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Military Law in Ukraine: Future Prospects for Development

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Abstract: The Kremlin regime's military aggression against Ukraine, the annexation of Crimea and support for pro-Russian separatists in Donbas have actualized the restoration of special areas of Ukrainian jurisprudence regulating relations in the system of military and civil-military law. The purpose of the article is to analyze the possibilities for the development of military law in Ukraine. The PRISMA approach was used to select the materials for the study and subsequently for further analysis. Based on clearly defined criteria (8 in total), the most relevant literature for the study was selected. Date range: 2014-2022. A total of 35 sources were selected. The methods used are analysis, synthesis, comparison method, and dogmatic method. The results of the study trace the practice of using military law in the countries of the European Union and NATO, and trace the peculiarities of the Ukrainian legal field. The author separately considers the problems of theoretical cognition and analysis of the development of military law in Ukraine, examines the issues of practical application of military law during the development of the Russian-Ukrainian war (starting from the annexation of the Crimean Peninsula in 2014), and additionally outlines the capabilities and prospects of this important branch of legal activity, given the realities of military confrontation. The author also draws attention to specific recommendations for the resumption of the use of military law in Ukraine and emphasizes the benefits of such a decision. The author concludes that the demilitarization of legal thought in Ukraine has been

taking place as a result of general reforms in the Ukrainian legal sector. At the same time, there are no practical or legislative restrictions on the restoration of military jurisprudence, as proved by the example of Ukrainian and European legislative acts.

Keywords: military law, Ukraine, demilitarization of law, NATO experience.

Introduction

Modern trends in the development of Ukraine's European integration aspirations also imply reforms in the legislative sphere. If administrative, criminal, civil law are already the object of possible updating and modernization, some areas of legal opinion still need revision. Since 2014, Ukraine has been in an undeclared direct military clash with the Russian regime. The official Kremlin has officially recognized the annexation of the Crimean peninsula and has supported pro-Russian separatists in eastern Ukraine, supplying them with arms and the necessary number of mercenaries, in particular resorting to the use of regular army units (Harust & Tereshchenko, 2020; Mykhnenko, 2020). The usual legal practice in the context of a limited military conflict is complicated, since many courts, specialists, and materials have been relocated or evacuated from the conflict zone (Korhonen, 2015; Szpak, 2017). Accordingly, it has become relevant to turn to military practices of establishing justice through the activities of representatives of military law near territories where hostilities are taking place.

Research Problem

The issue of military law is important from the point of view of the fact that in modern European countries it has hardly seemed possible to use it in practice. The last major armed confrontations took place on the territory of the former Yugoslavia in the 1990s. However, the essence of this conflict was the disintegration of the multi-ethnic country into national entities, where power (including military power) was exercised again by governments, courts, and other administrative institutions. The annexation of territories and military destabilization in the twenty-first century has not been talked about before. This, in general, poses new challenges to military law at the present stage of its development.

Research Focus

The main attention in the article will be paid to the mechanisms of military law implementation, the peculiarities of their implementation in Ukraine. We are talking primarily about the theoretical aspects of its functioning, as well as problematic aspects related to the specifics of the legal field of Ukraine as a whole. Also relevant is an appeal to the experience of NATO countries and an analysis of the practical needs of using military law, its importance, and necessity.

Research Aim and Research Questions

The purpose of this article is to determine the prospects for the development of military law in Ukraine. Fulfillment of this goal implies consideration of the following research questions:

1. What theoretical gaps exist in the study of the phenomenon of military law in Ukraine?
2. What practical problems have arisen in the development of military law since the beginning of the Russian-Ukrainian war in 2014?
3. What are the possibilities and potential of this "underestimated branch of justice" in the context of military operations, and what are the reasons for its insufficient development?

Literature Review

The methodological basis of the article is the work of American and European scholars. Brenner-Beck (2014) highlighted the peculiarities of the transformation of American law, paying particular attention to aspects of military justice regulation. At the same time, Schmitt (2011) characterized the

problem of military humanity through the prism of the functioning of international law. Pakamanis (2016) studied the phenomenon of protection from wrongdoing in European Union states. Wallace (2013) outlined the basic principles and elements of military law. Alim (2020) in his study described the main strategies of Russia to use coercive diplomacy to achieve decentralization of Ukraine in the context of military aggression. Antoni et al. (2020) described some aspects of civil-military cooperation in the development of modern international cooperation.

Studies describing various aspects of legal development, in particular in the EU, also play an important role (Bodnár, 2021; Levin & McDevitt, 2015; Szontagh, 2021). At the same time, Aliyev (2019) identified the impact of proxy groups on the conduct of terrorist activities. Harust and Tereshchenko (2020) described the key aspects of the legal and regulatory framework of the military sphere in Ukraine. These authors analyzed some existing laws. The literature review by Kirs (2021) is devoted to the problem of studying hate crimes and the role of international institutions in preventing them. Konert and Balcerzak (2021) describe various legal and ethical aspects of the use of autonomous military drones (UAVs). Vacca and Onishi (2017) also identified some legal aspects of the use of drones as military monitoring tools. Korhonen (2015) characterized the conduct of war in Ukraine through the prism of international law. The author also described its further significance for hybrid warfare. Kuzemko et al. (2022) identified the impact of Russia's war against Ukraine on Europe's energy policy and the implications for sustainable development. Shevchenko (2019) identified the impact of the war on the state's social policy. Simons et al. (2020) described various legal and operational challenges associated with hybrid warfare.

Ukrainian researchers have developed a framework for further study of ways to overcome problems in Ukrainian military law. In particular, Hrytsenko et al. (2012) highlighted the main legislative acts regulating the military industry of Ukraine. Katkova (2015) outlined the peculiarities of the development of military law in Ukraine, the researcher formed some approaches to the definition of the term. Theoretical and methodological bases of military law were analyzed by Yashchenko (2020). Shevchenko (2019) identified the impact of war on the social policy of the state. Shpykuljak and Mazur (2014) identified the features of the development of social capital in wartime. Besides, Beikun and Pryimak (2021) defined the legal foundations of the military security sector. For this floor is also important works that analyze the development of the Russian-Ukrainian confrontation, which will further influence the transformation of military law in general. Wood et al. (2015) characterized the origins of the Russian-Ukrainian war. Manolea (2021) analyzed the basic mechanisms of modern hybrid warfare.

Materials and Methods

This study utilized a qualitative approach that involved the study of contemporary scientific literature. For this reason, the PRISMA methodological approach was used to select and analyze the current literature.

Sample

For this assessment and analysis study, a variety of scientific materials were selected, such as articles from scientific periodicals, conference proceedings, and chapters from collective monographs. The sources were selected based on their applicability and relevance to the study issue; these were primarily articles published in the last 10 years. The PRISMA approach, which is modern scientific approach, was used to select the sources for the study.

Instruments and Procedures

A phased, structured data collecting was implemented. First, the primary scientific databases—Scopus and Web of Science—were chosen using the Prisma method. These searchable databases contain keywords like military law, law, Ukraine, EU, and military affairs. There were 2167 results in all. Following that, a unique date range—from 2013 to 2022—was established for the source selection

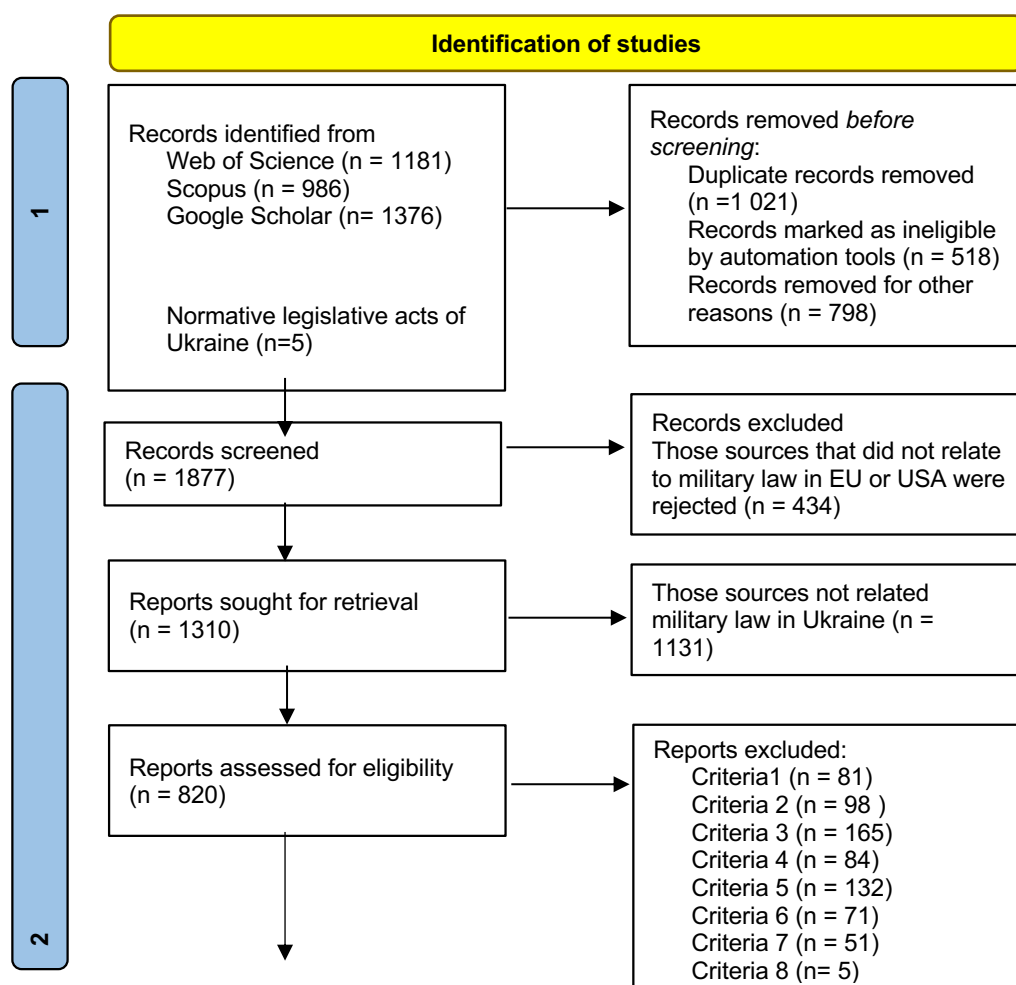
process. Next, three more databases were chosen: Index Copernicus, Google Scholar, and Ebsco. 4634 sources in all were found¹ Studies unrelated to education or the use of electronic learning aids (167) were eliminated based on a preliminary examination of the titles. The chosen materials were then thoroughly reviewed, and each one was subjected to the following inclusion criteria:

1. The study describes the rules of military law regulation.
2. The study describes the regulation of military law in Ukraine.
3. The study describes the conduct of military law in other countries, with an emphasis on the USA and EU countries.
4. The paper describes the main challenges and problems of supporting the military in Ukraine.
5. The study describes the legal aspects of conducting a military case in Ukraine.
6. Type of research: mainly theoretical works were taken into account.
7. Methodology: Emphasis is placed on studies that have an extensive methodology.
8. Date range: from 2013 to 2022.

Therefore, as a result of these procedures, 35 materials of literature were selected for this research (See Figure 1).

Figure 1

Scheme of Application of the PRISMA Method in the Research



¹ This indicator is general: it also includes previously found Ukrainian legislative materials and acts.

3

Research included
(n = 35)

Source: Author's development.

Data Analysis

The paper refers to non-empirical, theoretical research, which required the use of the appropriate methodology. Consequently, the study is implemented based on general scientific, specifically scientific, specifically legal research methods. General scientific methods include analysis and synthesis. Among the specifically scientific research, historical and logical methods are used. In the article, special-legal methods are implemented through the plane of dogmatic principle.

Based on general theoretical methods of research analysis and synthesis it was possible to outline a number of problems in the modern military law of Ukraine. Based on the analysis the latter are highlighted and ways to overcome them are characterized. With the help of synthesis, the obtained results are combined and own judgments and recommendations are formed. Among the general scientific methods, we will distinguish forecasting and modeling, because thanks to their use it is possible to project potential models of improvement of the system of military law. The comparative analysis provided classification and systematization of the main factors of improvement in this area. Among concrete-scientific methods, historical methods were of primary importance, based on which the evolution of military law implementation in Ukraine was traced. The article specifically used legal methods through a dogmatic principle, because the normative and procedural component is an important component of military law. The results of the study were also obtained based on a content analysis of a number of normative-legal acts, in particular: 1. Law of Ukraine on the Fundamentals of National Security of 2018 (Zakon Ukrainy, 2018); 2. Law of Ukraine On the Defence of the Country of 1992; 3. Law of Ukraine on Mobilization Preparation and Mobilization of 1993; 4. Law of Ukraine on Military Duty and Military Service of 1992 (Hrytsenko et al., 2012); 5. Decree of the President of Ukraine on the Military Security Strategy of Ukraine of 2021.

Results

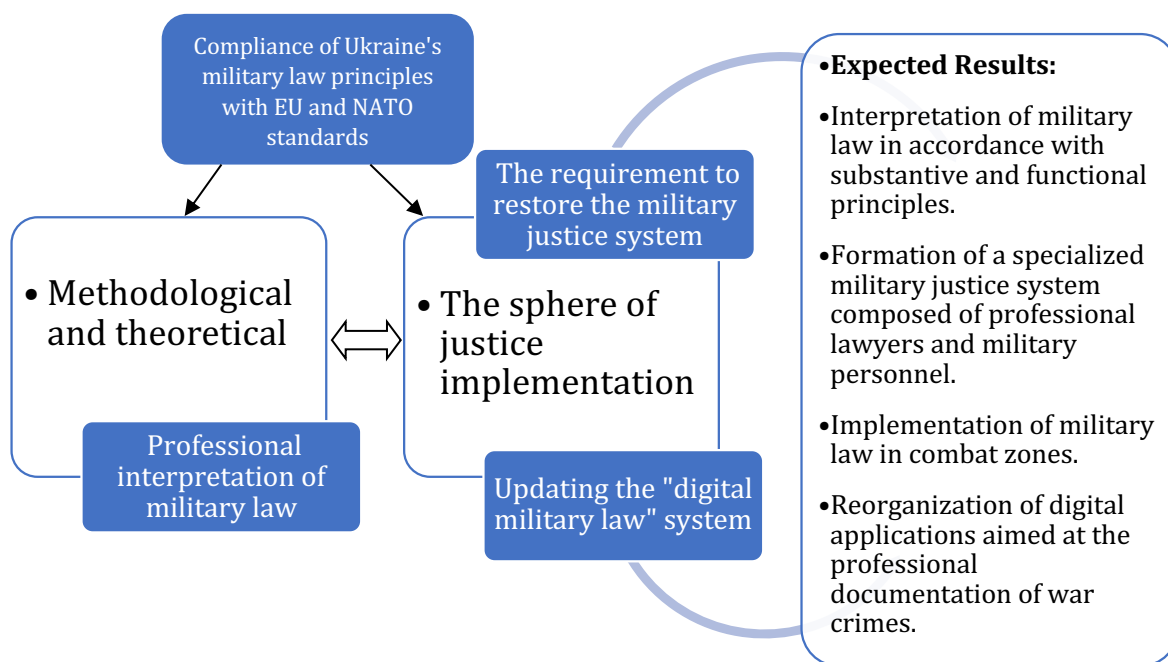
The study of military law in Ukraine will require an analysis of the specific characteristics of legal opinion, based in general on the peculiarities of the psychology and responsibility of the military. This implies consideration of separate categories of legal opinion, which will have limited use either for a certain category of society or involved in certain conditions, which in the XXI century were thought to be not so frequent. In fact, the Russian annexation of the Crimean peninsula and the aggressive reactions of pro-Russian separatists in eastern Ukraine demonstrated the vulnerability of civil justice, whose representatives were not prepared to provide the appropriate level of investigation and punishment of those responsible for criminal unlawful activities, committing particularly grave crimes (Wood et al., 2015). In Ukrainian reality, even the very definition of military law and its principles is not fully formed (Yashchenko, 2020).

At one time there were still Soviet standards for the definition of its norms, but the gradual reform of Ukrainian legislation abolished the separation of the military (Hrytsenko et al., 2012). In this area, the development of law contradicts the norms of the European Union and NATO countries, where the sphere of military law is represented separately. Further attempts to address European integration and the introduction of a European legislative framework are aimed at overcoming this discrepancy. At this stage, there are several interpretations of military law in Ukraine, none of which can be considered exhaustive or satisfying the current development of legal opinion (Yashchenko, 2020). This aspect will require a detailed argumentation, so will be considered somewhat later. The second important

methodological-theoretical aspect is the presence of content-functional principles. Due to the fact that the essence of military law in Ukraine has not yet been established, it is also very difficult to analyze the methodology and theory of its operation. This leads us to the thesis that military justice in Ukraine needs a thorough renewal because the conduct of hostilities in the East of our state will also require legal regulation. An important element, given the current trends of digitalization of public life, is the updating of the system of digital law, which will certainly be a positive result (See Figure 2).

Figure 2

Scheme of the Main Aspects of Military Law Update



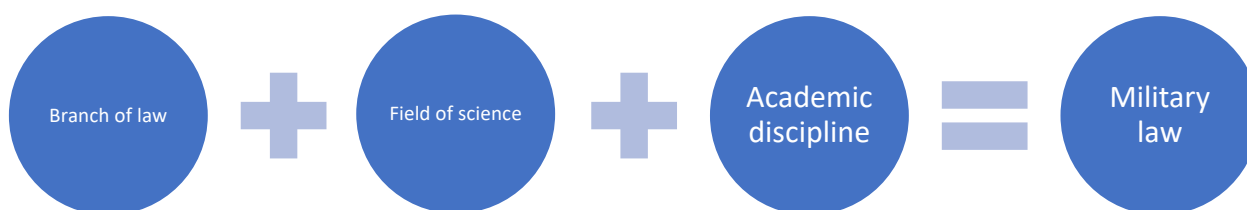
Source: Author's development

Theoretical Gaps in the Study of the Phenomenon of Military Law in Ukraine

In modern scientific literature the phenomenon of military law is considered as a triad of such components as: 1. a branch of law regulating the military branch; 2. a science (branch of jurisprudence); 3. an academic discipline that studies the peculiarities of regulation of military legislation. However, all these elements contain a lot of debatable, insufficiently explored problems. At the same time, the existence of these three components of the phenomenon of military law in the triad system is not equivalent. In particular, the scientific part is not self-sufficient. According to Yashchenko (2020), it is predominantly a factor of the further transformation of military law both as a field of law and as an academic discipline as a whole (See Figure 3).

Figure 3

The Triad of Military Law



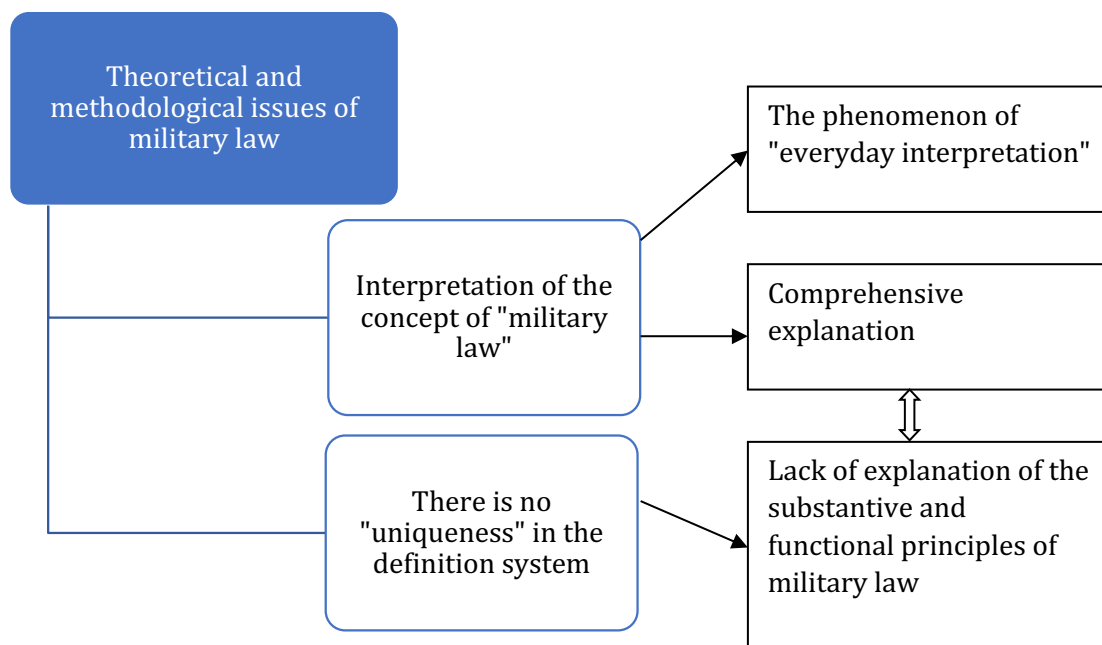
Source: Author's development

The process of inhibition of military law as a scientific theory leads to the fact that it contains theoretical and practical gaps, for example, it does not express the peculiarity and uniqueness of the phenomenon of military law (Wallace, 2013). The solution of these gaps is the responsibility of other branches of law - administrative, civil, commercial, etc. Obviously, this has a negative impact on the transformation of military law and jurisprudence in general. Therefore, an important solution is to further develop and apply a scientifically balanced methodology for researching military law (Yashchenko, 2020). It is about clarifying the correlation of military law with the above-mentioned phenomena in both the substantive and practical planes.

One of the first theoretical and methodological issues that require urgent resolution is the interpretation of the concept of military law, which is commonly defined as "the law of the military sphere". We believe that this is not so much a scientific as an everyday explanation of the term (see Figure 3). This approach is also found in some scientific publications. In particular, Katkova (2015) believes that "The law of the military sphere (military law) is a set of legal norms that define social relations in the sphere of functioning of the Armed Forces and other military formations of Ukraine" (p. 81) (See Figure 4).

Figure 4

Theoretical and Methodological Issues of Military Law



Source: Author's development

In the theoretical plane of the definition of military law, there are concepts of a “complex phenomenon”. In general, such explanations are legitimate, but they are so general that they do not highlight the uniqueness of purely military law. Therefore, military law belongs to the field of regulatory legal factors and, undoubtedly, this feature should be emphasized, recognizing its legal nature. On the other hand, highlighting its specific characteristics and disclosing its substantive features will not be revealed in the case of a comprehensive approach. According to Yashchenko (2020), “the very nature of law excludes the possibility of the existence of complex branches of law...” (pp. 142–143).

Therefore, the interpretation of military law should be based on the following principles: normativity, mandatory, regulatory, procedural, interconnectedness with the state, and systematic. The normative and mandatory components are important because military law consists of rules and regulations that must be followed (Kyle & Reiter, 2020). Also, military law is a regulator of social relations in the military sphere. On the other hand, this type of law is full of procedural rules, which determines its procedural principle (Beikun & Pryimak, 2021). At the same time, military law is so closely linked to the state that its existence outside the state level is impossible (Ben-Menahem & Ben-Menahem, 2020). Therefore, it is a complex and integral system of interrelated norms. At its center are legal norms that define relations in the field of military security.

Some authors, in particular Katkova (2015), propose to develop a special Military Code, which should include the peculiarities of the formation of the Armed Forces of Ukraine, the definition of the military organization of the state, and the characteristics of the status of military personnel, but the basic principle of military operations (peculiarities of legal regulation of combat operations) is not taken into account in this development.

For this reason, we agree with Yashchenko (2020) that the main substantive and functional principles of military law are as follows: characterization and regulation of the practical implementation of military strategy and tactics, analysis of the mobilization element of the state, development of the Armed Forces of Ukraine, legal definition of the implementation of military operations, research and regulation of social protection of servicemen.

Practical Problems in the Development of Military Law in Ukraine (Since the Beginning of the Russian-Ukrainian War)

In the realities of hybrid warfare with the Russian Federation, the number of offenses in the military sphere is increasing. The challenge for the military law of Ukraine is to create an appropriate level of legal support for the Armed Forces of Ukraine and other military formations (Wood et al., 2015). A separate problem is the lack of a military justice system that generally does not meet the threats to national security and defense capabilities of the country (See Figure 5).

Figure 5

An Overview of the Practical Problems and Their Specific Details

Increase in military offenses	• Hybrid warfare with the Russian Federation has led to a rise in offenses in the military sphere.
Destruction of military justice under demilitarization	• Military justice was dismantled in the early 2000s and only partially restored in 2014, then demilitarized again in 2019.
Reorganization and demilitarization of military prosecutor's offices	• Military prosecutor's offices have been reorganized and demilitarized during ongoing war, lacking specialists with required knowledge and skills.
Post-war investigation challenges	• Need for rapid and efficient investigation of military personnel deaths and other offenses post-war (e.g., desertion, destruction of military equipment)
Lack of specialized military training for legal professionals	• Military justice in Ukraine is administered by general courts and civilian prosecutors without specific military training, unlike European countries and the US.
Investigation by civilian officials	• War crimes investigated by civilian units of the State Bureau of Investigation (SBI), who lack military training and face safety issues near hostilities.
Inadequate implementation of military law in combat areas	• Civilians face risks in conflict zones, making it difficult to ensure effective legal protection and compliance with constitutional rights and freedoms for military personnel.
Recording of war crimes	• Urgent need for electronic recording of war crimes, hindered by the legal requirement for electronic signatures and the need to update the Diya application for digital submission.

Source: Author's development.

In the early 2000s, under the demilitarization policy, military justice was completely destroyed. In 2014, after the seizure of Crimea and certain areas of Luhansk and Donetsk regions, the military prosecutor's office resumed its activities. However, in 2019, these bodies were again demilitarized. Thus, at a time when the war between Russia and Ukraine is ongoing, the military prosecutor's offices have been reorganized and demilitarized. It should be noted that the specifics of the work of military prosecutors require special knowledge and skills in the field of military law. Such specialists should be familiar with special methods of detecting and investigating war crimes.

This decision did not take into account the fact that after the war it will also be necessary to quickly and efficiently investigate all the facts of deaths of military personnel during hostilities, to ensure legal decisions on any offense: desertion, destruction of military equipment and ammunition, etc.

In European countries and the United States, the existence of the military justice system is maintained at a high level, which in turn indicates the awareness and implementation of legal security of military security in practice (Kyle & Reiter, 2020). In particular, in the United Kingdom and the United States, military structures such as the police, prosecutors, and courts operate with due regard for all legal aspects. In general, in the concept of NATO member states, it is not acceptable for civilian institutions to exist in the structure of military justice. These countries also have a system of military training for judges, investigators and prosecutors. However, in Ukraine, due to the absence of military justice, military justice is administered by general courts and the prosecutor's office (Beikun & Pryimak, 2021). This is done by civilian officials who do not have specific military training. In addition, war crimes are investigated by units of the State Bureau of Investigation (SBI), whose members are also civilians.

At the same time, the SBI has to be located at a distance from military formations, which in turn does not allow it to effectively carry out its activities in the field of military law. In the realities of fierce fighting, it is difficult to ensure the safety of investigators when they exercise their powers in areas close to hostilities. According to Ukrainian law, civilians cannot carry out activities defined by law because of the risks to life and health. Therefore, the problem of implementing military law in the areas where fighting is taking place also remains relevant. Consequently, effective military justice is not achieved by civilians in the context of hostilities. This is manifested in the improper observance of state legal guarantees of social and legal protection of the military, i.e., non-compliance with constitutional rights and freedoms.

The recording of war crimes, which is best done electronically, is also an urgent issue. However, in the Ukrainian legislative framework, the legal significance of electronic evidence is certified by an electronic signature. This creates additional problems, as not all persons have an electronic signature and possess digital tools for submitting such materials. This, in turn, requires reorganization and updating of the Diya application.

Discussion

Discussing the issue of introducing military law in Ukraine is impossible without defining its content and essence. We believe that military law is a combination of a part of national law that regulates social relations in the field of functioning of the armed forces, and a special theoretical discipline aimed at training of specialists with the appropriate qualifications. Given the European experience of its use, which has been repeatedly written about by researchers, military law should be considered a standard branch of legal science with limited targeted use.

In particular, the European Court of Human Rights has determined in its judgments that it is possible to apply to certain military courts in criminal or administrative cases if it is regulated by the legislative framework. It can be agreed that these and other decisions demonstrate the legitimacy of military justice (Harust & Tereshchenko, 2020; Katkova, 2015). The use of military law is also regulated by international acts - Article 6 of the Convention for the Protection of Human Rights and Fundamental Freedoms specifically emphasizes that the validity of military proceedings is based on the principles of independence and impartiality.

In Ukrainian realities, the system of military law (in particular, military tribunals) has been demilitarized due to the general transformation of legal relations. The negative perception of the military law system and separate court proceedings was interpreted as an element of the Soviet legal system, which was being transformed (Özsu, 2015). For this reason, there was no sentiment for the existing norms. At the same time, the military aggression of the Kremlin regime and the annexation of Crimea and the fighting in Donbas have shown the need for a gradual restoration of this area of legal science and practice (Szpak, 2017). This process would be in the interests of Ukraine's defense capability and would look like a well-motivated step in the face of Russian aggression. Legislative regulation of the organization and functioning of military justice and law should be based on specific recommendations that would allow restoring the powers and specifics of their use, reducing the number of mistakes and shortcomings.

Military justice in Ukraine should reflect the distinctive features of the national branch of law, be based on national and international norms, experience in the development of this system, and be in line with existing standards and international practice, including in terms of ensuring the protection of the rights and freedoms of all persons involved. An important characteristic should be the fulfillment of special organizational and working features of law enforcement, the prosecutor's system, and special military tribunals in the field of defense, which should generally guarantee internal security during hostilities (which, for example, is extremely important in Ukraine). There are grounds for separating military law, and they are not only practical. As demonstrated in the study, legal support for the defense of the state is not in conflict with the legal practices of leading European countries and the United States.

Also, the legal regulation of the specifics of military service is different from other types of legal relations, so it is logical to restore its subjectivity against the background of intensified hostilities by establishing updated boundaries of work. Ukrainian legislation also does not provide for any restrictions on the use of military jurisprudence, in particular, military law does not contradict Section VIII of the Constitution of Ukraine, which sets out the ways of resolving issues of judicial proceedings and organization of the judiciary.

At the same time, the potential development of a renewed military justice system in Ukraine will require decisive steps:

- 1.Reorganize the Military Law Enforcement Service, which currently operates in the Armed Forces of Ukraine, and transform it into a military police department, with appropriate legislative, organizational and material resources.

- 2.Reorganize the Specialized Military and Defense Prosecutor's Office, transforming it into a unified Specialized Military Prosecutor's Office, formalize this decision in accordance with the current legislation, determine the appropriate place for the newly formed body in the prosecutorial system of Ukraine, and provide the necessary organizational and legal solutions to ensure it.

- 3.Modernize the judicial system of Ukraine, restore the operation of certain military tribunals on the basis of greater openness, and provide them with the necessary powers to conduct military and partially civilian law cases.

- 4.Identify opportunities for providing legal support and assistance to military personnel and their families, and agree on the possibilities for such activities in accordance with the updated legislation.

- 5.Restore opportunities for the work of the military advocacy.

- 6.Modernize the possibilities for conducting the investigative process, in particular, to digitalize the possibilities for obtaining testimony, since it is sometimes impossible to conduct a traditional investigation in the context of hostilities.

- 7.These principles will make it possible to bring military law into the legal orbit of Ukraine, to restore and develop its activities and application.

Conclusions and Implications

Military law is an important element of the legal system, especially when it comes to a country in a state of declared or undeclared military conflict. Since 2014, Ukraine has been subjected to Russian aggression, but the work of this field has been suspended. We are talking about the demilitarization of Ukrainian legislation that regulated the legal sphere, including military or civil-military relations. In particular, as a result of the outbreak of hostilities in the East of Ukraine, this complicated the work of the judiciary, as many institutions were effectively paralyzed. The disastrous effect of the complete demilitarization of legislation was also that even the theoretical study of important aspects of military law was suspended, and today there is no unified understanding of this area.

The author's definition of military law is as follows: it is a combination of a part of national law that regulates social relations in the field of functioning of the armed forces, and a special theoretical discipline aimed at training specialists with the appropriate qualifications. The restoration of its full functioning does not contradict either European acts (which is important in connection with Ukraine's European integration) or the norms of national law.

Therefore, a certain system is proposed that will facilitate its full introduction into the legal environment of Ukraine: it is about reorganizing the existing structural units of the prosecutor's office, forming the military police and the bar, new developments in the field of legislative regulation and working with the latest digital methods (which is important in the conditions of work during hostilities). Certain aspects of this process (methods of teaching the discipline or the formation of the general principles of the military prosecutor's office) will require additional research, as the legal thought of Ukraine in the field of military law requires serious revision.

Suggestions for Future Research

This study not only demonstrated that military law is an important element of the legal system, especially when a country is in a state of declared or undeclared war, but also opened new directions for further research. Taking into account the obtained results, an important further direction for research is the characterization of the possibilities of adaptation and implementation of the best international practices and standards of NATO in the military legislation of Ukraine. Within the scope of this study, it is also worth demonstrating the issue of creating and developing an effective system of military justice, in particular, characterizing individual successful models of military justice in NATO and EU countries with the aim of developing their own system. It is also worth carrying out a critical analysis of the necessity and expediency of restoring military courts and prosecutor's offices. Particular attention should also be paid to the characteristics of the issue of ensuring the rights and freedoms of military personnel. In particular in order to investigate the main mechanisms of legal protection of military personnel and their families. It is also worth conducting a deeper analysis of the basic constitutional rights and freedoms of military personnel and the mechanisms for their implementation and protection. This can be done by conducting a survey among military personnel of Ukraine. Perhaps the most important aspect that needs further study is the analysis of experience in the investigation of war crimes. In particular, future studies should carry out a critical analysis of the practice of investigating war crimes in different countries. This will make it possible to form effective tools for effective investigation and documentation of war crimes in Ukraine.

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Conflict of Interest

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