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International Humanitarian Law and the Waging of War in Ukraine: Integrative Review

Elvira Orzhynska

PhD of Juridical Sciences, Associate Professor, Associate Professor of the Department of Professional and Special Disciplines, Kherson Faculty of Odessa State University of Internal Affairs, Odessa, Ukraine, <https://orcid.org/0000-0001-6189-3103>

Mikhailo Frolov

Candidate of Legal Sciences, Associate Professor of the Department of the Civil and Legal Disciplines, Dnipro State University of Internal Affairs, Dnipro, Ukraine, <https://orcid.org/0000-0001-8513-6844>

Oleksandr Haidak

Postgraduate Student of the Department of Law, Private Higher Educational Institution "European University", Kyiv, Ukraine, <https://orcid.org/0009-0007-2571-5036>

Yuliia Kamardina*

Candidate of Law Sciences, Associate Professor of the Department of Law, Mariupol State University, Kyiv, Ukraine, <https://orcid.org/0000-0002-2295-5559>

Vladyslav Kochyn

Corporal, Kharkiv National University of Internal Affairs, Kharkiv, Ukraine, <https://orcid.org/0009-0007-8809-5604>

***Corresponding author:** j.boyko@mu.edu.ua.

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Abstract: The study examines the legal regulation of warfare in Ukraine under international humanitarian law (IHL). Its primary goal is to identify challenges in implementing international norms within Ukraine's ongoing armed conflict and evaluate their effectiveness in protecting civilian rights. The research methodology relies on bibliometric and documentary analysis. Relevant publications were retrieved from databases such as Scopus, Web of Science (WoS), Google Scholar, and JSTOR to ensure comprehensive access to pertinent academic sources. Articles were selected based on keywords related to IHL, such as war crimes, civilian protection, new warfare forms—cyberwarfare and drone technologies. The PRISMA methodology facilitated a systematic selection process, enhancing transparency and minimising bias. Out of 180 identified articles, 52 were included in the analysis after removing duplicates and those irrelevant to the research focus. The study highlights numerous violations of IHL by conflict parties, including prohibited warfare methods like the use of cluster munitions, attacks on civilian infrastructure, and forced deportation of civilians. While international mechanisms to enforce accountability for IHL violations exist, their practical implementation during the war in Ukraine faces significant challenges. The findings reaffirm that IHL remains a cornerstone for protecting civilians during warfare. However, its effectiveness depends on the international community's political will and the capacity to impose sanctions for violations. The study's novelty lies in its integrative approach, combining legal and quantitative analyses of specific IHL breaches in Ukraine. This research contributes to understanding the role and limitations of IHL in modern armed conflicts.

Keywords: civilian protection, humanitarian law, legal mechanisms, armed conflict, war crimes, weapons regulations, humanitarian response.

Introduction

The conflict between Russia and Ukraine has persisted since 2014, but it entered a critical phase in 2022 with the onset of a full-scale invasion. This escalation has raised questions about the effectiveness of international humanitarian law (IHL) in contemporary armed conflicts. Historically, IHL was developed to regulate the conduct of war and protect civilian populations. In recent years, however, it has faced significant challenges due to widespread violations by belligerent parties (Azarov et al., 2023; Kahfi & Permanasari, 2022; Martz, 2022). The war in Ukraine has highlighted the limitations of IHL and sparked international debates on its adequacy for addressing the complexities of modern warfare (Nur & Soesilo, 2022; Puspoayu et al., 2022; Tsarenko et al., 2023). The urgency of this study lies in the need to understand how well IHL aligns with the realities of hybrid warfare, which involves both traditional military tactics and unconventional strategies.

In recent years, a series of studies have significantly contributed to understanding the application of IHL in the modern global environment. Anjarwati et al. (2023) emphasised the necessity of addressing the legal status of foreign fighters and state responsibilities concerning their involvement in conflicts. Szpak (2017) examined the legal classification of the conflict in Ukraine, highlighting substantial difficulties in applying traditional IHL principles to hybrid wars. Gunawan et al. (2023a) explored the protection of journalists under international law, emphasising the increasing risks faced by media representatives in conflict zones. Bukar (2023) argued that Russia's invasion of Ukraine constitutes a blatant violation of legal norms, citing examples of attacks on civilian infrastructure and indiscriminate use of force.

The relevance of this study is further underscored by the global impact of the conflict in Ukraine and its implications for international law. IHL plays a critical role in safeguarding civilians and ensuring accountability during warfare. The largest war on the European continent has exposed gaps in the enforcement and implementation of these laws. As Sayapin (2022) asserts, the invasion of Ukraine represents a significant breach of the principles of *jus in Bello*, necessitating immediate reforms to

strengthen response mechanisms. Consequently, this research aims to evaluate the current effectiveness of IHL in the context of hybrid warfare, where it fails to provide adequate protection for civilian populations.

Research Problem

The analysis of international humanitarian law (IHL) during the war in Ukraine is of utmost importance due to the unprecedented nature of the conflict. There is an urgent need to evaluate how IHL can adapt to new forms of warfare, encompassing a range of impactful tools, including cyberattacks, economic sanctions, and irregular forces. Examining the challenges posed by the war will provide valuable insights into how international law can be refined to better protect populations in future similar conflicts.

This research will contribute to a global understanding of how IHL is applied in contemporary conflicts, offering recommendations for improving civilian protection. It will assist the academic community by addressing gaps in current literature related to the practical application of IHL during hybrid wars. The study will propose reforms to existing international legal frameworks, enabling policymakers and international organisations to better address law violations.

While a significant body of research addresses related issues, the war in Ukraine presents a unique precedent for analysis. The most critical area of focus is the assessment of violations concerning the legal status of non-state actors and unofficial participants involved in hostilities (Gunawan et al., 2023b). Therefore, this research aims to resolve these problematic aspects by providing a comprehensive analysis of the application of IHL in hybrid conflicts and proposing pathways for reform to strengthen its enforcement.

Research Focus

This article's primary focus is evaluating the effectiveness of international humanitarian law (IHL) in protecting civilians during the war in Ukraine. The study analyses specific violations of the law, including attacks on civilian infrastructure, the use of prohibited weapons, and the treatment of prisoners of war. It examines how international organisations respond to these widespread violations and whether the existing legal frameworks are sufficient to hold perpetrators accountable.

The article highlights the Ukraine conflict's implications for international norms in other hybrid conflicts. By comparing the situation in Ukraine to other contemporary wars, the study seeks to provide insights into whether IHL can be adapted to better address the complexities of modern warfare. Key considerations include defining combatants and non-combatants, regulating cyber warfare, and ensuring civilian protection in occupied territories.

Research Aim and Research Questions

The primary aim of this article is to evaluate the current state of international humanitarian law (IHL) in the context of hybrid warfare, using the full-scale war in Ukraine as a case study. The research seeks to identify critical shortcomings of IHL and propose reforms to enhance its effectiveness in future conflicts. The study focuses on the following questions:

- How effective is international humanitarian law in protecting civilians during the war in Ukraine?
- What legal mechanisms exist to ensure accountability for violations of IHL during hybrid conflicts, and are they sufficient?
- What reforms to IHL are necessary to strengthen its enforcement and protective capacity in future hybrid conflicts?

By addressing these questions, the research aims to improve the understanding of the role of IHL in contemporary armed conflicts and propose practical solutions to strengthen the international legal framework for potential future global conflicts.

Literature Review

International humanitarian law (IHL) and its application in contemporary armed conflicts reveal significant trends that will profoundly impact future research. Recent scholarly literature highlights the growing emphasis on protecting civilians and critical infrastructure during disputes. Over the past few years, researchers have increasingly discussed the need to modernise IHL to address the challenges posed by hybrid warfare to the international community (Sadat, 2021; Sassòli, 2024; Siekiera, 2024; Slagter & Van Doorn, 2022; Winaldi & Setiyono, 2022). According to recent studies, the protection of nuclear facilities during armed conflicts has emerged as a central issue, attracting significant attention from the international community following the onset of the war in Ukraine.

Research by Taran et al. (2022) underscores the necessity of strengthening legal frameworks to protect such facilities. The authors argue that IHL should safeguard high-risk sites, such as energy facilities, nuclear power plants, and industrial sites, particularly during active hostilities. Other studies point to the inadequacy of existing legal instruments for protecting the environment during armed conflicts. Wirthová (2023) asserts that international law requires additional provisions specifically regulating environmental protection during wartime, which has become particularly pressing due to the war in Ukraine's significant ecological impact.

The protection of cultural heritage also demands heightened attention. Analyses of the war from the perspective of safeguarding cultural assets indicate that traditional norms of IHL require refinement. Jawad and Bokhari (2022) emphasise that military operations in Ukraine reveal substantial gaps in the protection of cultural heritage, with international institutions often unable to respond to violations adequately. They call for reforms to the legal mechanisms governing cultural asset protection, including imposing stricter sanctions for their destruction.

Another prominent area of research focuses on the impact of war on public health. Hryhorczuk et al. (2024) highlight the adverse health consequences of armed conflict, including ecological risks from hostilities in Ukraine. Their study examines the effects of warfare on citizens' health and the assessment of damage to relevant infrastructure. They argue that IHL requires more detailed regulation of the environmental dimensions of warfare, as this remains a significant legislative gap.

Labour rights during armed conflict constitute another critical area of inquiry. Yaroshenko et al. (2023) analysed how international law safeguards the rights of industrial workers during the war in Ukraine, identifying substantial challenges in protecting workers due to the inadequacy of mechanisms ensuring human rights on occupied territories. Manogar and Christianti (2023) examined the principle of neutrality and state obligations to prevent violations of legal norms, focusing on U.S. military aid during the Russia-Ukraine war. They highlight the complexities of adhering to this principle, as the boundaries between support and direct involvement in military actions have become increasingly blurred.

An analysis of contemporary literature reveals several critical areas of research concerning international humanitarian law (IHL) in the context of hybrid warfare. Scholars emphasise the need to adapt IHL to new forms of conflict, including cyberattacks, the use of drones, and other technological innovations that influence the conduct of warfare (Sotoudehfar & Sarkin, 2023). Significant attention is devoted to the issues of accountability for war crimes and the legal mechanisms for holding violators responsible. This includes both the individual accountability of combatants and the collective responsibility of states (Fedorenko & Fedorenko, 2022; Shcherbak, 2023).

One of the primary academic challenges is that modern hybrid wars expose substantial gaps in IHL, particularly regarding the legal status of combatants, the protection of civilians, and the

safeguarding of cultural assets. Existing academic publications underscore the necessity for further reforms in international law to address covert methods of warfare. For example, cyber warfare issues remain largely unregulated within the framework of international law (Pratiwi et al., 2023), creating significant opportunities for violations that fall outside the scope of current legal norms.

Recent studies highlight the increasing role of crewless aerial vehicles (UAVs) in modern armed conflicts, particularly during the war in Ukraine. Drones present new challenges for IHL, as these technologies may violate principles of proportionality and distinction between civilian and military targets. As noted by Sotoudehfar and Sarkin (2023), current legal frameworks inadequately regulate the military use of drones. The authors stress that drones, as automated systems, may breach established norms when deployed without proper operator oversight. This underscores the need for new legal mechanisms to govern their use in warfare.

Hoffmann (2022) observes that the role of international criminal law is becoming increasingly crucial in holding individuals accountable for violations of IHL. The issue of prosecuting war crimes is particularly pressing in the context of the proliferation of new forms of armed conflict. Individual prosecution of combatants directly committing war crimes, as well as the accountability of political and military leaders who issue unlawful orders, are critical areas of focus. Hoffmann highlights that holding perpetrators accountable for war crimes can be complicated by political factors, especially when states refuse to recognise the jurisdiction of international courts, including the International Criminal Court.

Another critical area of study is the role of the Organisation for Security and Co-operation in Europe (OSCE) in monitoring IHL violations. Sancin (2023) examines the impact of OSCE's Moscow Mechanism reports on documenting breaches of IHL during Russian aggression against Ukraine. The research highlights that OSCE reports provide essential evidence for future investigations while enhancing transparency and international oversight. However, the monitoring missions face significant challenges, including restricted access to occupied territories.

The use of autonomous weapons systems is another pertinent topic in the academic discourse. Martínez (2023) analyses the legal dimensions of deploying lethal autonomous weapons systems during the war in Ukraine. The author argues that international legal frameworks inadequately address recent advancements in autonomous weaponry, raising questions about their compliance with IHL. Martínez emphasises that these technologies require careful examination under international law, as their use may lead to unforeseen consequences and breaches of fundamental IHL principles.

These issues are critical for reforming international law to protect civilians and workers during conflicts adequately. The principle of state neutrality in conflicts and obligations to prevent IHL violations remains a pressing concern. Consequently, the present study aims to address the identified gaps in the academic literature by providing an in-depth examination of the mechanisms of international law during the full-scale war in Ukraine.

Materials and Methods

The study was conducted to analyse the effectiveness of international humanitarian law in the context of the full-scale war in Ukraine. The methodology encompassed bibliometric and documentary analysis (Donthu et al., 2021; Passas, 2024). The evaluation of various aspects of the legal regulation of armed conflicts was based on the study of academic publications, reports from international organisations, and legislative documents.

The primary databases for sourcing relevant scholarly information included Scopus, Web of Science, and JSTOR, which provided access to a substantial volume of peer-reviewed studies and verified documents. The publication search followed the PRISMA methodology (Preferred Reporting Items for Systematic Reviews and Meta-Analyses), enabling the precise definition of selection criteria for publications and the systematic organisation of the research process. PRISMA ensured transparency in

the study and reduced the risk of bias during the literature selection process (Sarkis-Onofre et al., 2021; Sohrabi et al., 2021).

Sample and Participants

The selection of academic publications for analysis was based on several critical criteria. Firstly, the study focused on publications published within the last 10 years, from 2015 to 2024, to ensure the relevance of the findings. Secondly, only works that addressed issues related to international humanitarian law, particularly in the context of the protection of civilians and the legal regulation of new forms of warfare (cyber warfare, the use of drones, infrastructure protection), were included in the analysis. The sample included both empirical studies and theoretical reviews.

The main inclusion criteria were:

- The presence of research dedicated to international humanitarian law or legal analysis of the war in Ukraine.
- Publication in peer-reviewed journals indexed in Scopus, Web of Science, and JSTOR.
- Studies addressing the role of international organisations and legal instruments in protecting human rights during armed conflicts.

Exclusion criteria included:

- Works that lack a sufficient methodological foundation or that were not peer-reviewed.
- Publications not related to the core theme of the study (e.g., those that do not address legal aspects or those related to conflicts in other countries without the context of the war in Ukraine).

Instruments and Procedures

Data collection utilised vital terms such as "International Humanitarian Law," "Ukraine Conflict," "Protection of Civilians," "Hybrid Warfare," "Cyber Warfare," "Drones in Warfare," "War Crimes," and "Environmental Impact of War." The search was conducted using these keywords across the specified databases—the use of bibliometric tools allowed for the analysis of citation frequency and relationships between publications. The data collection procedure also involved selecting normative documents, including the Geneva Conventions and protocols, decisions of the International Criminal Court, OSCE reports, and other international legal documents regulating issues of war and human rights protection. The study employed a content-analytic approach to examine legal texts and international records, allowing for an assessment of how current legislation addresses the challenges posed by the war in Ukraine.

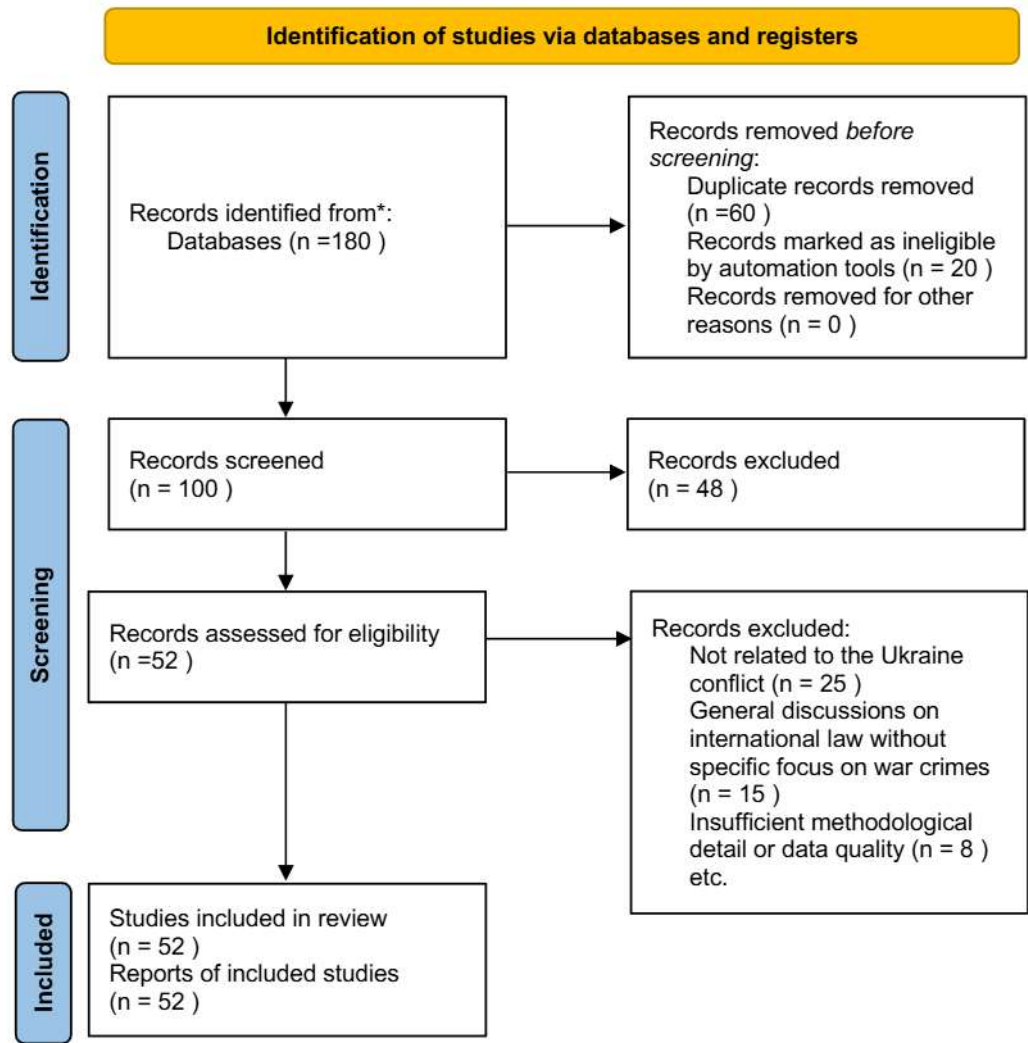
The databases Scopus, Web of Science (WoS), and JSTOR were used to review the literature systematically. The search process involved the application of keywords related to international humanitarian law, war crimes, human rights, and the specifics of the conflict in Ukraine. This resulted in the identification of 180 articles (Figure 1). After removing duplicates (60 articles), 120 records remained. Of these, 20 records were excluded using automated tools due to non-compliance with the main criteria. In the initial abstract screening stage, 100 articles remained, of which 48 were rejected after a detailed evaluation due to irrelevance to the study's theme. As a result, 52 articles that met all the criteria were included in the review for further analysis.

Data Analysis

Data analysis was conducted using both quantitative and qualitative methods. The quantitative analysis included a Bibliometric study of publications, which allowed for identifying key trends in the recent scientific literature on international law. An analysis was conducted on the protection of civilians, the use of unmanned systems, the issue of cyber warfare, the impact on humanitarian clusters, and the identification of scientific areas that are actively being researched. Using the Excel software package,

connections between various researchers and research groups were identified. The qualitative analysis was carried out through content analysis of international legal documents and court decisions and a review of academic articles. During the analysis, criteria were applied regarding the accuracy of legal norms, their compliance with existing standards of international humanitarian law, and the potential for improvement of these standards. The article also utilizes the PRISMA Chartflow tool to provide a structured representation of the study selection process. The PRISMA flow diagram visually summarizes the screening process, recording the number of articles found and making the selection process transparent by documenting decisions and article counts at each stage of the systematic review.

Figure 1
PRISMA Chartflow



Source: Authors' development.

Results

International humanitarian law is the foundation for regulating armed conflicts and protecting civilians. The full-scale war in Ukraine has highlighted the importance of strict adherence to international legal norms while also revealing challenges in their application within the context of contemporary warfare. The primary instruments for protecting individuals during wartime remain the 1949 Geneva Conventions and the 1977 Additional Protocols, which outline the rules concerning protecting persons who are not, or no longer, participating in hostilities.

However, as the war in Ukraine demonstrates, violations of these norms have become widespread, necessitating a deeper analysis of their application. Alongside the Geneva Conventions, the Hague

Conventions of 1899 and 1907 played a crucial role in regulating warfare methods and prohibiting certain weapons. In Ukraine, frequent violations of these provisions have been recorded, particularly in the use of explosive devices in populated areas, leading to significant civilian casualties. The war in Ukraine has revealed the need for updates to legal norms on hybrid conflicts, particularly regarding the use of new weaponry, such as drones and other autonomous systems.

Violations of international norms underscore the necessity for strengthening accountability mechanisms for their non-compliance. The European Convention on Human Rights (ECHR) plays a vital role in protecting human rights during war, guaranteeing rights such as the right to life, the prohibition of torture, the right to a fair trial, and other fundamental freedoms. The ECHR has become an essential tool for challenging human rights violations in occupied territories of Ukraine. Ukrainian human rights organisations actively utilise the provisions of the ECHR in their work, appealing to the European Court of Human Rights regarding mass violations, such as illegal detentions, forced deportations, and the torture of civilians. The effectiveness of international institutions is complicated by political factors, which hinder the proper protection of human rights in wartime.

The 1993 Chemical Weapons Convention is an important international legal instrument regulating the prohibition of the use, production, and stockpiling of chemical weapons. During the war in Ukraine, suspicions have arisen regarding the potential use of chemical substances in combat during 2022-2023, particularly during fighting in the Eastern regions. This trend has raised serious concerns within the international community. Despite the prohibition, violations demonstrate the limited effectiveness of existing legal mechanisms in preventing the use of banned weapons.

Additional attention must be given to the International Criminal Court (ICC), which has jurisdiction over crimes against humanity, genocide, and war crimes. The investigation of crimes committed during the war in Ukraine includes mass attacks on civilians, the destruction of civilian infrastructure, and instances of violence against children. The ICC has opened investigations into these cases, demonstrating the importance of international justice in holding perpetrators accountable. However, the process remains complex due to political and legal obstacles, significantly slowing progress in judicial prosecution.

The 1989 United Nations Convention on the Rights of the Child is a crucial legal tool for regulating international humanitarian law in Ukraine during 2022-2024, as it protects children during conflicts. A significant number of violations of children's rights have been recorded in Ukraine, including forced deportations, recruitment into illegal armed groups, and violence. The Convention calls for the provision of humanitarian aid and the protection of children's rights, yet the actual violations require the strengthening of international control and monitoring mechanisms.

The protection of cultural heritage is a crucial aspect of international humanitarian law. The 1954 Hague Convention protects cultural property during armed conflicts, prohibiting destruction and theft. However, the war in Ukraine has led to significant damage to cultural heritage sites in major cities such as Mariupol, Kharkiv, and Kyiv. This raises concerns within the international community regarding violations of international norms and the need for stricter measures to protect cultural heritage in wartime. A more detailed overview of international treaties and their current application in the war in Ukraine can be found in Table 1, which outlines critical conventions, their provisions, and their relevance to the current armed conflict.

Table 1

International Treaties and Conventions in the Context of the War in Ukraine

International treaties and conventions	Main provisions	Current application in the context of the war in Ukraine
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Geneva Conventions of 1949 and Additional Protocols of 1977	They regulate the means and methods of warfare and prohibit using weapons.	The Geneva Conventions are the main source of protection for civilians during the war in Ukraine.
Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) of 1950	It guarantees fundamental rights and freedoms, such as the right to life, the prohibition of torture, and the right to a fair trial.	The ECHR is used to challenge actions that violate human rights in occupied territories and in zones of active hostilities where massive human rights violations are occurring.
Chemical Weapons Convention 1993	Prohibits the use, production and stockpiling of chemical weapons.	Ukraine claims possible violations of this convention by the aggressor due to suspicions of using prohibited chemical substances in combat zones.
Rome Statute of the International Criminal Court of 1998	Establishes jurisdiction to prosecute war crimes, crimes against humanity, and genocide.	The ICC has opened an investigation into crimes committed during the war in Ukraine, including war crimes against the civilian population and infrastructure.
UN Convention on the Rights of the Child (1989)	They are protecting children's rights during war, including prohibiting their involvement in hostilities and ensuring humanitarian assistance.	There is a growing number of cases of violence against children and their forced displacement as a result of the war in Ukraine, which is a severe concern under the Convention.
Convention for the Protection of Cultural Heritage in the Event of Armed Conflict (Hague Convention, 1954)	Protects cultural sites and institutions from destruction and theft during the war.	The significant destruction of cultural sites in Ukraine, particularly in Mariupol, Kharkiv, and Kyiv, raises concerns about violations of this convention.
Convention on the Prohibition of the Use of Anti-Personnel Mines (Ottawa Convention, 1997)	Prohibits the use, production, stockpiling and transfer of anti-personnel mines.	Numerous cases of the use of anti-personnel mines have been recorded in the conflict zone in Ukraine, which is a violation of the Ottawa Convention.
International Covenant on Civil and Political Rights (1966)	Guarantees fundamental human rights, including the right to life, freedom of speech, and a fair trial.	Violations of these rights are recorded in the occupied territories of Ukraine, where residents face restrictions on freedoms and rights, including illegal detentions.

Source: Authors' development.

The 1997 Ottawa Convention on the Prohibition of the Use of Anti-Personnel Mines is also significant for understanding the current armed conflict in Ukraine. Despite the ban, conflicting parties continue to use anti-personnel mines, resulting in a substantial number of casualties among the civilian population. The issue of civilian casualties is particularly poignant for international organisations and the leadership of Ukraine.

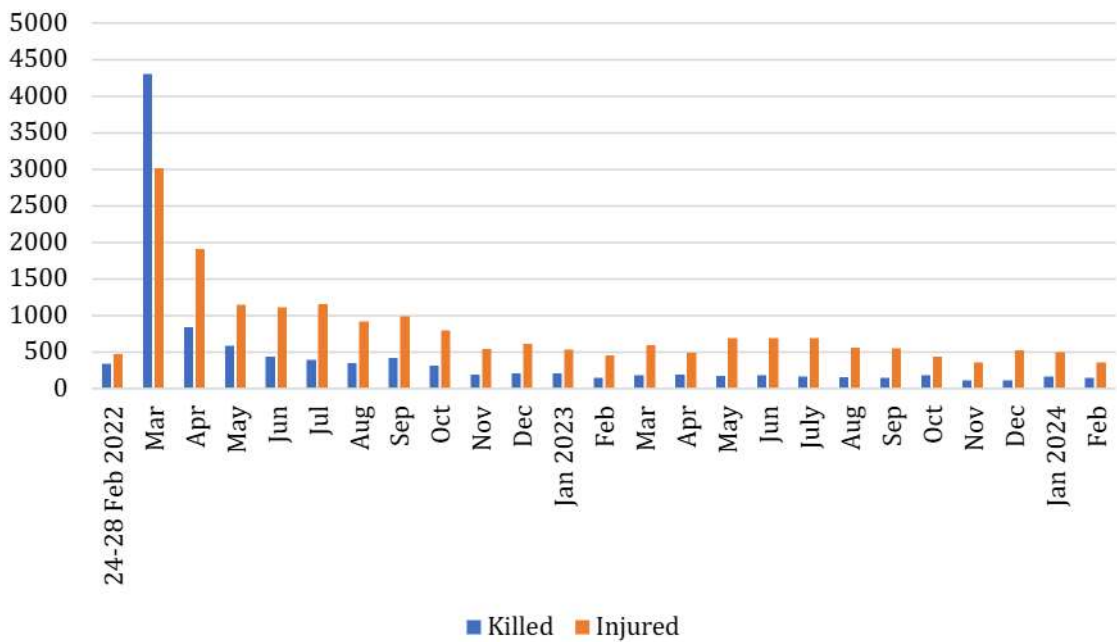
During the war in Ukraine, the civilian population has become one of the most affected groups, which raises serious concerns within the international community and underscores the importance of international humanitarian law in ensuring their protection. International law is designed to limit civilian casualties by prohibiting attacks on the civilian population and protecting vital infrastructure. However, the war in Ukraine has demonstrated significant violations of these norms, which is reflected in the statistics of deaths and injuries among civilians since the start of the conflict in February 2022. Statistical analysis shows a considerable number of civilian deaths and injuries for each month of the war, with the heaviest losses recorded in the early months of the invasion, particularly in March 2022. According to the data presented in Diagram 1, between February and the end of March 2022, over 4,000 civilians were killed, and more than 3,000 were injured. This indicates widespread violations of humanitarian law principles—prohibiting indiscriminate attacks that may harm civilians. The leading causes of civilian casualties were artillery shelling, airstrikes, and the use of banned types of weapons—cluster munitions.

The methods of warfare are in direct contradiction to international conventions: the Geneva Conventions and the Hague Conventions, which require the maximum protection of civilians and prohibit the use of weapons that cause indiscriminate strikes. Indiscriminate attacks on civilian objects, such as residential buildings, hospitals, schools, and other critical infrastructure, represent gross violations of international law. One of the most egregious examples of violations of international law is the bombing of Mariupol and other major Ukrainian cities, where mass civilian casualties have been recorded. Despite international treaties requiring the protection of civilians from violence during wartime, the war in Ukraine demonstrates that these norms are being ignored.

The absence of effective mechanisms to hold perpetrators accountable for these violations remains a significant issue. Special attention must be given to the protection of children and other vulnerable groups during wartime. Children, women, and older people are the most susceptible during armed conflicts, and their protection requires particular focus. International humanitarian law, particularly the UN Convention on the Rights of the Child, provides for the protection of children's rights during wartime, including the prohibition of their involvement in combat and forced displacement. However, the realities of the war in Ukraine show that these rights are systematically violated, and the number of child casualties continues to rise (see Figure 2).

Figure 2

Civilian Casualties since 24 February 2022 to 29 February 2024



Source: OHCHR (2024).

Systematic human rights violations are also being recorded in the occupied territories. Illegal detentions, torture, and the forced deportation of civilians are standard methods of pressure on peaceful residents. The lack of access for international human rights organisations to these territories complicates monitoring the situation and adequately protecting those affected. These violations fall under the definition of war crimes, which demands a more active response from the international community and justice mechanisms. The destruction of critical infrastructure—such as water supply, energy systems, and medical facilities—has led to physical losses and severe humanitarian consequences. The destruction of hospitals and schools directly affects the health and education of the civilian population, particularly children. Military actions have caused the spread of infectious diseases and problems with access to medical care, creating additional risks to the lives of people in the conflict zone.

The psychological impact of the war on the civilian population is a significant component of the issue of humanitarian law. The constant fear for one's life, the loss of loved ones, the destruction of homes, and violations of human rights leave a profound mark on the mental health of individuals. International humanitarian organisations emphasise the importance of providing psychological assistance, but the scale of the problem exceeds the capacity of international aid. Thus, civilian losses and human rights violations during the war in Ukraine represent a severe challenge to international humanitarian law. Despite the existence of legal instruments such as the Geneva Conventions and the European Convention on Human Rights, the realities of the war indicate their limited effectiveness in the current context of hybrid conflicts. Violations of international norms, including attacks on civilians, highlight significant gaps in law enforcement.

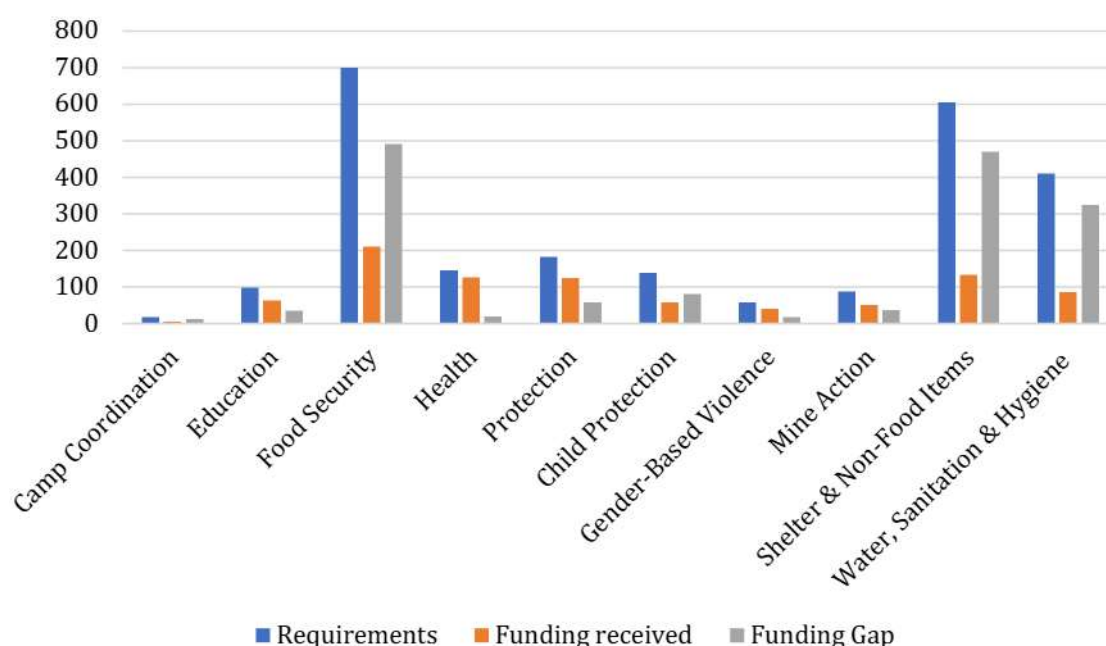
This indicates that the war in Ukraine has triggered an unprecedented humanitarian crisis, which requires active involvement from the international community in ensuring aid for the civilian population. International humanitarian law regulates the provision of humanitarian assistance during armed conflicts, establishing the principles of neutrality, independence, and non-discrimination. However, the war has underscored the magnitude of humanitarian challenges and the limitations of international aid due to political, logistical, and financial factors.

The humanitarian response to the war in Ukraine from international organisations, governments, and non-governmental organisations has been swift and large-scale. Since the start of the conflict in February 2022, the UN, the Red Cross, and other international organisations have mobilised resources to assist the civilian population. Critical areas of humanitarian aid have included food, medical supplies, temporary housing, and protection programmes for the most vulnerable groups. Despite significant efforts, resources remain insufficient to meet the total needs of the population, particularly in the occupied territories. One of the main issues with the humanitarian response is coordination between various organisations and governments.

The UN's cluster system allows for the coordination of aid in critical areas: food security, health care, education, and the protection of civilians. Field hospitals within the health cluster have been established to provide emergency assistance to the injured and sick. Logistical difficulties and limited access to conflict zones significantly hinder aid delivery, especially in active combat regions. Funding for humanitarian assistance is also a severe challenge. According to the data presented in Figure 3, funding for many humanitarian clusters is significantly lagging behind the planned needs. For example, the food security cluster received only 30% of the required funds, creating a resource shortage for meeting the population's basic needs. The water supply, sanitation, and hygiene (WASH) cluster has also faced significant funding shortages, leading to the deterioration of sanitary conditions in temporary shelters for displaced persons.

Figure 3

Humanitarian Response Plan Funding, by Cluster, as of 31 August 2024, number in million US\$



Source: <https://reports.unocha.org/en/country/ukraine/>

Particular attention should be given to programmes aimed at protecting children and women. Humanitarian law requires the provision of specific protection for these groups during conflicts. As part of the child protection programme, a network of specialised shelters and psychosocial support programmes has been established for children who have experienced violence or lost family members during the war. However, the funding for these programmes remains limited, leading to insufficient support for affected children, especially in the occupied territories. Programmes addressing gender-based violence also face underfunding. Women, particularly in the occupied areas, often become victims of violence, including sexual violence, which is used as a weapon of war.

International humanitarian law demands proper protection for women in such conditions, but a lack of resources and political obstacles hinder the effectiveness of these programmes. The issue of demining is a critical aspect of the humanitarian response to the war in Ukraine. The war has left a significant number of landmines and other explosive devices, posing a direct threat to the civilian population, especially in rural areas. Despite efforts by international organisations such as the UN and the Red Cross, the demining process is progressing very slowly due to inadequate funding and the challenging conditions in the conflict zone. Landmines, banned under the Ottawa Convention, continue to be used in the conflict zone, necessitating additional international efforts to ensure their removal. The funding shortfall for humanitarian clusters negatively impacts the overall humanitarian situation in Ukraine. Several programmes related to water supply, food security, and medical assistance are not receiving adequate resources, leading to worsening living conditions for the civilian population.

International humanitarian law requires humanitarian aid to all parties in the conflict, but in practice, these requirements remain unrealised due to insufficient funding and political obstacles. Thus, the humanitarian response to the war in Ukraine is a complex and multifaceted process that requires constant monitoring and improvement. Despite significant international efforts, there are serious challenges related to coordination, access to the conflict zone, and funding for humanitarian programmes. Humanitarian law provides the legal framework for delivering aid. Yet, the realities of the war demand more active measures to overcome the challenges faced by the international community in the context of the war in Ukraine.

Discussion

Applying international humanitarian law during large-scale warfare in Ukraine remains one of the most critical topics in contemporary academic discussions. This research aimed to evaluate the effectiveness of humanitarian law in protecting civilians and ensuring accountability for war crimes during the war in Ukraine. Based on the analysis, the state of international humanitarian law is unsatisfactory due to the failure to implement basic norms of international legislation.

The findings of this study confirm that existing international legal mechanisms are not always able to adequately respond to the challenges of war. This assertion aligns with conclusions drawn by other researchers. For instance, Prokhorenko et al. (2022) highlighted the interaction between international humanitarian law and human rights law. Still, they emphasised that both systems must be improved to protect civilians' rights in modern conflicts. They also noted that contemporary legal mechanisms fail to address emerging challenges associated with new forms of warfare, which is consistent with our findings. The study indicates that current international humanitarian law lacks precise regulation on using autonomous weapons systems and drones in military operations, a point also confirmed by Martínez (2023) and Rodenhäuser (2020). Martínez (2023) stresses that existing international legal frameworks do not cover modern developments in autonomous weapon systems, creating gaps in legal regulation. Rodenhäuser (2020) highlights the need for enhanced legal protection for individuals under the control of non-state armed groups, which requires improvement within the humanitarian legal framework. Our findings align with the conclusions of these authors, confirming the necessity for reforms in the field of international law.

The research project revealed that the role of states in overseeing violations of international humanitarian law (IHL) is insufficiently regulated. As Ghag et al. (2023) note, the responsibility of states for the transfer of arms in the context of the war between Russia and Ukraine should be more strictly regulated at the international level. The authors emphasise that legal mechanisms related to accountability for illegal arms supplies require improvement to ensure compliance with international law. An equally important aspect is the impact of war on bioethics and human rights. Fins (2023) addresses war's moral and ethical aspects and calls for broader discussions on human rights issues during armed conflicts. The results obtained in our research confirm that current international mechanisms insufficiently protect bioethical standards during the war, which is in line with Fins' (2023) conclusions. The study also shows that the right to food and the impact of war on international food trade are critical components in modern conflicts. Abdurrahaman and Kurniasari (2023) analyse how the war between Russia and Ukraine affects international markets and the right to food. They emphasise the need to regulate food supplies during wartime, which confirms the importance of reviewing international norms to ensure fundamental rights during conflicts.

In considering the issue of human rights violations during the war, it is worth referring to Utomo's (2024) research on systemic human rights violations during Russia's aggression against Ukraine. The author stresses that breaches of the rights of civilians—illegal detentions, forced deportations, and torture—are typical of hybrid conflicts, making the application of international law in its traditional form more challenging. Our study suggests that existing legal mechanisms cannot always ensure adequate protection, which concurs with Utomo's (2024) conclusions. The problem of protecting individuals under the control of non-state armed groups remains complex in international law. Rodenhäuser (2020) examines the legal protection of individuals in modern armed conflicts and stresses the importance of developing new approaches to protecting civilian rights in situations where national governments do not control territories. This issue is also relevant for Ukraine, where human rights are violated in occupied territories, and non-state armed groups operate essentially outside international legal frameworks.

The ecological damage caused by the war calls for additional legal regulation. Romdoni (2023) points out that the environmental consequences of armed conflicts often remain outside the scope of

international legal norms. Our study also notes that the ecological damage caused by the war in Ukraine lacks adequate regulation under IHL. This hypothesis is confirmed by the findings of Romdoni (2023). Lush (2023) explores the issue of enhancing respect for international humanitarian law through the application of human rights law frameworks. He argues that combining the two legal systems can protect civilians more during armed conflicts. This approach aligns with our conclusions, which call for integrating various legal strategies to improve human rights protection during war. Selvarajah and Fiorito's (2023) research focuses on analysing events in Ukraine from the perspective of the laws of war, human rights law, refugee law, and international criminal law. They emphasise the need for a multilateral legal approach to ensure accountability for human rights violations. This conclusion aligns with our study, highlighting the importance of a comprehensive approach to the legal regulation of hybrid conflicts. Thus, our research corroborates trends identified in the works of other scholars, confirming the need to reform international humanitarian law and develop new mechanisms for more effective protection of civilians during war.

The findings highlight that contemporary international humanitarian law has severe gaps in regulating new forms of warfare. In this context, reviewing and updating the legal norms that protect civilians and infrastructure during modern armed conflicts is necessary. It is important to note that using autonomous weapons systems raises new ethical and legal questions that must be addressed internationally. Our study revealed that international justice mechanisms such as the International Criminal Court (ICC) cannot always effectively administer justice during hybrid conflicts due to political obstacles and limited jurisdiction. This has been confirmed by other researchers (Dubovyk, 2022; Haque, 2022). Romdoni (2023) and other authors agree that legal accountability for environmental damage caused by war is insufficiently regulated. One unexpected outcome of the study was identifying aspects of international humanitarian law that still require significant improvement. Dubovyk (2022) points out the importance of reforming legal mechanisms to protect children during armed conflicts, as existing tools do not provide adequate protection for minors.

This research contributes to the academic field by identifying critical gaps in regulating hybrid wars from the perspective of international humanitarian law and suggesting ways to improve existing legal mechanisms. It also emphasises the need for enhanced international cooperation to reform international humanitarian law in civilian and environmental protection during modern armed conflicts.

Limitations of the Study

The main limitation of the article is that it was predominantly based on the analysis of scholarly publications and normative documents. While this allowed for a broad overview of legal regulation in hybrid conflicts, further empirical studies based on accurate data from conflict zones could provide a more detailed picture of the issues. Additionally, the political situation and limited access to certain documents complicate the comprehensive analysis of specific aspects of the war in Ukraine. Due to the rapid evolution of military technologies, the study's results may lose relevance in the future if international law is not promptly adapted to new challenges. This underscores the importance of ongoing research and monitoring of developments in international humanitarian law.

Conclusions and Implications

The study aimed to provide a legal assessment of the effectiveness of international humanitarian law (IHL) during the war in Ukraine and identify the critical challenges in its application. The analysis revealed that current humanitarian law does not fully address the challenges posed by new forms of warfare, such as cyberattacks, the use of autonomous weapons systems, and drones. Despite existing legal instruments, their effectiveness in hybrid conflicts remains limited due to the lack of mechanisms adapted to contemporary challenges.

According to the research findings, the key issues were addressed as follows:

- The study showed that while international humanitarian law offers some level of protection for civilians, it is insufficient. This applies both to the protection of infrastructure and the safeguarding of populations in occupied territories.
- International judicial bodies play a crucial role in holding individuals accountable for violations of international humanitarian law. However, their effectiveness is constrained by political factors, jurisdictional issues, and access to evidence.
- The central gap lies in the lack of precise regulation regarding new forms of warfare. These new threats necessitate the creation of modern legal standards to address contemporary challenges.

Thus, the research demonstrated the need for reforms in IHL to regulate modern armed conflicts better and protect civilian populations. The findings confirmed that traditional legal mechanisms require adaptation to ensure adequate accountability and human rights protection in hybrid conflicts.

Future research should focus on developing new legal mechanisms that regulate cyber warfare and autonomous weapons systems. Further investigation is also needed into the legal protection of civilians under the control of non-state armed groups. An additional avenue for future studies could involve evaluating the environmental damage caused by war and the development of international legal standards for environmental protection during armed conflicts.

Suggestions for Future Research

A key area for further analysis of international humanitarian law should focus on developing legal mechanisms for regulating new forms of warfare. Particular attention should be given to integrating international humanitarian law with international human rights law to ensure the adequate protection of civilian populations. Mechanisms for enforcing norms and actual measures for monitoring and control should also be investigated.

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Conflict of Interest

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