid warfare. According to Makhmut Gareev, Russia aims to achieve political objectives through information warfare without resorting to military force. This creates so-called controlled chaos in the targeted state. Gerasimov added that the ultimate goal is to destroy the self-organizing capacity of the attacked state.⁸

As a result, although EU Member States were not directly involved in the Russian-Ukrainian hybrid conflict and war, their networks have been under attack, necessitating serious steps to enhance their cybersecurity. In this paper, I will examine the measures the EU has been compelled to take in the field of cybersecurity (network and cognitive security) due to the events between Russia and Ukraine. The study focuses on two periods: the decade before the outbreak of the large-scale Russian aggression, characterized primarily by hybrid conflict, and the period immediately before and during the war.

EU Responses to the Challenges of the Hybrid Conflict Period

In the early 2010s, the European Union recognized the necessity of intervention in the field of cybersecurity. The problem is inherently cross-border and affects the entire community. Without cooperative, supportive, guiding, coordinating,

⁶ Avaaz Report "Yellow Vests Flooded by Fake News," 21-22.

⁷ Ádám Farkas, *A védelem és biztonság-szavatolás szabályozásának alapkérdései Magyarországon* (Budapest: Magyar Katonai Jogi és Hadijogi Társaság, 2022), 35.

⁸ Katri Pynnöniemi, "The Concept of Hybrid War in Russia: A National Security Threat and Means of Strategic Coercion," *Hybrid CoE Strategic Analysis 27*, Hybrid CoE, May 18, 2021, 4-5, <https://www.hybridcoe.fi/publications/hybrid-coe-strategic-analysis-27-the-concept-of-hybrid-war-in-russia-a-national-security-threat-and-means-of-strategic-coercion/>.

and facilitating joint action, member states cannot effectively address the long-term cybersecurity problems and challenges.⁹

The Commission and the High Representative for Foreign Affairs and Security Policy jointly developed the EU's cybersecurity strategy. The strategy presents an almost utopian vision of cyberspace,¹⁰ reminiscent of the early 2000s during the emergence of Web 2.0. In this vision, cyberspace promotes political and social integration, breaks down barriers between countries, communities, and citizens,¹¹ and is a place where freedom and fundamental rights are upheld. One of the key elements of the EU's international cyber policy is to ensure that cyberspace remains a place of freedom and fundamental rights.¹² The strategy has established that cyberspace can only fulfill its mission if the EU's traditional norms are fully respected.¹³ It also outlined five strategic priorities to implement these principles:

1. achieving resilience against cyber-attacks
2. drastically reducing cybercrime
3. developing cyber defense policy and capabilities for the Common Security and Defence Policy (CSDP)¹⁴
4. Developing cybersecurity industrial and technological resources
5. Establishing a coherent international policy for the European Union in cyberspace and promoting the Union's core values.¹⁵

The cybersecurity strategy broadly outlines the motives for cyberattacks, including criminal acts (by individuals or groups), terrorism, politically motivated attacks, and state-sponsored cyberattacks. The European Union has developed

⁹ Helena Carrapico and Andre Barrinha, "European Union Cyber Security as an Emerging Research and Policy Field," *European Politics and Society* 19, no. 3 (2018): 299-303, <https://doi.org/10.1080/23745118.2018.1430712>.

¹⁰ Gergely Gosztonyi, "Aspects of the History of Internet Regulation from Web 1.0 to Web 2.0," *Journal on European History of Law* 13, no. 1 (2022): 168-173.

¹¹ Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace" (Brussels: European Commission, February 7, 2013), Join(2013) 1 final, 2, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52013JC0001>.

¹² "Cybersecurity Strategy of the European Union" (2013), 17.

¹³ "Cybersecurity Strategy of the European Union" (2013), 4.

¹⁴ László Knapp, "A terrorizmus elleni küzdelem az Európai Unió jogában: A terrortámadásra adandó válasz a szolidaritási és a kollektív védelmi klauzula tükrében [The Fight against Terrorism in the Law of the European Union: The Response to a Terrorist Attack in the Light of the Solidarity and Collective Defense Clause]," in *A terrorizmus elleni küzdelem aktuális kérdései a XXI. Században [Current issues of the fight against terrorism in the XXI. Century]*, ed. Róbert Bartkó (Budapest: Gondolat Kiadó, 2019), 119-136, <https://dfk-online.sze.hu/a-terrorizmus-elleni-kuzdelem-aktualis-kerdesei-a-xxi-szazadban>. – in Hungarian

¹⁵ "Cybersecurity Strategy of the European Union (2013)," 5.

legal norms to deal more robustly and effectively with cybercrime and cyberterrorism. However, regarding cyberspace activities that affect international law—such as cyberattacks and their attribution, cyber sovereignty, armed attacks, and state self-defense—the strategy states that “the Union does not expect the creation of international legal instruments on cyberspace issues.”¹⁶ The consequences of this erroneous position became evident by the end of the decade, especially during the Russian-Ukrainian confrontation and the war that broke out in February 2022. The conflict highlighted the need for robust international legal instruments in cyberspace, given the extensive use of hybrid warfare tools. In response, the EU launched its cyber diplomacy toolbox to at least partially remedy this shortcoming.

The 2013 strategy fails to adequately capture the unique characteristics of cyberspace, which differs significantly from the traditional physical space. As a result, it does not provide a clear framework for applying EU core values specifically to cyberspace, nor does it address the distinct attributes of cyberspace that are only perceptible within that realm.¹⁷ Furthermore, due to the cross-border nature of cyberspace and the differing regulatory frameworks among EU Member States, it has been deemed unfeasible for the EU to develop centralized European oversight. Therefore, the responsibility for cybersecurity initiatives remained primarily with individual Member States and the private sector.¹⁸ The European Union’s approach has been criticized as counterproductive, particularly because achieving harmonization of regulations has been identified as its primary objective during this period. This objective necessitates either the establishment of a central EU institution with a broader mandate than ENISA,¹⁹ or enhancing ENISA’s capabilities to coordinate national authorities’ activities and develop and implement a unified protection protocol. The EU’s initial position is seen as flawed, but efforts are underway to move beyond it. Factors such as the growing influence of social media platforms, their commercial practices, and their implications for security and society,²⁰ as well as the proliferation of hybrid

¹⁶ “Cybersecurity Strategy of the European Union (2013),” 18.

¹⁷ Such features include the redefinition of concepts of geometric space, overcoming traditional notions of geographical distance, the delimitation of internal and external cyberspace, and the use of layering theories (which are essential for identifying regulatory objects). Additionally, it involves overriding the linear or hyper-differentiated nature of norms and learning (becoming super-hyper-differentiated), the metamorphosis of social relations (such as increased capacity for syndication and the malleability of social networks), and the relativization of the concept of time. There are also changes in the subject of fundamental rights (e.g., data, assets in games), their characteristics (with social media becoming the most important space for freedom of expression), and their limits (e.g., private curation).

¹⁸ “Cybersecurity Strategy of the European Union (2013),” 19.

¹⁹ European Union Agency for Cybersecurity.

²⁰ Enikő Kovács-Szépölggyi, “A digitális gyermekvédelem egyes aspektusai [Some Aspects of Digital Child Protection],” in *Széchenyi István Egyetem Új Nemzeti Kiválóság*

scenarios from Russia and China in recent years, have contributed to this reassessment. Nevertheless, recognizing the importance of securing cyberspace to safeguard traditional spaces represented a significant step forward.

The illegal annexation of Crimea and the Russian support to separatists in Donbas in 2014-15, and their cyberspace consequences, compelled the EU to take action. In 2015, the Council of the European Union issued its *Conclusions on Cyber Diplomacy*, highlighting cybersecurity, human rights, international law, and the rule of law in cyberspace as persistent challenges for the Common Foreign and Security Policy. The Council emphasized that these challenges could only be addressed through a comprehensive, multifaceted, and coherent international cyberspace policy. Meanwhile, it stressed the importance of promoting and protecting a single, open, free, and secure cyberspace that can only be achieved by fully respecting the EU's core values of democracy, human rights, and the rule of law. To this end, the document stated that a coherent and comprehensive EU approach to cyber diplomacy is needed, and it was approved two years later.²¹ The goals set, such as preserving fundamental values, respect for freedoms, gender equality, competitiveness, and prosperity, also highlighted significant differences in the understanding of cybersecurity between Western and Eastern states, which were already becoming increasingly evident as geopolitical faultlines.

Following Russia's actions against Ukraine, the European Union also recognized the importance of addressing hybridity, including disinformation. In response, it established the East StratCom Task Force in 2015 to enhance the EU's capacity to anticipate, detect, and respond to disinformation produced by external actors.

The Commission's 2016 communication, including on cyberspace, highlighted that, despite positive developments, the EU remains vulnerable to cybersecurity incidents. It emphasized that cyberspace-based operations, often tools of hybrid attacks, pose significant dangers.²² These attacks, executed by perpetrators of hybrid threats, "could even lead to the destabilization of countries or political institutions."²³

Program Tanulmánykötet 2021/2022 [István Széchenyi University New National Excellence Program Study Volume 2021/2022] (Győr: Széchenyi István Egyetem, 2022), 227-236, https://tud.sze.hu/images/%C3%9ANKP/2021-2022/UNKP_2022_0725_Tanulma%CC%81nyko%CC%88tet%20beli%CC%81v.pdf. – in Hungarian

²¹ Council of the European Union, "Council Conclusions on Cyber Diplomacy," 6122/15, Brussels, February 11, 2015 (OR. en), <https://data.consilium.europa.eu/doc/document/ST-6122-2015-INIT/en/pdf>.

²² European Commission, High Representative of the Union for Foreign Affairs and Security Policy, "Joint Communication to the European Parliament and the Council – Joint Framework on Countering Hybrid Threats; a European Union Response," JOIN/2016/018 final/3, point 4.4 Cybersecurity, Brussels, April 6, 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016JC0018>.

²³ "Opinion of the European Economic and Social Committee on the 'Communication to the European Parliament, the Council, the European Economic and Social Committee

It is no coincidence that the EU felt the need to adapt and update the 2013 strategy, leading to its finalization in 2017. The introduction to the strategy states that threats have grown exponentially over the years, and cybersecurity is fundamental for keeping our everyday lives safe. Cyberattacks can be attributed to state and non-state actors, blurring the line between traditional and cyberspace security actors. The strategy stresses that some states are imposing their geopolitical interests through cyberspace operations and warns that unless the EU can significantly improve its cybersecurity, the risk will increase with the expansion of digitalization. The strategy asserts that EU resilience to cyberattacks is a realistic goal if a number of objectives are achieved: strengthening ENISA; full implementation of the NIS Directive;²⁴ rapid emergency response as a key to resilience; enhancing research and development; building a cyber skills base, i.e., by strengthening education; and promoting cyber hygiene and awareness.²⁵

In 2017, two years after the declaration of a single EU Cyber Diplomacy, the Council of the European Union launched the Cyber Diplomacy Toolbox, the EU's instrument for a common response to malicious cyber activities. This toolbox is designed to prevent conflict, mitigate cybersecurity threats, and stabilize international relations. The EU diplomatic response aims to be proportionate to the scope, scale, duration, intensity, complexity, sophistication, and impact of any cyber activity. The toolbox was further detailed in 2019 through a Council Regulation and Decision. These rules apply in the event of a cyberattack with significant external impact or an attempted cyberattack against the EU or one of its Member States. Unlawful activities that access, interfere with, or monitor an information system are considered attacks. Attacks on critical infrastructure, systems providing essential social and economic activities, systems providing critical government functions, and governmental response teams, among others, are considered malicious. To determine significant impact, factors such as the scope and scale of disruption, the number of natural or legal persons, entities, and Member States attacked, the economic loss caused, and the amount and scale of data assets affected are examined. This allows the Union to prevent perpetrators of such attacks from entering or transiting the territory of the Union, as well

and the Committee of the Regions: Strengthening Europe's Cyber Resilience System and Fostering a Competitive and Innovative Cybersecurity Industry' (COM(2016) 410 final)," Document 52016AE4559, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016AE4559>.

²⁴ "Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 Concerning Measures for a High Common Level of Security of Network and Information Systems across the Union," <https://eur-lex.europa.eu/eli/dir/2016/1148/oj>.

²⁵ European Commission, "Joint Communication to the European Parliament and the Council – Resilience, Deterrence and Defence: Building Strong Cybersecurity for the EU (JOIN/2017/0450 final)," Document 52017JC0450, Brussels, September 13, 2017, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=JOIN:2017:0450:FIN>.

as freezing funds and economic resources in their possession.²⁶ These provisions strongly express the Union's intention to sanction external attackers in response to the proliferation of attacks in the second half of the 2010s. The EU acted decisively by creating a legal regime that uses a cyber diplomacy toolbox and sanctions through the Common Foreign and Security Policy. In July 2020, the Council of the European Union imposed sanctions on Russian, Chinese, and North Korean hackers involved in cyberattacks such as the “Wannacry” and “NotPetya” attacks. Additionally, in October 2020, sanctions were imposed on Russian hackers involved in the cyberattacks on the German Parliament in 2015, with eight individuals and four organizations sanctioned.²⁷

In 2018, the EU adopted an action plan against misinformation, allocating shared competences between national and EU institutions. The coordinated response is based on four pillars:

- (1) Improving the capacity of EU institutions;
- (2) Coordinated response to misinformation;
- (3) Mobilizing the private sector;
- (4) Improving societal resilience.

The plan called for bolstering EU bodies that could contribute to these efforts, establishing an alert system capable of real-time reporting of disinformation activities, and designating contact points within member states. By mobilizing the private sector, the document emphasized the role and responsibility of platforms, highlighting their previous inadequacies in addressing the problem effectively.²⁸

In line with the Action Plan, a Rapid Alert System was established in 2019 to facilitate the exchange of information and coordinate the actions of national and EU institutions against disinformation. This system involves a network of 27 national contact points designed to coordinate efforts and share best practices. However, sharing competences among different entities can complicate prob-

²⁶ “Council Regulation (EU) 2019/796 of 17 May 2019 Concerning Restrictive Measures against Cyber-Attacks Threatening the Union or Its Member States,” <https://eur-lex.europa.eu/eli/reg/2019/796/oj>; “Council Decision (CFSP) 2019/797 of 17 May 2019 Concerning Restrictive Measures against Cyber-Attacks Threatening the Union or Its Member States,” <https://eur-lex.europa.eu/eli/dec/2019/797/oj>.

²⁷ Miftahul Khauser and Abdul Rivai Ras, “Establishment of the Cyber Diplomacy Toolbox (CDT) as a Joint Diplomatic Response to the European Union against the Threat of Cyber Attack Activity,” *Politicon – Jurnal Ilmu Politik* 5, no. 1 (2023): 29-58, <https://journal.uinsgd.ac.id/index.php/politicon/article/view/14833>.

²⁸ European Commission, “Joint Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions – Action Plan against Disinformation,” JOIN(2018) 36 final, Brussels, December 5, 2018, <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52018JC0036>.

lem-solving, and the national toolbox remains the primary resource for addressing these issues.²⁹ The COVID-19 pandemic brought the issue of disinformation, generating a so-called infodemic, to the forefront. This situation highlighted the need for the EU to distinguish between different forms of false or misleading content, such as illegal and harmful but not illegal content. Disinformation, in the case of the latter, refers to false or misleading information published with the intent to deceive, harm the public interest, or cause economic damage. The previous Action Plan, the Code of Practice, and the practices of the Rapid Reaction Team form the foundation for addressing disinformation activities.³⁰ However, platform providers responsible for implementing measures to combat disinformation on their platforms remain the primary actors.

In December 2020, the European Commission presented an Action Plan for Democracy in Europe, with its fourth point focusing on the fight against disinformation. This part of the plan emphasizes the need for closer cooperation with the private sector, civil society, academia, and the EU's international partners to understand better and counter hybrid threats. The document criticizes platforms for the opacity of their algorithms and their news practices – issues identified during the evaluation of the Code of Practice. The Commission believes that a stronger and clearer commitment from platform providers and an approach based on an appropriate oversight mechanism are essential to effective action against disinformation.³¹ In line with the Action Plan, in 2020, the Commission proposed the Digital Services Act (DSA), which was adopted in Fall 2022. The DSA aims to create a safe, predictable, and trustworthy online environment that respects the rights enshrined in the Charter of Fundamental Rights.

EU Cybersecurity Actions in the Shadow of the Russia-Ukraine War

By the end of 2020, the European Union has displayed a clear intention to strengthen integration in the field of cybersecurity. The new strategy is a very strong and open statement that the European Union as a whole recognizes the problems of cyberspace. According to the strategy, “cybersecurity is an integral part of the security of Europeans... Transport, energy, health, telecommunica-

²⁹ Makela, “Countering Disinformation: News Media and Legal Resilience,” 15.

³⁰ European Commission, “Joint Communication to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions Tackling COVID-19 disinformation – Getting the Facts Right,” JOIN(2020) 8 final, Brussels, June 10, 2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020JC0008>.

³¹ European Commission, “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – On the European Democracy Action Plan,” COM(2020) 790 final, Brussels, December 3, 2020, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN>.

tions, finance, security, space, defense and democratic processes are highly dependent on increasingly interconnected network and information systems.”³² The COVID-19 pandemic has reinforced these trends, accelerating the digitalization of work.³³ Supply chain failures in back-end technology pose a significant problem and have led to geopolitical tensions. The growing number of malicious attacks on critical infrastructures in recent years is also of concern. They obstruct the use of online services and ultimately cause economic damage. There is significant latency in addressing these issues, and the percentage of successful crime detection remains low. The Strategy further states that cybercrime is growing while cyber readiness and cyber awareness among businesses and individuals are low. Additionally, there is a significant lack of cybersecurity skills in the workforce. This deficiency is not only the responsibility of the Member States but also of the EU. Few programs help individuals to catch up. However, most existing initiatives take a holistic approach, which may not effectively address the need to improve cybersecurity skills.³⁴

The EU has come a long way in the last decade. Initially, the focus was primarily on the economic impact of cyber threats. There is now a clear recognition that cybersecurity is a societal problem that demands comprehensive attention. What remains less visible is the understanding that cybersecurity is not solely a technological issue; it requires a multidisciplinary approach combining education, research, and normative regulation.

Building on the achievements of previous strategies, the EU sees the use of three main instruments—regulatory, investment, and policy—as essential for action in three areas:

1. resilience, technological sovereignty, and leadership;
2. operational capacity building for prevention, deterrence, and response;
3. promoting a global and open cyberspace.³⁵

Implementation will be linked to major digital investments over the next seven years, integrating a range of incentives, obligations, and benchmarks, with a focus on artificial intelligence, encryption, and quantum computing. The European Defence Fund (EDF) will be among the main vehicles in this process. The

³² European Commission, “Joint Communication to the European Parliament and the Council – The EU’s Cybersecurity Strategy for the Digital Decade,” JOIN/2020/18 final, Brussels, December 16, 2020, 1, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52020JC0018>.

³³ Ferencz Jácint, “Blokchain-rendszerű megoldások a munkaviszonyban [“Blockchain-based solutions in the employment relationship],” *Erdélyi Jogélet [Transylvanian Law Society]* 1, no. 4 (2020): 21-28, <https://doi.org/10.47745/ERJOG.2020.04.02>.

³⁴ European Commission, “Joint Communication to the European Parliament and the Council – The EU’s Cybersecurity Strategy for the Digital Decade,” 1-4.

³⁵ European Commission, “Joint Communication to the European Parliament and the Council – The EU’s Cybersecurity Strategy for the Digital Decade,” 5.

three main areas can be broken down into sub-areas. Resilience, technology sovereignty, and leadership are based on:

- a) resilient infrastructure and critical services;
- b) the creation of a European cyber shield;
- c) an ultra-secure communications infrastructure;
- d) securing next-generation mobile broadband networks;
- e) a secure post-Internet of Things (IoT) environment;
- f) greater global cybersecurity;
- g) a more robust presence in the technology supply chain;
- h) an EU workforce with cyber skills.³⁶

Some of these objectives seem feasible at the EU level, such as transforming the regulatory environment (e.g., the NIS2³⁷ Directive and DORA³⁸ Regulation, the Digital Agenda), enhancing social resilience, and developing individual programs. However, some of the language, such as “ultra-secure system,” “European cyber shield,” and “increasing the security of the global internet,” appears propagandistic and beyond the community’s influence and therefore does not seem to be realistic objectives.

Operational capacity building for prevention, deterrence, and response will include:

- a) a common cybersecurity unit;
- b) addressing cybercrime;
- c) active use of the EU cyber diplomacy toolbox;
- d) development of cyber defense capabilities.

The creation of a joint cybersecurity unit marks a new departure, as the EU has previously been reluctant to establish such a body. The document emphasizes that this would significantly enhance the European response to cybersecurity crises. A joint cybersecurity unit would serve three main purposes: improving the preparedness of cybersecurity communities, enhancing situational aware-

³⁶ European Commission, “Joint Communication to the European Parliament and the Council – The EU’s Cybersecurity Strategy for the Digital Decade,” 6-14.

³⁷ “Directive (EU) 2022/2555 of the European Parliament and of the Council of 14 December 2022 on Measures for a High Common Level of Cybersecurity across the Union, Amending Regulation (EU) No 910/2014 and Directive (EU) 2018/1972, and Repealing Directive (EU) 2016/1148 (NIS 2 Directive),” PE/32/2022/REV/2, <https://eur-lex.europa.eu/eli/dir/2022/2555/oj>.

³⁸ “Digital Operational Resilience Act (DORA) – Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on Digital Operational Resilience for the Financial Sector and Amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011,” <https://eur-lex.europa.eu/eli/reg/2022/2554/oj>.

ness through better information sharing, and strengthening the coordinated response.³⁹ In conclusions issued by the Council of the European Union in October 2021, it was confirmed that the Member States agree to set up such an institution, although joining it would be voluntary.

In promoting global and open cyberspace, the EU aims to take the lead in establishing and enhancing standards, regulations, and frameworks for cyberspace. However, this ambition seems utopian given the EU's current geopolitical role, as the US and China have significantly greater resources in this area. Additionally, the EU seeks to move towards creating voluntary, non-binding norms for responsible state behavior under the auspices of the UN. This plan, however, is unlikely to lead to substantial changes, as the absence of real sanctions means that ad hoc power and political interests would likely override the code of conduct. Other points, such as cooperation, strengthening partnerships, and increasing resilience globally, are recurring themes and do not present anything new.⁴⁰

The new cybersecurity strategy represents a major shift towards a more realistic approach, particularly in recognizing the need to create a common entity. However, some goals remain utopian, possibly due to the EU's misjudgment of its geopolitical positioning and global realities. Nevertheless, the new regulation could lead the community toward more effective operational cybersecurity.

The outbreak of the war has led to increased cooperation between NATO and the EU, yielding significant results in cybersecurity, often articulated in military terms. Thus, the central theme of the 2022 NATO summit in Madrid was the Russian-Ukrainian war, support for Ukraine, and finding a solution to the war. The final document emphasized strengthening the strategic partnership while respecting the integrity of both organizations, reinforced by their joint commitment and response to Ukraine. Cyberspace remained a central theme. The summit's communique stated that cyber, space, hybrid, and other asymmetric threats, along with the malicious use of new and disruptive technologies, must be addressed in cooperation.⁴¹ The two organizations are committed to continuing their support for Ukraine against Russia, including the provision of non-lethal defense equipment to enhance Ukraine's cyber defense and resilience.⁴² With the Russia-Ukraine war, energy security has become a priority. They aim to accelerate the Alliance's adaptation and increase resilience to cyber and hybrid threats by deploying political and military instruments in an integrated manner.

³⁹ European Commission, "Joint Communication to the European Parliament and the Council – The EU's Cybersecurity Strategy for the Digital Decade," 14-22.

⁴⁰ European Commission, "Joint Communication to the European Parliament and the Council – The EU's Cybersecurity Strategy for the Digital Decade," 22-28.

⁴¹ NATO, "Madrid Summit Declaration," issued by NATO Heads of State and Government participating in the meeting of the North Atlantic Council in Madrid, June 29, 2022, articles 6, 15, https://www.nato.int/cps/en/natohq/official_texts_196951.htm.

⁴² "Madrid Summit Declaration," point 8.

NATO is on the way to strengthen significantly its cyber defenses through enhanced civil-military cooperation and expanded partnerships with industry.⁴³ These issues are partially reflected, for example, in the NIS2 regulation, where a significant part of the infrastructure involved is intended to ensure the cybersecurity of supply chains.

At the Madrid summit, the Alliance announced its new Strategic Concept, which outlines five key goals and principles.

1. NATO is determined to defend the freedom and security of allies against threats from all directions.
2. The Alliance is essential to the region's security, founded on the values of individual freedom, human rights, democracy, and the rule of law. These principles align with the aims and principles of the European Union.
3. NATO is a unique and indispensable platform for coordinating and acting on individual and collective security issues. Its commitment to security, solidarity, and mutual defense is indivisible.
4. The Alliance's deterrence and аеоехяе capabilities are the backbone of this commitment.
5. NATO has three core functions: deterrence and defense, crisis prevention and management, and cooperation for security.

NATO will enhance its individual and collective resilience and increase its technological advantage, crucial to the Alliance's core tasks.⁴⁴ All post-2018 documents emphasize the common transatlantic values that form the basis of the alliance and the importance of cooperation with the European Union. These documents analyze the security environment and highlight how hostile authoritarian states exploit the interconnectivity, openness, and high degree of digitalization characteristic of NATO states to engage in malicious activities in cyberspace, including disinformation. Russia, identified as the most significant and immediate threat in the Euro-Atlantic, employs traditional, cyber, and hybrid means against the Alliance. Cyberspace is recognized as an area of particular importance, as malicious actors seek to destroy critical infrastructure, disrupt government services, obtain intelligence, steal intellectual property, and obstruct NATO military activities.⁴⁵

In line with the spirit of the Final Document, the European Union took significant steps to strengthen Ukraine's cybersecurity following the outbreak of the war. From March 2022 till February 2023, the EU allocated nearly € 11 million for that purpose. Its primary aim was to support the cyber and data security needs

⁴³ "Madrid Summit Declaration," art. 10.

⁴⁴ "NATO 2022 Strategic Concept," adopted by Heads of State and Government at the NATO Summit in Madrid, June 29, 2022, 3, https://www.nato.int/nato_static_fl2014/assets/pdf/2022/6/pdf/290622-strategic-concept.pdf.

⁴⁵ "NATO 2022 Strategic Concept," 3-4.

of Ukrainian authorities, focusing on replacing destroyed hardware and ensuring the continued operation of public services during the war. The Estonian e-Governance Academy led the project implementation, leveraging its digital governance and cybersecurity expertise to support Ukraine in this critical time.⁴⁶

The EU and Ukraine have maintained a dialogue in the field of cybersecurity since the outbreak of the war, with a focus on strengthening resilience. The European External Action Service estimates that “thanks to close cooperation with the EU and other international partners in the area of cybersecurity and cyber defense, Ukraine has shown formidable capacities for fending off cyberattacks and protecting its critical infrastructure.”⁴⁷

The final document of the 2023 NATO Vilnius Summit reiterated that common values of human rights, democracy, and the rule of law bind together the Alliance and its members. It emphasized the need to strengthen this cohesion in the face of war on the continent and enhance NATO’s 360-degree security. Strengthening national and collective resilience is an essential part of this strategy, along with the cooperation with the European Union as a unique and indispensable partner of NATO for the prosperity and security of the Euro-Atlantic area. This is also necessary as Russia and China have further escalated their actions, including hybrid and cyber attacks against the Alliance, interference in democratic processes, and other disruptive activities. The Russia-Ukraine war has sharply highlighted the extent to which cyberspace is part of modern armed conflict, with incidents potentially amounting to an armed attack under Article 51 of the UN Charter, thus invoking Article 5 of the Washington Treaty, the *casus foederis*. Therefore, NATO will enhance the contribution of cyber defense to its deterrence capabilities by further developing the three levels of cyber defense—political, military, and technical. This approach will ensure civil-military cooperation in peacetime, crisis, and conflict and include, as appropriate, cooperation with the private sector, thereby improving joint situational awareness. However, to be successful, the active contribution of non-EU NATO members to the efforts of EU member states is essential. Russian aggression has deepened EU-NATO cooperation, with an unwavering commitment to further support Ukraine, e.g., by establishing a joint EU-NATO Coordination Group. Significant progress has been made in areas such as countering disinformation, hybrid and cyber threats, and terrorism, as well as building defense capabilities, defense industry, and research. Yet, cooperation should be further expanded in fields like resilience, crit-

⁴⁶ “EU Supports Cybersecurity in Ukraine with over 10 Million Euro,” *Delegation of the European Union to Ukraine*, October 20, 2022, https://www.eeas.europa.eu/delegations/ukraine/eu-supports-cybersecurity-ukraine-over-10-million-euro_en.

⁴⁷ “Ukraine and EU Held the Second Round of the UA-EU Cybersecurity Dialogue,” *European External Action Service*, September 29, 2022, https://www.eeas.europa.eu/eeas/ukraine-and-eu-held-second-round-ua-eu-cybersecurity-dialogue_en.

ical infrastructure protection, new and disruptive technologies, space, geostrategic competition, and closer collaboration with industry and academia.⁴⁸ In addition to enhancing the capabilities and resilience of NATO, the EU, and individual member states in cyberspace, these goals and tasks also include preparing for major escalation in the international security environment.

Conclusion

Russia's hybrid, and later conventional warfare, incorporating hybrid elements, has prompted the European Union to develop the cybersecurity capabilities of the organization and its Member States and identify social resilience as a priority. Given Russian and Chinese cybercultures, NATO recognized cyberspace as another domain of warfare; hence, the core purpose of the Alliance extends to this domain. NATO is continuously investing in operational capabilities in cyberspace (e.g., the cyber operations doctrine) and societal resilience, articulating multi-layered expectations and seeking to raise awareness down to the civilian level.

As a result of these efforts, the European Union's approach to cybersecurity has also undergone a significant, 180-degree turn in recent years. Compared to a decade ago, the security of cyberspace and related systems is now assessed not only as an economic issue but also one that affects the whole of society, significantly impacting the lives and living spaces of the state, the economy, and individuals. Therefore, it requires a much more complex strategy and regulation. The EU has also taken steps to reduce cyber hazards arising from hybridity, including disinformation, which could lead to more effective regulation of social media platforms. However, there is still a long way to go to achieve this.

It should also be pointed out that human society is interconnected in many ways, and the number of cyber threats is extraordinary, requiring an urgent response. Cyberattacks are highly diverse; some threaten territorial integrity, political independence, national security, the Union, or a Member State to such an extent that a *casus foederis* may be invoked. This perspective is supported by Healey and Singh, who reason that given the prevailing trends contributing to the escalation of tensions, future de-escalation actions may no longer effectively defuse tensions. This is especially true if individual states see past incidents as reasons to develop their own capabilities or begin to view cyber operations as provocative. Offensive cyber operations are thus more likely to escalate into an open armed conflict, making even moderate operations significantly more serious.⁴⁹ The report, presented by Susan Davis considers operations that undermine public confidence in an existing conflict through cyber means particularly

⁴⁸ NATO, "Vilnius Summit Communiqué," issued by NATO Heads of State and Government Participating in the Meeting of the North Atlantic Council in Vilnius, July 11, 2023, points 1, 6, 18, 23, 61, 66, 73, 74, https://www.nato.int/cps/en/natohq/official_texts_217320.htm.

⁴⁹ Jason Healey and Virpratap Vikram Singh, "Situational Cyber Stability and the Future of Escalating Cyber Conflict," in *Cyberspace Strategic Outlook 2030: Horizon Scanning and Analysis*, ed. Pirek Pernik (Tallinn, Estonia: NATO CCDCOE Publications, 2022), 19-

problematic. Such operations lead to a higher degree of escalation in a crisis, demonstrating that NATO, the EU, and their member states must pay greater attention to the dynamics of escalation in their legislation and practices, as evidenced by the Russian-Ukrainian war.

Given the urgency, stakeholders need to adapt their cyber policies accordingly, setting more specific targets and deadlines that must be regularly updated.⁵⁰ It is important for the relevant actors to find the appropriate regulatory levels and to align national regulations, practices, and standards as far as possible. The EU has made substantial progress with initiatives like NIS2 and DORA. However, the minimum level of adoption advocated by some Member States still results in multi-speed cybersecurity regulation, standards, and practices. But as the adage goes, a system is only as secure as its weakest link.

Disclaimer

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31, 29, <https://ccdcoe.org/library/publications/cyberspace-strategic-outlook-2030-horizon-scanning-and-analysis/>.

⁵⁰ Susan Davis, "NATO in the Cyber Age: Strengthening Security and Defence, Stabilising Deterrence," General Report, adopted on October 13, 2019, by the Science and Technology Committee at the 65th Annual Session of the NATO Parliamentary Assembly in London, United Kingdom, 5-11, <https://www.nato-pa.int/document/2019-nato-cyber-age-strengthening-security-and-defence-stabilising-deterrence>.



The Change in Fertilizer Prices Due to the Russo-Ukraine War

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Abstract: This article examines the significant changes in fertilizer prices due to the Russo-Ukrainian war and its broader economic implications. Historically, crisis cycles have periodically reshaped economic conditions, disrupting standard processes such as currency exchange rates and trade balances. The Russo-Ukrainian conflict escalated pre-existing tensions from the 2014 Crimea annexation and further complicated supply chain issues exacerbated by the COVID-19 pandemic. This article explores the correlation between natural gas prices and key agricultural inputs, highlighting how energy prices influence fertilizer costs and food prices. The analysis covers the impact of the conflict on global fertilizer markets, specifically focusing on nitrogen-based fertilizers, the strategic shifts in European supply chains, and food security in Africa. Additionally, the article discusses geopolitical maneuvers such as the Black Sea Grain Initiative and their effects on food security and agricultural productivity. The findings underline the intertwined nature of energy, agriculture, and geopolitical stability, emphasizing the need for adaptive strategies in response to such crises.

Keywords: Russo-Ukrainian war, economic impact, food crisis, fertilizer prices, natural gas, grain deal, geopolitical stability.

Introduction

In 2014, the Russian military entered the Crimean Peninsula and called a referendum to determine its status. The vote favored joining the Russian Federation, but very few countries recognize Russia's claim on the peninsula. In the following

years, several blackouts¹ occurred, the most notable being in 2015, when 225,000 households were cut off from electricity. Cyberattacks likely caused these blackouts and were possibly part of the preparation for the eventual invasion in 2022.

After Russian forces took control of Crimea, a series of sanctions by the European Union followed, including a ban on dual-use products and financial instruments that could be used to supply the Russian Army. However, like most conflicts throughout history, this one has deeper roots.² The successor states created after the disintegration of the Soviet Union failed to become fully independent of Russian influence. One can also observe the extent of Russia's "sphere of interests"³ in later conflicts.

Russia has always sought to maintain so-called buffer zones⁴ along its borders to separate itself from the West. This principle has shaped the policies of opposing power groups. Since the Second World War, the energy issue has been a sensitive and crucial matter in Europe, and the network built during the Cold War remains a vital component of supply chains. Trade and production competition are merely means to the end of establishing power relations and constructing a security system.

The COVID-19 pandemic influenced these regional processes to such an extent that the already existing fault lines that characterized the region were temporarily overshadowed after managing the pandemic became the primary focus in the information space. However, in the recovery phase, attempts to assert these interests resurfaced with renewed vigor, initially in peripheral areas, such as the six-week war in Nagorno-Karabakh.

The U.S. withdrawal from Afghanistan cannot be neglected when examining the evolution of the balance of power in the created vacuum, which Russia quickly moved to fill. Over the last decade, the question of where to draw Europe's eastern border appeared frequently, alongside Russia's consistent efforts to avoid having a common border with NATO member states. This tension is evident in Ukraine's sharp criticisms of the West during negotiations over potential

¹ Tamás Kun, "Critical Infrastructures: The Bottleneck of Societal Security," *National Security Review: Scientific Periodical of the Military National Security Service* 5, no. 1 (2019): 56-65, 61.

² János Besenyő, "Barry Buzan's Securitization Theory and the Case of Iraqi Kurdish Military Action Against ISIS in 2014," *Journal of Security and Sustainability Issues* 8, no. 3 (2019): 295-306, 299.

³ Robert E. Berls Jr., "Strengthening Russia's Influence in International Affairs, Part II: Russia and Its Neighbors: A Sphere of Influence or a Declining Relationship?" *Nuclear Threat Initiative*, July 13, 2021, accessed November 28, 2023, <https://www.nti.org/analysis/articles/strengthening-russias-influence-in-international-affairs-part-ii-russia-and-its-neighbors-a-sphere-of-influence-or-a-declining-relationship/>.

⁴ Boris Toucas, "Russia's Design in The Black Sea: Extending the Buffer Zone," *Center for Strategic & International Studies*, June 28, 2017, accessed November 28, 2023, <https://www.csis.org/analysis/russias-design-black-sea-extending-buffer-zone>.

NATO membership. These are the so-called “red lines”⁵ in the debate, which anticipated a possible Russian invasion soon afterward. Even trade connections can be used as a weapon,⁶ as illustrated by the year-long Black Sea Initiative between July 2022 and July 2023, which provided a valuable lesson in modern-day conflicts.

This article aims to provide an overview of the changing trends over the past decades and the impact of the Russo-Ukrainian war on fertilizer prices and related food production.

Correlation between the Prices of Natural Gas and Key Fodder Crops and Fertilizers

Correlation is generally used to present the linear relationship between two variables. In this case, the data shows how certain basic crops and fertilizer types have been affected by the price change of natural gas in Europe. Over the long term, there is a close one-way relationship for the price movements of each examined product type. In the 12 months before the war, the relationship between price movements was especially close for fertilizers, while corn (a key fodder crop) exhibited a weak price trend in the opposite direction (see Table 1). In the last six months (since the beginning of the war in Ukraine), there has been a moderately strong to strong opposite price trend between corn and nitrogen-based fertilizers.

The agriculture industry relies on energy for various purposes. Electricity and fuel are used directly for irrigation, manufacturing, processing, and packaging. Mineral fertilizers, on the other hand, boost crop yields and represent an indirect form of energy demand. Natural gas is crucial in producing urea and ammonia for nitrogen-based fertilizers, covering 75-90% of manufacturing costs. Therefore, higher energy prices almost always lead to higher fertilizer costs (see Figure 1), which in turn leads to higher food prices.⁷

The Russo-Ukrainian war has exacerbated concerns about natural gas and nitrogen fertilizers. While Europe has declared a goal of reducing its reliance on Russian fossil fuels, the Russian Federation and Iran hold over one-third of the world’s total natural gas reserves. Furthermore, transitioning away from Russian

⁵ Andrew Roth, “Russia Will Act if NATO Countries Cross Ukraine ‘Red Lines’, Putin Says,” *The Guardian*, November 30, 2021, accessed November 29, 2023, <https://www.theguardian.com/world/2021/nov/30/russia-will-act-if-nato-countries-cross-ukraine-red-lines-putin-says>.

⁶ Mark Galeotti, *The Weaponisation of Everything: A Field Guide to the New Way of War* (New Haven, Connecticut: Yale University Press, 2022), 69.

⁷ Naimat Chopra, “Fuel, Food, and Fertilizer: The Interwoven Impacts of the Russia-Ukraine War,” *Kleinman Center for Energy Policy*, May 5, 2023, accessed November 26, 2023, <https://kleinmanenergy.upenn.edu/news-insights/fuel-food-and-fertilizer-the-interwoven-impacts-of-the-russia-ukraine-war/>.

Table 1. Correlation of Natural Gas Price, Europe.

Period	Correlation of Natural Gas Price, Europe ** to					
	Maize	Urea	Phosphate	DAP	TSP	Potassium chloride
<i>All</i>	0.7424	0.8281	0.7181	0.7619	0.7618	0.8537
<i>Last 8 months</i>	0.5839	0.6251	-0.2905	0.6743	0.7153	0.6484
<i>Last 12 months</i>	0.5180	0.5903	-0.2273	0.6763	0.7174	0.6429
<i>Last 6 months</i>	0.5866	0.6879	-0.4148	0.6812	0.7249	0.6567
<i>Last 12 months before March 2022</i>	-0.2724	0.9061	0.9258	0.9307	0.9186	0.3655
<i>Last 5 years before March 2022</i>	0.6513	0.9410	0.9289	0.8773	0.8978	0.1489

Source: World Bank Commodity Price Data (The Pink Sheet)

DAP: Diammonium phosphate; TSP: Triple Super Phosphate

Data collected: October 23, 2023.

supply will eventually result in higher prices across Europe. Consequently, European production of nitrogen fertilizers will face a disadvantage compared to the United States, where gas reserves are more plentiful and cheaper.

Additionally, Russia is a significant producer of fertilizer ingredients, such as nitrogen, and has announced plans to restrict its exports due to sanctions. This will lead to disruptions in the nitrogen market. Russia’s ammonia exports make up 23 % of the global market; its absence would constitute a significant loss, forcing dependent countries to find new sources of supply. For example, Brazil imports 95 % of its nitrogen fertilizers, with 21 % coming from Russia.⁸ However, as

⁸ Gary Schnitkey et al., “Nitrogen Fertilizer Prices and Supply in Light of the Ukraine-Russia Conflict,” *farmdoc daily* (12):45, Department of Agricultural and Consumer Economics, University of Illinois at Urbana-Champaign, April 5, 2022, accessed November 26, 2023, <https://farmdocdaily.illinois.edu/2022/04/nitrogen-fertilizer-prices-and-supply-in-light-of-the-ukraine-russia-conflict.html>.

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a member of the BRICS alliance, Brazil is less likely to be affected by the loss of Russian exports.

European economies, on the other hand, must redesign their supply chains. In the future, they will likely increase their reliance on the United States. However, the increase in logistics costs will need to be compensated for elsewhere.

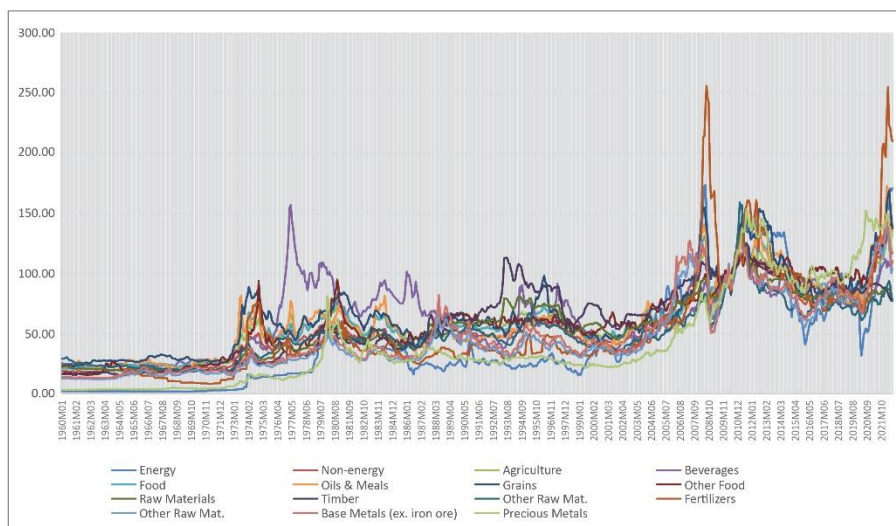


Figure 1: Monthly Indices 1960M01-2022M08.

(Source: World Bank Commodity Price Data).

The Yom Kippur War was the first event that initiated significant changes in the development of the energy sector and related areas (see Figure 1). This conflict later resulted in the development of new equilibrium situations and arrangements in the global energy market. Although the trend already indicated serious problems⁹ in the sector at the beginning of 1973, the conflict that developed in the latter half of the year further exacerbated these issues. Opposing interest groups used economic instruments against each other in a punitive manner to put pressure on their adversaries. A similar strategy can be seen in Russia's approach, using its energy dominance to pressure Europe.¹⁰

The Russo-Ukrainian war mirrors this situation. Following the condemnation of the Russian invasion, the United States and the EU promptly enacted sanctions aimed at limiting Russian activities. The Hamas-Israel conflict in the Gaza Strip

⁹ Henry A. Kissinger, "The Future Role of the IEA," Speech for the 35th Anniversary of the International Energy Agency, Paris, France, October 14, 2009, <https://www.henryakissinger.com/speeches/the-future-role-of-the-ia/>.

¹⁰ Michael Carnegie LaBelle, "Energy as a Weapon of War: Lessons from 50 Years of Energy Interdependence," *Global Policy* 14, no. 3 (June 2023): 531-547, 533-534, <https://doi.org/10.1111/1758-5899.13235>.

also stirs fears reminiscent of the oil crisis in the 1970s, highlighting ongoing struggles for regional control.

Russia's invasion of Ukraine has caused fertilizer prices to soar just as the world began planting crops critical to global supplies. As the world's largest exporter of fertilizers, Russia's conflict with Ukraine has disrupted supplies and driven up natural gas prices, a key ingredient in fertilizer production. Western sanctions, including those on Russian banks, could further limit exports by restricting financing.

Since the invasion began on February 24, urea fertilizer prices have jumped by 32 %, while diammonium phosphate (DAP) futures have risen by 13 %.¹¹ Fertilizers are essential for food production, especially for staple grains. Rising prices could impact food supplies if farmers reduce their use of fertilizers due to higher costs, leading to lower yields. On average, grain yields are higher on fertilized land, but farmers in low- and lower-middle-income countries are more likely to use less fertilizer, resulting in reduced crops.¹²

Arndt and colleagues found that household consumption falls in all 19 countries studied, including those benefiting modestly from natural gas and crude oil exports. In contrast to what is observed in terms of GDP, rising food prices are an important factor influencing consumption in most countries. Rural populations also suffer from fertilizer shocks, directly affecting agricultural productivity and incomes. Conversely, fuel prices have a stronger negative impact on non-agricultural sectors and urban household consumption.¹³

After Russia invaded Ukraine in February 2022, several economies, including the EU and the US, imposed sanctions on Russia and Belarus, key suppliers of fertilizers. These sanctions included restrictions on food and fertilizer sectors to avoid negative impacts on global food security. These omissions allowed Russia to continue exporting fertilizers, but Belarus experienced a more than 50 % drop in potash fertilizer exports due to restrictions on using EU territories for transit. In particular, Lithuania stopped using its railway network to transport Belarusian potash to the port of Klaipėda, through which 90 % of Belarusian exports typically pass.¹⁴

¹¹ "Russia-Ukraine Crisis Ignites Fertilizer Prices at Critical Time for World Crops," *Gro Intelligence*, March 4, 2022, accessed November 23, 2023, <https://www.gro-intelligence.com/insights/russia-ukraine-crisis-ignites-fertilizer-prices-at-critical-time-for-world-crops>.

¹² Jennifer Kee, Lila Cardell, and Yacob Abrehe Zereyesus, "Global Fertilizer Market Challenged by Russia's Invasion of Ukraine," *Economic Research Service* (U.S. Department of Agriculture), September 18, 2023, accessed November 23, 2023, <https://www.ers.usda.gov/amber-waves/2023/september/global-fertilizer-market-challenged-by-russia-s-invasion-of-ukraine/>.

¹³ Channing Arndt et al., "The Ukraine War and Rising Commodity Prices: Implications for Developing Countries," *Global Food Security* 36, 100680 (March 2023): 1-9, 7, <https://doi.org/10.1016/j.gfs.2023.100680>.

¹⁴ John Baffes and Wee Chian Koh, "Fertilizer Prices Ease but Affordability and Availability Issues Linger," *World Bank Blogs*, January 5, 2023, accessed November 25, 2023,

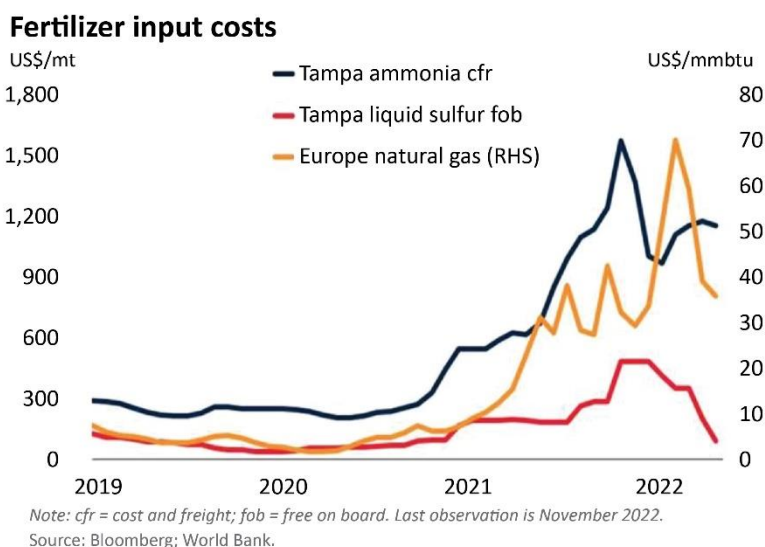


Figure 2: Fertilizer Input Costs (Source: Bloomberg, World Bank).

As the European gas market prices rose (see Figure 2), fertilizer prices followed the growing trend. During the pandemic, supply chain disruptions and changes in consumer behavior influenced demand in the energy market.¹⁵ Various lockdown measures, including border restrictions and flying bans, significantly impacted these sectors.

The movement of price indices generally follows a typical pattern, with certain major events having distinct impacts. Notably, the World Trade Center attack on September 11, 2001, did not significantly affect these indices. By 2010, prices had doubled compared to 2000, and the 2008 financial crisis led to a rapid rise in prices, which then returned to pre-crisis levels. A notable spike occurred in 2011, likely triggered by rising energy prices, followed by a gradual decrease during which energy prices diverged from the trend of other goods.

The current price trends began in the summer of 2020 (see Figure 3), showing a continuous increase. Fertilizer prices, in particular, have spiked around major events, such as the 2008 financial crisis and the post-pandemic years.

Due to the redesigned energy policy of the European Union and the energy procurement opportunities arising from the Russo-Ukrainian war, fierce competition between the euro and the dollar has begun. Even during the pandemic, the

<https://blogs.worldbank.org/en/opendata/fertilizer-prices-ease-affordability-and-availability-issues-linger>.

¹⁵ Suzanne Jenkins, "How the Russia-Ukraine War Helped Fuel Record Fertilizer Prices," *Federal Reserve Bank of St. Louis*, October 4, 2022, <https://www.stlouisfed.org/publications/regional-economist/2022/oct/russia-ukraine-war-record-fertilizer-prices>.

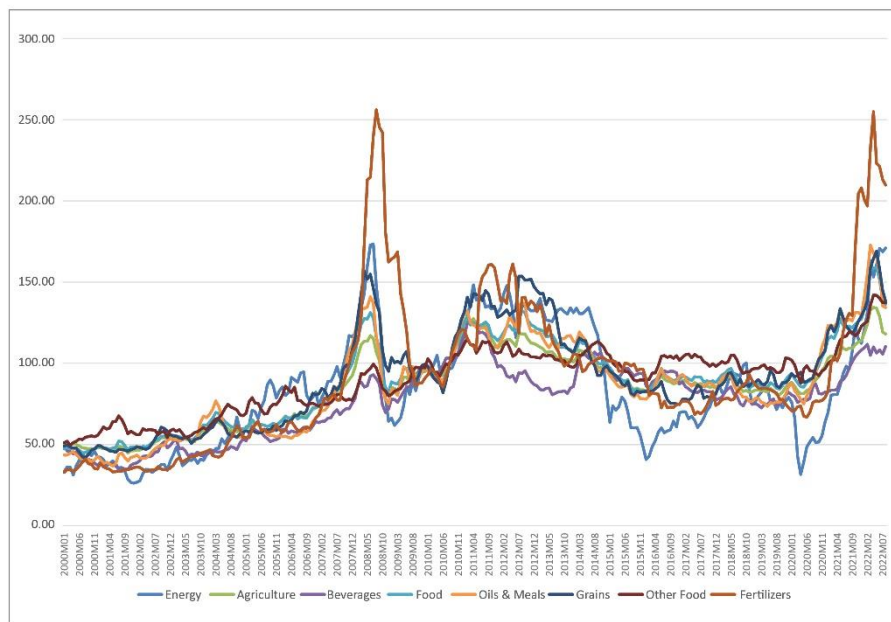


Figure 3: Monthly indices 2000M01-2022M08 (Source: World Bank Commodity Price Data (The Pink Sheet)).

United States achieved import independence and took over the lead role among the world’s oil exporters. It also plays a significant role in natural gas production. The liquefied natural gas (LNG) contracts concluded with the EU reached new records¹⁶ in 2021, providing a stable foundation for realizing its goals.

During the dotcom crisis, the rise of the dollar was typical, but after 9/11, the dollar began to weaken – a trend lasting until 2007. Volatile exchange rate movements were common within the 1.2-1.5 range (see Figure 4) around a generally strengthening trend. In 2013-2014, there was a rapid and definite rise in the dollar’s value, after which it stabilized at an exchange rate of around 1.1 EUR/USD. In 2016-2017, the dollar weakened again before another period of strengthening. Uncertainty around the presidential election and the transfer of power, as well as the impact of COVID-19, contributed to the dollar’s temporary weakening. The latest strengthening of the dollar’s exchange rate, which began at the turn of 2020-2021, appears to be a more permanent trend.

¹⁶ European Commission, “EU-US LNG TRADE: US Liquefied Natural Gas (LNG) Has the Potential to Help Match EU Gas Needs,” February 2, 2022, https://energy.ec.europa.eu/system/files/2022-02/EU-US_LNG_2022_2.pdf.

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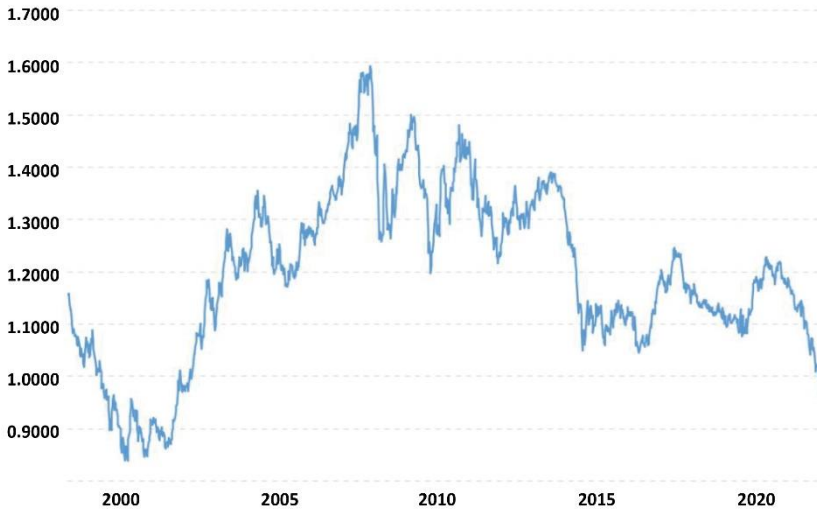


Figure 4: Development of the EUR-USD Exchange Rate (1999-2022).
(Source: macrotrends.net)



Figure 5: Development of the EUR-USD exchange rate (2012-2022).
(Source: macrotrends.net)

In 2022, the euro weakened by 17 % against the dollar over the year, falling below parity in July for the first time in two decades.¹⁷ However, lower gas prices and positive growth dynamics in the region were expected to support the euro's strength in 2023. The TTF (Title Transfer Facility) gas price, Europe's main indicator of gas prices, fell to pre-invasion lows as the continent experienced its warmest weather on record. This sharp drop in gas and electricity prices provided substantial support for the economy, allowing the region to avoid the expected severe recession.

Energy dependence and geopolitical risks will continue to be significant themes in the region in the coming years, and the growing risks of a US recession remain a threat to increasing trade. Additionally, the Fed is expected to continue raising rates, which could further tighten ECB policy.¹⁸

Though the USD was strong during the first year of the war, the EUR managed to climb back (see Figure 5) to a safe zone and remained consistent. Over the previous decade, several crises close to Europe have caused the USD to strengthen, such as the European Migration Crisis in 2015, which took a heavy toll on the EU's economy.¹⁹

Grain Agreement with Russia

On July 27, 2022, the Black Sea Grain Initiative, brokered by the UN and Türkiye with the Russian Federation, was formed. This initiative allowed the shipment of grain, related foodstuffs, and fertilizers from Ukraine.²⁰ The resumption of Ukrainian grain exports through the Black Sea amid the ongoing war is a "ray of hope" in a world that desperately needs it, stated UN Secretary-General Antonio Guterres at a signing ceremony on July 27 in Istanbul, Turkey. The UN plan aimed to facilitate the export of Russian food and fertilizers to global markets, helping stabilize rising food prices worldwide and preventing millions of people from starvation.

The initiative specifically allowed the export of commercial food products and fertilizers (including ammonia) from three key Ukrainian ports on the Black Sea

¹⁷ Ben King, "Euro Falls below Dollar for First Time in 20 Years," *BBC*, July 13, 2022, accessed November 29, 2023, <https://www.bbc.com/news/business-62153251>.

¹⁸ "Currency Volatility: Will a Strong US Dollar Return?" *J.P.Morgan*, February 3, 2023, accessed November 26, 2023, <https://www.jpmorgan.com/insights/global-research/currencies/currency-volatility-dollar-strength#euro>.

¹⁹ János Besenyő, "Fences and Border Protection: The Question of Establishing Technical Barriers in Europe," *AARMS – Academic and Applied Research in Military and Public Management Science* 16, no. 1 (2017): 77-87, 79-80, <https://doi.org/10.32565/aarms.2017.1.7>.

²⁰ UN Office for the Coordination of Humanitarian Affairs (UN OCHA), "Joint Coordination Centre Opens in Istanbul to Facilitate Safe Export of Commercial Foodstuffs and Fertilizers from Ukrainian Ports," *reliefweb*, July 27, 2022, accessed September 11, 2023, <https://reliefweb.int/report/turkiye/joint-coordination-centre-opens-istanbul-facilitate-safe-export-commercial-foodstuffs-and-fertilizers-ukrainian-ports>.

– Odesa, Chernomorsk, and Yuzhny/Pivdennyi. A Joint Coordination Center (JCC) was established to monitor the implementation of the initiative. The JCC, located in Istanbul, comprises representatives from Russia, Turkey, Ukraine, and the United Nations, with the UN also serving as the Center’s secretariat.

Ukrainian ships guided cargo vessels into international waters of the Black Sea, avoiding mined areas. The ships then traveled to Istanbul along the agreed maritime humanitarian corridor. Ships entering and leaving Ukrainian ports were inspected by JCC teams, which included Russian, Turkish, Ukrainian, and UN inspectors.

In April 2022, the UN Secretary-General met with Russian President Vladimir Putin and Ukrainian President Volodymyr Zelenskyy to propose this plan. Alongside these negotiations, two UN working groups were created – one on transporting Ukrainian grain across the Black Sea, led by UN humanitarian chief and OCHA head Martin Griffiths, and the other on facilitating the delivery of Russian food and fertilizer exports, led by Rebeca Grynspan, Secretary-General of the United Nations Trade and Development Organization (UNCTAD).

The agreement was an intermediate solution for temporarily managing higher-level problems, as the participating parties had mutual interests. However, it did not provide a stable, long-term solution to alleviate the tension in the region. Thus, the initiative was not renewed beyond its third term, which ended on July 17, 2023.²¹

Donations towards African Countries

The African Union has called an emergency meeting to restore the UN-brokered grain deal that allowed Ukraine to export millions of tons of grain, which had been cut off on Russia’s behalf. “The problem of grain and fertilizer concerns everyone,” stated Comoros President Azali Assoumani, head of the 55-member African Union, in an interview with Russian state television channel RIA Novosti. He was speaking from St. Petersburg, where Russian President Vladimir Putin held a summit with African leaders.²²

The UN World Food Program (WFP), the world’s largest humanitarian organization, also shipped wheat from Black Sea ports. By July 2023, 80 % of the program’s grain reserves were purchased from Ukraine, up from 50 % before the war. During the initiative’s implementation, more than 725,000 tons of wheat were shipped from Ukrainian ports to countries including Ethiopia, Yemen, Afghanistan, Sudan, Somalia, Kenya, and Djibouti. The EU, a major producer and exporter of wheat, was estimated to have exported 31 million tons of wheat in

²¹ United Nations, “Black Sea Grain Initiative Joint Coordination Centre,” 2023, accessed November 26, 2023, <https://www.un.org/en/black-sea-grain-initiative>.

²² Nicolas Camut, “African Union Calls on Russia to Reinstate Ukrainian Grain Deal,” *Politico*, July 23, 2023, accessed September 11, 2023), <https://www.politico.eu/article/african-union-calls-to-reinstate-the-ukrainian-grain-deal/>.

the 2022/23 marketing year to target countries such as Algeria, Morocco, Egypt, Pakistan, and Nigeria.²³

In July, at a summit of African leaders, Putin promised free grain to six countries²⁴ shortly after Moscow withdrew from the agreement that allowed Ukraine to ship grain from its Black Sea ports despite the war with Russia. However, Putin argued that he could not provide for the countries that most urgently needed help, noting that Russia exported about 60 million tons of grain last year. UN chief Antonio Guterres called promises of free grain “a handful of donations.” According to Kyiv, after withdrawing from the agreement, Russia repeatedly bombed Ukrainian ports and grain warehouses, destroying hundreds of thousands of tons of grain. Yet, Ukraine still managed to transport 4.4 million tons of cargo, including 3.2 million tons of grain, through a new sea corridor created in August 2023.²⁵

“By the end of the year, we plan to transfer another 200,000 tons of wheat to six African countries: Somalia, the Central African Republic, Burkina Faso, Zimbabwe, Mali, and Eritrea,” said Alexey Polishchuk, Russian Foreign Ministry Director of the second CIS department. He also mentioned that Moscow is working with the UN World Food Program on the donation and has already delivered 20,000 tons of fertilizer to Malawi and 34,000 tons to Kenya. Additionally, 23,000 tons of fertilizers will be delivered to Zimbabwe, 34,000 tons to Nigeria, and 55,000 tons to Sri Lanka.²⁶ A repeated question in accompanying debates is what percentage of the delivered quantities, according to the grain agreement, actually reaches the destination countries in greatest need to avoid starvation.

The impact of the Russo-Ukrainian war can also be measured in greenhouse emissions and food availability. The amount of available food is decreasing in most low-income countries; however, the threat is not present on a global level.²⁷ The war has also destabilized global agricultural markets, triggering food price increases. The attacks on the port of Odesa and the mining operations in

²³ European Council, “Infographics – Ukrainian Grain Exports Explained,” October 11, 2023, accessed November 26, 2023, <https://www.consilium.europa.eu/en/infographics/ukrainian-grain-exports-explained/>.

²⁴ Jim Heintz, Edith M. Lederer, Chris Megerian, and Rebecca Santana, “Putin Promises No-cost Russian Grain Shipments to 6 African Countries,” *Associated Press*, July 27, 2023, accessed November 29, 2023, <https://apnews.com/article/russia-putin-africa-summit-food-crisis-de317f5075d4b1719ade457f4eabbf82>.

²⁵ Reuters, “Russia Says First Free Grain Shipments to Africa Are on Their Way,” *Reuters*, November 17, 2023, accessed November 29, 2023, <https://www.reuters.com/markets/commodities/russia-begins-supplying-free-grain-african-countries-agriculture-minister-2023-11-17>.

²⁶ CGTN, “Russia to Donate More Wheat to Africa by Year-end,” *CGTN*, November 3, 2023, accessed November 29, 2023, <https://newsaf.cgtn.com/news/2023-11-03/Russia-to-donate-more-wheat-to-Africa-by-year-end-1opD4tc93Wg/index.html>.

²⁷ Hans van Meijl et al. “The Russia-Ukraine War Decreases Food Affordability but Could Reduce Global Greenhouse Gas Emissions,” *Communications Earth & Environment* 5, no. 59 (2024): 1-12, 5-8, <https://doi.org/10.1038/s43247-024-01208-x>.

the Black Sea resulted in a price increase in grain shipments.²⁸ By August 2023, President Vladimir Putin declared Moscow's intention to take Ukraine's place in grain supplies to African nations.²⁹

Conclusion

The swings experienced during different crisis cycles tend to be periodic, often returning to a state of rest over time. The shock effects arising from seemingly unexpected societal situations often have a well-established history. In other words, a path leading to them, of which, in everyday life, we usually experience only the culmination.

In the case of the Russo-Ukrainian war, the perceived fear has become a reality in 2022, as the possibility of armed conflict has been in the air with the clashes in the Donbas region since 2014. The change in fertilizer prices has been dependent on issues affecting the energy sector for many decades, so the current war is only one stage of the ongoing process that determines the solution to problems related to agricultural production and energy supply.

After studying the possibility of a food crisis, it can be summarized that while some results do not indicate the global significance of the war, spillovers and the development of regional conflicts must be taken into consideration in the future. It is also worth noting that in many cases, even though there is an explanation based on practical experience, the geopolitical games and related manipulative activities should not be neglected.

Disclaimer

The views expressed are solely those of the authors and do not represent official views of the PFP Consortium of Defense Academies and Security Studies Institutes, participating organizations, or the Consortium's editors.

²⁸ Miguel Carriquiry, Jerome Dumortier, and Amani Elobeid, "Trade Scenarios Compensating for Halted Wheat and Maize Exports from Russia and Ukraine Increase Carbon Emissions without Easing Food Insecurity," *Nature Food* 3 (October 2022): 847-850, <https://doi.org/10.1038/s43016-022-00600-0>.

²⁹ Caitlin Welsh and Joseph Glauber, "Food as the 'Silent Weapon': Russia's Gains and Ukraine's Losses," *Center for Strategic & International Studies*, February 29, 2024, <https://www.csis.org/analysis/food-silent-weapon-russias-gains-and-ukraines-losses>.

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Modernizing Personnel Management in the Armed Forces of Ukraine During Military Conflict: Training New Officers

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Abstract: Considering the ongoing military conflict with the Russian Federation, the modernization of the personnel management system of the Armed Forces of Ukraine is of utmost significance. Effective training of new officers is becoming a strategic task to strengthen the country's defense capability and ensure national security. This research aims to thoroughly analyze and justify ways to modernize the personnel management system of the Armed Forces of Ukraine in the context of the current military conflict, focusing on improving the education and training of the new generation of officers. It is based on a statistical analysis of data obtained through expert analysis and a survey of highly qualified professionals. The study demonstrated that the existing personnel management system of the Armed Forces of Ukraine requires significant modifications to respond to the current challenges of military operations. In particular, there is a need to introduce advanced teaching methods and use modern technologies in training officers. Additionally, improving the organizational structures that provide officer training is essential. This includes revising programs, adapting to modern conflicts, and implementing international training standards. Psychological and social aspects of the officer corps' design and development should be considered to ensure long-term stability and productivity. Special emphasis is placed on introducing international experience and cooperation with partner countries, exchange of experiences, joint exercises, and training programs.

Keywords: defense capability, security, teaching methods, pedagogical innovations, international experience, partnership.

Introduction

The modernization of the personnel management system of the Armed Forces of Ukraine is one of the most important and urgent issues facing the country amidst the ongoing military conflict with the Russian Federation. In the context of the current geopolitical challenges, Ukraine's national security and defense capabilities have become the highest priority for the government and military leadership. The success of modernizing and training the new officer corps of the Armed Forces of Ukraine is crucial not only for the effectiveness of military operations but also for the overall stability and security of the country.

The problem at hand is that the existing personnel management system requires significant modernization to respond to contemporary challenges and threats effectively. Conventional approaches and methods are insufficient in the context of modern military conflicts. To effectively train a new generation of officers, it is essential to develop modern educational programs, incorporate innovative pedagogical methods, and assess their effectiveness. Modern conflicts demand that armies utilize high-tech equipment and efficient communication tools. Therefore, the challenge is to integrate advanced technologies and ensure information security in training new officers in the Armed Forces of Ukraine. In prolonged conflicts, personnel must possess strong psychological resilience and the ability to perform effectively under stress. Consequently, there is an urgent need to implement comprehensive psychological training.

Our analysis of recent publications in this area identifies several shortcomings and gaps in the scientific consideration of the problem. Some studies focus exclusively on the technical aspects of modernization, neglecting the socio-psychological dimensions essential for the design and development of the officer corps. Other works analyze general management strategies without addressing the practical aspects of officer education and training.

The research by Kyrpenko and colleagues focuses on defining criteria and indicators for diagnosing the development of methodological competence among future specialist officers in physical training for the Armed Forces of Ukraine.¹ The study examines key aspects related to assessing officers' physical training. However, it does not analyze the specific methods and strategies that can be used to implement these findings in the educational process. Additionally, the authors did not consider the potential impact of the level of methodological competence on the overall readiness of officers to lead in a military conflict. The

¹ Yevhenii Kyrpenko, Vasyl Yagupov, and Serhii Zhembrovskiy, "Criteria and Indicators for Diagnosing the Formation of Methodical Competence of Future Officers – Specialists in Physical Training of the Armed Forces of Ukraine," *Scientific Issues of Ternopil Volodymyr Hnatiuk National Pedagogical University* 1, no. 1 (2023): 200-211, <https://doi.org/10.25128/2415-3605.23.1.26>. – in Ukrainian

research also did not explore the possibility of using innovative methods to assess methodological competence.

The research by A. Stanishovskiyi focuses on improving the quality of education for future officers in military higher education institutions.² The author proposes using objective methods to assess students' academic achievements to determine the effectiveness of the educational process, applying modern technologies and teaching methods to enhance the quality of education and training, and considering different specialties and areas for comprehensive officer training. However, this research did not address the impact of the social environment and psychological factors on the education and training of future officers, nor did it consider international standards and practices.

The work of Serpukhov and colleagues analyzes methods for effective training and the implementation of international experience in the training and use of special operations units of the Armed Forces of Ukraine.³ In particular, this research identifies the key categories of information most important for the successful training and deployment of units in covert operations. Additionally, the study examines the results of training and the impact of different methods on improving the effectiveness of the undercover units. While the authors' research contributes substantially to understanding the timing and informational aspects of training, it does not propose specific ways to improve officer training methods.

V. Larin and colleagues study the role of education in ensuring national security, focusing on training for the Armed Forces of Ukraine.⁴ The research confirms the effectiveness of using advanced methods and technologies in training. It underscores the significance of developing and implementing educational programs to train qualified personnel for the Armed Forces of Ukraine. However, this study does not consider the impact of the geopolitical environment and international relations on educational programs, nor does it address aspects of personnel policy.

O. Yuriev analyzes various aspects related to the development of officers' readiness for effective leadership in the context of modern military conflict.⁵ The

² Artur A. Stanishovskiyi, "Directions of Improving the Quality of Future Officers' Training at Military Higher Educational Institutions," *Scientific Herald of Sivershchyna* 10, no. 1 (2023): 235-251, <https://doi.org/10.32755/sjeducation.2023.01.235>. – in Ukrainian

³ Oleksandr Serpukhov et al., "Kind-time Analysis of Information for the Learning and Implementation of the Experience in the Preparation and Use of Sub-units of the Armed Forces of Ukraine," *Advanced Information Systems* 7, no. 1 (2023): 41-46, <https://doi.org/10.20998/2522-9052.2023.1.07>.

⁴ Volodymyr V. Larin, Viktoriia P. Hmyria, and Liudmyla V. Romanovska, "The Role of Education in Ensuring National Security: Training of Scientific Personnel for the Armed Forces of Ukraine," *Scientific Works of the State Scientific Research Institute of Armament and Military Equipment Testing and Certification* 17, no. 3 (2023): 137-142, <https://doi.org/10.37701/dndivsovt.17.2023.16>.

⁵ O. Yuriev, "Nature, Structure and Concept of Command and Control Readiness of the Future Officers of the Armed Forces of Ukraine in the Modern Warfare," *Bulletin of*

research offers a conceptual approach to understanding officers' readiness to lead and manage, considering the specifics of modern military conflicts. The author analyzes in detail the components that constitute officers' preparedness, including technical, organizational, strategic, and psychological readiness. Yet, this research does not consider modern military conflicts in the context of international standards and joint strategies between partner countries. In addition, there is no analysis of the introduction and use of advanced technologies and innovations to test preparedness for leading military operations.

Considering the experience gained and the results of previous studies, the purpose of this research is to thoroughly analyze and substantiate ways to modernize the personnel management system of the Armed Forces of Ukraine in the context of the ongoing military conflict with the Russian Federation. The main objectives of the research are as follows:

- *Analyze the current state of the personnel management system of the Armed Forces of Ukraine:* This involves identifying the strengths and weaknesses of the existing management system, given the challenges posed by the ongoing military conflict.
- *Identify the most critical aspects that need modernization:* This entails pinpointing the key areas and problems that require the most attention and intervention to improve the effectiveness of personnel management.
- *Develop proposals for the modernization of the management system:* This includes preparing specific recommendations and proposals for improving the personnel management system to increase its effectiveness and adapt to the current conditions of warfare.

Materials and Methods

In the conditions of the ongoing military conflict with the Russian Federation, the issue of effective management of the personnel of the Armed Forces of Ukraine is of utmost significance. Modernizing the management system has become necessary to ensure high combat preparedness and adaptation to modern challenges and threats. To address the research objectives, various methods were employed to analyze and justify ways to modernize the personnel management system of the Armed Forces of Ukraine. These methods included surveys and questionnaires of highly qualified individuals and statistical analysis of data obtained through expert analysis.

A mixed-method approach was chosen for the research, combining quantitative (survey) and qualitative (expert analysis) methods. This approach allowed for the collection of in-depth and comprehensive data on the current state of the personnel management system of the Armed Forces of Ukraine.

The expert analysis and survey were conducted at the National Defence University of Ukraine, Ukraine's leading educational and research institution for military management. To ensure research objectivity and compliance with relevant standards, an expert group was established. This group consisted of one hundred participants from various spheres of military activity and management. These participants included military officers of various ranks and specializations with experience in military service, command of military units, and planning and conducting military operations; professors from military educational institutions and academies specializing in officer training and management of military organization; and academics and researchers focused on personnel management and military training.

Expert analysis was employed to evaluate the effectiveness of the proposed strategies for modernizing the personnel management system of the Armed Forces of Ukraine. The questionnaire (see Annex 1) was printed and delivered to the research participants on paper. It was designed to evaluate various issues related to the modernization of the personnel management system. The questions covered a range of aspects, including curricula, officer training, and the use of modern technologies. Each questionnaire was completed in full confidentiality to ensure the independence of the participants and avoid the influence of external factors.

After the experts completed the questionnaires, the collected data was processed and analyzed using several sophisticated techniques to ensure a thorough and accurate evaluation of the experts' responses. Initially, descriptive statistics were applied to summarize the data, providing a clear understanding of general trends and response distributions. This step included calculating mean values to determine the average level of agreement or support for the proposed strategies to modernize the personnel management system of the Armed Forces of Ukraine. To delve deeper into the data, inferential statistical methods were used to assess relationships between different variables and identify significant patterns or differences in the responses. This involved using t-tests or ANOVA (Analysis of Variance) when comparing more than two groups to discern statistically significant variances in opinions among different ranks or specializations within the military. Furthermore, thematic analysis was conducted on open-ended responses to extract qualitative insights. This involved coding the data into themes or categories, allowing for the identification of commonalities and divergences in opinions regarding the personnel management system's modernization needs.

The combination of quantitative and qualitative data analysis techniques provided a comprehensive view of the expert assessments, facilitating a nuanced understanding of the strengths and weaknesses of the current personnel management system and the areas most in need of modernization. This mixed-methods approach ensured both the breadth and depth of the data were explored, leading to well-rounded conclusions and recommendations.

Average values were calculated to determine the overall level of support for the proposed strategies. Based on the results of expert analysis, recommendations were developed to identify the most effective strategies for modernizing the human resources management system. Using expert analysis provided objectivity – a crucial feature in making informed decisions on modernizing the personnel management system.

After the expert analysis, a survey of the expert group members was conducted. Before that, a questionnaire was carefully designed to include a comprehensive list of adverse aspects of new officers' training. Respondents were provided with this questionnaire and asked to select the five most critical criteria they believed needed modernization (Annex 1).

After the completed questionnaires were returned, the data was processed and analyzed. Each selected criterion was assigned a specific weight in the analysis. The survey results were compared to identify general trends and determine which criteria are most critical for modernization. Based on these results, conclusions were drawn regarding which aspects require the most attention and, respectively, modernization in the personnel management system of the Armed Forces of Ukraine.

Descriptive data analysis is an essential step in research, as it allows for the identification of patterns, relationships, and meaningful differences in a data set. In this research, statistical analysis was used to process and interpret the expert analysis and survey results. The initial analysis included the construction of graphs and charts and the calculation of basic statistical indicators. This stage provided a general idea of the distribution of experts' assessments.

Each method was employed to provide a comprehensive analysis and develop specific recommendations for the modernization of the personnel management system of the Armed Forces of Ukraine. Combining these methods yielded objective and researchable data, forming the foundation for subsequent conclusions and proposals.

The research utilized a variety of sources and materials to provide a comprehensive overview of the situation and scientifically based recommendations. Analytical reports and studies were employed to analyze existing data and evaluate the effectiveness of various personnel management strategies. Examining the regulations governing the activities of the Armed Forces of Ukraine allowed for an understanding of the current management system and identifying opportunities for its modernization. Structured questionnaires were used to collect feedback and assessments from officers who employ different strategies in their work. Additionally, broader aspects such as technological innovations, psychological aspects of management, and social factors that may influence the effectiveness of various strategies were considered. All of these materials and sources were used to derive scientifically based conclusions and recommendations for the modernization of the personnel management system of the Armed Forces of Ukraine.

Research

It is well-established that current military conflicts demand not only military strength but also a high level of organizational and strategic preparedness of the armed forces. This research is particularly relevant and necessary in this context, as it plays a critical role in ensuring Ukraine's national security and defense. The analysis has identified key areas in the training of new officers that require modernization and has provided specific recommendations for enhancing the personnel management system of the Armed Forces of Ukraine. Its significance lies in its contribution to developing and implementing strategies that will bolster the effectiveness and preparedness of the Armed Forces of Ukraine in addressing the challenges posed by modern military conflicts.

Analysis of the Current State of the Personnel Management System

One main research objective was to analyze the current state of the personnel management system of the Armed Forces of Ukraine. The research identified the strengths and weaknesses of the existing system, pinpointed significant aspects requiring modernization, and provided practical recommendations to enhance the effectiveness and readiness of the Armed Forces to meet the challenges of modern military conflict.

Analyzing the current methods of training new officers, several strengths are inherent in the current management system, especially in view of current challenges. One significant strength is the cooperation with partners and other countries (Figure 1). Ukraine actively engages in international military operations and joint exercises, facilitating the exchange of best practices and strengthening international cooperation. This collaboration improves the professional competence of Ukrainian officers, enables adaptation to current geopolitical realities, and helps achieve common strategic goals.

Another strong point is the availability of professional development and training opportunities. Ukrainian officers can attend advanced training courses that cover a wide range of military specialties, as well as various seminars and workshops. Participation in international exercises and military operations allows officers to acquire new knowledge and skills and to learn different approaches to solving military problems.

In addition, the high level of theoretical training of officers is one of the strongest points of the personnel management system of the Armed Forces of Ukraine. Officers possess extensive knowledge in military science, enabling them to understand the essence of military processes better and make informed strategic decisions. Moreover, they are trained to analyze complex military situations, considering multiple factors and potential risks.⁶

⁶ Torychnii and Denysenko, "Scientific-research Competence in the System of Future Officers' Military-professional Education."

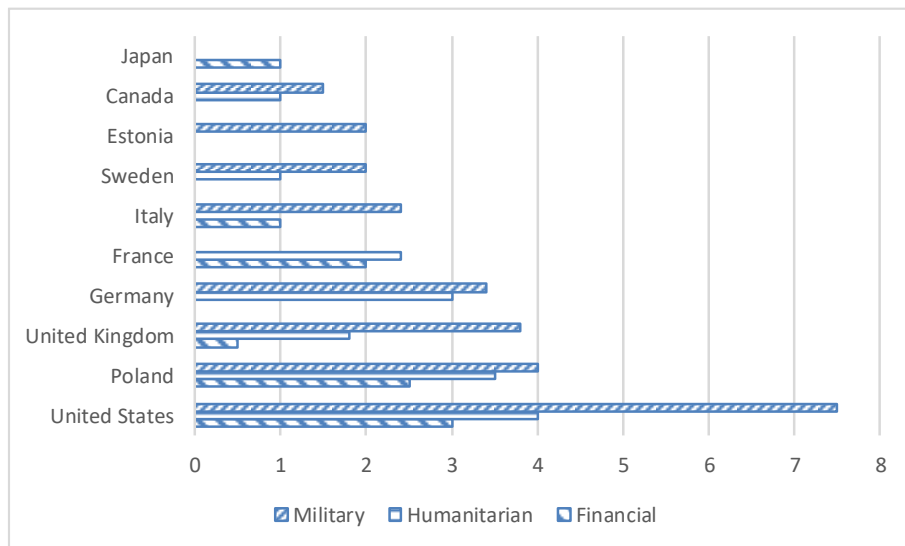


Figure 1: Ukraine's Cooperation with Other Countries during the War.⁷

These aspects demonstrate that Ukraine's personnel management system has strong foundations and is open to cooperation with partners, staff development, and the introduction of modern technologies.

The results of the survey and questionnaire among highly qualified specialists helped identify several adverse aspects in training new officers. Among them is the insufficient level of practical skills. Numerous opinions indicate that practical training is often overlooked during the training process. Respondents highlighted the need for more intensive training, simulation exercises, and hands-on experience with specialized equipment.

Another significant concern was the insufficient medical training, particularly in emergency care during combat. Many respondents noted the necessity for enhanced training in the medical field, emphasizing that officers should be better prepared to provide emergency care in battlefield conditions.

The lack of modern equipment for training new officers was identified as one of the most critical problems in current personnel management. Much of the military equipment in Ukraine is outdated, with exhausted resources and limited capabilities. This situation complicates officers' training and hinders their functional preparedness. Simulation equipment is key for training officers, especially in virtual or real-world combat environments. The absence of such equipment complicates the practical training of officers.

⁷ Oleksandr Torychnii and Evhenii Denysenko, "Scientific-research Competence in the System of Future Officers' Military-professional Education," *Ukrainian Professional Education*, no. 11 (2022): 142-149, <https://doi.org/10.33989/2519-8254.2022.11.275575>. – in Ukrainian

The low level of motivation among future officers is a serious problem that affects the quality of their training and their preparedness to perform duties under difficult military conditions. Stressful situations, military conflicts, and service demands can deteriorate the psychological state of officers. The absence of a psychological support system and insufficient attention to mental health can further diminish motivation. Additionally, a lack of appropriate support and encouragement from higher command significantly impacts motivation and belief in success. Differences in values and attitudes between superiors and subordinates can also affect the perception of service goals and objectives, further influencing motivation.

Another problem is the lack of preparation for psychological stress. Insufficient attention to psychological training leaves future officers unprepared for the mental stress of military service. A lack of stress and emotion management skills can deteriorate officers' emotional states while performing their duties. Additionally, inadequate training and simulations of adrenaline-fueled situations can hinder their ability to respond appropriately in extreme conditions. These aspects highlight the need for thorough psychological training to ensure officers can effectively perform their duties and manage psychological challenges in a military conflict. To summarize, these issues are critical to the effective training of new officers and require priority attention and modernization.

Identification of Most Critical Modernization Needs

In the context of the challenges posed by the ongoing military conflict, special attention should be paid to the critical aspects requiring immediate modernization of personnel management. A survey of highly qualified specialists was conducted to identify the most critical aspects requiring modernization. Approximately 100 military experts and specialists with extensive experience in military management and officer training participated in the survey. The respondents received questionnaires containing a comprehensive list of adverse aspects of new officers' training and had to select the five most important aspects that need modernization.

The survey results highlight several critical personnel management aspects that require modernization (Figure 2). The most pressing issue identified is the need to improve practical skills, with 67 % of respondents emphasizing this problem. They indicated a significant deficiency in practical training among officers and stressed the necessity for more intensive practical exercises, including simulators and training in environments that closely mimic real combat situations.

Additionally, 53 % of respondents highlighted the need for improvement in the system of attestation and selection of officers. They noted that the current procedures for assessing and selecting officers are inadequate and suggested that more objective criteria should be considered. Furthermore, they recommended the use of modern methods and tools for evaluating candidates to ensure a more effective and fair selection process.

Another critical aspect identified is the replacement of training personnel, with 51 % of respondents expressing the need for instructors with more practical and relevant combat experience. They emphasized the importance of systematic professional development for training staff, ensuring that their knowledge and skills remain current and aligned with the realities of modern military conflict.

Another crucial aspect identified is the preparation for psychological stress, with 45 % of respondents emphasizing the importance of psychological training in officer development. They highlighted the necessity of cultivating psychological resilience and adaptive skills, enabling officers to effectively manage challenging situations and stress.

Increasing motivation, with 41 % of respondents highlighting its importance, is another critical aspect requiring attention. The respondents emphasized the need to boost officer motivation by creating incentives for self-development and professional growth. They also pointed out the significance of implementing a comprehensive reward system to recognize and encourage outstanding performance, thereby fostering a more motivated and committed officer corps.

The survey results are an essential source of information for further developing and modernizing the personnel management system of the Armed Forces of Ukraine. They clearly highlight key areas that require improvement in training new officers, especially in the context of the ongoing military conflict. By addressing these identified issues, the Armed Forces of Ukraine can enhance their overall effectiveness and preparedness to face modern military challenges.



Figure 2: Elements of the New Officer Training System That Need to Be Modernized.

Ways to Modernize the Management System

Modernizing the management system of officer training is a critical step to increase the effectiveness and adaptability of the Armed Forces of Ukraine to modern challenges and threats.

Strengthening Practical Training

Strengthening the practical training of officers is essential for ensuring their preparedness for effective service in modern conditions. To improve the acquisition of practical skills, it would be appropriate to use computer simulators and programs that train officers in conditions as close as possible to real combat situations. This allows for the reproduction of different scenarios and analyzing actions in a virtual environment.⁸

In addition, it is crucial to improve and expand the training facilities. This involves modernizing and expanding existing training grounds, ranges, and areas for practical training. Participants must have the opportunity to work in conditions that closely resemble real-life situations.

Furthermore, it is essential to develop and implement various scenarios and tactical tasks that allow officers to acquire the necessary skills in different combat environments. Officers should work with modern military equipment and weapons, including training in the operation and maintenance of the actual equipment they will use in practice. This can significantly increase the level of practical skills.⁹

The analysis of previous military conflicts and modern scenarios is equally crucial, as it will provide officers with practical knowledge for solving combat tasks. Finally, using virtual reality technologies to establish virtual combat situations and training will enable officers to acquire skills in a virtual environment.¹⁰

Improving the System of Officer Appraisal and Selection

Enhancing the officer evaluation and selection system is crucial for developing qualified military leadership. This process requires ensuring that evaluations are objective and based on clearly defined criteria. The process must be fair and transparent for all candidates. In order to achieve this, it is helpful to define explicit criteria and standards that candidates must meet to improve their skills.

⁸ Tomáš Havlík et al., "Wargaming Simulator MASA SWORD for Training and Education of Czech Army Officers," *Proceedings of the 16th European Conference on Games Based Learning* 16, no. 1 (2022): 811-813, <https://doi.org/10.34190/ecgbl.16.1.914>.

⁹ Lorinzo Foxworth, "A Grounded Theory Study of Training Transfer among Army Non-commissioned Officers," *Journal of Psychological Issues in Organizational Culture* 3, no. 2 (2012): 30-58, <https://doi.org/10.1002/jpoc.20101>.

¹⁰ Oleh Maslii, Valentyna Volovnyk, and Oleksandr Babenko, "Formation of Professional Competence of Future Officers of the Logistics Troops (Forces) Supply of the Armed Forces of Ukraine," *Professional Education: Methodology, Theory and Technologies*, no. 11 (2020): 134-158, <https://doi.org/10.31470/2415-3729-2020-11-134-158>. – in Ukrainian

These criteria may include education level, practical experience, and training results. Analyzing and evaluating training outcomes, exercises, participation in military operations, and other aspects of practical work will help identify candidates' strengths and weaknesses.

Involving experts and instructors with practical military service experience can provide an objective assessment of candidates. Additionally, using modern testing technologies and methods will objectively determine the level of training and qualifications of candidates. Assessments should be conducted periodically to determine the need for further training and knowledge updates.

Given the lack of real-world experience among new officers, establishing a mentoring system would be highly beneficial. This system would provide support and guidance, helping new officers improve their skills and adapt to the military environment.¹¹ Implementing each of the proposed improvements can significantly enhance the officer appraisal and selection system, making it more objective and efficient.

Replacing Teaching Staff with Personnel with Practical Experience

The replacement of teaching staff is a key step in improving the officer training system of the Armed Forces of Ukraine. This will ensure a higher level of professional training for future officers and prepare them to meet modern challenges and tasks. Firstly, it is advisable to hold competitions and select teachers based on their high qualifications and practical experience in military service. High standards of education, practical experience, and professional training for teachers should be established. Additionally, a system of monitoring and evaluating teachers' performance should be introduced to ensure high-quality education.

Systematic internships and courses for teachers can be organized to introduce them to the latest teaching methods and modern strategies. It is imperative to involve practicing officers in the educational process. By providing opportunities for military experts to participate in the classroom, students will gain more practical experience. Moreover, it would be beneficial to use modern teaching technologies that bring practical training closer to real military situations and to provide access to relevant information and teaching materials to improve the quality of training.¹²

¹¹ Phatya Bahadur Khadka, "The Relevance of Psychological Testing in the Selection of Army Officers," *Unity Journal* 4, no. 1 (2023): 227-238, <https://doi.org/10.3126/unity.j.v4i01.52243>.

¹² Nataliia Chernysh, "Prerequisites for the Establishment and Development Factors of Legal Training of Officers in Higher Military Educational Institutions of Ukraine (Mid-XX – Early XXI century)," *Collection of Scientific Papers of Uman State Pedagogical University* 4 (2022): 45-53, <https://doi.org/10.31499/2307-4906.4.2022.270287>. – in Ukrainian

Improving Preparation for Psychological Stress

Effective psychological training is critical for officers in military conflicts, where stress and emotional strain are constant. A carefully planned psychological training program can significantly increase the level of preparedness and effectiveness of military operations. Developing individual psychological training based on analyzing each soldier's personal characteristics and psychological needs would be beneficial. Additionally, establishing situational simulations and using simulators to train responses to extreme situations is advisable.

Training the psychological resilience of teams is essential, focusing on developing skills for mutual support and effective communication under stress and tension. Implementing a system for psychological monitoring and tracking of the psycho-emotional state would also be effective. It would be useful to provide regular professional psychological assistance and counseling with professional counselors and psychotherapists to achieve these goals. Moreover, disseminating knowledge about mental health and personal psychological resources among candidates is crucial for effective self-regulation.¹³

Notably, these measures are designed to improve the psychological training of officers, a key factor in enhancing their preparedness and effectiveness in modern military conditions.

Increasing the Motivation of Candidates

The motivation of military personnel is crucial to their readiness and performance. An effective motivation system contributes to increased military discipline and commitment to tasks. One effective way to increase motivation is by developing a system of career advancement that provides accessible opportunities for professional growth and achieving high military ranks. Introducing material incentives and rewards, such as bonus systems and financial incentives for high achievements and exceptional merit, is also necessary.

Establishing a system of rewards and distinctions for excellence in task performance and job achievements is also essential. Social guarantees, such as medical care, housing, education, etc., for service personnel and their families, can further boost motivation. Offering opportunities to participate in international exercises, training, and conferences, along with platforms to express their opinions and participate in managing military teams, can significantly increase candidates' motivation.¹⁴

Analyzing all of the above, it can be stated that the overall success of any military organization largely depends on the effectiveness of its leadership and

¹³ Lin Wu et al., "The Influence of Job Burnout on the Attention Ability of Army Soldiers and Officers: Evidence from ERP," *Frontiers in Neuroscience* 16 (2022): 992537, <https://doi.org/10.3389/fnins.2022.992537>.

¹⁴ Renier C. Els and Helen W. Meyer, "The Role of Career Development in Ensuring Effective Quality Management of Training," *South African Journal of Human Resource Development* 21, no. 1 (2023): a2126, https://hdl.handle.net/10520/ejc-sajhrm_v21_n1_a2126.

personnel training. Given the current geopolitical realities and the ongoing war with Russia, it is crucial to modernize the management system, particularly in training new officers. The mentioned improvements are interconnected and play a critical role in ensuring the effectiveness and combat readiness of the Armed Forces of Ukraine amidst the current challenges. Implementing these measures in the personnel management system will enhance Ukraine's defense capabilities and national security.

Discussion

This research addresses the urgent need to modernize the personnel management system of the Armed Forces of Ukraine in wartime. It focuses on forming a highly qualified and adaptable officer corps capable of effectively responding to the dynamic challenges of modern warfare. The research identified key areas needing reform through a comprehensive analysis of existing training methods, organizational structures, and educational resources. Notably, the results are not entirely consistent with studies by other authors on similar aspects of the problem.

The research conducted by A. Nechepurenko explores general trends in training military specialists in the Armed Forces of Ukraine, focusing on the historical aspect of this process.¹⁵ Nechepurenko's work includes an analysis of the evolution of the education and training system in the Armed Forces of Ukraine from its establishment to the present day. Compared to our research, Nechepurenko examines the long-term development of the military personnel training system. His study covers important historical periods that influenced the establishment and functioning of the personnel management system of the Armed Forces of Ukraine, focusing on historical transformations and trends.

While Nechepurenko's research centers on the historical aspect, the present work aims to analyze the current state of personnel management in the Armed Forces of Ukraine amidst the ongoing war with Russia. Both studies are essential for understanding the evolution of the military personnel training system and provide key guidance for further improvements. Together, they offer a comprehensive view of the development and enhancement of personnel management in the Armed Forces of Ukraine.

The analysis of the research by Whiteside and coworkers highlights significant aspects of officer training and education relevant to the modernization of personnel management in the Armed Forces of Ukraine.¹⁶ The main findings of their

¹⁵ Andrii Nechepurenko, "General Trends in Military Specialists' Training of the Armed Forces of Ukraine: Historical Aspect," *Skhid*, no. 4 (162) (July-August 2019): 12-16, [https://doi.org/10.21847/1728-9343.2019.4\(162\).176936](https://doi.org/10.21847/1728-9343.2019.4(162).176936).

¹⁶ Travis E. Whiteside, Jerline Hsin, and Kevin W. Roberts, "Training, Education, and Experience of Active Duty Army Pharmacy Officers," *Journal of the American Pharmacists Association* 59 (2019): 545-549, <https://doi.org/10.1016/j.japh.2019.04.010>.

research indicate that officers require a high level of education and training, emphasizing systematic training and professional development. However, that study did not consider some aspects essential for a comprehensive understanding of the modernization needs of the Armed Forces of Ukraine. One significant gap in their research is the issue of psychological training for future officers. This aspect is crucial for preparing officers to handle the stress and emotional strains of military service, especially in times of war. Additionally, the research by White-side et al. does not address the use of modern technologies and innovative teaching methods in officer training, the flexibility of the curriculum, and its ability to adapt to the rapidly changing dynamics of modern combat environments.

The research of H. Zhong examines in detail the possibilities and benefits of using virtual reality (VR) technology in the psychological training of military personnel.¹⁷ The author indicates that using this technology can significantly improve training effectiveness, contributing to the development of skills necessary for successfully completing military tasks. The research highlights that VR technology can emulate a virtual military environment, allowing military personnel to gain practical experience and skills in conditions that closely mimic real-life situations.

The research of O. Hnydiuk focuses on the organizational and pedagogical aspects of professional and physical training of officers in the Armed Forces of Great Britain.¹⁸ A comparison of this research with the present one helped identify some aspects of international experience that will be useful for further research in this area. Hnydiuk's research examines the organizational and pedagogical aspects of officer training in the UK Armed Forces, emphasizing preparation for professional and physical challenges. These insights can be beneficial for enhancing the effectiveness of training Ukrainian officers. The study also underscores the importance of psychological training for officers, highlighting the need to apply modern pedagogical methods and technologies in the training process. This focus on contemporary educational techniques can improve the quality of training and help officers adapt to modern challenges. Additionally, Hnydiuk's research addresses the certification and selection of officers. Implementing an effective system of selection and certification can enhance personnel quality. These aspects are crucial for further efforts to modernize the personnel management system of the Armed Forces of Ukraine.

¹⁷ Hua Zhong, "Analysis on the Application of VR Technology in Military Psychological Training in 5G Era," in *Innovative Computing (Proceedings of the 5th International Conference on Innovative Computing (IC 2022))*, Lecture Notes in Electrical Engineering, ed. Yan Pei, Jia-Wei Chang, and Jason C. Hung (Singapore: Springer Nature, 2022), 1141-1146.

¹⁸ Oleksandr P. Hnydiuk, "Organizational and Pedagogical Foundation of Professional and Physical Training of Officers of the Armed Forces of Great Britain," *Scientific Herald of Sivershchyna (Series: Education. Social and Behavioural Science)* 8, no. 1 (2022): 69-80, <https://doi.org/10.32755/sjeducation.2022.01.069>. – in Ukrainian

The work of D. Walker et al. provides valuable insights into the ethical aspects of officer training.¹⁹ The research focused on assessing ethical thinking among junior officers, utilizing specialized tools to evaluate their understanding of ethical principles and ability to resolve situations related to the moral aspects of service in the army. This study highlights a critical aspect of officer training: developing candidates' moral training. When comparing this research to the current study, it is significant to note that both focus on assessing and improving officer training in moral and ethical issues. The authors' research can provide additional perspectives on assessing and strengthening the ethical mindset of personnel.

The research by P. Lalonde offers valuable insights into the organizational and methodological aspects of officer training applicable to modernizing personnel management in the Armed Forces of Ukraine.²⁰ Similar to the present research, it emphasizes the importance of providing officers with practical skills that can be used in real-life situations. Additionally, the study highlights the significance of incorporating modern technologies into the educational process, adopting an individual approach to each officer, analyzing their educational and training needs, and developing leadership skills in future officers. These aspects are crucial for preparing officers of the Armed Forces of Ukraine for leadership roles.

The study by O. Heřman et al. identified key characteristics of officers' strengths as assessed by cadets and soldiers.²¹ The research used these groups' assessments of various aspects of officers' character and moral qualities. The study is helpful for understanding and analyzing how subordinates and cadets perceive officers' character traits and provides valuable guidance on critical aspects that can be developed in new officers' training. In comparison to the present research, the authors consider how officers' characteristics affect their effectiveness in performing their tasks.

W. Sikazwe et al. focus on the moral and volitional qualities of future military officers.²² Compared with the present research, which examines the training of officers of the Armed Forces of Ukraine in the context of military conflict, their study does not address the physical training of officers. In a military context, the

¹⁹ David Ian Walker, Stephen J. Thoma, and James Arthur, "Assessing Ethical Reasoning among Junior British Army Officers Using the Army Intermediate Concept Measure (AICM)," *Journal of Military Ethics* 20, no. 1 (February 2021): 2-20, <https://doi.org/10.1080/15027570.2021.1895965>.

²⁰ Patrick C. Lalonde, "Border Officer Training in Canada: Identifying Organisational Governance Technologies," *Policing and Society* 29, no. 5 (November 2017): 579-598, <https://doi.org/10.1080/10439463.2017.1397148>.

²¹ Ondřej Heřman, David William Mac Gillavry, Eva Höschlová, and David Ullrich, "Character Strengths of Czech Army Excellent Officers as Perceived by Cadets and Soldiers Serving in Reconnaissance Units," *Military Medicine* 189, no. 3-4 (March-April 2024): 683-691, <https://doi.org/10.1093/milmed/usac253>.

²² William Sikazwe, Evance Kalula, and Eustarckio Kazonga, "Knowledge of, Attitudes Toward and Practices of Ethics of War of the Officers and Soldiers of the Zambia Army," *Scientia Militaria – South African Journal of Military Studies* 50, no. 3 (2022): 69-87, <https://doi.org/10.5787/50-3-1381>.

physical readiness of military personnel is a key component of their overall performance. Additionally, while the moral and volitional qualities are important, they represent only one aspect of psychological preparedness. Psychological preparedness encompasses many other facets that are essential for comprehensive training.

A general analysis of the literature and the results of the authors' research emphasize that modernizing the personnel management system of the Armed Forces of Ukraine, set in the context of the ongoing military conflict, is a relevant issue that requires further scientific substantiation and practical implementation.

Conclusions

Due to the complexity and unpredictability of modern military conflicts, personnel management requires constant updating and improvement. Effective management of military forces is critical to Ukraine's national security and defense capabilities. This research is an analytical work that aims to modernize the personnel management system of the Armed Forces of Ukraine amid the ongoing military conflict with Russia, focusing on the training of new officers. The study identifies strengths and weaknesses in officer training and suggests ways to modernize the system further.

The research has established that the current personnel management system in the Armed Forces of Ukraine has positive aspects. Notably, the high level of theoretical training provides officers with the necessary knowledge to perform their duties effectively. Additionally, positive trends in cooperation with partners and other countries have been observed, facilitating the exchange of experience and introduction of best practices in officer training.

However, the research identified some significant shortcomings in training new officers. In particular, the lack of modern equipment for training officers is a critical issue that could impact their preparedness for duty. Many opinions suggest that the training process pays insufficient attention to practical skills. Also, low motivation levels are a serious problem affecting training effectiveness. Inadequate preparation for psychological stress can lead to difficulties in demanding military operations. Furthermore, the system of attestation and selection of officers needs improvement to ensure a high standard of candidates.

To address these problems, several ways to modernize the personnel management system have been proposed:

- *Practical Application of Theoretical Material:* An essential stage in officers' training is providing opportunities for the practical application of theoretical material. Introducing simulators and training complexes that model real-life military situations will help develop skills and gain experience.

- *Effective Selection of Candidates*: It is essential to establish clear criteria and standards for selecting candidates, considering the current requirements and specifics of military conflict.
- *Curriculum Reform and Experienced Teachers*: There is a need to reform curricula and engage teachers with practical military experience to ensure that training is relevant and up-to-date.
- *Enhancing Motivation*: Motivation should be considered an integral part of successful training. Introducing incentives that account for each candidate's specific needs and motivational factors can significantly increase overall motivation and commitment among future officers.
- *Improving Psychological Resilience*: Developing programs and training designed to improve psychological resilience and adaptation to stressful situations is crucial. This will enable each officer to effectively cope with difficult situations and make informed decisions under intense pressure.

In addressing these issues, it is essential to consider the specific characteristics and needs of each military unit. Actively cooperating with international partners to incorporate best practices and technologies in the military sphere is also crucial. Optimizing these processes will help train highly qualified officers to handle modern challenges and tasks effectively.

Further research could address the development of comprehensive training programs based on the latest trends and requirements of the military sphere. Specifically, building on the above recommendations, future research could focus on establishing and implementing practical methods to increase the effectiveness of training new officers and improve the overall preparedness of the Armed Forces of Ukraine for current and future challenges.

In summary, the research confirmed the need to modernize the personnel management system of the Armed Forces of Ukraine. In addressing these problems and implementing the recommendations in this article, an adequate strategy can improve officer training and ensure effective personnel management under war conditions.

Annex 1. Questionnaire

Assessment of the Current State of the Human Resources Management System

1. Your assessment of the effectiveness of the current governance system (from 1 to 10, where 1 is not effective at all and 10 is very effective).
2. What do you think are the main strengths of the current governance system?
3. What do you think are the main weaknesses of the current governance system?

Improvement Recommendations

1. What specific steps can be implemented to improve the governance system?
2. Do you think it is necessary to introduce new curricula and methods? (Yes/No).
3. What new technologies and training methods do you consider the most promising for officer training?
4. What skills and competences do you consider to be the most important for modern officers?

Choose the Five Most Important Aspects That You Think Need to Be Modernized

1. Development of new strategies and tactics due to changing threats
2. Improving training programs and methods
3. Improving the system of attestation and selection of officers
4. Development and implementation of modern educational programs that consider current trends and needs
5. Optimization of communication processes
6. Improving the psychological training program
7. Replacement of training staff
8. Integration of modern information and communication technologies into the learning and management process
9. Improving medical training
10. Increase the motivation of candidates
11. Development of leadership skills
12. Increasing the level of practical skills
13. Optimization of the reward and incentive system
14. Cooperation with foreign partners
15. Providing social guarantees and support

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