

The Russia-Ukraine War's Implications for Global Security: A First Multi-issue Analysis

Edited by Thomas Greminger and Tobias Vestner

Authored by Ali Ahmadi, Julie Allard, Nayef Al-Rodhan, Stephan Davidshofer, Marc Finaud, Juliette François-Blouin, Thomas Greminger, Gazmend Huskaj, Valentin Julliard, Federico Mantellassi, Siobhán Martin, Jean-Marc Rickli, Maréva Roduit, Christina Schori Liang, Paul Vallet and Tobias Vestner



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Geneva Centre for Security Policy

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Geneva Centre for Security Policy

Maison de la paix Chemin Eugène-Rigot 2D P.O. Box 1295 1211 Geneva 1 Switzerland

Tel: + 41 22 730 96 00 E-mail: info@gcsp.ch

www.gcsp.ch

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List of Contributors

Ambassador Thomas Greminger, Director, Geneva Centre for Security Policy

Mr Tobias Vestner, Head of Research and Policy Advice and Head of Security and Law

Prof. Nayef Al-Rodhan, Head of the Geopolitics and Global Future Programme

Mr Paul Dziatkowiec, Head of Diplomatic Dialogue

Dr Christina Schori Liang, Senior Advisor, Research and Policy Advice and Head of Terrorism and Preventing Violent Extremism

Dr Jean-Marc Rickli, Head of Global and Emerging Risks

Dr Siobhán Martin, Head of Advanced Course Development

Mr Marc Finaud, Head of Arms Proliferation

Mr Gazmend Huskaj, Head of Cyber Security

Ms Julie Allard, Deputy Head of Diplomatic Dialogue

Dr Stephan Davidshofer, Advisor, Master of Advanced Studies (MAS) in International and European Security

Ms Juliette François-Blouin, Programme Officer, Security and Law

Mr Federico Mantellasi, Research and Project Officer, Global Emerging Risks

Ms Maréva Roduit, Assistant Programme Officer, Global Support Group

Mr Valentin Julliard, Intern, Global and Emerging Risks

Dr Paul Vallet, Associate Fellow, Global Fellowship Initiative

Mr Ali Ahmadi, Executive-in-Residence Fellow, Global Fellowship Initiative

Contents

1.	Thomas Greminger & Tobias Vestner	7			
2.	Theoretical Thinking and Policymaking: Are We Really All Realists Once Again?				
	Stephan Davidshofer & Siobhán Martin				
	IR theory and the war in Ukraine				
	Caveats for policymakers on using IR theories				
	Do not fall for the Mr X syndrome				
	Make predictions with care				
	Take a multi-lens approach				
	Conclusion	12			
3.	Implications for Geopolitics and Outer Space Security				
	Nayef Al-Rodhan				
	Implications for geopolitics				
	Implications for outer space security				
	Conclusion	17			
4.	Implications for International Security Law				
	Juliette François-Blouin	18			
	Reactions to violations of jus ad bellum	18			
	Reactions to violations of IHL	19			
	Conclusion	20			
5.	Implications for the Future of Warfare				
	Jean-Marc Rickli, Federico Mantellassi & Valentin Julliard	22			
	Innovation	22			
	Old vs new technology	22			
	Deficiencies of the Russian armed forces	23			
	Hybrid warfare and the use of non-military means	24			
	Information war	24			
	Conclusion	25			
6.	Implications for Organised Crime				
••	Christina Schori Liang	26			
	The situation in Ukraine				
	Conflict and illicit market developments				
	The repercussions of the war				
	Hybrid tactics				
	Conclusion				
7.	Implications for Arms Control, Disarmament and Non-Proliferation				
•	Marc Finaud	30			
	Nuclear Weapons				
	Chemical Weapons				
	Biological Weapons				

Convent	ional Weapons	32
Conclusi	ion	33
8. Implicatio	ons for the Global Sanctions Landscape	
	l <u>i</u>	34
Financia	l sanctions	34
Technolo	ogy sanctions and export restrictions	35
Conclusi	ion	36
9. Implicatio	ons for Disinformation and Cyber Warfare	
Gazmend	Huskaj	38
Defining	disinformation and cyber warfare	38
Reviewin	ng cyberspace operations	38
The role	of private companies	39
The role	of hacktivists	40
Challeng	ges affecting offensive cyberspace operations	40
	nabled disinformation operations	
The Unit	ed States, UK, EU and NATO	41
Conclusi	ion	41
	ns for the Use of Narratives and Discourse	
	t	
	ng the facts	
	tions	
	ions	
Conclusi	ion	45
-	ns for Diplomacy and Dialogue	
	kowiec & Julie Allard	
_	nic shock for Track 1 diplomacy	
	eral diplomacy under fire	
	ewed importance of Track 2 processes	
Conclusi	ion	48
12. Essential I	Points and Conclusion	
Tobias Vas	stner & Maréva Poduit	50

1. Introduction

Thomas Greminger & Tobias Vestner

On 24 February 2022 Russian troops crossed the borders of Ukraine. While the United States had warned of an attack weeks prior to the invasion, most European leaders and citizens did not expect that Russia would actually go to war. What followed was a broad outcry regarding the aggression, and the provision of massive political, military, and moral support to Ukraine. Furthermore, political tensions and confrontation between states rapidly arose.

Political leaders and analysts stressed the significance of the events taking place in Ukraine. They argued that the Russian aggression was a clear violation of the UN Charter's prohibition of the use of force. As a result of the invasion, they claimed, the European security architecture would be broken into pieces. Europe and the democracies would now face a clear enemy that could not be trusted and that would seek to undermine the existing liberal world order. Hence, nations and people should devote significant attention and effort to national security. Military power would now be essential for future security, it was argued.

This sense of fatality translated into the reactions to the outbreak of the war – reactions in scope and intensity with global implications not witnessed for decades or, as some would argue, not witnessed since the Second World War. Notably, Western states aligned themselves and strongly condemned Russia's actions. NATO revived and even the EU announced stronger defence and military cooperation among its members. Such developments led observers to ask whether global politics has not only become more confrontational, but also subject to the formation of geopolitical blocs. Others asked if a new world order would emerge from the war.

States' measures in response to the outbreak of the war were indeed remarkable. The United States, EU and other states have adopted extensive sanctions against Russia. Massive amounts of weapons have been provided to Ukraine, while many states have announced that they will significantly increase their defence spending. Russia has been expelled from the Council of Europe and its exclusion from the UN has been openly discussed.

Yet the war itself has also had more direct effects on global security and stability. States' strategic use of historical narratives, discourse, and information has manipulated citizens' understanding of the events and created uncertainties and insecurities. This has also generated strong emotions among political leaders and citizens, including the fear of nuclear war.

At the military level, cyber-related activities, notably by hackers, have contributed to heightened complexities. It has also become clear that civilian actors in outer space, such as SpaceX or civilian satellite imagery, may play an essential role in states fighting wars and others that are officially at peace. At the non-military level, the war has also led to large refugee flows and increased opportunities for transnational organised crime. At the diplo-

matic level, political tensions have subverted dialogue on issues not directly related to the war.

Accordingly, many political leaders, policymakers, and analysts have described the war between Russia and Ukraine as a watershed moment. Others have called the war an inflection point in global politics, similar to the end of the Cold War or the attacks on the World Trade Center and the Pentagon in September 2001 that led to the global war on terror. Others talk of the emergence of a new era in global politics and security. This is in line with what German Chancellor Olaf Scholz has called a "Zeitenwende".

The extent to which the war between Russia and Ukraine is actually transforming global politics and security is not obvious, however. Does the war just amplify trends that existed prior to its outbreak? Is it simply a result, and not a cause, of current ongoing transformations? Are its implications systemic and far-reaching both geographically and temporally, or are they overhyped and will soon be treated as a regional issue of European security? What concrete effects does the war have on the various domains of international peace and security?

Answers to such questions are not easy and deserve a careful study. Indeed, already prior to the outbreak of the war the world had witnessed a lack of trust between nations, increased polarisation and the dissolution of arms control regimes, among other trends. Hence the need for a broad analytical lens that both focuses on the necessary context and pays careful attention to details. Now, a few months after the outbreak of the war, is the time to start such an analysis.

This is what the following 11 chapters will do. The first chapter starts the analysis by challenging policymakers' use of theoretical concepts and thinking. The following chapters analyse the war's implications theme by theme, covering geopolitics and outer space, international security law, the future of warfare, organised crime, arms control, sanctions, cyber-related issues, narratives and discourse, and diplomacy and dialogue. This offers a broad thematic coverage of the war's implications for various aspects of global security. The last chapter then highlights the analyses' overarching findings and presents concluding reflections.

2. Theoretical Thinking and Policymaking: Are We Really All Realists Once Again?

Stephan Davidshofer & Siobhán Martin

From the onset of the Russian invasion of Ukraine it was clear that – like the fall of the Berlin Wall or the 9/11 terrorist attacks in the United States – this invasion is another "watershed moment" for international security. Alongside the first reactions – official denunciations and the imposition of sanctions – several questions emerged. Given the costs and risk of reprisals, why did the Russian army launch a full-scale invasion of Ukraine on 24 February 2022? And should the international community react by emphasising options for peace, or can Russia's aggressive behaviour only be met with equal military strength? And does this war signify the end of the post-Cold War international liberal order? Actionable expertise and concepts are in high demand among policymakers to make sense of the current unpredictable war and to support informed decision-making. The following sections will outline how the main International Relations (IR) theories can help policymakers effectively analyse the war in Ukraine, with a few important caveats.

IR theory and the war in Ukraine

International relations theory aims to provide insights to policymakers' to make more informed decisions about state behaviour Take, for example, the question of what triggered this war. Some would say it is because Vladimir Putin is a highly irrational actor who went to war based on a skewed imperial fantasy that negates the very existence of Ukraine as a sovereign state. Others would contend that we should not be surprised by the invasion, because Russia is a revisionist power that is dissatisfied with the current European security architecture and is reacting to NATO's constant expansion towards its borders since the end of the Cold War.

To some extent these answers echo the traditional and most popular IR theoretical approaches: liberalism, constructivism and realism. A liberal position contends that, because our global order is guaranteed by international institutions designed to enhance cooperation among states, and because we live in a highly interdependent world, starting a war of such magnitude is so counterproductive that it could only be the result of an irrational (or very ill-advised) decision. Thus, it has a very limited ability to explain Russian actions. Constructivism offers an alternative analysis on the role of ideational rather than material factors in IR. At a very simple level, this is helpful as provides more insight into the mindset of the Russian leadership and the "irrational" decision to invade Ukraine. For example, Russia's increasingly antagonistic behaviour has long been seen as based on a "renewed sense of confidence and recovery from the humiliation it felt in the wake of the Cold War". However, because this war has very strong material dimensions, this is only part of the explanation.

If we turn to realism to explain states' behaviour, we find a very commonsensical and rather pessimistic view of international politics. According to this approach, a state's ultimate aim is to survive. Consequently, power politics among states creates spheres of influence that are the default mode of international relations. Therefore, realists are unsurprised by the current situation in Ukraine. For them, we are seeing the manifestation of a classic "security dilemma" (i.e. a state attempting to increase its own security because it feels threatened by neighbouring states' actions). In terms of this vision, the international liberal order of the last three decades was a form of naïve parenthesis, and we are now back to the normal dynamics of relations among states. This led one of the leading advocates of neo-realism, John Mearsheimer, to already say in 2014 that US support for Ukraine was non-sensical, and that it was a diversion from China, which should remain the most important concern for US national security.

From this brief overview, it appears that realism is the best fit to explain the ongoing geopolitical situation surrounding the war in Ukraine. Among other examples, the EU's quite reactive actions since 24 February 2022, show that the Russian invasion was – to some extent – a wake-up call for member states on forgetting the importance of power politics. And as Stephan Walt has recently claimed, realism is one of the theories that have been vindicated by the war in Ukraine, while others have fallen flat. And by those that have fallen flat he means liberalism and constructivism, which have been on the defensive since the outbreak of the war, trying to reassert their relevance by making additions to their original claims.

Ultimately, however, all these theories are simplifications to help us make sense of complex global politics by providing a conceptual framework that make events more understandable and – to some extent – more predictable. Over time, some theories may appear more relevant than others. However, we need to deal cautiously with such triumphalist realist claims about Ukraine, not only because conventional wisdom tells us it is probably too early to judge, but also because it is important to make the counter-intuitive effort to challenge the obvious in order to avoid superficial analysis.

The next section outlines two common pitfalls to avoid and one good practice to follow when using analytical tools outside of their academic context.

Caveats for policymakers on using IR theories

Do not fall for the Mr X syndrome

Global politics "watershed moments" always have a tendency to propel one-size-fits-all theories to stardom. The need to explain the Cold War had George Kennan's Theory of Containment claiming that everything was about containing communism; the post-Cold War years were dominated by Francis Fukuyama's End of History, which announced the triumph of Western liberal democracy as "the end-point of mankind's ideological evolution"; and the post-9/11 years provided an extremely large audience for Samuel Huntington's concept of the Clash of Civilizations, with its focus on religious identities as the main driver of future wars. These publications all successfully

managed to inform the geopolitical zeitgeist. But they were also oversimplifications that concealed or ignored important aspects of their own times. Bipolar lenses were blind to post-colonial issues, the liberal international order forgot about the challenge of national identities, and Huntington's obsession with religious identities and specifically Islam is clearly challenged by the war in Ukraine, which is taking place within the terms of what could be called "orthodox civilisation".

We still do not know who is going to be the next Mr or Ms X, but we should be aware that their predecessors, by focusing too much of our attention on a single view, led to a sharp wake-up call when the world did not fit the predictions – which leads us to the second pitfall.

Make predictions with care

A lot of extremely inaccurate predictions have been made in the past using IR theories. One very relevant example is the way in which the end of the Cold War came as a surprise for most IR scholars, because bipolarity was seen as such a stable system that could explain everything. Before that, idealists (the ancestors of liberals) did not foresee the Second World War because they thought pacifist ideas and the collective security system provided by the League of Nations would prevent any new major conflict. Realism also has a very poor predictive track record. The most astounding example is probably that of John Mearsheimer predicting in 1991 that European states would return to power politics after the end of the Cold War and that NATO would disappear. Instead, the EU experienced 15 years of non-stop integration and enlargement, and NATO launched out-of-area operations and gained many new members from the former Soviet-controlled bloc.

Indeed, there is a tendency to only remember predictions when they are right. So, be careful not to fall for a pendulum effect with IR theories – for example, that the realists were maybe wrong in 1989, but now they seem to be right. The same goes for liberals, who could be right again in a few years. Being in this state of mind is like not realising you are working with two broken clocks because they still give the right time twice a day.

Take a multi-lens approach

This is why the most useful best practice one can apply when using IR theory to make sense of global politics is to be agile and reflexive. Over-simplifications and a one-size-fits-all approach can be a comforting way to navigate complexity, but can also be very counterproductive, especially since global politics is increasingly characterised by parallel, interconnected and equally important priorities. Therefore, the current focus on the war in Ukraine is understandable as long as the wider implications are acknowledged, such as the way in which the war is affecting food and energy security, China's rising confidence, and the new geopolitical fault lines that are emerging. Each challenge has its own nuances and requires multiple perspectives if we are to understand its implications.

Thus, we need to recognise that complex, multifaceted international relations require a multi-lens analysis. The value of IR is that each theory provides a lens focusing on a particular dimension of the situation under analysis.

ysis. To be most effective, we should include a broad range of approaches (constructivism, feminism, environmental studies, international political economy, and so forth) in order to guide our thinking in a systematic and coherent way. Yet today realism and liberalism (with a homeopathic dose of constructivism) remain the backbone of most international studies programmes. Drawing on Robert Cox's famous statement that "theory is always for someone and for some purpose", it is clear that decision-makers will continue to be influenced by these main approaches. And it is especially problematic that realism – with its pessimistic vision of the international system – seems to be back in fashion at a time of a dire need to craft creative solutions to deal with today's complex challenges.

Conclusion

How policymakers think, how they decide and what they decide is not predetermined by theory; they have a choice. Policymakers can merely use IR theory to act as a comforting device as they wait for the next crisis, harnessing the theory-du-jour and thereby creating self-fulfilling prophesies. Or they can engage as active agents and utilise IR theory to be more critical towards their assumptions and intuitions by drawing from the wide range of available theories. Because it is unrealistic to expect decision-makers to research the latest IR thinking themselves, this is why the academic community is key. In fact, the bridge between academia and policymaking has never been so important.

3. Implications for Geopolitics and Outer Space Security

Nayef Al-Rodhan

While the invasion of Ukraine is a clear violation of international law, it is also true that the conflict in Ukraine was <u>not inevitable</u>. Since the 1990s Russia has been stating the centrality to its foreign policy of Ukraine remaining a neutral state in the interests of both Russia's national security and regional peace and stability. Steps could have been taken to assuage the risk of conflict, which became <u>increasingly likely</u> following the 2008 Bucharest Summit Declaration announcing NATO's intentions regarding membership for Ukraine and Georgia.

Although the war in Ukraine is an optional boost for NATO and a means for the West to <u>"weaken Russia"</u> economically, militarily, and strategically, as US secretary of defense Lloyd Austin has declared, for Russia the Ukraine invasion is its response to an <u>existential threat</u> as it perceives it.

For this reason, similar to what was illustrated in previous Russian proposals, a peaceful resolution of this crisis would have been possible before 24 February 2022 premised on three key elements, namely the neutrality of Ukraine, the sovereignty of Ukraine, and the possibility of Ukraine becoming a member of the EU.

Since the West was never interested in this compromise, geopolitical analysts <u>predicted that this conflict would happen</u>. It could also be peacefully ended if such a compromise were to be reached, but, as former US secretary of state Henry Kissinger has stated, it would necessarily require some cessation of Ukrainian territory to Russia.

Implications for geopolitics

Prior to the current Ukraine crisis it was already becoming clear that the existing global governance system was struggling to respond to the challenges presented by the interconnected, interdependent and highly digitalised world of the 21st century. The failure to identify shared norms for responsible behaviour is weakening the rule of law and the lack of international cooperation, as evidenced by this conflict, is leading to the gradual fracturing of regional and international alliances.

Indeed, although on the one hand the current conflict in Ukraine is the culmination of what has been a progressive <u>deterioration of relations between the West and Russia</u>, it is also providing proof of the competing tensions and interests within historical alliances such as NATO. While European officials generally believe that their relationship with Russia has <u>irreversibly changed for the worse</u>, rather than adopting a blanket approach such as that taken by the United States, they have expressed their intention to determine how best to respond to the crisis on the basis of Russia's next steps.

Russia's regional foreign policy strategy is central to both the beginning of the conflict in Ukraine in 2014 and its turn for the worse in 2022. In recent years Russia has focused primarily on preventing the integration of countries formerly under Soviet influence into the EU and NATO, while simultaneously strengthening its role in Central Asia and its relationship with China. The invasion of Ukraine is a reaction to this progressive shift from that country's status as a buffer zone to one of an aspiring EU and NATO member, as well as a warning to its neighbours of Russia's economic, energy and geopolitical leverage over them.

Therefore, in order to address current and future geopolitical challenges, <u>Western states</u> are likely to redefine their foreign policy strategies based on the awareness that the <u>threats presented by China and Russia</u> cannot be isolated from each other. Contrary to the approach adopted thus far by the United States, most European countries have sought to pursue dialogue with Russia on Ukraine-related issues and on other matters of mutual interest, acknowledging that a compromise between their <u>competing interests</u> will have to be found.

This increasingly conflictual relationship between the West, on the one side, and both Russia and China, on the other, will include several elements.

Firstly, <u>economic warfare</u>: As demonstrated by the West's attempt to cripple the Russian economy as a response to the invasion of Ukraine through a variety of financial measures, including the imposition of sanctions on both government officials and the so-called oligarchs; the freezing of Russian Central Bank reserves; the imposition of widespread trade and investment boycott campaigns; and the suspension of Russia from the SWIFT banking transaction system.

Secondly, <u>energy security</u>: Europe's reliance on Russian energy has long been a source of vulnerability, as well as a bargaining and retaliation tool for both sides. For example, Russia has responded to Western sanctions by cutting off its gas supply to some European countries, while the EU in turn has pledged to no longer buy energy from Russia.

Thirdly, a <u>food security</u> and <u>metals supply crisis</u>: Russia and Ukraine produce 30 per cent of the world's wheat supply, but since Russia launched its invasion in February, exports have collapsed and prices have skyrocketed, leading to competition over global grain supplies. Similarly, the two countries' exports of steel and other important metals have plummeted, with severe consequences for global supply chains.

Fourthly, <u>ideology and misinformation</u>: Nationalist propaganda and information warfare have become a staple of contemporary conflict, as demonstrated by the ongoing crisis. Both Russia and the West are relying heavily on painting each other as ideological enemies.

Fifthly, the undermining of <u>alliance cohesion</u>: Conflictual interests will make it increasingly difficult for alliances to remain solid and stable, thus exacerbating potential future crises.

As is evidenced by the diversity and complexity of these challenges, dialogue and cooperation will be key to finding solutions to the present crisis and assuaging the risk of <u>nuclear warfare</u>, as well as to upcoming flashpoints such as <u>competition over Arctic and Antarctic resources</u>.

The West is also moving closer and closer to direct confrontation with China, which is <u>benefitting</u> from the ongoing conflict in Ukraine. Firstly, as a result of the conflict and the weakening of Russia, <u>China is strengthening its economic and political position</u> both within the BRICS grouping (Brazil, Russia, India, China and South Africa) and in opposition to the West. Secondly, the conflict has also temporarily shifted attention away from <u>China's increasingly assertive behaviour in the Indo-Pacific</u>.

The conflict has also resulted in the strengthening of trade and energy deals between Russia and China, as well as between China and other countries in Central Asia. Importantly, this will alleviate the negative impact of the conflict in Ukraine on <u>Chinese-European relations</u>. The EU is an important Chinese trade partner, but China's decision not to support Western sanctions against Russia has further exacerbated growing tensions between them.

In the next few decades tensions in the <u>South China Sea</u> and over <u>Taiwan</u> <u>will likely seal the end of cooperation</u> between the EU and China. The Russian invasion of Ukraine and the international response to the crisis are giving <u>Taiwan</u>, China and the international community a glimpse of what will likely happen if China were to directly attack/invade the island with the aim of fully annexing it.

Unfortunately, the conflict in Ukraine has demonstrated that none of the <u>existing security forums</u> is capable of resolving crises such as this alone. Although a large part of the disagreements between Russia and the West is connected to military pressure and the absence of security guarantees, some are connected to more <u>existential</u>, <u>foundational beliefs</u>, which can only be resolved through extensive dialogue.

Implications for outer space security

The ongoing war in Ukraine is affecting the outer-space environment in wide-ranging ways. In response to the Russian invasion, the West implemented a wide-ranging set of <u>economic sanctions</u> targeting both the Russian public and private sectors, including the space and technology sectors. The commercial space sector was specifically targeted, as was the Russian space agency <u>Roscosmos</u>.

Among other strategies, Russia reacted to these sanctions by suspending the collaborative projects between Roscosmos and the European Space Agency (ESA), cutting exports to the United States, and embargoing commercial launches of its Soyuz rockets carrying Western satellites. As a result of the Russian embargo, the launches of nearly 200 civil (i.e. non-military) and commercial satellites scheduled in the next couple of years can no longer go ahead.

Russia has also announced that Roscosmos will leave its partnerships with the International Space Station as a result of the Ukraine-related sanctions. However, June 2022 has seen the launch of Russian resupply missions, which is a positive indication of continued cooperation. The increasing hostilities may, nonetheless, lead to a complete cessation of operations between the partners in the near future.

As mentioned previously, Russia has responded to Western sanctions by cutting commercial access to its rockets. One of the entities most impacted by this measure is the ESA, which, without the Russian launch systems, will unlikely be able to launch its life-hunting ExoMars rover before 2028. In April 2022 the ESA also announced that it had decided to halt cooperation with Russia as a result of the war. The ESA will therefore need to find new partners for many of its projects.

The conflict has also seen an increase in attacks against civil and commercial space assets, with SpaceX declaring that Russia has directed numerous cyber attacks against Starlink terminals in Ukraine. With the military benefits and impacts of commercial and private space systems becoming increasingly apparent, private space systems will more frequently become the target of military attacks.

Similarly, the Ukrainian conflict has also witnessed an increased use of jamming techniques against space systems, with the United States reporting jamming attacks against US GPS signals in Ukraine, with the aim of diminishing the latter's navigation and mapping capabilities.

This is particularly important because the developing <u>Ukrainian space industry</u> is also being significantly impacted by the conflict, with many inhouse projects being halted. The long-term implications of the conflict are yet to be seen, but if Ukraine were to <u>join the EU</u>, its space industry may partially recover.

What is clear is that the map of important <u>space-related industries</u>, including the space-launch market and the international market for aerospace and technology equipment, is likely to be redrawn as a result of the conflict in Ukraine. Russia's share of the space-launch market may also be negatively affected. This <u>side-lining of Russia</u> from the outer-space market will open the doors to other space entities and increase the market dominance of countries such as the United States. The intended isolation of Russia will be further compounded by the fact that states such as the UK have also <u>banned all space-related exports</u> to Russia. As a result, the growing space cooperation between Russia and China will likely have an added urgency and will accelerate further, which will benefit both nations.

Conclusion

The conflict in Ukraine represents a <u>critical turning point</u> in European and global security. Not only has it fractured the existing global order, but it has also reignited the Cold War paradigm of distrust, thereby diminishing faith in the sustainability of a peaceful and cooperative global order.

The dramatic increase in the influence of narrow national security concerns and the geopolitical goals of individual states has forcefully reminded us that these factors will always trump global peace and security, motivated by zero-sum classical realism and the concept of the emotionality of states. Applied history, strategic culture, and the rehashing of old grievances are only symptoms of such an anarchic and perennially competitive and conflictual international system.

Such tensions and lack of trust will only be exacerbated by the increasing <u>economic/financial warfare</u> that is taking place between the two opposing blocs. <u>International debt</u> will also suffer as a result of the Ukrainian conflict, as will the ongoing <u>energy</u> and <u>food crises</u>, which will further contribute to dividing the existing global order into competing camps.

The only way forward is to abandon outdated zero-sum approaches and move towards more rational, collective, and sustainable approaches that include <u>"Symbiotic Realist paradigms" and "Multi-Sum Security principles"</u> that reconcile national interests with global interests by guaranteeing absolute gains through non-conflictual competition.

4. Implications for International Security Law

Juliette François-Blouin

On 24 February 2022 Russia launched an armed attack on Ukraine, thereby violating the prohibition on the use of force set out in Article 2(4) of the UN Charter. As the invasion has progressed, Russia has been accused of numerous violations of international humanitarian law (IHL). These events prompted officials and commentators to announce the end of the international liberal order. Yet, as Oona Hathaway has highlighted, a violation of a rule does not equate to the failure of the system as a whole; rather, Russia's aggression and its alleged violations of IHL are a test of the resilience of the international legal order. Indeed, violations of international law are inherent to the system. The present conflict illustrates how the reaction to a violation can counter its negative effect on international security law. The following discussion explores the mitigating impact of the international community's reaction, firstly on Russia's violation of the prohibition on the use of force, and secondly on its violations of IHL.

Reactions to violations of jus ad bellum

The fear born out of Russia's aggression on Ukraine is that it will erode the prohibition on the use of force. Indeed, when a state disregards a norm, it automatically weakens that norm by undermining its legitimacy. In parallel, the legal arguments presented by Russia to justify the invasion could create precedents that legitimise the use of force in scenarios not laid down in the UN Charter. However, norms weaken not necessarily when they are flouted, but rather when their violation remains unsanctioned. States can mitigate the erosion of the prohibition on the use of force by clearly framing Russia's actions as illegal and ensuring that it faces consequences for its violation. Three reactions have had that mitigating effect.

Firstly, numerous states strongly condemned Russia's violation of the prohibition on the use of force, and 143 states <u>labelled</u> the attack as an act of aggression. As a notable exception to this unanimity, almost half of the African countries did not <u>vote</u> in favour of the UN resolution condemning Russia's attack on Ukraine. There are many <u>reasons</u> why certain states <u>chose</u> neutrality, among others economic and security ties with Russia and policies of non-alignment.

As <u>highlighted</u> by many commentators, one of these reasons is the perceived hypocrisy of Western states, particularly the United States, which loudly denounced Russia's invasion while having recently used various legal arguments to <u>justify</u> its interventions in Kosovo, Iraq, or Libya. For some, the creation of concepts such as humanitarian intervention or a broad interpretation of self-defence has undermined the norm against the use of force and opened the door for Russia to justify its actions more easily.

Nevertheless, violations by one state do not justify violations by another. The legal justification provided by Russia <u>faced</u> significantly more rejection than

the justification provided by Western states in the above-mentioned instances. As a result, this will not set a legal precedent expanding the exceptions to the prohibition on the use of force.

Secondly, international dispute settlement mechanisms can mitigate the erosion of the prohibition on the use of force by classifying Russia's actions as a violation of international law and refuting contradictory legal interpretations. Since the outbreak of the war Ukraine has harnessed such mechanisms at an unprecedented speed and scale, bringing claims in front of the International Court of Justice (ICJ), International Criminal Court (ICC), and European Court of Human Rights (ECtHR).

These mechanisms cannot stop the conflict. Indeed, the provisional measures handed down by the <u>ICJ</u> and <u>ECtHR</u> in March 2022 did not affect Russia's behaviour. In addition, Russia stopped engaging with both ECtHR and <u>ICJ</u> procedures. As <u>history shows</u>, such behaviour almost guarantees that Russia will not comply with judgments if they are to its disadvantage.

Yet, Ukraine is not just going to court to obtain and enforce a verdict. Legal mechanisms constitute a toolbox for Ukraine to have Russia's actions labelled as illegal by authoritative bodies. The ICC does not have the jurisdiction to adjudicate the crime of aggression directly. However, the ICJ will have the opportunity to debunk Russia's claim of genocide in Ukraine, thereby clarifying the law and closing the door to an expansion of exceptions to the prohibition on the use of force. In addition, Ukraine's referral to international tribunals signals its confidence in the international legal system.

Thirdly, the <u>imposition</u> of economic, diplomatic, and individual sanctions increases the cost of Russia's violation of the law and strengthens the position that its actions are illegal. They constitute an economic pressure tool deployed in support of states' legal stance. Overall, these three elements label Russia's behaviour as a violation of international law and seek to punish it, thereby reaffirming the prohibition and mitigating the erosion of the UN Charter. The norm against war may be <u>reinforced</u> if Russia reaps more costs than advantages from its war.

Reactions to violations of IHL

The way in which Russia is conducting the war, bombing cities and targeting civilians, is eerily similar to how it <u>waged</u> war in Chechnya twice in the 1990s. Hence, its disregard for IHL is not novel. Yet, the international community's reaction showcases that it cares about the conduct of parties in war.

Allegations of war crimes were reported from the very start of the conflict. The <u>Human Rights Council</u> and the Organization for Security and Co-operation in Europe <u>ordered</u> investigations into international crimes and violations of human rights, while 39 states <u>referred</u> the Ukrainian case to the ICC, reaffirming their belief in the institution. Ukraine is capitalising on the highly ethical and moral basis of IHL. Despite being regularly <u>violated</u>, IHL remains a standard of behaviour in armed conflict that is constantly referred to be-

cause it hinges on what should be.

Consequently, Russia's blatant disregard for the protection of civilians will not be sufficient to damage IHL. Ukraine's attempts to comply with the rules of IHL could positively affect the international community's opinion of Ukraine and help to reaffirm these international principles.

As for formal recourse, precedents show that Russia is unlikely to care about legal proceedings. Indeed, following the conflict in Chechnya a few Russian servicemen were tried for war crimes and cases were <u>brought</u> before the ECtHR regarding violations of human rights committed by Russia against Chechen civilians. Russia <u>disregarded</u> the substance of most of the judgments and <u>failed</u> to implement the reparation measures. Similarly, Russia (and Georgia) is already under ICC <u>investigation</u> for alleged war crimes and crimes against humanity committed during the 2008 South Ossetia war.

However, the speed and scale with which they are being <u>used</u> in Ukraine could be game changing. Russia's prosecutions of individuals for war crimes committed by its forces during the Chechnya war were sparse, and the ICC has only recently <u>issued</u> arrest warrants for individuals involved in the South Ossetia war. In opposition, the ICC has already started investigating the situation in Ukraine, and Ukraine itself has <u>initiated</u> domestic trials against Russian soldiers accused of war crimes. If high-ranking members of the Russian Federation government or armed forces are brought to trial, it could reaffirm the role of international criminal law and IHL. If successful, Ukraine's strategy of initiating rapid and diversified responses to possible war crimes could serve as a model for future wronged states.

Conclusion

Legal language was used both by Russia to justify its actions and by other states to <u>condemn</u> the invasion. Russia aims to frame its actions as legal because of the normative and moral weight this provides on the international scene.

These references to the law play two roles in mitigating the erosion of the prohibition on the use of force. Firstly, the mere mention of a norm in the process of legal justification reaffirms its existence. Russia is not outwardly rejecting the prohibition as a whole, and may not even be trying to harm or revise the norm. Rather, it may simply be acting in pursuance of its self-interests, which happens to violate international law.

Secondly, by trying to frame its actions as legal, Russia reinforces the idea that norms must be complied with. Russia would not try to argue that it did not flout the prohibition on the use of force if this prohibition did not still hold a strong normative power. Legal argumentation may not mitigate the erosion of the prohibition as such, but it does reinforce the idea that any use of force must be justified. This implies that Russia recognises the legal principles that define the relationship between states as significant standards of acceptable behaviour.

Accordingly, Russia's violation of core norms of international law does not mean that the international legal order has failed; rather, it is a test of the order where international law's resilience depends on the reaction of the international community. The strong and concerted condemnation of Russia's aggression, the denouncing of war crimes, and the constant use of legal language all mitigate the damage done to core international rules by Russia's invasion of Ukraine.

5. Implications for the Future of Warfare

Jean-Marc Rickli, Federico Mantellassi & Valentin Julliard

When Russia launched its invasion of Ukraine, poorly prepared Russian forces met surprisingly strong resistance from the Ukrainian army that even surprised most Western intelligence services. Ukrainian tactics and weaponry initially proved effective against the poorly planned invasion. Since then the conflict has entered a second phase in which, by focusing on narrower, more attainable objectives and more effectively employing its superior firepower, at the time of writing Russia is gaining the upper hand. Characterised both by the use of conventional armaments and by the sporadic use of emerging technologies, advanced weaponry and other technological innovations, this conflict could have profound implications for the future of warfare.

Innovation

Examples of the use of innovation and emerging technologies, especially artificial intelligence (AI)-enabled technologies, have made their appearance in the conflict. They provide us with insights into the way in which emerging technologies might be militarised and impact the future of war. Digital technology has cemented its place as a force multiplier, analytical enabler, and disruptor, with AI being used to innovate artillery targeting, create deepfakes for deception, or analyse intercepted communications. While relatively small in scale, the use of these AI applications lends credence to predictions of the militarisation of certain AI-enabled technologies and applications. Additionally, technological innovation has led to an increased prevalence of open-source intelligence (due to the sheer volume of available data and commercial digital devices capturing video, audio and images) in the conduct of military affairs, a diffusion of type of actors capable of conducting surveillance and reconnaissance, and a diversification of the means by which this is possible. A convergence between the rise of open-source intelligence and the application of AI is under way, because AI tools are certain to be used profusely in future conflicts to collect and analyse the vast amounts of data generated by modern battlefields. The use of AI-driven innovation in the current conflict in Ukraine shows that armies are both willing to use these innovations and very often successful in doing so. These commercially available AI advances and innovations are likely to be an integral part of the future of warfare. This trend further cements the role that private technology firms will play in future conflicts, as tools/weapons in nations' geopolitical arsenal.

Old vs new technology

As one of the first full-scale conflicts opposing two modern militaries, the Ukrainian conflict is a window into the dynamics of how militaries are adopting new weapon technologies and tactics versus conventional weapons systems and traditional armaments. Multiple lessons can be learned from this process in terms of how future conflicts might unfold.

The high-profile utilisation of <u>drones</u> – <u>of various levels of sophistication</u> and autonomy - in the Ukrainian conflict shows that future forms of warfare will be characterised by their increased use, as well as the expanded use of autonomy in weapon systems. Drone capabilities are likely to proliferate among the world's militaries, continuing a trend that could already be observed in the last decade. The relative vulnerability of Russia's expensive mechanised equipment could similarly spur a "return of mass" to the battlefield. In other words, a shift towards putting more emphasis on fielding a large number of cheaper systems, rather than few, expensive ones. This could happen in tandem with the utilisation of swarm tactics in future battlefields. Armies will undoubtedly continue to embed automation in a wider array of weapons systems and weapon's functions, and increasingly deploy autonomous weapons systems. In the more static and limited-front phase of the conflict in the east of Ukraine where Russia is more effectively employing its superior firepower and tactics, the advantage conferred by drones is reduced and the limits of asymmetric tactics are being demonstrated. This is compounded by the ability of Russian forces - now closer to their logistical bases – to better deploy <u>electronic warfare</u> capabilities (EW) to jam drone-control transmissions, which they were unable to do deeper in Ukrainian territory. This further cements the idea that while militarily useful in some situations, drones have <u>not yet become a panacea</u> in modern all-out warfare.

Russia's much-touted "battlefield AI" seems to be relatively missing from the battlefield. The Russians are still predominantly relying on heavy artillery barrages, indiscriminate bombings, tanks dating back to the 1970s, and older unguided munitions and "dumb bombs". The conflict, while highlighting some novel technologies, their usefulness, and their potential to influence future battlefields, is therefore also emphasising their incremental and slow adoption alongside traditional armaments, which largely still dominate the battlefield. Some advanced missile technologies, such as hypersonic missiles, have made their first appearance in conflict. Although their use has changed very little on the ground and was more symbolic than strategic, it shows that these next-generation weapons are operational today, heightening the probability of their more widespread adoption and presence on future battlefields.

Deficiencies of the Russian armed forces

The performance of Ukrainian troops can partially be explained by Russian military shortcomings. Russian problems with <u>communications</u>; <u>logistics</u>; <u>command-and-control structures</u>; the interoperability of forces; military doctrine and <u>culture</u>; the quality, <u>number</u> and <u>composition</u> of its troops; <u>morale</u>; and even import <u>restrictions</u> limiting the country's ability to produce advanced military equipment plagued the first stage of the war. The refocus on narrower objectives is allowing Russian troops to use their overwhelming firepower more effectively and make some tactical gains. Still, these intrinsic issues remain and are slowing down their progress. This is further worsened by Western deliveries of more advanced weaponry to Ukrainian forces.

These issues highlight that the interoperability of forces, conventional military systems, a strong chain of command, encryption, morale, and logistics will endure as vital elements of warfare and are still highly determinant of an army's success. Due to an increase in information available to enemy soldiers and cheap technological alternatives to expensive weapons systems, factors such as asymmetric tactics, mobility, adaptability and initiative could become increasingly decisive on future battlefields. This also contributes to reinforcing the role of the so-called "technoguerilla" in modern warfare, underlying the growing role that technology plays as a surrogate in modern conflicts. While these new factors alone do not fundamentally change the conduct of war, failure to adapt military doctrines can result in high casualty rates and negate numerical advantages. These deficiencies are interlinked and aggravate one another. A strong military strategy is a comprehensive one. But in ever more complex battlefields, this might prove increasingly difficult to achieve.

Hybrid warfare and the use of non-military means

The war in Ukraine extends beyond the use of military means. The warring parties are weaponising globalisation and the dependencies it creates to achieve their goals. Russia is using its position as the primary energy exporter to Europe and major wheat producer to weaponise energy and food supply chains. Conversely, Russia is also a target of the instrumentalisation of connectivity. Western countries are using a heavy sanctions regime to isolate Russia, while the blockade of microchip supply chains prevents the country from producing advanced military equipment. Globalisation has become a central aspect of conflict, and will grow in importance in future warfare. International connectivity and interdependences provide countries with new tools with which to coerce others or influence conflicts beyond purely military means. Economic interdependence, the Internet, refugee flows, and energy and food supplies will all increasingly become integral parts of future globalised battlefields.

Information war

The conflict in Ukraine shows that today's global information ecosystem will play an increasingly important role in future conflicts of this scale. Ukraine's – and particularly President Zelenskyy's – greater skill at exploiting social media communication relative to the Kremlin's was instrumental in gaining the support of Western public opinion and Western financial and military support, and in slowing down Russia's advance. The Kremlin has instead used disinformation both domestically and in its sphere of influence as an integral part of its war effort through the use of troll farms and the introduction of domestic legislation effectively criminalising criticism of the war. The spread of Russian disinformation has been particularly effective in places where genuine antipathy towards the West creates sympathy for Russia's cause. The outcome of the vote on the UN resolutions condemning Russia's invasion of Ukraine and Russia's expulsion from the Human Right Council show that about half of the world population aligns itself with, or does not condemn, Moscow's actions.

This shows that in today's globalised information ecosystem, creating, spreading and maintaining a narrative can influence the conflict in one's favour. Future warring parties, learning from the lessons of Ukraine, will likely make substantial efforts to gain support for their campaigns outside their own countries, focusing on social media and other new communication technologies as part of their warfighting efforts. Spreading and fighting disinformation will therefore come to characterise the conflicts of tomorrow.

Conclusion

Due to its scale, the war in Ukraine holds many implications for the future of warfare. It confirms many of the trends in the modernisation and globalisation of the battlefield, while showing that even as new technologies start to alter the battlefield, introduce new means of warfare, new actors and complexifying the conduct of hostilities, they are not a panacea. Some traditional aspects of the conduct of warfare remain the same and will coexist with technological innovation for some time to come.

6. Implications for Organised Crime

Christina Schori Liang

Since Ukraine gained its independence in 1991, corruption and organised crime have expanded in the country. The pervasion of organised crime and corruption was part of the core issues leading to the <u>Orange Revolution in 2004-2005</u>. After the revolution, the shifting power structures in the country created further opportunities for both national and international criminal actors.

The 2022 war between Russia and Ukraine has had a devastating impact on Ukraine's people, infrastructure and economy. It is indisputable that the war will create multiple opportunities for criminal actors to step in and take advantage of the unfolding human tragedy in Ukraine and beyond. What follows is a brief description of organised crime in Ukraine, followed by a brief analysis of the ramifications of the war for crime in general and criminal markets in particular.

The situation in Ukraine

Three types of illicit markets characterise Ukraine: the infiltration of criminal actors into government and businesses, the trade of illicit goods (drugs and arms), and the trade of illicit services (human trafficking, forced labour and protection).

Ukraine is acutely impacted by the infiltration of criminal actors into government and business. In the <u>Corruption Perception Index 2020</u> Ukraine was ranked 117 out of 180 countries for corruption with a score of 33/100 (with 0 being highly corrupt and 100 being clean). An <u>EU Anti-Corruption Initiative study</u> found that the Ukrainian people considered corruption the country's second most important social problem after the conflict in the Donbas region. A <u>Chatham House report</u> disclosed that a Ukrainian government study of high-level corruption described the "pyramidal" nature of state capture by criminals. Money laundering is also widespread. Money is laundered through real estate; shell companies; and insurance, financial and non-financial institutions.

Ukraine also serves as a transit country into the EU's illicit drug market. Heroin is trafficked from Afghanistan through Russia, the Caucasus and Turkey before passing through Ukraine. Cocaine from Latin America moves through Ukraine's seaports and airports into the EU. Illegally produced to-bacco products are also trafficked through Ukraine.

Conflict and illicit market developments

Generally, during conflict both sides' civilians and criminals are dependent on the "war economy" made up of illicit actors supplying everyday needs, creating a situation where civilians rely on criminal actors to survive. In the post-conflict phase this becomes a "shadow economy" where criminal and armed groups rely on wartime habits to control the market and subvert the power of political elites. Research on conflict and war maintains that criminal actors often establish illicit market structures during wartime that act as <u>peace spoilers</u>, further threatening a country's stability. Conflict and organised crime form a symbiotic relationship.

Organised crime exploits the increased opportunities offered by a weakened regulatory environment and replaces such an environment with its own networks. War weakens the state's capacity to provide goods and services, creating opportunities for illicit markets.

The regime change with the ouster of President Yanukovych in the Maidan Revolution represented a massive threat to the "stakeholders in the Donbas mafia state". This was fueled further by Ukraine's wide-scale corruption and its strong links to organised crime. This government neglect in the Donbas region contributed to the sense of frustration felt by local people and thus helped to feed the insurgency.

The war has had an important impact on Ukraine's illicit arms market, which has ballooned since Russia's initial invasion, buttressed by a surplus of weapons not under state control. This is expected to get worse with the flow of missiles, rockets, artillery and drones to war-torn Ukraine. The United States has offered Ukraine a US\$53 billion security-assistance package. Recent aid delivery gifted directly to the Ukrainian government included US\$8.8 billion of economic support and US\$4 billion to purchase weapons.

Large numbers of powerful weapons are entering one of the largest trafficking hubs in Eastern Europe. It is unclear who will keep track of these weapons, which showcases the need for greater monitoring and accountability. Military equipment being pledged and delivered includes antitank weapons, rockets, rifles and night-vision goggles.

The region does not only suffer from Ukrainian organised crime; Russian criminals benefitted hugely from the 2014 Russian annexation of Crimea. Oligarchs with close ties to organised crime seized Crimean property that belonged to Ukrainian business elites. The annexation of Crimea opened up opportunities for new black-market activities. While Transnistria, the breakaway pro-Russian enclave in Moldova, has proved profitable for Russian gangsters, Crimea has much more potential in this regard.

The repercussions of the war

The shifting power structures created by the war and the illicit market opportunities will continue to threaten Ukraine's security and stability and will inhibit good governance in the post-war phase. Moreover, war in Ukraine will increase criminal markets in Europe and result in increased cyber attacks; criminal infiltration; human trafficking and sexual abuse; and drug, illicit cigarettes, and weapons smuggling.

Many of the weapons that are being sent to Ukraine will eventually end up in the global hidden economy and will flood the international market. The head of INTERPOL, Jürgen Stock, has urged member states to focus on this issue and to cooperate with INTERPOL on arms tracing.

It is estimated that four million people have left Ukraine since the war began, mainly women and minors (many unaccompanied), which has raised fears of an increase in the trafficking (including sexual and labour exploitation) that <u>already existed</u> on Ukrainian territory before the war. Around half of those fleeing the country are adult women, 40 per cent are children and 10 per cent are adult men. It is estimated that thousands of children are travelling unaccompanied, <u>placing them at a high risk</u> of trafficking and other abuses.

Women and children are being tricked into accepting false promises of transportation, free accommodation and employment. The flood of refugees has led to an <u>unprecedented response</u> by the EU. Following the Temporary Protection Directive, the European Commission presented a <u>10-Point Plan</u> for enhanced European coordination on welcoming refugees. This helped to address the risk of people being trafficked and going missing. <u>Several reports</u> highlighted cases in which people fleeing Ukraine had disappeared on route. INTERPOL recently launched <u>Project Soteria</u>, which targets individuals who seek to exploit positions in the aid and humanitarian sector to either exploit vulnerable people or commit sexual abuse.

Millions of people are continuing to flee, some directly into the arms of traffickers and smugglers who are greedily exploiting the waves of desperate women and children. In March, the International Organization for Migration warned of the high risk of trafficking. Europol deployed officers to Moldova, Poland, and Slovakia to monitor migrant smuggling and arms trafficking.

The EU is concerned that criminal organisations could take advantage of the war to enter the Schengen area. Member states are taking precautions to increase national controls to prevent the risk of criminal infiltration, including by terrorists using falsified documents. The EU has indicated that trafficking in abandoned and stolen vehicles could flourish, as well as the circulation of chemical, biological, radiological and even nuclear weapons. The EU's justice and home affairs agencies, including Frontex and Europol, will have to play a major role in monitoring the criminal threats emanating from Ukraine and its neighbours.

Hybrid tactics

Russia's pre-war strategy of using organised crime networks as hybrid actors in a larger irregular warfare campaign aimed at compromising and weakening Ukraine has continued. Generally, criminal actors have an interest in maintaining control over revenue even after a conflict, so they take advantage of potential power vacuums both during and after a conflict.

When Ukraine enters the post-war phase there is a risk that these opportunities will create a nexus of collaboration between non-state armed actors

and organised criminals. The international community will need to support Ukraine to reduce this type of convergence to prevent it from undermining the country's post-war stabilisation efforts. In light of Russia's history of exploiting non-state criminal organisations as hybrid actors to weaken Ukraine, it is likely that Russia will continue its efforts to influence post-war Ukraine in order to maintain its sphere of influence.

Conclusion

International law enforcement organisations note that Ukraine's destabilisation as a result of the war has sent ripples around the world in terms of organised crime. Russian organised criminal networks are looking to expand smuggling routes using the Crimean port of Sevastopol and the prime smuggling port, Odessa, from where they move contraband, including stolen cars, drugs, weapons and women, throughout the Black Sea region.

In Kyiv, the Ukrainian government is fighting for survival. The 21st century battlefield in Ukraine is complex and characterised by the active participation of criminal groups that are creating and maintaining their hold over geostrategic, economic and security interests. The successful conclusion of the war will hinge on the ability of government and international actors to understand the kinds of power these criminal actors wield and prevent them from acquiring even greater influence.

7. Implications for Arms Control, Disarmament and Non-Proliferation

Marc Finaud

Since Russia's aggression against Ukraine, there have been direct implications on the field of arms control, disarmament, and non-proliferation: freeze of US-Russian Strategic Stability Dialogue; allegations of and actual threat of use of nuclear, biological, and chemical weapons; massive use of banned weapons (antipersonnel landmines, cluster munitions, explosive weapons in populated areas, incendiary weapons); massive transfers of conventional weapons by Western countries to Ukraine potentially not in conformity with the Arms Trade Treaty (ATT); and more polarization within the international community linked to the first Meeting of States Parties of the Treaty on the Prohibition of Nuclear Weapons (TPNW) and the Tenth Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

Nuclear Weapons

The recurrent threats by Russia to use nuclear weapons against NATO countries if they interfered with the war as well as the search for justifying the use of (tactical or low-yield) nuclear weapons against Ukraine seriously contributed to increasing the level of the nuclear risk. This risk was aggravated by a combination of factors.

First, the ambiguity of the 2020 <u>Russian nuclear doctrine</u>, which would justify the use of nuclear weapons in case of an "existential" threat against the state, without specifying whether this would include a threat against the regime; in addition, it would authorize using nuclear weapons even against a non-nuclear weapon state in case of its association with a nuclear-weapon state (NATO military support) or its use of weapons of mass destruction (hence the 'false flag' Russian allegations of Ukrainian preparation for acquiring nuclear weapons and use of chemical or biological weapons).

Second, the Russian nuclear <u>drills</u> and demonstration of capabilities (<u>Kinzhal</u> hypersonic missile, <u>Sarmat</u> intercontinental missile, etc.) that may not only send signals but also result in misunderstandings, false alarms, unintended escalation, accidental or unauthorized launches, etc.

Third, the potential disruptive use of new or <u>emerging technologies</u> such as cyberwarfare, artificial intelligence for autonomous weapon systems, or anti-satellite warfare that can affect command-and-control systems of nuclear weapons.

Moreover, the suspension of the US-Russian <u>Strategic Stability Dialogue</u> that had started as a result of the June 2021 Geneva Summit creates a major gap in communication and negotiation, particularly for the successor treaty to the New START Treaty that will expire in 2026. The conduct of routine inspections under that Treaty will also certainly be affected. The January 2022 meeting where both sides could discuss each other's security concerns in

the tensions around Ukraine had not stopped the Russian invasion. For the post-war period, it will certainly remain a crucial framework for such discussions, along with the other relevant forum, the OSCE.

In the multilateral context, the <u>First Meeting of States Parties to the TPNW</u> and the <u>Tenth Review Conference of the NPT</u> have directly been affected by the current tensions. In Vienna, the situation has boosted the abolition movement that will now have evidence to show that nuclear weapons can be used as a shield by great powers to carry out invasions of non-nuclear weapon states without fear of retaliation. At the NPT Review Conference, Russia vetoed the final document that clearly established its responsibility for the high risks caused by its military occupation of the Zaporizhzhia nuclear power plant. Actually, the other nuclear-weapon states and Russia were only united in their common rejection of any concrete steps towards nuclear disarmament, nuclear risk reduction, and a decrease in the value attached to nuclear weapons that may act as an incentive towards proliferating states.

Chemical Weapons

Russia has <u>accused</u> Ukraine of preparing for the use of chemical weapons against it (and presumably legitimizing chemical or even nuclear response). Russia has officially destroyed all its declared stockpile of chemical weapons in 2017 but is <u>suspected</u> of maintaining some stocks of "novichok" nerve agents or being able to manufacture those rapidly. Any use of chemical weapons by Russia would be a "game changer" according to the Polish president.

The Organisation for the Prohibition of Chemical Weapons (OPCW) <u>expressed</u> its "concern" about Russian allegations. Russia's attitude towards the OPCW has been deteriorating since a majority of States Parties decided to strengthen the verification regime of the Chemical Weapons Convention after Russia attempted to shield the Syrian government from inspections followed by attribution.

Biological Weapons

Similarly, Russia has been accusing Ukraine of preparing for the use of biological weapons through biolabs handling deadly pathogens funded by the United States. In fact, this programme was initially co-funded by Russia within the G8 Partnership against the Spread of Weapons and Materials of Mass Destruction. When such accusations were raised at the UN Security Council, the UN High Representative for Disarmament Affairs, Izumi Nakamitsu, denied them. This unfortunate use of disinformation tends to undermine the Biological Weapons Convention that will hold its next Review Conference in Geneva in December 2022. Russia convened a special "Article V" consultation meeting on this issue from 5-9 September 2022.

Conventional Weapons

The picture regarding conventional weapons is more diverse and strongly linked to the actions in and regarding the war.

Both Ukraine and Russia are party to the <u>1980 Convention on Certain Conventional Weapons</u> (CCW) and its five Additional Protocols (I on **non-detectable fragments**; II on **mines & booby traps**; III on **incendiary weapons**; IV on **blinding laser weapons**; and V on **explosive remnants of war**). However, there have been many allegations of use, mainly by Russia, of <u>mines</u> or <u>incendiary weapons</u> against civilian targets that amount to war crimes, which may undermine the related norms.

Ukraine is party to the 1997 <u>Antipersonnel Landmine Ban Convention</u> while Russia is not and has been <u>using antipersonnel landmines</u> in Ukraine on a large scale. Ukraine has failed to meet the deadline for destroying its stockpile and <u>declared</u> a remaining stockpile of over 3 million landmines in 2020. Similar regular extensions of the destruction deadline by other States Parties contribute to weakening the norms of the Convention. It is <u>expected</u> that mine clearance in Ukraine will take several decades and entail huge costs, notably with the continuation of the war.

Regarding **cluster munitions**, neither Ukraine nor Russia is party to the <u>2008</u> <u>Convention on Cluster Munitions</u>. According to a <u>report</u> of 11 May 2022 by Human Rights Watch, "Russian armed forces have used at least six types of cluster munitions in attacks that have caused hundreds of civilian casualties and damaged civilian objects, including homes, hospitals and schools. Evidence indicates that Ukrainian forces have also used cluster munitions at least once." While this practice undermines the emergence of a related customary international norm, this may support initiatives against cluster munitions.

Finally, Ukraine signed but did not ratify the <u>2013 Arms Trade Treaty</u>. Russia did not sign it. However, most states transferring conventional weapons to Ukraine are party to the treaty (apart from the United States and Turkey, both signatories). They are thus <u>bound</u> to deny any export of weapons that would be used in international crimes and/or assess the risk that such weapons would. Similarly, the weapons transfers' contribution to, or undermining of peace and security needs to be assessed. It is questionable if enough restraint is applied. The <u>risk</u> is high that many of the arms transferred would be misused, trafficked, diverted, or end up in the hands of unauthorized users, fuelling further proliferation to other conflict zones and criminal or terrorist groups.

Conclusion

The war between Russian and Ukraine has led to major blows to the integrity of international law, particularly weapons law and disarmament treaties. Among its main consequences, we are also witnessing significant increases in armament and military expenditure worldwide, including long-term programmes of modernization of nuclear weapons and nuclear stockpile increase.

In the medium to long term, two scenarios are possible. First, because of the broken trust, the continued freeze of the US-Russian Strategic Stability Dialogue leading the New START Treaty to expire in 2026, ending any form of control on the bilateral nuclear arms race. With the INF Treaty defunct and no revival of the OSCE arms control system (Vienna Document, CFE Treaty, Open Skies), deployment of intermediate range missiles in Europe accompanied with force concentration on the NATO-Russia contact zone dangerously increase the risk of military confrontation and global war.

Second, comparable to the Cold War when East-West tensions and proxy wars (Cuba, Vietnam, Middle East, Czechoslovakia, etc.) did not prevent the adoption of important arms control and disarmament agreements, the great powers realize that it is in their mutual interest to prevent escalation, stop incentives to proliferating states, and rebuild a global security architecture. Middle powers can play an active role, as in the Cold War, to offer realistic solutions and promote, as a more long-term and effective substitute to military build-up, a response based on respect for international law and cooperative approaches to security.

8. Implications for the Global Sanctions Landscape

Ali Ahmadi

Wars and major geopolitical episodes tend to accelerate already existing trends. The war between Russia and Ukraine has shaken the international community and set off a series of reactions that will, among other things, reshape the global sanctions landscape. The United States and EU have thus far passed an unprecedentedly rapid series of sanctions against key Russian and Belarussian economic sectors. At a time when the world was already heading towards great power competition, this imposition of broad sanctions against a major economy like that of Russia demonstrates the West's confidence in the use of economic statecraft as a means of influencing international affairs and the centrality of the economic tool in the context of this new era of competition.

For decades sanctions have been part of what European leaders considered a legitimate option in their countries' external relations repertoire. The EU even adopted <u>special programmatic guidance</u> on the issue as far back as 2004. But the speed and scale of Ukraine-related sanctions highlight the extent to which sanctions have been legitimised in European decision-making and how Europe has become increasingly comfortable with broad and sectoral sanctions that affect the whole of the target state's economy and society.

Underpinning the private sector's cooperation with US and European sanctions efforts in the first two decades of this century was the fact that these sanctions were implemented against small countries and under what would often be described as special circumstances. When sanctioning smaller economies, US sanctions architects <u>argued</u>, Washington leveraged the standard operating culture and behaviours of banks to direct them away from doing business with targets like Iran, even in the absence of statutory bans. When sanctions are imposed on larger economies more central to the global economic order, these same factors become risk points. These larger economies have greater capacities to manage sanctions pressure and a larger network of economic partners around the world (businesspeople, firms, institutions and nations) that will be willing to modify common practices and find new mechanisms with which to carry out basic business activity.

Financial sanctions

Critical to the success of the financial sanctions that have dominated the economic statecraft landscape over the last two decades has been the centrality of the US dollar and a <u>largely Western-based</u> international financial infrastructure in an increasingly globalised world where cross-border transactions are intrinsic to any national development strategy. In the 2010s, <u>de-banking</u> and <u>de-risking</u> (i.e. the withdrawal of financial services from jurisdictions under heavy sanctions scrutiny) have become standard practice

among global banks. This is a major factor driving the <u>retreat of vital correspondent banking relationships</u> around the world that undermine globalisation and global value chains. The exposure of larger economies to the risk of sanctions will likely expedite this trend and spread it into new areas and regions.

The effort of countries like China and Russia to produce alternatives to pillars of the international financial infrastructure like the Belgium-based SWIFT banking transaction system and to de-dollarise their economies have been largely unsuccessful up to this point, underlined by Russia's struggles to facilitate cross-border transactions after the imposition of sanctions using its internal financial messaging system. That being said, these endeavours have so far been deprioritised in favour of growth through the orthodox globally used mechanisms and can become the focus of increasing government and private sector investment in the new environment. Highlighting this concern is a new report from the World Bank that warns that "Global trade and financial networks could fragment" if the Russia-Ukraine conflict and its associated embargoes continue, and adding that sanctions' impact on Russia can result in other countries' "self-isolating" with higher trade barriers and alternative financial systems independent of the US dollar. The report notes that the resulting loss of specialisation and competitiveness "could slow output and income growth and add to inflation pressures".

Technology sanctions and export restrictions

By far the most important likely shift caused by the use of sanctions in the context of great power competition will be the increasing importance of technology sanctions and export controls in the Western sanctions agenda, usurping the financial sanctions that had taken centre stage over the last two decades against smaller economies. Energy issues and the larger size of the economies in question make barring these economies from the global financial system difficult. Searching for asymmetries, sanctions architects seem to have focused on technology sanctions, in the belief that the United States and other Western countries dominate foundational technologies that Russia and China still lack.

In the context of Russia's invasion of Ukraine, US officials have <u>expressed</u> both surprise at and satisfaction with both the speed and depth with which technology sanctions have impacted Russia and its war effort. This has, according to US officials, undermined both Russia's military manufacturing capacity and its economy. As President Biden <u>stated</u>, "We are choking off Russia's access to technology that will sap its economic strength and weaken its military for years to come". These measures are targeted at a wide variety of military-specific and dual-use technologies that include semiconductors, integrated circuits and emerging technologies.

European officials have <u>publicly argued</u> for a stronger technology export control regime, or an "Economic NATO", to safeguard the continent and ensure that major countries like Russia and China are "playing by the rules". Already, <u>a new coalition of countries</u> has been arranged that are imposing

new technology export restrictions on Russia and Belarus. Countries are incentivised to join this coalition because doing so would exempt them from requiring licences to import the goods and technologies being targeted.

In the same way in which financial sanctions were effective due to the globalisation of finance, technology sanctions are also bolstered by the way in which the global economy is defined by global value chains dispersed around the world. A new era of intensified technology sanctions and export restrictions will result in new challenges. Countries will likely see the interdependence that global value chains bring as a national security issue and further shift resources towards indigenisation and economic interaction with countries of shared political orientation – what scholar Henry Gao has called moving from value chains to "values chains". This will also confront sanctions coalitions with a variety of collective action challenges, especially concerning the gap between the technology and export control frameworks of Europe and the United States, which diverge significantly in many ways in terms of their goals, dual-use definitions and liability structures.

This new era, particularly the technology sanctions dimension, will emphasise the importance of anti-coercion tools. Larger economies have significantly greater potential for retaliatory action and Chinese dominance of various aspects of the global supply chain will present an unprecedented challenge. In addition, European countries, and in particular smaller European nations, need to ensure that undue influence is not exerted on their economic decision-making from across the Atlantic. Europe's inability to challenge US pressure on European firms and institutions to withdraw from Iran after Washington abandoned the Iran nuclear deal weighs on Europe's economic sovereignty and its ability to pursue independent action. The development of a credible framework to identify and challenge hostile or arbitrary economic coercion would guarantee Europe's freedom of action and ensure that countries have a seat at the decision-making table proportionate to their technological weight. The Anti-Coercion Instrument proposed in response to Beijing's hostile action against Lithuania as a result of the latter's allowing Taiwan to open a de facto embassy in Vilnius represents an important first step in this regard.

Conclusion

While financial and energy sanctions have reshaped the global economic landscape in many ways, the shift of sanctions towards targeting larger economies and the emerging escalation of technological export controls will yield a new era of geo-economics where economies are more fulsomely instrumentalised for national security purposes. This will have broad implications for how sanctions – or "restrictive measures", in the European parlance – are used and will likely accelerate already existing trends of deglobalisation and economic bifurcation. This trend could be accompanied by increased cross-border economic activity in many cases, but the rate of economic growth will outpace interconnectivity as countries become increasingly guarded with regard to any kind of perceived or real asymmetrical interdependence.

The European Community as a whole and the sanctioning parties involved should be realistic about the fact that sanctions, like many other tools of statecraft, are often not effective. Hufbauer and colleagues have <u>argued</u> that sanctions are only effective 34 per cent of the time. Firstly, this is not merely a relatively rosy assessment compared to other studies. Secondly, effectiveness <u>here is defined</u> as contributing to a positive outcome for the sanctioning parties, not solely dictating the outcome of events to these parties' satisfaction.

While they can be very potent in harming the target state's economy, sanctions are not necessarily effective in bringing about policy modification in the target state or undermining its war-making capacities. Sanctions are best used to achieve <u>limited objectives</u> and in concert with other tools of statecraft. This is especially the case in major security conflicts where <u>relative gains</u> are critical and the <u>expectation of future conflict</u> looms over the conflicting parties' decision-making processes. This will certainly be the case when sanctions are used against larger powers that have strategic ambitions and whose leaders could face severe audience costs at home. Ultimately, sanctions occupy an intermediate position between war and diplomacy and are seldom effective on their own.

9. Implications for Disinformation and Cyber Warfare

Gazmend Huskaj

Russian offensive cyberspace and cyber espionage operations targeting Ukrainian entities were conducted months and even years before 24 February 2022. Since the illegal annexation of Crimea in 2014 Russia has been able to conduct intelligence collection operations targeting numerous targets such anti-Russia individuals, with the likely purpose of neutralising these targets. From a systems perspective, these targets exist within various political, military, economic, social, informational, and infrastructure (PMESII) systems and subsystems.

Defining disinformation and cyber warfare

Disinformation is best defined as

the dissemination of false reports intended to mislead public opinion. The criterion for disinformation is a mixture of true, false, and missing statements. The goal of disinformation is to cause the adversary to reach decisions beneficial to [the] interests [of the party disseminating the disinformation].

Cyber warfare is best <u>defined</u> as "the actions by a nation-state or international organization to attack and attempt to damage another nation's computers or information networks through, for example, computer viruses or denial-of-service attacks".

Reviewing cyberspace operations

Prior to 24 February 2022 Russian entities were conducting data-collection and offensive cyberspace operations against Ukraine. According to the CyberPeace Institute, 228 cyber attacks and operations conducted by 36 different threat actors had taken place.

The tactics, techniques and procedures of Russian cyber attacks are many, and illustrate how cyberspace operations can be used as a force multiplier. The attacks have been primarily destructive. Some have been camouflaged as ransomware attacks, while "cheap" and "low-effort" distributed denial-of-service (DDoS) attacks have been used to "distract government IT workers and the public's attention". In other words, DDoS attacks were used to distract government workers from the real, highly destructive "wiper" attacks. The targets have primarily been government agencies, websites and servers, but also private satellite companies of the kind used by the Ukrainian armed forces for command and control activities.

Another modus operandi that has been widely reported, including by <u>Microsoft</u>, is that of Russian cyber espionage attacks against Ukrainian entities, shortly followed by kinetic attacks:

On March 2 [2022], MSTIC identified a Russian group moving laterally on the nuclear power company's computer network. The next day, the Russian military attacked and occupied the company's largest nuclear power plant. During the same week, the Russian army group MSTIC calls Strontium compromised a government computer network in Vinnytsia and two days later launched eight cruise missiles at the city's airport. Similarly, on March 11, Russian forces targeted a Dnipro government agency with a destructive cyberattack while also using conventional weapons against government buildings.

Current real-world cases indicate how blurred cyberspace and "real" space are becoming. Just as there are standards and regulations to ensure physical security and defend critical national infrastructure, military bases, and so forth, the same mindset must be applied to governments' information systems and operators of critical national infrastructure.

Targets in cyberspace are not limited by physical borders. Numerous states apart from Ukraine have been targeted: the United States, Denmark, Norway, Finland, Sweden, Switzerland and Turkey, and also entities like NATO. This implies that any state that is supporting either party in a conflict is likely to be attacked in and through cyberspace.

The role of private companies

The role of private companies in the cyber security field is increasing. Private companies are leading technological development in the areas of telecommunications, hardware and software, and are on the cyber security front line in Ukraine, assisting with cyber defence. After Ukrainian government data centres were attacked by kinetic means, legal steps were taken to move government data to European data centres.

Furthermore, after identifying how Russian cyber threat actors were conducting offensive and espionage cyberspace operations, the private sector could use their understanding of these tactics, techniques and procedures to build effective defensive capabilities. It is likely that software used in Ukraine is also used in other countries, which is why it is important to incorporate these defensive measures into such software everywhere that it is used.

In summary, private companies in the cyber security field have analysed destructive code and shared their insights to support the development and implementation of countermeasures such as patches. They have also supported Ukrainian agencies on the ground with qualified staff. Finally, as Microsoft has reported, a move from local Ukrainian government servers and infrastructure to data centres (the cloud) spread across Europe makes it easier for companies like Microsoft to apply algorithms, machine learning, and artificial intelligence to quickly identify threats and mitigate them.

The role of hacktivists

The role of hacktivists (people who break into computer systems for political or socially motivated purposes) is increasing. Hacktivism is not a new phenomenon, but the sheer size of the number of hacktivists supporting Ukraine's war effort is a new development. Open sources state that around 300,000 to 400,000 hacktivists are supporting Ukraine. However, because this is a loose group of people without a clear command structure, they have been targeting any organisation within the Russian PMESII system. Some direction was given when Ukraine's minister of digital transformation, Mykhailo Fedorov, disseminated a list of targets via the social media application Telegram.

Challenges affecting offensive cyberspace operations

While offensive cyberspace operations (OCO) present opportunities, they also face some challenges, the first of which is speed and the second impact. It takes time to prepare OCO – anything between eight and12 months. As noted in the cases above, OCO conducted just before 24 February had an impact because the threat actors could prepare the operations in secret. Once the decision to attack was taken, the destructive code and OCO were implemented just hours before the first Russian tanks rolled over the Ukrainian border. This phase of the war resulted in an increased level of fighting, but because OCO require time to prepare, such an increase is likely to limit their success rate. According to Microsoft, Russian OCO and cyber espionage operations have had a 29 per cent success rate.

Cyber-enabled disinformation operations

Cyber-enabled disinformation operations (CEDO) make it possible to deliver reports intended to mislead public opinion, reaching global audiences at speeds and with a quality never possible before. Like OCO, CEDO may be utilised differently depending on whether the situation is one of pre-conflict or actual conflict. Pre-conflict CEDO can be well prepared, with time on the side of the attacker. During conflict the effects are likely more difficult to achieve.

Social media platforms play a significant role in the success of disinformation operations. While Russia is using them to control how the Russian population perceives the fighting in Ukraine, Russia is painting a different picture to the Ukrainians, with claims that "resistance is futile", and trying to divide public support for Ukraine in Europe and the United States. The message that is being broadcast to Africa is that the Europeans and the West are behind the food shortages resulting from the war.

The other side of the coin is to use information operations to gain international support. According to political scientist <u>Michael Butler</u> of Clark University, Ukraine has been conducting an information war to win hearts and minds in the West. Butler claims that Ukraine's success is a combination of compelling messages, effective messengers and "pro bono public relations"

[PR] services". Examples of such messengers include "former champion boxers the Klitschko brothers, one of whom is the mayor of Kyiv, and both of whom are now prominent advocates for the defense of their country". Examples of PR services include "major Washington, DC firms such as 5WPR and SKDK, as well as some of their UK counterparts".

The United States, UK, EU and NATO

In a fact sheet entitled "U.S. Support for Connectivity and Cybersecurity in Ukraine", The United States clearly demonstrates which agencies are supporting Ukraine to ensure that it has continued access to the Internet, can conduct defensive cyberspace operations, and can protect other types of connectivity like the electrical grid. The agencies include (but are not limited to) the FBI, Department of Energy, Cybersecurity and Infrastructure Security Agency, USAID and US Cyber Command.

The <u>EU</u>, <u>United States</u> and <u>UK</u> have "<u>formally blamed</u> the Russian government for the February cyberattack against satellite communications provider Viasat". <u>NATO</u> "has worked closely with Ukraine for years to help boost its cyber defences". On 18 May 2022 senior cyber coordinators from NATO member states met to discuss "the new strategic environment following Russia's invasion of Ukraine and its implications for the cyber threat landscape".

Conclusion

The ongoing war has demonstrated how threat actors can exploit vulnerabilities to conduct OCO and espionage operations and combine them with kinetic attacks. Successful defence requires states' working together to mitigate threats, with the private sector included. The UK National Cyber Security Centre has an "Industry 100" programme that brings "together government and private sector efforts on cyber security". Initiatives like these will support the mitigation of future threats, especially once they become automated.

10. Implications for the Use of Narratives and Discourse

Paul Vallet

The Russian decision to invade Ukraine on 24 February 2022 is the most recent stage of an ongoing conflict that started in 2014. Its global political and economic impact is far greater today, and constitutes a turning point in global affairs. History has been a major factor in the conflict, both as a source and as a weapon, and is a problematic element within the search for a peaceful resolution. Its narratives and discourses have also dramatically shifted since February. The powerful Russian-originated narrative on the conflict shaped the political response of major European actors in 2014 and afterwards. It has since under-performed, and has been countered by a more powerful Ukrainian response. This not only represents a major defeat for Russia and a success for Ukraine in communications and information warfare. It has implications for the present and future evolution of Russia's soft power enterprises, which warrant careful observation and analysis as they focus on different regional targets, and are adapted to achieve evolving goals. In the field of historical narrative analysis, this also constitutes a major case study on the limitations of hitherto dominant narratives. This leads to concrete policy implications for both the author of the storytelling and its target audiences.

Decrypting the facts

In the 2014-2015 opening phase of the conflict, the Russian narrative arguing that Russian speakers in Ukraine were in danger from the post-Maidan governments of Ukraine was developed forcefully and successfully (the Maidan uprising was a wave of demonstrations and civil unrest in Ukraine that started in 2013, resulting in a change of regime). Western European perceptions of the confrontation between Russia and Ukraine were especially shaped by it. This narrative downplayed Russian military intervention and annexation in Crimea and the Donbas, and represented post-Maidan Ukraine as the initial offender. The successful Russian argument that Kyiv was persecuting Ukraine's Russophone population helped to nullify the issue that the internationally recognised borders of Ukraine had been changed by the use of force.

European mediation resulting in the Minsk II agreements tacitly acknowledged Ukrainian territorial losses. It also placed the onus on the Kyiv government to meet the demands of Russian speakers for guarantees of their rights, and even to give them local autonomy. Wishing to further engage with Russia, European and US leaders calibrated their sanctions so as not to irreparably damage existing economic and commercial relations. Some even argued for the lifting of sanctions despite the conflict being frozen and the Minsk II agreements being impossible to implement. While Western Europeans were especially receptive to the Russian narrative, it must be noted that then-US president Donald Trump also tried to promote this narrative to justify his political proximity to Russian president Vladimir Putin.

Remarkably, since 24 February this Russian narrative has been far less successful at shaping Western perceptions of the conflict. Like the Russian military's under-performance in operations against the north and west of Ukraine, the rejection of the Russian narrative marks an important contrast with the earlier period. It represents a significant political defeat for Moscow, for three reasons

Firstly, Ukraine efficiently and aggressively resisted on the communications and narrative front line just as its armed forces did militarily. The clear perception of Ukraine as the attacked party has been bolstered by the simple and methodical communications efforts by Ukraine's president, Volodymyr Zelenskyy. Beyond his increasing international prestige, his ability to dominate the storytelling field has been a great asset to Ukraine. Ukrainian military resilience has increased the credibility of the notion of a Ukraine that is united in its resistance to the invasion and undermined the Russian narrative of its acting as the liberator of a divided and oppressed population.

Secondly, Russia's actions and methods have significantly impaired the efficiency of its storytelling. While unprepared Russian forces performed too poorly to achieve a lightning victory, the Russian leadership displayed defensiveness and a bunker mentality. Attempts at justifying the unprovoked attack came after months of denying that the troop buildup at Ukraine's borders would result in war. Vladimir Putin's belief, expressed in an essay published in July 2021, that Ukrainian nationhood is artificial, thus easing a potential "reunification" once the Kyiv government is ousted, has gained little traction in the West since. Revival before the invasion of the historical criticism of NATO expansion as a justification of Russian insecurity also did not gain momentum in Western public opinion. Disappointment at the failure to win a quick victory generated Russian narratives that became ever more defensive and escalatory, including nuclear threats to deter the West. Well-documented war crimes committed by Russian troops gave Ukraine excellent leverage to request both Western military and investigative assistance to prosecute these crimes.

Thirdly, Western Europe in particular developed an understanding of the problem and took some resolute countermeasures that marginalised Russia's messaging attempts. Bans were imposed on Russian news outlets and hard sanctions were put in place against Russian influence relays among the Western political, economic and media elites. Much tougher, enforced sanctions packages have shown it is possible to weaken Russian narratives and attempts at influencing the way in which the war is being perceived. This has been decisive to secure Western public support for the policy of providing military assistance to Ukraine. Western attempts to avoid direct confrontation have also assisted countermeasures to the Russian narrative.

Observations

Ivan Krastev <u>noted</u> recently that Putin's policies and behaviour are now undermining Russian soft power. With fewer relays and less traction in the West, Russian influencing efforts have turned elsewhere, to China and the

"Global South". The narrative on who is to blame for the grain shortage and other commercial disruptions of foodstuffs and raw materials resulting from the war is becoming a central element of the Russian narrative aimed at the Global South. The geographical and thematic shifting of Russian soft power and historical storytelling offensives is noteworthy.

This is not the first example of a world power losing credibility as an adverse effect of its policy decisions. The United States experienced this after the Vietnam war and more recently after its final withdrawal from Afghanistan. For Russia and its ambition to reassert its geopolitical role and to roll back what it sees as a Western-dominated international order, failure to dominate the narrative battle over Ukraine is a setback. Perhaps, as Maria Repnikova suggests, the far more decisive global narrative battle involves the United States and China.

Implications

The global implications of this trend are several, in terms of developing events and possible policy prescriptions.

If we reassess Russian strategy, its efforts at influencing global opinion appear to have shifted decisively towards more favourable terrain in the Global South. This is a strategic shift, indicating the limitations of Russian efforts to win over Western public opinion. Rallying the Global South can provide Russia with partners and alternatives to its storytelling impasse. This is why the West should not neglect the Global South and should increase its own counter-narrative efforts and engagement in order to check the influence of the Russian and Chinese authoritarian models among local leaders and societies.

Using the recent lessons learnt from the Russo-Ukrainian conflict, counter-narratives provide valuable backup to resolute stances and engagement with potential allies and partners. They may be all the more efficient when they exploit an adversary's weaknesses and policy mistakes. Harnessing resentment is a powerful resource to support narrative efforts at influencing targeted audiences. This is especially true in a battleground for hearts and minds such as the Global South.

In general, vis-à-vis all regions in the world, and calling on the services of adequate specialists, both leaders and advisers should better appreciate the important role of narratives, which can be factored with advantage into policy analysis and prescriptive responses. Correctly identifying the historical veracity of narratives and their perception by audiences must be part of essential intelligence collection and briefing activities among policymakers, negotiators and interested parties in a conflict-prevention or -resolution context. Neglecting this work can be a key cause of erroneous policy decisions and failures.

Conclusion

The case for paying greater attention to historical narratives and storytelling underscores the fact that such storytelling is a part of the soft and smart power exercises that competing states engage in. The unexpected retreat of the Russian narrative on Ukraine invites a perception that soft power can be lost because of a fateful policy decision. Policymakers, academics and media professionals must think about mitigating such setbacks. The surprising developments that the Russia-Ukraine war has yielded in the field of historical narrative analysis will be far-reaching and worth studying closely.

11. Implications for Diplomacy and Dialogue

Paul Dziatkowiec & Julie Allard

The war in Ukraine has had a considerable impact on diplomacy and dialogue, in some cases stalling ongoing talks, and in others introducing new dynamics. Moreover, it is likely that a continuation of the war will introduce further difficulties for dialogue processes that are not yet apparent.

As this chapter illustrates, Russia's attack on Ukraine represents a systemic shock for international diplomacy, freezing some ongoing discussions because of the isolation of key actors, while allowing others to take centre stage. This analysis is not comprehensive, but aims to highlight several examples where the war in Ukraine has impacted dialogue efforts elsewhere.

Countries are paying close attention to the evolution of the Ukraine war and the reactions of key actors, which will have a long-term impact on international diplomacy and on global tensions. In this context it is essential that diplomatic channels be preserved in order to avoid further escalations of conflict, and to mitigate their consequences.

A systemic shock for Track 1 diplomacy

The overarching consequence of Russia's actions in Ukraine is that the former has severely - even irreparably, according to some - undermined its standing and confidence internationally, and therefore damaged cooperative relations in a number of contexts where Russia is active. The conflict has had a significant ripple effect on many diplomatic processes, undermining constructive dynamics that were previously in place.

The Iran nuclear talks represent one striking example where West-Russia dynamics are crucial. According to <u>various accounts</u>, prior to 24 February 2022 the talks were progressing well and there were high hopes of securing a return to the 2015 nuclear deal (known as the JCPOA). In March, talks were paused after Russia demanded guarantees that its trade with Iran would not be affected by sanctions imposed on Moscow (over its invasion of Ukraine). Recently, US State Department spokesperson Ned Price <u>stated</u> that "Tehran needs to decide to drop issues that are extraneous to the JCPOA".

The war in Ukraine has also highlighted some structural problems in other negotiation processes where Russia and the West have become reluctant to work together. The Geneva International Discussions (GID) format, which is focused on the conflicts in Georgia, involves Russia, the United States and the EU, along with Georgia and the breakaway entities. According to some Georgian sources, the main challenge now is not how to bring Georgians, Abkhazians and South Ossetians together, but rather the reluctance of the EU and United States to work with Russia. In March, the 56th round of the GID was postponed in order to "protect the process and to avoid a situation where the international environment would negatively affect the proceedings". Russia has strongly criticised the decision, accusing the EU, UN and

OSCE co-chairs of "taking hostage" the negotiations, and rejected the post-ponement as an "unfriendly and politicized step".

Similarly, negotiations on Transnistria have been put on hold, not only due to the uncertain situation just over the border in Ukraine, but primarily because two of the parties to the "5+2 format" are now at war with each other. According to some observers, the state of relations between Tiraspol and Chisinau is such that a 'holding pattern' can feasibly be maintained until the end of the war in neighbouring Ukraine. However, some developments have challenged this assumption: for example, a series of security incidents in Transnistria in April and May appeared to be aimed at destabilising the region. The perpetrator is the subject of conjecture, and Chisinau, Tiraspol, Moscow and Kyiv have all engaged in the blame game.

The case of Syria offers more hope, at least in terms of continuing some sort of dialogue. Russia claims that the war in Ukraine has no impact on its strategic positioning in Syria, nor on its presence in the country. Both Russian and American Track 2 actors have expressed the wish to continue a dialogue on Syria, despite the war in Ukraine. Both have interests to defend in Syria, and consider dialogue to be helpful in that context. At least at Track 2 level, the Ukraine conflict has had a relatively lesser impact on Russian-US engagement vis-à-vis Syria, as compared to other situations.

The conflict in Ukraine has isolated Russia diplomatically in various contexts, and in some cases created openings for other players to reposition themselves. The peace negotiations between Armenia and Azerbaijan are one example. While Ukraine commands much of Russia's attention, it has been relatively less engaged on Armenia/Azerbaijan, with some reports even suggesting that Moscow no longer has a full contingent of peacekeepers deployed there.

But the peace process between Baku and Yerevan continues, with the EU having inserted itself more actively as a mediator between the two countries. Prior to this, Russia was relatively dominant in the Track 1 dialogue space – almost all meetings between the two governments had involved Russian officials, and many were held in Moscow. Anecdotal evidence suggests that both Armenia and Azerbaijan view the EU's arrival on the scene as a positive development. However, it is important that the EU finds a way to engage with Moscow on this matter, given the volatility of the region and Russia's presence in Karabakh. Apart from accusing France and the United States of abandoning the Minsk Group, Moscow has also alleged that the EU itself is trying to cut it out of the peace talks.

Multilateral diplomacy under fire

The war in Ukraine has also had serious repercussions for diplomatic processes in a number of multilateral organisations, following the freeze on communication channels between the West and Russia. These worsening relations have caused some disruption in the UN Security Council, though business continues on some fronts, as evidenced by the extension of the UNMISS peacekeeping mandate in South Sudan. However there is certainly a

risk that other topics requiring UNSC attention will be adversely affected.

A potential casualty in the multilateral system is the Arctic, a region that has traditionally been celebrated as a bastion of international cooperation. Unfortunately, within days of Russia's invasion of Ukraine, the Arctic Council – the main international forum for Arctic discussions – decided to pause its work because Russia currently holds the presidency. Some experts suggest that rising tensions will likely transform the Arctic Council from a "high-level diplomatic facilitator to a low-level tactically-oriented talk shop". These are clearly challenging times for Arctic governance. If cooperation weakens, there will be more room for miscommunication and possibly miscalculation in an increasingly militarised region.

The renewed importance of Track 2 processes

In this environment, Track 2 diplomacy has the potential to play an increasingly important role while official interactions continue to be difficult. Against the backdrop of increasing Russian isolation at the official level, informal interactions among experts, academics, businesspeople and civil activists might contribute to rebuilding confidence. Finding ways to continue these exchanges will leave some doors open for when the time comes to restart official-level dialogue.

For example, platforms like the Expert Dialogue on NATO-Russia risk reduction, which is co-organized by leading Russian and European think tanks are crucial interfaces to maintain communication between relevant parties. This dialogue gathers former officials and arms control experts from the United States, Europe and Russia to discuss strengthening European security. Notably, this group of experts issue a joint call for a ceasefire and risk reduction on week after the beginning of war in Ukraine. Russian experts tend to be prudent with their statements, however, and it is not clear to what extent their views are considered by the Russian Government. Yet, such Track 2 endeavours bring together individuals who have the potential to impact national and international policymaking and public debate, and who could help shape future Russia-West relations.

Conclusion

The war in Ukraine has already seriously impacted diplomacy and dialogue on many levels and in a number of regions. Russia has been ostracized in the international arena, while the West tries to maintain a firm and united stance in the face of the invasion of Ukraine. The resulting geopolitical tremors have been felt throughout international diplomacy.

Regarding China, it is still early to assess whether the war in Ukraine has weakened or strengthened its hand in international diplomacy. It has certainly created both opportunities and risks, which Beijing is still trying to evaluate and address. Elsewhere, the war may push other countries, such as Turkey, to become more active in dialogue and mediation, while the West is largely focused on Ukraine.

The above examples underscore at least two early lessons for international diplomacy. The first is the importance of compartmentalisation. Even in times of heightened tension, there are a multitude of separate issues that demand continued attention and some measure of collaboration. Where feasible, mechanisms should be developed that allow for one 'hot' issue to be set aside while other urgent matters are addressed. How this can be done deserves a separate discussion.

The second lesson is that where this is not possible, and communication channels at the official level are completely blocked, there is often space for Track 2 actors to fill the void – to maintain discussions informally, channel ideas back and forth, and propose creative solutions and policy options to decision-makers. Track 2 initiatives can sustain some momentum in times of crisis.

The day will come when the fighting stops, and communication will resume. In the meantime, it is critical to seize on opportunities for unofficial interaction and incremental confidence-building, as these may prove critical when the moment arrives to resume meaningful cooperation across the gamut of mounting global challenges.

12. Essential Points and Conclusion

Tobias Vestner & Maréva Roduit

A few months after the outbreak of fighting between Russia and Ukraine, it is clear that the war is having manifold global consequences. To what extent its implications for global security are systemic and far-reaching both geographically and temporally remains difficult to assess. Moreover, to what degree the events are a transformative phenomenon, or a result of underpinning global dynamics, or simply amplifiers of trends that already existed prior to the outbreak of the war needs to be further studied. The analyses in this paper suggest, however, that the war has several implications for global security.

In terms of geopolitical tendencies, the war has increased confrontation between the great powers. Harsh discourse has preceded and followed the outbreak of the war. States also continue to blame others for the current security and humanitarian crisis, and are calling out others as enemies. NATO's explicit posture against Russia is the most recent example of this tendency. Western states have aligned their positions and policies and are seeking to strengthen their stance against perceived threats. Yet other states' moves – notably those of China, India and the other BRICS states – remain difficult to identify and interpret at this stage.

Russia's aggression against Ukraine and its conduct of hostilities clearly violated and continue to disregard universally applicable international law, which raises the question of whether the international rules-based order will be significantly damaged by the war. The international community's strong reactions to these violations, however, will arguably prevent the demise of the fundamental rules of international relations and the international legal order.

Similar to other inter-state conflicts in preceding decades, the war between Russia and Ukraine provides indications of the future of warfare. Modern military technology, notably drones and cyber tools, have been widely used in the fighting, which suggests the increased relevance of these technologies in the future. The combination of military and non-military means – often termed hybrid warfare – also seems to have become an integral part of modern warfighting.

The war will also likely increase the extent and power of organised crime. Both Ukraine and Russia were characterised by significant corruption, kleptocracy and organised crime before the war. The new instability in Europe, disorder in Ukraine and neighbouring countries, and heavy economic strains on states and individuals are creating new opportunities for organised crime. Notably, the massive refugee flows are creating high risks of human trafficking and abuse, in particular for women and children. Weapons transfers to Ukraine will also generate new opportunities for illicit arms trafficking.

The large volumes of weapons transfers and states' decisions to significantly increase their defence spending will also have implications for stability and

security. Notably the rise in arms production and procurement may augment the risk of misperceptions and miscalculations, and may lead to new arms races. While arms control was already under stress prior to the outbreak of hostilities, the war is exacerbating the risk of the use of biological, chemical and nuclear weapons. This may bring political leaders and policymakers to recognise the need for a renewed commitment to arms control, non-proliferation and disarmament.

Sanctions not endorsed by the UN Security Council are a crucial part of the reactions to the war. The scope of sanctions against Russia is unprecedented and represents strong political and symbolic signals. Yet it is not clear if they are actually hurting Russia, and it is questionable whether the sanctions will lead to changes in Russia's behaviour. The current global situation seems to indicate, however, that the sanctions are affecting world trade, potentially undermining international economic and technological cooperation. Furthermore, China and other states not directly involved in the fighting are most likely closely observing the West's sanctions to adapt their economies and prepare for potential future tensions. This arguably complicates the future use and effectiveness of sanctions.

The war has also brought to light tendencies regarding cyber-related activities, disinformation, and the use of historical narratives and discourse. While states and their proxies had conducted cyber operations before the conflict began, the war has increased hacktivism. Non-state actors conducting cyber activities is not a new phenomenon, but private initiatives to target states' infrastructure and people's assets indicate risks and complications for future conflict prevention, management, and resolution.

Interestingly, prominent narratives and discourse have shifted from a moderating tone towards Russia to a more hostile one. This change brought about by the outbreak of the war suggests that narratives and discourse are not as stable and ingrained in states' policies as they may seem. Strong narratives and discourse supporting Ukraine or opposing certain actors may soften in the short to longer term, while the discourse of hostility may also be turned into a discourse for peace and cooperation.

Ultimately, diplomacy and dialogue are crucial ways of identifying solutions to global issues and enabling cooperation for peace and security. The war has even hampered diplomacy and dialogue on issues that are not related to the conflict. Moreover, meaningful dialogue has become increasingly difficult to achieve. Thus, it seems urgent to keep existing communication channels open. Track 1.5 and Track 2 dialogues could be the key to moving ahead in the current context of global tensions and confrontation.

In sum, the war between Russia and Ukraine has significant implications for global security, many of which remain difficult to grasp and interpret. Thus, related analysis needs to continue to better understand the future of global security and help to address the intrinsic challenges and navigate the new complexities that have arisen since 24 February 2022. The war is undoubtedly influencing the future of global security, but the future remains in the hands of political leaders, policymakers and citizens.

Geneva Centre for Security Policy

Maison de la paix Chemin Eugène-Rigot 2D P.O. Box 1295 1211 Geneva 1 Switzerland Tel: + 41 22 730 96 00

E-mail: info@gcsp.ch www.gcsp.ch

