**Reducing civilian deaths caused by military action in the Russia-Ukraine war**



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# **Overview**

After a series of political events including multiple pro-Russian demonstrations across Ukraine, on February 20th, 2014, Russia dramatically escalated tensions across the world with an illegal annexation of Crimea. Following the annexation, an armed conflict began between pro-Russian insurgents and the Ukrainian government in the easternmost provinces of Ukraine; Donetsk and Luhansk, also known as the Donbass region. Over time, fighting devolved into trench warfare, with about 75,000 troops fighting along a 420-km long front, passing through all types of terrain, and, most importantly, densely populated civilian centers(1). The fighting lasted almost 8 years, before being subsumed by the much larger Russia-Ukraine war.

On February 24th, 2022, Russia annouced the commencement of “special military operations” in Ukraine, sidestepping an official declaration of war, and invaded Ukraine with up to 190,000 soldiers. Russian forces continue to make advances in both Eastern and Northern Ukraine, assaulting the capital of Kyiv on February 25th, 2022. However, by the end of March, Russia began to withdraw troops from Northern Ukraine, and by April 6th, 2022, Russian troops have almost completely withdrawn from Northern Ukraine. In Eastern Ukraine, however, fighting continues unabated. In April, Russia shifted its offensive focus to Eastern Ukraine in order to seize the Donetsk and Luhansk Regions. In July, the Russian offensive in the Luhansk and Donetsk areas began to bear fruit, as the last city in the Luhansk region, Lysychansk, fell to advancing Russian forces. Russia soon shifted its offensive focus to the Donetsk region(2). However, in August, armed with Western equipment, the Ukrainian military launches multiple counter offensives in Eastern Ukraine. In September, Ukrainian forces launched a counterattack in the Kharkiv region, liberating the city of Izium on September 10th, and began pushing Russian forces out of the Kharkiv region as a whole. On September 21st, Russia announced partial mobilization, which led to both a large exodus of military-age men from Russia, and widespread protests(3). However, despite the difficulties, by the end of October, Russian Defence Minister Sergei Shoigu announced that the mobilization of 300,000 men was complete, and tens of thousands of personnel had already been sent to Ukraine(4). In November, Ukrainian troops liberated Kherson, one of the first cities to fall in the initial invasion, and in January of 2023, Germany agreed to provide tanks to Ukraine, strengthening the Ukrainian military, while Russia slammed the action as a blatant provocation. In mid-January, Ukrainian forces withdraw from the key town of Soledar, and as February continues, the bloody battle for the small industrial city of Bakhmut drags on. Russian forces need a propaganda victory after months of grinding stalemate, and Bakhmut’s fall would provide a much needed victory and morale boost(5). The coming spring brings fears of a renewed Russian offensive on Eastern Ukraine and the Ukrainian capital of Kyiv, as Russian forces and equipment begin to amass, while Russian air support positions to support a ground offensive(6).

According to the Office of the High Commissioner for Human Rights(OHCHR), the conflict in the Donbass region from 2014-2021 has killed 3,404 civilians, although the real count is likely to be much higher. Similarly, the OHCHR also cites 17,994(7) civilian casualties as a result of direct conflict of the Russia-Ukraine war from 2022-2023, much of which is due to the use of explosive weapons with wide area effects, including heavy artillery shelling, multiple-launch rocket systems, missiles, and air strikes, also known as cluster munitions. In addition, many civilians have been found dead following Russian advances, raising fears that they may have been massacred by Russian forces, while Russia continues to target civilian targets in an attempt to reduce morale(8).

# **Definitions of important terms**

**Donbass:**

A term that is an abbreviation for Donets Coal Basin, home to Donetsk and Luhansk

**Casualties:**

A person or persons that are killed or wounded as a result of war. It is important to note that casualties do not necessarily mean deaths

**Cluster munitions:**

A cluster munition is a weapon consisting of a container or dispenser from which many submunitions or bomblets are scattered over wide areas. This can be ground-launched from artillery, rocket launchers or mortars, or air-dropped.

**EWIPA:**

Explosive Weapons In Populated Areas. These can include artillery shells, missile and rocket warheads, mortars, aircraft bombs and improvised explosive devices (IEDs), among others.

**Donetsk People's Republic(DPR)**

 An unrecognized republic centered in Ukraine's Donetsk Oblast. It was created by armed separatists in 2014 and was annexed by the Russian Federation on September 20th, 2022.

**Luhansk People’s Republic(LPR)**

An unrecognized republic centered in Ukraine’s Luhansk Oblast, created by armed separatists in 2014. It was annexed by the Russian Federation on September 20th, 2022.

**Critical Infrastructure**

 Critical infrastructure is defined as either physical or cyber systems or assets that are so vital to a nation’s stability that the loss or dysfunction of these services would have a significantly debilitating effect on the nation and the health of civilians.

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# Timeline of key events

### November 2013: Euromaidan Demonstrations

Pro-Russian Ukrainian President Viktor Yanukovych decides not to further ties with the European Union(EU), and protests erupt in the Ukrainian capital of Kyiv, known as “Euromaidan” demonstrations.

### January-Early February 2014: Euromaidan demonstrations turn violent

The “Euromaidan” demonstrations turn violent, as protesters clash with police on multiple occasions.

### February-March 2014: The Crimean Crisis begins

President Yanukovych flees the country, and a new government is installed in Ukraine. Meanwhile, groups of unidentified armed men surround key buildings and strategic points across Crimea, gunmen occupy the Crimean parliament building and the parliament votes to secede from Ukraine to create the Republic of Crimea. It is important to note the Republic of Crimea is internationally unrecognized. On March 18th, 2014, Sergey Aksyonov, the sitting Crimean prime minister, met with Vladmir Putin, president of the Russian Federation, in order to sign a treaty incorporating the Republic of Crimea into the Russian Federation.

### April 2014: Donbass conflict begins

Pro-Russian insurgents begin an armed conflict in the Donbass region of Ukraine against the Ukrainian Government.

### June 2014: Ceasefire

The first ceasefire is negotiated, and negotiations over an agreement named “Minsk I” begin.

### July 2014: Fighting resumes

The ceasefire ends, fighting resumes across Donbass.

### September 2014: Minsk I

The Minsk I Agreement was signed, which included provisions such as humanitarian aid and withdrawal of heavy weapons. However, this ceasefire quickly broke down.

### February 2015: Minsk II

A 13-point ceasefire was agreed upon, named Minsk II, which included an immediate ceasefire, humanitarian assistance, withdrawal of heavy weapons, withdrawal of foreign assistance, as well as other provisions to assist civilians. However, the treaty was never fully implemented, and fighting still continued.

### November 2021: Tensions rise between Russia and Ukraine

Russian forces begin building up along the borders of Ukraine.

### December 2021: Tensions continue to escalate

Tensions escalate as a U.S intelligence assessment reports that Russia could be ready to invade Ukraine in a matter of months. (9)

### February 2022: Russia announces ‘special military operations’ in Ukraine

President Vladmir Putin officially recognizes the self-declared independent Donetsk People’s Republic(DPR) and Luhansk People’s Republic(LPR). Days later, Russian forces move into Ukrainian territory. Thousands of refugees flee Ukraine into the EU, escaping the violence of the war.

### March 2022: Irpin Bridge Evacuation, Mariupol Theater airstrike

Civilian casualties reach an all time high of 5,736 casualties in the month of March alone(10). At the village of Irpin, 20 kilometers north of Kyiv, civilians evacuate the village in what is soon to become a killing zone, as evacuating civilians are targeted by Russian forces. Hundreds of civilians die attempting to flee the violence, in what soon becomes an infamous example of needless civilian deaths(11).

In the siege of Mariupol, Ukrainians use the Mariupol theater as a makeshift bomb shelter. An estimated 1,300 civilians use the theater to escape the bombings, but on March 16th, 2022, two 500 kilogram bombs hit the Mariupol theater(12), killing up to 600 civilians, and injuring many more(13). The theater was struck despite the fact that the word ‘Children’ was painted in Cyrillic outside the theater, indicating the theater’s status as a bomb shelter. According to Amnesty International, it appears the bombing was deliberate.

### April 2022: Bucha atrocities revealed

The atrocities committed by the Russian occupation of Bucha, a small town about 30 kilometers northwest of Kyiv, are discovered as the Russian military withdraws from the advances of Kyiv(14). At least 458 civilian bodies were uncovered, shot by Russian soldiers, and left in the streets of Bucha(15). Civilians reported that as the Russian advance on Kyiv stalled, Russian soldiers became increasingly desperate and aggressive. Russia has made baseless claims that the photos that came out of the Bucha massacres were faked or staged, and has denied that these crimes happened at all. In addition, Ukrainian Prosecutor General Iryna Venediktova claimed that the nearby town of Borodyanka faced a massacre even worse than Bucha, where it appears that at least 300 people were either killed or tortured by Russian forces(16).

### October 2022: Crimean Bridge explosion and a shift in Russian tactics

On October 8th, 2022, the only bridge connecting the Crimea to mainland Russia in the Kerch strait was destroyed, a major strategic and political blow to Russia. This marks the beginning of a new phase in the war, where Russia begins to target critical infrastructure(17), and by October 10th, 2022, massive blackouts roll out across Ukraine, as an estimated 30% of Ukrainian power stations are destroyed in under a week of Russian bombing. On October 31st, Kyiv and Kharkiv were hit with a massive missile strike which left hundreds of thousands of Ukrainians without power, and roughly 80% of residents without running water(18).

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# **Position of key nations**

### The Russian Federation:

The Russian Federation has been accused of deliberately attacking civilians on multiple occasions in its war against Ukraine

Most notably, Russia’s use of cluster munitions, especially around civilian centers such as Kharkiv, Ukraine’s second largest city(19). In August 2022, a report from the Cluster Munitions Coalition(CMC) stated that at least 689 civilian casualties were caused by cluster munitions attacks from February from 2022 until July of 2022, and Cluster munition attacks have been reported or alleged in 10 of 24 of Ukraine’s regions(20).

Attacking civilians and civilian targets has been a major part of the Russian way of warfare, with a history stretching back to the First and Second Chechen wars, where Russia launched numerous attacks against civilian targets in Chechnya, to the point where after the second Chechen war, the U.N labeled Grozny, the capital city of Chechnya, the ‘most destroyed city on Earth. Russia has also utilized attacks on nonmilitary targets when it intervened in Syria in support of Syrian dictator Bashar Al-Assad, killing and wounding numerous civilians(21).

In addition, according to the Office of the UN High Commissioner for Human Rights(OHCHR), from February 24th, 2022, to January 2nd, 2023, there were 17,994 civilian casualties as a result of Russian military action, and the OHCHR also notes that the real toll is likely to be much higher due to the difficulty of obtaining information on frontline areas.

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### The Republic of Ukraine:

The Republic of Ukraine and its civilians have been greatly affected by this conflict, as thousands of its own civilians have already been killed or wounded, and over 8 million refugees have fled the country. However, the Armed Forces of Ukraine(AFU) has used hospitals and schools as de facto military bases(22), thus turning them into military targets and endangering civilians. In addition to this, Ukrainian forces have hit non-military targets themselves. Multiple civilians were killed in a missile strike carried out by U.S supplied HIMARS(High Mobility Artillery Rocket System) on a hospital in a Russian held settlement of Novoaidar(23).

### The United States

Just like with many other nations across the globe, the United States has stood firm and reaffirmed its solemn commitment to stand behind Ukraine and support its national sovereignty, and strongly condemns Russia and its actions in Ukraine(24).

However, the United States does not have its hands clean of blood either. In the post 9/11 ‘war on terror’ an estimated 387,072 civilians have died as a result of direct US military action in Iraq, Afghanistan, Syria, Pakistan, Yemen and Somalia(25). In addition, deaths from other causes, such as starvation, lack of healthcare, a destroyed environment, as well as damaged infrastructure, far outnumber the deaths from direct military action, and the number of civilians injured or wounded as a result of these wars is countless. If the U.S is to propose a solution to this crisis, then it, and all other nations, must abide by the laws that are set forth as well.

### Germany

Unlike many of its Western counterparts, Germany has been more restrained in its criticism of Russia despite the numerous reported war crimes that have been committed in Ukraine. While it has engaged in sanctions and has sent aid to Ukraine, many accuse German Chancellor Olaf Scholz for being too ‘soft’ on Russia(26). In addition, a deep geographical divide caused by the Cold War between Eastern and Western Germany still lingers today. Western Germany is more willing to criticize Russia, while Eastern Germany remains hesitant. In fact, a considerable amount of Germans consider America to be the real enemy. Anti-American sentiments remain among Germans, especially during times of crisis, such as the Vietnam War or the War on Terror(27).

### China

 China has refused to condemn the invasion itself, the numerous reported war crimes, and has even refused to call the conflict a ‘war’, rather using the language Russia uses, calling Russia’s actions in Ukraine a ‘special military operation’(28). Over 70% of Chinese citizens surveyed appeared to either view the war as an act of national defense or believed the war was wrong, but that the international community should pay attention to the Russian side of the story(29). However, China has not unilaterally supported Russia. China has put some rhetorical distance between itself and Russia in order to preserve some relations with the West, and has urged Moscow to refrain from using nuclear weapons. Beijing has taken the role of a ‘mediator’ in the conflict between Russia and the West. China walks a diplomatic tightrope and must decide between sustaining the “no limits friendship” with Russia and alienating itself from the rest of the world by doing so, or appease the West, cutting ties with its only powerful ally.

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# **Suggested solutions**

## Avoiding the use of EWIPAs

Nations should avoid using explosive weapons in populated areas. The use of these weapons results in significant harm among civilian populations. In fact, the UN estimates that when these weapons are used, about 90% of the resulting casualties are civilians(30). The Explosive Weapons In Populated Areas Dublin Conference occurred in November of 2022, and attempted to strengthen the protection of civilians from the effects of explosive weapons. This political declaration was formally adopted by 83 member nations(31). It is important to note that Russia has not acknowledged the harm caused by explosive weapons in populated areas, and neither has it committed against the use of EWIPA(32). However, Russia is not the only country that utilizes EWIPA, the Ukrainian military has utilized such explosive weapons, with similarly disastrous effects.

## Avoiding the use of civilian centers as military targets

The Armed Forces of Ukraine have continuously used civilian centers as de-facto military bases. In an investigation conducted by human rights watchdog Amnesty International, 22 out of 29 schools that were inspected showed evidence of current or previous use as a military base(33). While there is no international law designating that militaries cannot use schools or other buildings as military bases, militaries have an obligation to avoid using buildings near other highly populated buildings in order to protect civilians, and if they utilize these buildings, militaries should warn and evacuate civilians. Otherwise, the use of these buildings as de-facto military bases places civilians in the line of fire, and places their lives in danger, either through direct fire during combat or through missile strikes. However, the Armed Forces of Ukraine have repeatedly refrained from taking these precautions, resulting in numerous unnecessary civilian casualties. Despite the fact that much of the responsibility falls on the belligerent nation for preventing gratuitous civilian casualties and violence, responsibility also falls upon the defending nation to do everything in its power to avert these needless casualties(34).

## Taking measures to avoid targeting civilians and critical infrastructure

Russian attacks, particularly missile strikes, have been concerningly close to both civilian centers and critical infrastructure. Russia has deliberately bombed hospitals and medical facilities, with 703 cases recorded by the WHO as of November of 2022(35), while numerous incidents of intentional strikes against other critical infrastructure have been noted, causing civilians to lose access to heating, water, and energy, with the purpose of eroding Ukraine’s will to resist and destroying morale. In addition to targeting critical infrastructure, Russian forces continue to indiscriminately conduct strikes on civilian centers with the goal of terrorizing the civilian populace(36). All of these actions are illegal under international law because they endanger the lives and safety of civilians, and measures that avoid the strikes altogether or diminish their effects should be taken. The International Committee of the Red Cross has noted several means of preventing civilian casualties, including “the construction of shelters, digging of trenches, distribution of information and warnings, withdrawal of the civilian population to safe places, direction of traffic, guarding of civilian property and the mobilization of civil defense organizations are measures that can be taken to spare the civilian population and civilian objects under the control of a party to the conflict”(37).

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