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THE WAR OF THE RUSSIAN FEDERATION AGAINST UKRAINE IN 2014–2025 AS A CIVILIZATIONAL CONFRONTATION²: POLITICAL AND INTERNATIONAL LAW ASSESSMENTS

INTRODUCTION

From the very beginning, the war of the Russian Federation against Ukraine in 2014–2025 was a civilizational clash of existential order and was entirely determined by the Kremlin's imperial geopolitical radios. The collapse of the USSR became for the rulers of Russia and the majority of its population "the greatest catastrophe of the twentieth century." The lamentation for the lost "greatness of the great power" turned into a catalyst for expansionist policies and a mobilising factor in Russian society. In the early 2000s, an eclectic mix of worldview, ideological, philosophical and political messages was formed in Russia, which are characterised by the definition of "rashism." Thanks to total propaganda, racism has become a surrogate for state ideology and political practice in the Russian Federation, and is aimed at militarising and dehumanising public consciousness. All the actions of Putin's authoritarian regime give grounds to state the systemic degradation of Russian statehood and civil society. Today, the Russian Federation has become a major factor in global threats that destroy the world order and the international security system.

In the global political, public and academic discourse, the Russian invasion of Ukraine was described in euphemistic terms that did not adequately reflect the real state of af-

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² The authors are aware that the term "civilizational confrontation" is most often associated with the connotation proposed by Samuel Huntington in his famous work. At the same time, it should be noted that this study will focus specifically on the clash between two different worldviews and axiological systems in the context of global armed conflict.

fairs. Repeating Russian narratives, many politicians and scholars referred to the war as a “civil war,” “non-international conflict,” “crisis in Ukraine,” etc. The compromise of Western states in 2014–2021 gave the military and political leadership of the Russian Federation confidence in impunity for the occupation of Ukrainian territories and violation of the Budapest Memorandum. This fact gave Putin the confidence that a large-scale invasion of Ukraine in February 2022 would be met with indifference by the world. Over time, the war has become global in nature, as dozens of countries around the world are providing assistance to the parties to the confrontation in one way or another.

The statements of the military and political leadership of the Russian Federation and the main messages of the state propaganda machine clearly indicate that the Kremlin’s main goal is to destroy not only the Ukrainian state, but also the Ukrainian political nation. Russia is trying to achieve its goals through barbaric methods of confrontation, systematically violating all existing laws of war and international legal acts governing the rules of war. The Kremlin is systematically violating the rules and customs of war governed by international law. In addition to the crime of aggression, the Russian Federation is charged with war crimes and crimes against humanity.

An end to the war is possible with a consolidated position of that part of the international community that professes humanistic values, the principles of democracy and freedom, the territorial integrity of other states and non-interference in their internal affairs. The colonial way of thinking espoused by the Kremlin has completely exhausted and discredited itself as an archaic atavism with no prospects. Supporting Ukraine should become a mainstream in shaping the new contours of the international security system. Without it, the world will continue to teeter on the brink of a new, possibly nuclear catastrophe.

HISTORIOGRAPHICAL OVERVIEW

The Russian Federation’s aggression against Ukraine, which began in 2014, has broken the Yalta system of world order and international security. The complex impact of this war on global processes is so significant that its assessment will require many years of research by representatives of all scientific disciplines involved in the analysis of military extremes. Over the past 10 years, a large amount of literature has already been formed, reflecting various aspects of this war.

The researchers of the National Defence University of Ukraine have prepared a “White Book of the Anti-Terrorist Operation in Eastern Ukraine (2014–2016),” which describes the military and political factors and provides a brief summary of the first period of the conflict, analyses the lessons learned by the Armed Forces of Ukraine and covers the events in the Ukrainian Donbas and Crimea (Rusnak, 2017). This book is rich not only by unique data, but also in analytical generalisations and important theoretical and conceptual provisions. Its English version was presented at NATO Headquarters in Brussels.

The large-scale invasion of Ukraine by Russian troops has given rise to works that study the military, geopolitical, socio-humanitarian, economic and other aspects of the armed conflict.

The book “The Russian-Ukrainian War: The Return of History” (Plohiy, 2023) by Serhiy Plokhii, Director of the Ukrainian Research Institute of Harvard University, reveals a whole range of problems in Ukrainian-Russian relations in the past and present: the evolution of the Russian imperial idea, autocratic tendencies in Russian state-building, the nuclear vector of international politics and Ukraine, guarantees of its national security, the Novorossiia project, the course of events after the large-scale invasion of Ukraine by Russian troops, and the position of Western powers. The author’s characterisations of certain phenomena and actors in this confrontation are based on a large corpus of sources and are distinguished by their accuracy and objectivity.

Many publications on the topic of the Russian-Ukrainian war have been published in different countries. One of the most rich in empirical materials and their conceptualisation is the work of Paul D’Anieri, who has proposed an interesting comparative platform for the military-political characterisation of modern Russia and Ukraine (D’Anieri, 2019).

Marlene Laruelle’s monograph describes the ideological foundations of modern Russian domestic and foreign policy doctrines, which are based on Russian nationalism/chauvinism, xenophobia, positioning of “enemies” and expansionist policy towards neighbouring states that Moscow considers its own “sphere of influence” (Laruelle, 2019).

Laurence Friedman analyses the Kremlin’s historical policy, based on imperial allusions and attempts to practically reincarnate the “world power” (Freedman, 2022). Andrew Roth reflects on Putin’s attempts to become the successor of the first Russian emperor Peter the Great (Roth, 2022).

Luke Harding, a British journalist and writer, a correspondent for The Guardian, who witnessed the events of February 2022, travelled to the “hot spots” and recorded the facts, wrote a book based on them, *Invasion. Behind the Scenes of Russia’s Bloody War and Ukraine’s Struggle for Survival* (Harding, 2022). Despite the fact that this publication was not prepared by a professional scholar, it is perceived as a detailed documentary historical account of the first year of the war, combining political analytics with military chronicles, and the everyday dimension of the war with its social characterisation from below. The text is filled with real episodes of confrontation that illustrate the Russian genocide in Ukraine.

A broad retrospective of Russian-American relations in the post-Cold War era was provided by M. E. Sarotte (Sarotte, 2021) in his monograph. He convincingly demonstrated how Putin implemented his idea of reviving a new Russian “superpower” and how this threatened the system of collective security in the world. The formation of Putin’s authoritarian regime and its expansionist policy towards the post-Soviet countries was the subject of Stephen Lee Myers’ research (Myers, 2015).

Rayar Menon and Eugen Rumer research the events of 2014–2015 in the dubious paradigm of the “conflict in Ukraine” (Menon, 2015). They show how the configuration of forces of the leading players on the post-Cold War geopolitical chessboard contributed to the formation of imperial tendencies in the Kremlin’s foreign policy and why Putin decided to put his plan for Ukraine into practice.

Timothy Snyder’s keen interest in the war in Ukraine stems from his extensive research on the history of the Central and Eastern European region, in particular the

fate of the “blood lands” (in which he includes Ukraine) during World War II. In 2019, he published his work “The Road to Unfreedom: Russia, Europe, America,” which analyses the complex of geopolitical puzzles that ultimately made possible the Russian invasion of Ukraine in 2014 (Snyder, 2019).

The work of philosopher Stanley Jason “How Fascism Works. The Politics of ‘Us’ and ‘Them’” (Jason, 2018) traces the current processes associated with the slide of some countries towards elements of fascism through the invention of a “glorious past,” as opposed to real historical events, the struggle against the intellectual environment and dissenters, attempts to build a hierarchical society, the use of the media as propaganda tools in favour of one social group or political party, and the positioning of “us” and “them.” The author uses numerous examples to show how fascist politicians are trying to artificially inspire panic in society, impose their own ideological stereotypes and behavioural patterns, discredit the achievements and values of liberal democracy, and points out the threats of such actions to the future. Showing the signs and manifestations of fascism in the United States, Hungary and other countries, the researcher, however, virtually ignored similar processes in Russia, limiting himself to a few uninformative references to the gender segment of the problem (Jason, 2018: 51).

An important information source reflecting a wide range of events, including the vision of the situation by the Russian military and political leadership, its allies and countries with an uncertain position, has become the daily synthetic reports prepared by the Institute for the Study of War, which cover the course of events in and around Ukraine (*Institute for the Study of War*, 2022).

Considering the scientific perspective of this study, it is also worth taking into account the publication by O. M. Sytnyk and O. I. Zubkovich, which reveals the foundations of the Russian Federation’s hybrid policy towards Ukraine. The authors prove that the political campaign to pressure Ukraine began long before the large-scale invasion and consisted of systematic influence on Ukrainian foreign and domestic policy. The researchers suggest that such methods of pressure should be viewed as a form of confrontation with the West, which the Kremlin does not dare to engage in directly through armed conflict (Sytnyk, Zubkovich, 2025).

Valentin Yakushik’s scientific research correlates with the above-mentioned study. The Ukrainian political scientist and international relations expert studies the stratification of Ukrainian society in the context of its sensitivity to Russian propaganda narratives and their impact on the political situation in the country (Yakushik, 2019).

In the context of legal assessments of the Russian-Ukrainian war, it is important to mention the research of Liubomyr Khakhula. The author studies the attitude of the Russian army towards objects of Ukraine’s cultural heritage during combat operations. She reasonably argues that the actions of the Russian army and other paramilitary formations that are part of it are not only criminal but also anti-civilisational (Khakhula, 2025).

A review of the literature suggests a huge surge of interest in the history of Ukrainian-Russian relations, Russia’s colonial policy towards neighbouring nations and countries, and the Russian war against Ukraine that began in 2014. At the same time, the wide range of debatable issues in this thematic niche creates a wide field for authorial interpretations, conceptual constructions, and the rejection of certain definitions (e.g., “Ukrainian crisis,” “Ukrainian conflict,” etc.) that do not reflect the real situation.

RESEARCH METHODOLOGY

The theoretical and methodological basis of this study is the conceptual work of leading experts in the fields of history, political science, international law, social psychology, military science, economics, and sociology. The interdisciplinary approach is aimed at providing a stereoscopic research perspective and taking into account the set of factors that enabled and feed Moscow's expansionist course in the early 21st century against neighbouring states. The application of tools from various sciences makes it possible to synthesise empirical data into conceptual constructs and structured generalisations and conclusions.

Critical use of the terminology of contemporary social sciences and humanities, clarification of the connotations of certain definitions, and filling them with adequate content and meaning are important for achieving the aim of the study. The study of complex socio-political and military aspects of the Russian-Ukrainian war is carried out through the accumulation, verification and systematisation, careful selection and analysis of sources of various origins, informative potential and orientation. The author's interpretations are guided by the principles of objectivity and worldview impartiality, as well as the reasonableness of theoretical propositions, assessments, and conclusions.

WAR AS A CIVILIZATIONAL CHOICE: DEFINITIONS AND CHARACTERISTICS

Russia is unable (or unwilling) to accept the real state of affairs in Ukraine. Most of all, this concerns inadequate assessments of the socio-political situation in Ukraine. Firstly, the Kremlin stubbornly fails to notice the rapid drift of the two neighbouring nations in diametrically opposite directions. In Ukraine, the process of creating a Ukrainian political nation continues at an accelerated pace, periodically receiving impulses from the Orange Revolution, the Revolution of Dignity and armed Russian aggression. The syndrome of Soviet resentment in Ukraine is gradually fading away, and its rudimentary atavisms are not politically motivated but rather fuelled by certain socio-economic difficulties. With some difficulties a civil society capable of influencing the authorities is being formed in Ukraine. The majority of citizens support the process of establishing the rule of law, democratic reforms, political pluralism, the fight against corruption, reduction of the oligarchy's sphere of influence, equal conditions for doing business, development of democracy, democratic governance, and ensuring human rights. These positions outline the axiological guidelines of Ukrainian society, which does not change them even in times of war. Moreover, the existential nature of the war stimulates the development of various forms of social self-organisation, social solidarity, volunteering, charity, empathy and mutual support. Ukrainians are fighting not just for their physical survival, but for their existence as a political nation with its own statehood.

Secondly, for various reasons, Moscow completely underestimated the number of its sympathisers in Ukraine. The expectation that residents of most Ukrainian towns and

villages would welcome Russian troops favourably did not materialise, as was clearly demonstrated by the residents of Kherson and other cities. Some of the collaborators joined the Russians and their army, but in general, the occupation authorities hold the illegally seized territories of Ukraine with the help of an extensive apparatus of violence and terror: the army, political police, other special services, courts and prisons.

Thirdly, the Kremlin's thesis about "rampant Nazism in Ukraine" has proved to be absolutely worthless in terms of understanding the true state of affairs and unproductive for developing strategies (ideological, propaganda and even military). In reality, the right-wing radical groups that exist in Ukraine play a negligible role in political life and an unnoticeable role in public life. At the same time, representatives of these forces were the first to join the ranks of the voluntary armed groups that stood up to defend the homeland immediately after the invasion of Donbas and Crimea by Russian regular troops. However, Moscow has always used euphemisms to describe its "enemies" and justify its ambiguous actions. That is why millions of patriotic Ukrainians who demonstrate their readiness to resist Russian expansion have suddenly become "Ukrainian nationalists or Nazis."

Fourthly, the Russian network of information and propaganda services spread allegations in the world and at home about the "pumping" of Ukraine with American weapons after 2014, which allegedly posed a threat to Russia's national security. However, everyone knows that the United States began to provide certain types of weapons (in particular, the Stinger and Javelin systems) only when plans for a large-scale Russian invasion of Ukraine in early 2022 became known. The plans of official Kyiv to join NATO, which members were not ready to this course of actions, were also far from being implemented. Nevertheless, the Russian Federation's leadership declared Ukraine's "denazification" and "demilitarisation" to be the main goal of the "special military operation" in Ukraine.

Meanwhile, the mass consciousness of the "hinterland people" (as the Russian political elite pejoratively calls its own electorate) was being imbued with resentment and nostalgia for the "great power" (the USSR), which was allegedly destroyed by the "traitors" of the West. The too short period of liberalisation in Russia during the presidency of Boris Yeltsin did not allow for the formation of developed democratic principles of social and political life, the basic attributes of civil society, and reliable channels of constant two-way communication between the government and society. Vladimir Putin, who was elected president of the country 4 times in violation of the Constitution of the Russian Federation, has turned all branches of the legislative, executive and judicial branches into levers of manual control from the only real decision-making centre – the Kremlin (the president and his narrow circle). In this way, an authoritarian regime with dictatorial powers of the president was formed in Russia.

Due to total processing, an extensive network of propaganda services has been implementing the ideas of "messianism" and "divinely chosen" Russian people, their "civilizational vocation," superiority over other nations, chauvinism and xenophobia into the mass consciousness for almost two decades. On this basis, the military and political leadership of the Russian Federation builds mobilisation technologies and ensures support for its expansionist and aggressive foreign policy. Over 80% of Russians supported the large-scale invasion of Ukraine by the Russian army in February 2022.

In an attempt to formulate the main political and ideological messages that could give some meaning to the everyday practices of the Putin regime, philosophers, political technologists, representatives of the scientific and religious environment have formulated a specific symbiosis that has been called “rashism” outside the Russian Federation. In general terms, rashism can be defined as an ideology and practice based on chauvinism, contempt for non-Russian peoples, imperial geopolitical ambitions, and disregard for international law and universal human values. Rashism is characterised by a combination of the following inherent properties:

- ancestral predisposition to models of political system based on a “strong hand,” chieftaincy, authoritarianism and totalitarianism, belief in a “good king,” transfer of all power to the ruling elite, and unwillingness to form a civil society and a state governed by the rule of law;
- the use of violence and war as universal methods of achieving goals by the ruling elite and the acceptance of this practice in the minds of the majority of the population of the country;
- creation and intensive use of a powerful propaganda mechanism to form a favourable public opinion and mobilise Russian society to implement certain political decisions, as well as to create a positive image of the regime in the world;
- instrumentalisation of substitution of concepts, use of euphemisms, falsifications, hoaxes, outright lies in domestic and foreign policy in the form of information and psychological operations (IPO);
- consolidation of various phobias in the mass consciousness through appropriate political technologies, constant exploitation of the syndrome of an external “hostile environment” and threats aimed at legitimising the regime and obtaining *carte blanche* from society to pursue aggressive policies and interfere in the affairs of sovereign states;
- complete blurring of the individual in a purposefully formed crowd, whose unity is based on “staples” that do not correlate with universal values: expansionism, Russian “messianism,” the exclusive place of Russian Orthodoxy in Russia and the world, the idea of the “Russian world” (“*Russkiy Mir*”), contempt for everything non-Russian;
- systematic reproduction and periodic correlation, according to the current situation in Russia, of the psychotype and mentality of a community with pronounced and deeply rooted features that oppose traditional values;
- continuous manipulation of the crowd, deprived of the individual and collective ability to distinguish between right and wrong, which is quick to respond to expansionist appeals and unable to realise the destructive consequences of its actions in the medium and long term;
- lack of social responsibility, deep human solidarity, the ability to self-organise at the micro level, and a broader empathy for the suffering;
- a genetic predisposition to racial, ethnic and religious prejudice, xenophobia in all its manifestations, and rallying around chauvinistic slogans and aggressive nationalism;
- lack of a deep personal conscience and the ability to repent, failure to recognise own mistakes, searching for the causes of all troubles outside, not inside oneself,

- blaming “enemies of the people,” the collective West, “Ukrainian Nazis,” “cosmopolitans,” Catholics and simply all “others” and “strangers”; formation of artificial watersheds between peoples and different social and cultural communities;
- loss of reliable humanistic guidelines, scepticism and alienation from the principles of democracy, individual and collective freedom, and historical responsibility;
- lack of a deep culture of dialogue, tolerance, and respect for other opinions;
- artificially constructed, apologetic historical narrative. Russians are simply used to living in the shadow of authoritarian and totalitarian regimes. For them, state supremacy (ethatism) and paternalism, the absence of the rule of law and civil society, and rampant corruption have become the norm. The trivialisation of threatening deviations from the leading and promising trajectories of social development (not only Western ones, of course) occasionally, as in recent decades, takes on the appearance of a civilizational deviation;
- construction of artificial imaginary communities (Eurasianism, “Russian World,” “Holy Russia,” “Third Rome”) marked by archaism and conservatism, to which reality is forcibly attracted;
- information, economic, cultural and linguistic expansion towards neighbouring and other states.

The facts mentioned above, give reasons to qualify racism as an ideology and political practice of modern Russian imperialism.

The current war of the Russian Federation against Ukraine has a number of specific characteristics, which are manifested in the methods and forms of its conduct.

First, Russia is trying to convince politicians and the international community that there is not a war in Ukraine, but a “crisis” or “conflict,” and that the Russian army is conducting a “special military operation to demilitarise and denazify Ukraine.” Many influential Western politicians and public figures have fallen for these propaganda techniques, and in the countries of the “global South,” they are still convinced that Moscow is “putting its house in order” and fighting the Nazis and the collective West, which has allegedly “pushed it to the wall.” In fact, the hybrid war of the 1990s and early 2000s escalated into a full-fledged war between Russia and Ukraine in 2014. The politician and diplomat Andriy Shevchenko defined the situation in 2022 as follows: “International law focuses on the essence, on action, not on formal declarations of war. However, there are also so-called humanitarian conventions and protocols that prescribe the laws and rules of warfare. They oblige parties to an armed conflict to clearly separate military and civilians; they prohibit the use of weapons that pose a threat to civilians, etc. Therefore, if we are to talk about any kind of compliance with international law and the conduct of war, Russia is blatantly disregarding them. And the violations of the rules did not begin in Bucha, Borodyanka, Kherson, Melitopol or Berdiansk. For our country, they began in 2014” (Bilousenko, 2022).

Deputy Minister of Defence of Ukraine Hanna Malyar said that the “undeclared or unrecognised war” is an FSB (Federal Security Service) narrative that “clearly demonstrates how the FSB is engaging the intellectual and patriotic part of society in a destructive discussion. If, for example, there is a fact of invasion of our territory by the troops of a foreign state, the fact of occupation, this is already aggression, and in everyday language, it is war. And it doesn’t matter whether someone recognises it or

not, whether war has been declared or not. There is no need to adopt a law or decree that would specifically confirm that we are at war.” The official also stressed that the war in Ukraine has been going on since 20 February 2014. “This date of the beginning of the armed aggression is repeatedly mentioned in laws and court verdicts. We have 17 verdicts in which it has been proved in court that Russia committed a crime against Ukraine – armed aggression” (*The concept of “undeclared or unrecognised war”*, 2022).

In an interview with *The Economist*, the former Commander-in-Chief of the Armed Forces of Ukraine, General Valeriy Zaluzhnyi, said: “For us, the war began in 2014. Everything that happened on 24 February was just an increase in scale. We had a 403 km frontline and 232 strongholds. And by 24 February, the front grew to 2,500 kilometres” (*Interview with General Valery Zaluzhny*, 2022).

Second, Russia is actively using proxy forces in its anti-Ukrainian expansion. Dave Dileg, author of several books on terrorism, points out that “the most satisfactory – or least satisfactory – organisational concept in the United States over the past three years has been that of “hybrid warfare.”

Oleh Pokalchuk notes in this regard: “The war in Ukraine is an ordinary multi-vector war. ...A proxy war is when one or both sides of the conflict represent the interests of more powerful players and can receive support from them. Russian proxy forces in eastern Ukraine are used by the Russians as a key driving force to achieve their goals, accompanied by political, information and cyber operations. This is a proxy war with hybrid tactical attacks” (Pokalchuk, 2017).

Due to a lack of information, conservatism and a tendency to make balanced and cautious assessments, the events of 2014 in Donbas were classified as a “non-international armed conflict” in most documents published by foreign experts. However, under international law, an international armed conflict involves the use of armed force by at least two states. The threshold for such a conflict is quite low and does not require a certain intensity or duration. According to the analysts of the Rule of Law in Armed Conflicts (RULAC) project of the Geneva Academy of International Humanitarian Law and Human Rights, the existence of an international armed conflict should be determined by facts, not by the subjective intentions of the warring parties. There are good reasons to classify the events in eastern Ukraine since 2014 as an international armed conflict. After the proclamation of the so-called “DPR” (Donetsk People’s Republic) and “LPR” (Lugansk People’s Republic), the military and political structures of these so-called “republics” was formed under the full control of Moscow, and those who allowed themselves to deviate from the line set there died as a result of “accidents.”

FSB and GRU officers were appointed to key positions in the “law enforcement agencies.” All armed groups of militants were subordinated to the Russian military command. Russia provided them with weapons, ammunition, and ammunition, covertly (the so-called “humanitarian convoys”) or even openly providing material support. Moscow also began to determine the economic situation almost immediately, redistributing property, financing the occupation administrations, ensuring the payment of salaries and pensions, and resorting to populist measures. Therefore, the collaborationist groups of the “DPR” and “LPR” can be considered de facto Russian agencies since

2014, and the confrontation in Donetsk and Luhansk regions should be classified as an international armed conflict. So, it should be stated that it is incorrect to call such armed groups hostile to Ukraine “pro-Russian,” “separatist,” “militia,” etc.

Politicians and the military, academics and the media in different countries have been struggling to find the right terms to describe the occupation of Crimea and the Russian Federation’s armed aggression against Ukraine. These difficulties are not accidental, as they are the result of one of the techniques of the “hybrid war” that Moscow has long been waging in the information space. Kremlin political technologists, seeking to create the illusion of a “civil war” in Ukraine, have exploited the difficult situation and provoked the international community to use distorted and ambiguous terminology and euphemisms to form false assessments of the country’s events and justify their own position. In reality, we are not talking about “separatists” or “militias,” but about Russian occupation troops (forces). They can be divided into two categories: the first is regular units of the Russian armed forces, and the second is irregular, illegally created formations. The Law of Ukraine “On Peculiarities of the State Policy on Ensuring the State Sovereignty of Ukraine in the Temporarily Occupied Territories in Donetsk and Luhansk Regions” stipulates that the Russian Federation is temporarily occupying part of the territory of Ukraine with the help of the armed forces of the Russian Federation, consisting of regular units subordinated to the Ministry of Defence, units and special formations subordinated to other law enforcement agencies, their advisers, instructors, local collaborators, criminals, militants of irregular illegal armed groups (*On Peculiarities of the State Policy*, 2018).

The Office of the Prosecutor of the International Criminal Court in its report on the preliminary examination (November 2016) concluded that the available information “indicates the existence of an international armed conflict in the context of the armed hostilities in eastern Ukraine since 14 July 2014, in parallel with a non-international armed conflict” (*Human rights violations...*, 2018). This refers to the international armed conflict on the Crimean peninsula and the non-international armed conflict in Donbas. The authors of the above-mentioned article (Valeriy Hrytsiuk and Oleksandr Lysenko) expressed their fundamental disagreement with this definition of the events in Donetsk and Luhansk regions, considering them to be a single international armed conflict from the very beginning, caused by the pre-planned actions of the Russian military and political leadership. The Kremlin saw Donbas as a “bargaining chip” with international partners, primarily Germany and France, who were trying to resolve the conflict within the framework of the Minsk process.

This region was used to promote the idea of federalisation of Ukraine, which in practice meant dismembering it. In fact, Russia has established an occupation regime in the Crimean peninsula and Donbas. The pseudo-referendum, which declared Crimea a “subject of the Russian Federation” on 21 March 2014, did not change its actual status. Already on 27 March, the United Nations General Assembly adopted Resolution 68/262 (100 votes in favour, 11 against, 58 abstentions), which stated: “the referendum held in the Autonomous Republic of Crimea and the city of Sevastopol on 16 March 2014, being null and void, cannot be the basis for any change in the status of the Autonomous Republic of Crimea or the city of Sevastopol.” The UN documents reported that the Russian authorities systematically transferred citizens from the Rus-

sian Federation to the occupied territory of the Autonomous Republic of Crimea and Sevastopol in order to change the demographic map of the population. This is a violation of Article 49(6) of the IV Geneva Convention, which states that “the Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies” (*Territorial integrity of Ukraine...*, 2014). Despite the so-called “DPR” and “LPR” request for “assistance” from Russia, this does not change the qualification of the situation in the Ukrainian Donbas as a military occupation.

In September 2022, so-called “referendums” were held in parts of Luhansk, Donetsk, Kherson and Zaporizhzhia regions captured by Russian troops, following a well-proven scenario, with results pre-programmed in Moscow. On 30 September, Putin signed laws on the “incorporation” of these territories into the Russian Federation. On 19 October, the Kremlin declared martial law there.

As parts of these regions of Ukraine were seized by Russia by force of arms, the law of occupation applies to them. According to international norms, the occupying power does not acquire sovereignty over such territories, so any “referendums” held there are considered illegal. Under international law, the territory of a state is considered to be occupied if it is under the rule of an enemy army. A prerequisite for occupation is the establishment of “effective control,” i.e. the presence of the armed forces of another state without the consent of the national government; the presence of foreign military contingents prevents the effective performance of functions by local authorities; foreign forces establish their authority in the occupied territory. The decisive circumstance is the lack of consent of one state to the presence of troops of another. States may use proxy forces to occupy foreign territory. When a state exercises overall control over de facto local authorities or other local groups that maintain effective control over a territory, it can be considered an occupying power.

Russia’s military presence in the occupied Ukrainian territories has been building up in various ways. In 2018, a bridge was built to connect the Crimean peninsula with the territory of the Russian Federation. The UN General Assembly condemned “the construction and opening of the bridge across the Kerch Strait between the Russian Federation and the temporarily occupied Crimea, which contributes to the further militarisation of Crimea,” as well as “the increased military presence of the Russian Federation” in parts of the Black Sea and the Sea of Azov, including the Kerch Strait, and is accompanied by “the harassment of commercial vessels by the Russian Federation and restrictions on international navigation.” According to international humanitarian law, a bridge has a dual (civilian and military) purpose, and military objectives are qualified as those that “by their nature, location, purpose or use make an effective contribution to hostilities, the total or partial destruction, capture or neutralisation of which, under the circumstances prevailing at the time, would secure a certain military advantage.” This means that when a civilian object is used for both military and civilian purposes, “even secondary military use turns it into a military object.” These circumstances make the Crimean Bridge a legitimate target for the Ukrainian Armed Forces.

The Russian Federation systematically blocks all decisions of the United Nations Security Council regarding its actions in Ukraine. Moscow vetoed the resolution recognising the Crimean “referendum” as illegal. Instead, the UN General Assembly, in the aforementioned Resolution 68/262, called on “all states, international organiza-

tions and specialised bodies not to recognise any changes in the status of the Autonomous Republic of Crimea and the city of Sevastopol.” 1 February 2017. The General Assembly adopted by a majority vote Resolution No. 71/205 condemning “the temporary occupation of part of the territory of Ukraine – the Autonomous Republic of Crimea and the city of Sevastopol – by the Russian Federation” and calling on the latter “to fulfil all its obligations under applicable international law as an occupying power.” The Parliamentary Assembly of the Council of Europe also classified Crimea as an occupied territory and called on Russia to fulfil its obligations under the law on occupation, i.e. it should be temporary and should not change the status of the territory concerned; the occupying power does not enjoy sovereign rights over such territory (*Resolution 71/205*..., 2016).

The laws and rules of military occupation set out in Articles 42–56 of the 1907 Hague Regulations and the 1977 Additional Protocol applicable to international armed conflicts should apply to the occupied territory of Crimea. Both Russia and Ukraine are signatories in this agreement. However, Russia is grossly and systematically violating customary and international humanitarian law and human rights on the peninsula. On 25 February 2022, the representative of the Russian Federation voted against a resolution calling on the UN Security Council to immediately cease the use of force against Ukraine and refrain from any further unlawful threat or use of force against any UN Member State. After the “referendums” held in September 2022, Russia vetoed a UN Security Council resolution that was supposed to condemn the “accession” of the occupied territories to Ukraine. Moscow’s arbitrary use of the veto, which effectively paralysed the UN Security Council, forced the General Assembly to take countermeasures – the consensual adoption of resolution A/RES/76/262, which allows it to meet whenever the veto is used in the Security Council. The President of the UN General Assembly must convene a formal meeting within 10 days. With this in mind, on 12 October 2022, the UN General Assembly approved a resolution condemning the illegal annexation of Ukrainian territories by Russia. 143 countries voted in favour of the document, 5 were against, and 35 abstained. The text states that “Donetsk, Kherson, Luhansk, and Zaporizhzhia regions are temporarily occupied by Russia as a result of aggression that violates the territorial integrity, sovereignty and political independence of Ukraine” (Yürük, 2022).

International courts have made a number of decisions aimed at qualifying Russia’s actions against Ukraine as aggression, annexation, occupation, genocide and massive human rights violations. On 28 February 2022, the Prosecutor of the International Criminal Court (ICC) announced the opening of an investigation on his own initiative into the situation in Ukraine. On 2 March, he said that 39 states had submitted a request for information about Russia’s aggression against Ukraine to the prosecutor’s office, which gave grounds for the investigation. A group of experts was sent to Ukraine to investigate crimes that fall under the jurisdiction of the ICC. The Parliamentary Assembly of the Council of Europe adopted a resolution on this issue, calling on all member states to establish a criminal tribunal to investigate the crime of aggression committed by the military and political leadership of the Russian Federation. But not all states support this idea. Moreover, discussions are continuing on the institutionalisation of such a mechanism.

On 26 February 2022, Ukraine filed an application with the International Court of Justice to initiate a case against the Russian Federation for non-compliance with the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. It cited indisputable evidence of planning genocidal acts. Ukraine also asked this supreme judicial institution to take measures “to prevent irreparable damage to the rights of Ukraine and its people and to avoid aggravation or expansion of the dispute between the parties under the Genocide Convention.” Without making any substantive judgement, the International Court of Justice in its judgement of 16 March 2022 specified three provisional measures: Russia must immediately suspend the military operations it began on 24 February on the territory of Ukraine; Russia must ensure that any military or irregular armed groups it controls/supports, as well as organisations and individuals that may be subject to its control or direction, do not take any measures to facilitate the military operations; both parties must refrain from actions that may aggravate or prolong the dispute before the ICJ or complicate its resolution (Korynevych, Korotkyi, Tropin, 2022).

On 23 June 2022, the European Court of Human Rights (ECHR) received an application from Ukraine to open a case against Russia on allegations of “massive and gross human rights violations committed by the Russian Federation and its military operations on the territory of Ukraine since 24 February 2022.” On 28 February, the court received a request from Ukraine for provisional measures, after which it called on the Russian Federation to “refrain from military attacks on civilians and civilian objects, including residential areas, ambulances and other civilian objects of particular protection, such as schools and hospitals, and to immediately guarantee the safety of medical facilities, personnel and ambulances in the territory under attack or siege by Russian troops.” In September 2022, 23 governments and 1 non-state actor, namely the Geneva Academy of International Humanitarian Law and Human Rights, applied for permission to act as a third party in the ECHR proceedings.

The Russian Federation systematically violates international laws regulating the rules and customs of warfare, in particular the provisions of Article IV of the Convention relative to the Laws and Customs of War on Land and its Annex (signed on 18 October 1907, in force in Ukraine since 24 August 1991).

In particular, first article of the section “Criteria for Recognition as a Belligerent” of the Annex to the Convention states: “Military laws, rights and obligations apply not only to armies, but also to militias and volunteer groups if they meet the following conditions: 1. They are under the command of a person responsible for his subordinates. 2. Have a fixed distinctive emblem that can be recognised at a distance. 3. Carry weapons openly. 4. Fight in accordance with the laws and customs of war.

In countries where militias or volunteer units constitute or are part of the army, they are included in the category of “army.”

During the seizure of the Crimean peninsula, Russia used unmarked military personnel. In the Donbas, the Kremlin used proxy forces that also did not indicate their affiliation with Russian special services and special forces.

The issue of prisoners of war is of particular importance in the context of Russia’s war against Ukraine. It is considered fundamentally important for the status of prisoners of war that they should be under the authority of the government of the op-

posing party, not the individuals or units that took them prisoner. This excludes the arbitrariness of commanders and military personnel of the belligerent party holding the prisoners. Although prisoners of war may be interned in a specific place of detention, they must be treated humanely and all their personal belongings, with the exception of weapons, horses and military documents, remain their property. The maintenance of prisoners of war is the responsibility of the government under whose authority they are held (*IV convention...*, 1907).

The treatment of sick and wounded prisoners of war is governed by the Geneva Convention. Russia systematically and massively violates all its provisions. Sick and wounded Ukrainian defenders are denied not only professional treatment but also first aid. This leads to complications of the consequences of injuries, amputations that could have been prevented, and mass mortality. In fact, we are talking about deliberate harm to the health and lives of the soldiers and officers of the Armed Forces of Ukraine.

In addition, there have been many episodes of killing of Ukrainian soldiers who were captured directly on the line of combat. According to the Prosecutor General of Ukraine, as of the beginning of July 2024, more than 110 Ukrainian prisoners of war were executed by the Russian military after being surrendered without trial (Melnik, 2024). War crimes include the deaths of 53 and injuries to 75 (according to other sources, 130) Ukrainian prisoners of war in Olenivka as a result of an explosion organised by the Russians. Ukrainian law enforcement agencies issued a joint statement demanding that representatives of the UN and the International Committee of the Red Cross be allowed to visit the colony, but the Russians refused (*Mass deaths of Ukrainian prisoners in Olenivka...*, 2022).

In the part concerning military operations, it is noted that “the belligerents do not enjoy an unlimited right to choose the means of harming the enemy. In addition to the prohibitions stipulated by special conventions, it is particularly prohibited to: 1) use poison or poisoned weapons; 2) treacherously kill or wound persons belonging to the enemy’s nation or army; 3) kill or wound an enemy who, having laid down his arms or no longer having any means of defence, has unconditionally surrendered; 4) declare that no mercy will be shown; 5) use weapons, projectiles or substances capable of causing unnecessary suffering; 6) improperly use the parliamentarian’s flag, the national flag or the enemy’s military insignia and uniform, as well as the distinctive signs of the Geneva Convention; 7) destroy or seize enemy property, unless such destruction or seizure is imperatively required by military necessity; 8) to declare the rights and claims of citizens of the opposing party cancelled, suspended or inadmissible for consideration in court. The belligerent is also prohibited from forcing citizens of the opposing party to participate in hostilities directed against their own state, even if they were in the service of such belligerent before the outbreak of war. The Russian army has violated and continues to violate 6 of the 8 listed points.

Article 25 “prohibits the attack or bombardment of unprotected cities, towns, dwellings or buildings in any way.” Instead, the Russians have turned rocket attacks on populated areas and civilian infrastructure into their main means of bleeding Ukraine dry and breaking the will of Ukrainian society to resist and their military and political strategy.

Similarly, Article 27 is ignored, which stipulates that during sieges and bombardments “all necessary measures shall be taken to protect, as far as possible, buildings

devoted to the purposes of religion, art, science or charity, historical monuments, hospitals and places where the sick and wounded are collected, provided that they are not used at the time for military purposes.” Thanks to modern intelligence tools, informants and agents, the Russian army headquarters are well aware of the purpose of the targets of missile and drone strikes, but this does not stop the aggressor from using barbaric methods of warfare. The attacks on the Palace of Culture in Mariupol, in front of which there was an inscription in large Russian letters “CHILDREN,” the children’s hospital “OKHMATDYT,” a private hospital in Kyiv and many others were horrific examples of barbaric missile strikes.

Article 28 “prohibits looting in a city or locality, even if it is taken by storm.” Russian troops have demonstrated to the world that they are an army of looters, and this has already become a bitter and sarcastic hype in the information space (*IV convention...*, 1907).

Even such a segmented view of the problem is enough to argue that the military and political leadership of the Russian Federation is grossly violating the basic international laws governing the customs of warfare, as well as collective and bilateral interstate agreements designed to ensure the rights of various categories of war participants and victims;

Constantly trying to mislead the international community, the Kremlin is looking for new euphemisms to legalise and legitimise the invasion of Ukraine. On 5 July 2024, the Russian media outlet Medusa reported that the Kremlin had recommended that Russian propaganda structures use the term “Ukrainian conflict” instead of the term “special military operation” in a special “methodology.” The authors of the document advise pro-government media to emphasise that “Russia does not refuse dialogue.” Its goal is “to end the conflict in Ukraine as soon as possible,” but “Ukraine and the West speak the language of ultimatums.”

The plan proposed by Russia, “if Kyiv and the West are ready, will allow for an immediate cessation of hostilities and the start of negotiations. Kyiv has completely discredited itself and can easily betray any agreements. Ukraine can use the ceasefire for militaristic purposes, and this must not be allowed,” the Russian leadership’s instructions state. Russian propagandists should point out that Putin “made a personal and decisive contribution” to the formation of a multipolar world order. “The West-centric and pro-American models of international relations are a thing of the past. The United States has failed to cope with the role of hegemon, and now the leading role in the world should be played by the rapidly developing countries of the world majority, including Russia.” Russia is currently conducting an information operation called “Peace,” which aims to erode the Ukrainian formula for peace in the West and the Global South (Rasenko, 2024).

CONCLUSION

The war of the Russian Federation against Ukraine in 2014–2024 was existential from the very beginning and was entirely determined by the Kremlin’s imperial geopolitical reasons. The collapse of the USSR became for the rulers of Russia and the ma-

jority of its population “the greatest catastrophe of the twentieth century.” The lamentation for the lost “greatness of the great power” turned into a catalyst for expansionist policies and a mobilising factor in Russian society. In the early 2000s, an eclectic mix of worldview, ideological, philosophical and political messages was formed in Russia, which is characterised by the definition of “rashism.” Thanks to total propaganda, racism has become a surrogate for state ideology and political practice in the Russian Federation, and is aimed at militarising and dehumanising public consciousness. The peculiarities of the Russian mentality (paternalism, patriotism, crowd psychology as a model of mass behaviour, chauvinism and xenophobia, low moral threshold, legal nihilism, lack of traditions of democracy and political culture, etc.) have created fertile ground for the spread of militaristic psychology, a cynical desire to rob and a barbaric willingness to kill “enemies” in Russian society, which are declared to be Ukraine and the West. All the actions of Putin’s authoritarian regime give reasons to declare the systemic degradation of Russian statehood and civil society. Today, the Russian Federation has become a major factor in global threats that are destroying the world order and the international security system. Nowadays, Russia is the most aggressive tip of the “axis of evil,” which craves a radical reformatting of the system of balances in the world order and the strengthening of the influence of states with authoritarian and totalitarian regimes. Today, this state of affairs poses a threat of World War III.

The statements of the military and political leadership of the Russian Federation and the main messages of the state propaganda machine convincingly demonstrate that the Kremlin’s main goal is to destroy not only the Ukrainian state, but also the Ukrainian political nation, which positions itself as an organic part of the Euro-Atlantic community, as opposed to the Russian Eurasian one. In this way, the war has acquired a civilisational, axiological, and, at the same time, existential character, as it is about the physical survival of Ukrainians as an ethno-cultural community.

In the global political, public and academic discourse, the Russian invasion of Ukraine was described in euphemistic terms that did not adequately reflect the real state of affairs. Repeating Russian narratives, many politicians and scholars referred to the war as a “civil war,” “non-international conflict,” “crisis in Ukraine,” etc. Russia produced these and other concepts in order to establish a favourable interpretation of events in the West, namely that in Ukraine, an aggressive nationalist majority is allegedly committing “genocide” against the Russian minority. To “protect” the latter, Moscow allegedly sent its troops into Crimea and Donbas. The concessions of Western states in 2014–2021 gave the military and political leadership of the Russian Federation confidence in impunity for the occupation of Ukrainian territories and violation of the Budapest Memorandum (under its terms, nuclear weapons were seized from Ukraine and strategic weapons were actually destroyed in exchange for “security guarantees”). This gave Putin the confidence that a large-scale invasion of Ukraine in February 2024 would be viewed indifferently by the world. However, the Ukrainian army and society withstood the most difficult months and repelled the aggressor. Over time, the war has become global in nature, as dozens of countries around the world provide assistance to the warring parties in one way or another.

Russia systematically violates the rules and customs of war governed by international law. In addition to the crime of aggression, the Russian Federation is charged

with war crimes and crimes against humanity. Ukraine, other states and individuals have filed lawsuits with international courts regarding numerous violations of international law committed by the Russian side on the territory of Ukraine. At the same time, there are certain difficulties and discrepancies in the legal assessments of Moscow's actions. Despite the enormous evidence base, the efforts of international courts to criminalise the Kremlin's actions and prosecute those guilty of war crimes and crimes against humanity are being hampered by the leaders of some countries. This objectively encourages Putin's regime to continue violating international humanitarian law and to continue the war against the country and provocations against other states, primarily Poland.

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ABSTRACT

From the beginning, the war of the Russian Federation against Ukraine in 2014–2025 was a civilisational clash of existential order and was entirely determined by the Kremlin's imperial

geopolitical radios. The collapse of the USSR became for the rulers of Russia and the majority of its population 'the greatest catastrophe of the twentieth century'. All the actions of Putin's authoritarian regime give grounds to state the systemic degradation of Russian statehood and civil society. Today, the Russian Federation has become a major factor in global threats that destroy the world order and the international security system. In the global political, public and academic discourse, the Russian invasion of Ukraine was described in euphemistic terms that inadequately reflected the real state of affairs. Repeating Russian narratives, many politicians and scholars referred to the war as a 'civil war', 'non-international conflict', 'crisis in Ukraine', etc. The compromise of Western states in 2014–2021 gave the military and political leadership of the Russian Federation confidence in impunity for the occupation of Ukrainian territories and violation of the Budapest Memorandum. This gave Putin the confidence that a large-scale invasion of Ukraine in February 2022 would be met with indifference by the world. There are grounds to state that there are elements of a humanitarian catastrophe in Ukraine. The number of internally displaced persons and refugees, human losses are reaching critical levels, which have an extremely negative impact on the demographic situation in the country, as well as the moral and mental state of the population. The social consequences of Russia's war against Ukraine are already being assessed as catastrophic. An end to the war is possible with a consolidated position of that part of the international community that professes humanistic values, the principles of democracy and freedom, the territorial integrity of other states and non-interference in their internal affairs.

Keywords: war of the Russian Federation against Ukraine, hybrid war, aggression, large-scale invasion, occupation, crime of aggression, war crimes, crimes against humanity, international law

WOJNA FEDERACJI ROSYJSKIEJ Z UKRAINĄ W LATACH 2014–2025 JAKO KONFRONTACJA CYWILIZACYJNA: OCENA POLITYCZNA I PRAWNOMIĘDZYNARODOWA

STRESZCZENIE

Wojna Federacji Rosyjskiej z Ukrainą w latach 2014–2025 od samego początku była cywilizacyjnym starciem porządku egzystencjalnego i była w całości determinowana przez imperialne geopolityczne media Kremla. Upadek ZSRR stał się dla władców Rosji i większości jej ludności „największą katastrofą XX wieku”. Wszystkie działania autorytarnego reżimu Putina dają podstawy do stwierdzenia o systemowej degradacji rosyjskiej państwowości i społeczeństwa obywatelskiego. Dziś Federacja Rosyjska stała się głównym czynnikiem globalnych zagrożeń, które niszczą porządek światowy i międzynarodowy system bezpieczeństwa. W globalnym dyskursie politycznym, publicznym i akademickim rosyjska inwazja na Ukrainę była opisywana eufemistycznie, nieadekwatnie odzwierciedlając rzeczywisty stan rzeczy. Powtarzając rosyjskie narracje, wielu polityków i uczonych określało wojnę mianem „wojny domowej”, „konfliktu międzynarodowego”, „kryzysu na Ukrainie” itd. Kompromis państw zachodnich w latach 2014–2021 utwierdził przywódców wojskowych i politycznych Federacji Rosyjskiej w przekonaniu o bezkarności okupacji terytoriów ukraińskich i naruszenia Memorandum Budapesztańskiego. Utwierdziło to Putina w przekonaniu, że masowa inwazja na Ukrainę w lutym 2022 roku spotka się z obojętnością świata. Istnieją podstawy, by twierdzić, że na Ukrainie występują elementy katastrofy humanitarnej. Liczba przesiedleńców wewnętrznych i uchodźców oraz straty ludzkie osiągają poziom krytyczny, co ma skrajnie negatywny wpływ na sytuację demograficzną w kraju, a także na stan moralny i psychiczny ludności. Społeczne konsekwencje

wojny Rosji z Ukrainą są już oceniane jako katastrofalne. Zakończenie wojny będzie możliwe, jeśli skonsoliduje się stanowisko tej części społeczności międzynarodowej, która wyznaje wartości humanistyczne, zasady demokracji i wolności, integralności terytorialnej innych państw i nieingerencji w ich sprawy wewnętrzne.

Słowa kluczowe: wojna Federacji Rosyjskiej z Ukrainą, wojna hybrydowa, agresja, inwazja na dużą skalę, okupacja, zbrodnia agresji, zbrodnie wojenne, zbrodnie przeciwko ludzkości, prawo międzynarodowe