

Challenges to Humanism in the Context of Modern Hybrid Wars

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Currently, there are a significant number of international treaties aimed at protecting human rights and international humanitarian law, which aim to reduce the suffering of civilians in conflicts. However, in reality, their implementation and effectiveness can vary significantly depending on the political will of countries, the intervention of third-party forces, and the complexity of the conflicts themselves. In particular, international law often faces implementation difficulties and states' disregard for their obligations. The aggression of authoritarian regimes and massive human rights violations may remain outside the influence of international norms and standards due to the lack of international consolidation or political dependence. Thus, although international treaties are designed to protect human rights, reality shows that their impact may be limited, especially in the context of global conflicts, hybrid confrontations, etc.

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Introduction

It is clear that despite humanity's collective agreement and the establishment of international frameworks like the UN Charter in 1945 to prevent wars, conflicts and their devastating impacts have persisted. For instance, comparing historical conflicts such as the Franco-Prussian War (1870-1871), where approximately 2% of civilians perished, to more recent conflicts like the Vietnam War, which claimed the lives of 3 million civilians and 150,000 military personnel, underscores the tragic toll of warfare on human life (Senatorova, 2018). In the post-war era from the latter half of the twentieth century to the present day, warfare has evolved into a hybridized form. Modern warfare now encompasses a complex array of methods targeting not only military forces but also civilian populations, utilizing various means of information dissemination such as radio, television, and social networks. The study of hybrid warfare has been a pertinent topic in Western European scientific discourse for some time. Key foreign researchers who have contributed to the conceptual framework of hybrid warfare include R. Glenn, J. Gordon, G. Carlsen, J. McQueen, F. Hoffman, and others. Notably, Frank Hoffman, a prominent American consultant to the US Department of the Navy and an author on hybrid warfare concepts, defines hybrid warfare in the twenty-first century as a phenomenon that blends traditional forms of warfare with new challenges and threats. He underscores that modern conflicts have grown increasingly intricate, involving elements of organized crime, irregular conflicts, information technology, and even terrorism (Hoffman, 2009).

Until recently, Ukrainian scientists had not given sufficient attention to the issue of hybrid conflicts and wars. However, in recent times, scientific research on this topic has significantly intensified, largely due to the contributions of scholars such as T. Andrievsky, V. Horbulin, E. Magda, and M. Trebin. Their works delve into the essence and dynamics of hybrid warfare. Moreover, researchers like A. Yermolaev, D. Yermolaev, V. Vlasiuk, A. Levtsun, and V. Shcherbyna have focused extensively on safeguarding human rights, freedoms, and moral norms during hybrid wars. This emphasis underscores the ethical dimensions and humanitarian considerations amidst the complex landscape of modern conflicts.

Research results

After World War II, international organizations such as the UN and the UN Security Council were established to uphold global peace and security, and to regulate international relations to prevent new conflicts. However, contemporary challenges increasingly require adaptation in both cooperative and confrontational methods, as conflicts evolve towards hybrid forms. Hybrid wars and conflicts employ sophisticated strategies encompassing military, political, economic, information, cultural, and technological dimensions. This complexity presents significant challenges to traditional frameworks of international law and humanitarian law.

For instance, international law can be circumvented through tactics like information warfare, cyberattacks, and destabilization of foreign political environments, challenging the efficacy of existing international legal mechanisms in responding effectively to such threats. To counter hybrid threats effectively, new strategies are essential, including bolstering cybersecurity, enhancing international cooperation in information security, diplomatic mobilization against aggressors, and strengthening global enforcement of international legal norms. Consequently, a systematic reassessment and enhancement of the international legal framework are imperative to address contemporary challenges with robust and adequate responses.

In hybrid warfare, adversaries utilize not only diverse weaponry but also a broad spectrum of methods, often involving battlefield crimes and human rights violations. These methods aim to achieve political objectives without constraints on means, as highlighted by Ukrainian researcher T. Andrievsky, who identifies concealment (latency) as a defining feature of hybrid warfare. This involves aggressors pursuing their goals through indirect actions, using intermediaries to evade accountability and responsibility (Andrievsky, 2016). E. Magda, another Ukrainian researcher focusing on hybrid conflicts, defines hybrid war as “the attempt by one state to impose its political will on another (or others) through a combination of political, economic, and informational measures, without formally declaring war in accordance with international law.” This definition underscores the non-traditional nature of hybrid warfare, which involves a blend of covert actions and indirect methods aimed at achieving strategic objectives while circumventing conventional legal frameworks governing warfare (Magda Ye, 2015).

Hybrid warfare fundamentally differs from traditional conflicts in its strategic objectives, which often include destabilizing political, economic, and social structures within the target country. The primary goals of hybrid warfare include:

1. Destabilizing political situation: this involves supporting internal opposition forces, exacerbating social tensions, instigating protests, and fostering other forms of social discontent to undermine governance stability.
2. Economic disruption: hybrid warfare targets infrastructure and economic systems through cyberattacks on critical infrastructure, destruction of key economic facilities, and disruptions to energy systems, leading to economic instability.
3. Destabilizing governance: controlled information campaigns, disinformation, psychological and political influence operations are used to undermine trust in governmental institutions and sow confusion among the population.

Hybrid warfare is characterized by its reliance on a diverse array of tools such as information warfare, hacking, hybrid armed forces, economic pressure, and other unconventional methods. Unlike traditional warfare, hybrid warfare aims to achieve strategic objectives without direct military confrontation or a formal declaration of war, leveraging ambiguity and deniability.

The concept of hybrid warfare, as developed by Frank Hoffman, underscores the necessity for military strategies to adapt to modern conflict realities. Examples such as the conflicts in Iraq, Afghanistan, Lebanon, Syria, and Russia’s activities in Ukraine from 2014 to 2021 demonstrate hybrid warfare principles in action. For instance, Russia’s actions in Ukraine, termed as a “special operation” rather than a declaration of war, involve not only regular military forces but also private armed groups like PMC Wagner, and tactics that include terrorizing civilian populations.

The absence of a formal declaration of war in such cases can serve domestic political purposes while exploiting the information space to manipulate perceptions – a tactic that challenges international legal norms and ethics. Effectively countering hybrid threats demands comprehensive strategies that integrate military, political, economic, and social dimensions to safeguard stability and security in targeted nations (Fedoriv, 2023).

In contemporary conflicts characterized by elements of hybrid warfare, battles often involve regular armed forces of a country facing off against irregular troops or groups that frequently disregard international norms and rules of warfare established by conventions like the Geneva Convention and other international agreements.

Countries initiating wars are bound by international conventions that dictate rules on protecting civilians, limiting the use of force, and safeguarding the rights of prisoners of war and other aspects of human rights during conflicts. However, irregular armed groups frequently

operate outside these norms, committing atrocities that constitute crimes against humanity and war crimes. Examples include the ongoing collection of evidence by Ukraine and international human rights organizations regarding alleged Russian actions in places like Bucha, Gostomel, Irpin, Borodyanka, and other locations. These include accusations of inhumane treatment of prisoners of war, torture, psychological coercion, and other violations.

The disregard for human rights not only breaches international standards but also complicates efforts to establish peace and stability in conflict zones. In the context of hybrid warfare, there exists a significant divergence between international rules of engagement and the harsh realities on the ground. The methods employed in such conflicts often exhibit a ruthless disregard for humanitarian law and human rights principles. This situation underscores the urgent need for robust international mechanisms to ensure accountability, protect civilians, and uphold the principles of justice and human dignity in conflict zones affected by hybrid warfare.¹ The violations described, including disinformation, incitement to panic, the use of civilians as human shields, torture, unlawful detention, enforced disappearance, mass sexual violence, forced deportation, and other crimes against humanity, are indeed severe breaches of international law. Addressing these crimes is a critical challenge facing the global community, demanding effective prevention and punishment in accordance with established legal norms.

The international community, particularly through the United Nations, bears a responsibility to establish mechanisms that ensure accountability and justice in regions affected by conflict. This task requires not only robust political efforts but also international cooperation to develop and enforce international standards, strengthen human rights monitoring mechanisms, and support international judicial institutions in prosecuting those responsible for such crimes. It necessitates a strategic approach to transform the international security framework, ensuring that human rights are upheld at all levels and that perpetrators of crimes against humanity face justice.

For instance, in a notable development, the International Criminal Court in The Hague issued arrest warrants in 2023 for Russian President Vladimir Putin and Russian Children's Ombudsman Maria Lvova-Belova in connection with the alleged illegal deportation of children from occupied Ukrainian territories to Russia. Efforts to conceal the identities of these children through name changes highlight the challenges in tracing and protecting victims in conflict zones.

The toll of war is devastating, affecting both military personnel and civilians. According to the OHCHR statistical report on Ukraine, from February 24, 2022, to May 1, 2023, there were 23,375 recorded cases of civilian deaths or injuries in Ukraine. This includes 8,709 fatalities and 14,666 injuries, underscoring the human cost and urgency of addressing the humanitarian consequences of armed conflict.²

The ongoing conflict in Ukraine has indeed resulted in tragic and devastating consequences for civilians, with a significant impact on human rights and the humanitarian situation. The real figures of civilian casualties are likely higher than reported, given the widespread use of explosive weapons, missile and air strikes, and unmanned aerial vehicles targeting populated areas and critical infrastructure.

Since 2022, there have been numerous reports of attacks on towns, villages, medical facilities, energy networks, and other civilian infrastructure by Russian forces. These actions include the shelling of cities like Mariupol, which saw a horrific attack on a maternity hospital, resulting in

¹ https://vue.gov.ua/Злочини_проти_людяности

² <https://ukraine.un.org/uk/229677>

loss of life and severe humanitarian repercussions. Attacks on residential buildings and shopping centers in cities across Ukraine, such as Dnipro, Kremenchuk, Zaporizhzhia, Uman, Kramatorsk, Kharkiv, Kyiv, and Kherson, have been described as acts of terror against the Ukrainian people.

Such deliberate targeting of civilians and civilian infrastructure not only violates international humanitarian law but also challenges existing norms and mechanisms designed to protect civilians in conflict zones. The situation underscores the urgent need for international efforts to ensure accountability for these violations, provide humanitarian assistance to affected populations, and work towards a peaceful resolution of the conflict.³ The ongoing conflict in Ukraine, characterized by hybrid warfare tactics, has indeed highlighted the devastating impact on civilian populations and infrastructure. Cities like Kharkiv are subjected to daily shelling and attacks by enemy tactical aircraft, resulting in severe damage to critical civilian infrastructure, residential buildings, and tragic loss of life, including among children. These actions clearly violate international humanitarian law by targeting civilian objects and causing immense suffering among the population, infringing on their rights to life, security, and basic humanitarian needs.

In the context of hybrid warfare, attacks on civilian infrastructure, including energy networks, medical facilities, schools, and residential areas, are particularly concerning. Such attacks, which may involve shelling, bombing, cyber-attacks, improvised explosive devices (IEDs), and other methods, not only aim to disrupt normal life but also create humanitarian crises and interfere with the daily lives of civilians. Similar tactics have been seen in other conflicts like those in Iraq and Syria, leading to widespread destruction and humanitarian catastrophes.

The evolution of information technology, particularly the rise of the Internet, social media, and mobile technologies, has significantly altered the landscape of hybrid conflicts. While these technologies facilitate rapid global communication and information exchange, they also pose risks such as information warfare. Social media platforms are used to spread propaganda, disinformation, and fake news, influencing public opinion and undermining governmental authority. Cyberattacks further complicate matters, targeting critical infrastructure, government electronic systems, and confidential information, which can have severe economic and political repercussions. Cyber espionage and cybercrime exacerbate security vulnerabilities by compromising military plans, economic strategies, and sensitive data.

In summary, hybrid warfare utilizes a complex array of military, political, economic, informational, and technological measures to achieve strategic goals without conventional military invasion. This approach challenges traditional international norms and mechanisms designed to protect civilians and maintain peace. Addressing these challenges requires not only robust international legal frameworks but also enhanced cooperation, monitoring, and accountability mechanisms to safeguard human rights and ensure international security (Andrievskyi, 2016: 12-13).

Hybrid warfare, as a modern phenomenon, indeed involves stages that span from preparation to active conflict, each characterized by distinct strategies and goals. Understanding these stages is crucial for developing effective strategies to counter hybrid threats and conflicts.

1. Hybrid threat stage:

- Preparation for conflict – this stage focuses on deploying political, information, and social tools to manipulate public opinion and influence societal attitudes. Activities include organizing political movements, conducting propaganda campaigns, and using historical and cultural narratives to shape perceptions. The goal is to create

³ <https://uk.wikipedia.org/wiki/>

favorable conditions for subsequent actions, such as fostering separatism or influencing governmental decisions.

2. Active phase:

- Violation of sovereignty – the transition to the active phase occurs when there is a clear breach of a country's sovereignty and territorial integrity. This can involve a range of aggressive actions, including sabotage operations, seizure of strategic facilities, targeted assassinations, cyberattacks, and other forms of aggression. This phase marks the escalation from preparatory maneuvers to direct conflict or confrontation.

3. Development of conflict directions:

- Diverse strategies – once in the active phase, hybrid warfare can evolve in multiple directions simultaneously. These include military operations, economic pressures, diplomatic manipulations, and other strategic maneuvers aimed at achieving political or territorial objectives. The flexibility of hybrid warfare allows aggressors to adapt their tactics based on evolving circumstances and responses from opponents.

4. Challenges and strategies for response:

- Complexity and unconventionality – hybrid wars blur the line between war and peace, making them inherently complex to manage. They utilize a combination of conventional and unconventional methods, leveraging information technologies to enhance their capabilities. This complexity requires integrated strategies that encompass both traditional military defenses and digital security measures.
- International cooperation – addressing hybrid threats effectively necessitates international cooperation, robust monitoring mechanisms, and accountability frameworks to uphold humanitarian law and protect civilian populations. Cooperation among nations is crucial for sharing intelligence, coordinating responses, and implementing sanctions against aggressors who violate international norms.

Hybrid warfare represents a significant challenge in contemporary conflicts, driven by the sophisticated use of information technology and diverse strategic approaches. Managing hybrid threats requires proactive measures to anticipate and counteract manipulative tactics during the preparatory stages, as well as robust responses during active conflict phases. By understanding and adapting to the stages of hybrid warfare, the international community can better protect global stability and uphold principles of international law and human rights.⁴

The concept of hybrid warfare introduces significant challenges to traditional approaches to conflict management, particularly in the realm of international law and human rights. Here are some key considerations and conclusions based on the discussion:

1. Uncertainty and boundaries – hybrid wars blur the distinction between war and peace, complicating the identification of conflict phases and the application of international humanitarian and human rights law. This ambiguity makes it challenging to gather evidence and prosecute crimes in courts, as violations occur under shifting contexts and conditions.
2. Adaptation of international law – addressing hybrid threats requires adapting international legal frameworks to better handle complex conflicts that involve a mix of military, technological, and social dimensions. This adaptation is crucial for ensuring that human rights are protected consistently and effectively across all phases of conflict.

⁴ Hybrid warfare - new threats, complexity and "trust" as an antidote. <https://www.nato.int/docu/review/uk/articles/2021/11/30/gbridna-vjna-nov-zagroziskladnst-dovra-yak-antidot/index.html>

3. Comprehensive approach – countering hybrid threats demands a comprehensive strategy that integrates military, geopolitical, economic, socio-cultural, technological, psychological, environmental, and other dimensions. Such an approach enables better threat identification, prediction of consequences, and development of appropriate strategies for deterrence and response.
4. International cooperation and regulation – effective management of hybrid threats necessitates strong international cooperation and the establishment of robust regulatory frameworks. Collaborative efforts at the global level enhance the effectiveness of countermeasures and reduce the likelihood of new conflicts emerging from hybrid warfare tactics.

Conclusion

Only a holistic approach that encompasses the multifaceted aspects of hybrid threats can effectively prevent military conflicts, safeguard human rights and freedoms, and foster long-term global stability and peace. This approach involves not only strengthening legal frameworks and international cooperation but also advancing strategies for conflict prevention and mitigation in an increasingly complex global landscape. In summary, the evolving nature of hybrid warfare requires continuous adaptation and innovation in international responses, ensuring that humanitarian principles are upheld and human rights violations are effectively addressed, regardless of the tactics employed by aggressors.

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