Research Paper

Information Warfare and Human Rights during Russo-Ukrainian War

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Abstract
This article focusses on the infringement of Human Rights particularly due to emphasis on 'information' during the Russo-Ukrainian war. Informational war has changed drastically and battles on the ground are influenced by the cyber space. Operational narratives could be controlled by manipulating the cyberspace. In the Russo-Ukrainian war, information technologies are crucial. Thus, narratives are controlled by both sides in this war, and information flow management has consequences. In Russo-Ukrainian war, "information warfare" is becoming increasingly important. This piece examines how information war has led to a complete disdain for Human Rights. Moreover, the emphasis on 'symbolism' has decreased the value of human life. Occupying territory for informational advantage demands sacrificing human lives at a massive scale, winning the information war comes at the cost of sacrificing human rights. Furthermore, presence of mercenaries and other paramilitary organizations in the battlefield for informational value has become a significant threat to Geneva Conventions and Human Rights. Overall, this piece attempts to analyze the nature of 'information warfare' in Ukraine and connect it with increasing number of POW deaths. The data has been collected from open-sources and analyzed using content analysis techniques including critical discourse analysis.
Keywords: Geneva Convention, Information, Russia, Ukraine, War

I. Introduction

Nation-state and professional army wars were declining in the 21st century, nation states were said to have lost authority. However, on February 24, 2022, Russia announced a 'special military operation' in Ukraine, shocking the globe. A European power had actually decided for a full-scale offensive against its neighbor. After a year of bloody warfare, neither side had the power to destroy the other strategically. Thus, predicting this war's conclusion is difficult at best. However, the "information war" could help analyze the conflict in detail, especially how it has managed to devalue human life. To understand what is 'information warfare,' it is important to understand factors constituting the cyber domain. Cyberspace is becoming a major battlefield and information advantage is difficult to define, but one definition is operational advantage, resulting from ability to gather, process, and spread an unbroken flow of information while denying the same ability to the enemy (Paul, 2020).

This article uses open-source intelligence which includes a variety of methods to collect data. These includes scanning through sites like Twitter, Facebook, and Telegram where various accounts share real-time videos and data. These are often accessed by newspapers, which is later put out in the public domain. Open-source information suggests that the public could lawfully access the particular information. Bianna E. Ine suggests that open-source information could be termed as any information that could be used in an unclassified context without compromising national security or intelligence source and methods (Ine, 2011). The data has been originally retrieved from open-sources such as Twitter, however, for the ease of readers, sources associated with a particular information has been added in the footnotes. Content analysis has been used to study the various videographic evidence available from open sources. Critical discourse analysis techniques have been used to understand the underlying meanings of speeches and statements.

Social media is the main weapon in the worldwide information war in Ukraine. The US has clearly supported Ukraine in this cyberwar. Interestingly, US-controlled tech corporations allowed demands to murder Vladimir Putin on social media and demonized Russians as a race. Rogers mentions that Facebook has 2.7 billion users, Twitter 206 million, and YouTube 122 million. Thus, we can observe that controlling social media narratives gives power and influence. Rogers has pointed out that since the 1990s, three topics have dominated US National Security, Intelligence, and Defense (NSID) military debates. Information warfare, battlespace dominance, and network-centric warfare. IW has changed dramatically. As nation-state competition intensified, it moved from the battlefield to civilian life. Information warfare "endangers the functional viability of entire societies" (Rogers, 2021).

Highlighting significant atrocities may be part of propaganda in warfare. However, ignoring each side's war crimes is problematic. Cyberspace is harmful because it gives anyone direct access to the public. Actors can control operational narratives by manipulating it. Now anyone with internet connection may alter information flow, previously only governments and huge tech corporations could do so. Franklin and Lily argue that technology has changed war reporting by helping the public visualize combat. Satellites, smartphones, and laptops can report battle live. Journalists are now able to show the brutal aspects of war with ease. Morin states that technology has enabled propaganda, censorship, and control (Morin, 2021). Thus, communication technologies are as vital to modern warfare as weapons and tanks. Propaganda outperforms firearms and bullets. In a televised video-meeting Ukrainian president Volodymyr Zelensky requested western armaments. Ukraine received significant promises related to delivery of switchblade drones, javelin anti-tank missiles, stinger anti-aircraft missiles, and patriot air defense systems.

There was little doubt that Russian forces were far superior to Ukraine's. However, Ukraine's counter-information campaign helped Zelensky rouse the world. Social media and online manipulation helped Ukraine to a significant extent. Ukraine received a lot of western weapons and was driven to confront a much larger foe. However, Russia remained a significant force to reckon with, especially in information warfare. Russia started taking over broadcast towers and replacing Ukrainian media in its controlled territories, suggesting the implications of controlling narratives. In the Russo-Ukrainian war, information technologies are the most crucial. Thus, narratives are controlled by both sides in this war, and information flow management has consequences. In Russo-Ukrainian war, "information warfare" is becoming increasingly important and it has consequences for human rights. This piece also examines how information war has led to a complete disdain for Geneva Conventions. This piece argues that the reasons for increase in human rights violations in the war is linked with information warfare.

Propaganda in warfare

Introduction to 'information warfare' was first given by Thomas P. Rona in a study done in 1976, foreseeing advancement in technologies (Guttieri, 2022). However, this was more into the technical domain involving using of advanced weapons technologies like fly-by-wire. However, today 'information warfare' is used to describe both advanced military capabilities and the ability to shape public opinion at global level. 'Information warfare' should not only be understood as manipulating data to gain economic or strategic gain over the enemy, but it is also about justifying need for defense spending to the public. Cordesman and Hwang mentions that it is imperative for governments to justify defense budgets to the public (Cordesman & Hwang , 2022). Mostly, in the democratic countries, there is pressure on governments to increase defense budgets to meet perceived or real threats. Therefore, to justify an increase or decrease in defense budgets, governments are increasingly taking the help of propaganda. Therefore, propaganda is not only used in wartime, but it has lots of significance in peacetime.

Cyber operations in the present times are targeting people and influencing their beliefs, including impacting how they act. The cyber operations are also designed to make people mistrust governments. Nowadays, social media has become the tool for information warfare and it is evident. Prier suggests that information could be used as a means of warfare after development of Web 2.0 way back in 2006 which allowed users to create content and not just consuming available data. Open access ensured that people quickly realize the propaganda potential of internet (Prier, 2017). The very basis for declaring a 'special military operation' was achieved by extensive use of propaganda by Russian federation. Before declaring operations against Ukraine, Russia continuously brought up issues of Ukrainian attacks against Russian backed separatists[1]. These are termed as "false-flag operations," which are utilized to provide an intellectual basis for declaring military operations. These are parts of information warfare and are employed by parties to achieve particular objectives. Even before the war started in Ukraine, possibilities of a 'false-flag' operations by Russia became a trending topic. On 3rd February

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[1] Devlin. K, Horton. Jet al (2022) *Ukraine crisis: Is Russia staging 'false flag' incidents?* BBC News. Retrieved from Ukraine crisis: Is Russia staging 'false flag' incidents? - BBC News

2022 Russia was accused of devising a plot of false attack by using actors, it also involved Turkish drones as per statements of officials[2].

Many videos began to circulate online that included a claim by Russia that Ukraine has targeted pro-Russian population in Donbass region. For example, a video that was widely circulated just before Russia declared its operation showed a small house destroyed and along with it a man was shown to have lost one leg in a strike by Ukraine. However, on close inspection of the video, it was seen that the man actually had a prosthetic limb when he was being taken injured which implied that the particular injury occurred much earlier. There have been many such instances where Russia accused Ukraine of inflicting civilian casualties. This should not come as a surprise since the Russian military had already started massive military build-up around Ukraine[3]. Interestingly, even before the Russians began to extensively use propaganda, there was a lot of speculation in the media that Russia is going to use false-flag operations. In fact, this is probably the first time when intelligence agencies of western nations directly shared their information with common people. The British Intelligence services have gone as far as giving daily updates on their intelligence reports regarding movement of Russian troops. The idea of sharing intelligence reports with the general public is to shape the narrative. This was a lesson learnt by western nations during Russian annexation of Crimea in 2014[4].

Hacohen states that the modern-day issue-based approach is that we are expected to control events around us, even in warfare. However, war is an unpredictable phenomenon and it has unknown elements (Hacohen, 2017). We can observe that the events in wars remain outside human control nature of military conflicts is such that these have a tendency to spiral out of control. The battlefield is very dynamic and it is difficult to predict the outcome in a war. On paper, military capabilities could give a rough idea about a nation's war fighting potential, however it does not necessarily mean that a particular country will be able to deal a strategic defeat on its adversary in a real war. For instance, during the initial stages of Russian invasion of Ukraine, it was widely believed that Kiev would fall to Russian hands within days. The fears increased further with attempts to capture Hostomel airport near Kiev by Russian special forces[5].

However, things turned out to be very different and Russian forces had to withdraw from around Kiev after a large convoy of military trucks, tanks, support vehicles became stuck on its way. The particular Russian convoy was about 64 kilometers long[6]. Many tactical mistakes became apparent in this event which seemingly humiliated the Russian military. However, it would be too simple to draw such a conclusion. It became apparent that the western media was quick to highlight tactical failures of Russian forces. It is also equally important to understand that the narrative of tactical failures of Russian forces was widely propagated outside Russia with specific objectives. In spite of efforts by western media to control narrative of this war in Ukraine, the Kremlin retained significant control over information shared within Russia. There were significant restrictions imposed on information related to military-tactical failures in Ukraine. The Kremlin prevented Russian media from even describing conflict in Ukraine as a 'war' and instead directed media to describe it as a 'special military operation' which was aimed at freeing the Donbas region from Ukrainian nationalists. Words like 'war' and 'invasion' are restricted in Russia. Further, if anybody in Russia is found to be sharing so called "fake news," they may face up to 15 years in prison[7]. This was approved by the parliament of Russia, signifying importance of information in wars. Russia has restricted the media from sharing any details about military casualties. The speaker of lower house of Russia, Vyacheslav Volodin has stated that "I want everyone to understand, and for society to understand, that we are doing this to protect our soldiers and officers, and to protect the truth." The first part of this statement might be easy to understand as some information related to personnel in taking part in military operations must be restricted in order to protect the soldiers and their families. However, the second part relating to 'truth' comes down to controlling narrative of it and not conveying actual reality.

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Russian propaganda and its counter

Vladimir Putin undoubtedly calculated that manipulating the environment to accept Russian narratives would distract international pressure from Russia on Ukraine. During the 2014 invasion of Crimea, Putin's troops ran out of "information cover" and had to stop hybrid warfare. Bugayova mentions that over numerous years, Kremlin attempts to dominate the narrative only helped it affect Donbass residents (Bugayova, 2020). Although Kremlin's global narrative strategy was unsuccessful, it would be misleading to suggest that Russia had failed. Jackson and Lieber points out that after the Russian annexation of Crimea in 2015, the US government worried about Russian misinformation capabilities (Jackson & Lieber, 2020).

Russia's information/disinformation campaign remains a concern for the West. This suggests that Russia has greatly improved its "information warfare" capabilities. After losing "information cover," Russia reduced its offensives in eastern Ukraine. Thus, Russia may continue its actions against Ukraine until retains its "information cover". In the Western media, Ukraine is reportedly winning the "information war" against Russia. This is problematic because a country cannot fight without information control. On March 2, 2022, Twitter trended #IStand with Putin and #IStand with Russia. Thus, Volodymyr Zelensky's claim that he has won over the world is unfounded. Russia leads information warfare. Russian propaganda uses the letter "Z" against Ukraine. Russians have been writing the letter to support the soldiers. Western nations worry about more than Russian information prowess. Other countries are also involved in similar information operations as Roberts explains that China has also used social media to influence Hong Kong and Taiwanese Chinese (Roberts, 2020).

Russian special operations in Ukraine are allegedly for denazification. Interestingly, Nazi Germany committed war crimes against Ukraine during World War II, which has been deliberately ignored in Russian media which has led to most Russians favouring the actions in Ukraine for denazification process. People have started using "Z" to symbolise the necessity of defeating neo-Nazis in Ukraine. Russian equipment bears the "Z" emblem. This gives the Russian army moral authority to fight. Even if far-right militia like the "Azov Battalion" are rare in Ukraine. Thus, Russia has retained significant control of narrative in Ukraine. ISW states that Russia increased pressure on Ukraine in May 2020, after stalling of talks between pro-Russian separatist groups and Ukrainian government. Attempts were made by Russia to portray Ukraine as being an impediment to the peace process (Institute for the Study of War, 2020).

It can be observed that Russia started its information campaign back in May 2020. This was used by Russia to set the stage for its military operation against Ukraine. Idea of depicting Ukraine as being an impediment to peace process in the war[8] should be observed closely. Overall, the Kremlin is not lagging behind Ukraine in terms of providing "information cover" to its operations in Ukraine. Russian information warfare capabilities have not only been used against Ukraine, but it has also been used against its allies. Aslund mentions that it became evident from multiple investigations that Russia tried to influence US elections in 2016. Russia launched crippling cyber-attacks against US and its allies, Ukraine has also been one of the primary targets (Aslund, et al., 2021).

However, it is not that Russia has been able to dominate Ukraine in information warfare. Ukraine has been able to keep supplying its forces with advanced western weapons systems. This could be only possible due to the fact that Ukraine has been able to convince the western nations about war crimes committed by Russian army. The US has went as far as declaring that Russian military has committed war crimes[9]. The power of the information campaign has been such that people of Lithuania came together to raise 5 million Euros to buy a Turkish Bayraktar TB2 drones for Ukraine[10]. This shows that Ukraine has fought the information war quite successfully. Clark mentions that the Russian military had assessed that war is becoming unconventional in nature and the senior military leaders in Russia believe that it has been fighting a hybrid war with western nations (Clark, 2020). Maness points out that in addition to the data bases of French and US, Russian hacking fingerprints have been found in Ukraine, Georgia, Estonia, Lithuania and others (Maness, 2021). This shows the extensive reach of Russian information warfighting capabilities. Further, Russia has been using this tactfully to advance its national interests. Overall, these suggests that Russia wants to keep its influence over countries on its borders, by giving particular focus on cyber war.

Geneva Conventions

Choudhury and Jha pointed out that the third Geneva Conventions contains 143 articles and five annexures, dealing with protection and care of prisoners of war (POW). Prisoners of wars could be understood as

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[8] News 18 (2022) *Russian President Vladimir Putin Accuses Ukraine of Stalling Peace Talks*. Retrieved from Russian President Vladimir Putin Accuses Ukraine of Stalling Peace Talks (news18.com)

[9] Hansler. J & Herb. J (2022) *US formally declares Russian military has committed war crimes in Ukraine*. CNN Politics. Retrieved from US formally declares Russian military has committed war crimes in Ukraine - CNNPolitics

[10] Euronews (2022) Lithuanians collect €5 million, crowdfunding a Bayraktar drone for Ukraine. Retrieved from Lithuanians collect €5 million, crowdfunding a Bayraktar drone for Ukraine | Euronews

combatant who have fallen into enemy hands. The convention lays down that a legitimate combatant cannot be tried for acts committed during hostilities, unless the acts committed were in violation of laws of armed conflict. Article 4 of GC III specifies that the following categories of person could be considered POWs, if they are captured during an international armed conflict. These includes members of armed forces which is the most significant. There is another category of members of other militias, this includes volunteer corps, combatant associated with resistance movements, however they should fulfill four prescribed conditions to be considered POWs (Choudhury & Jha, 2020-21). However, second category of combatants in the war in Ukraine are having identity crisis as POWs. There are many reasons for this, at the beginning of Russian invasion, Ukraine started calling on international volunteers to help Ukrainian armed forces in their fight[11].

Ukraine attempted to create an 'international legion' which could help it to repel Russian attacks. However, the impact of these volunteer corps has been minimal at best as they had to bring in their own weapons and protective gear. 'Wali' who is known to be best sniper in the world, became inclined to support Ukraine and he became an important propaganda tool for Ukraine. However, his impact on the battlefield was very limited[12]. In such a scenario, the emphasis on human lives becomes secondary and controlling information remains the only goal. The soldiers from multiple nations are very difficult to be integrated in a single functioning military machine which also increases the risk to their lives.

According to Farhad Malekian, regulations of rules of war started in 1907 with Convention IV, according to which any bombardment in residential areas which are undefended including villages, dwellings and towns is prohibited. Hater explains that the war crimes have been committed by armed forces throughout human history. However, disagreement over what exactly constitute war crimes remains contested. The range of options include taking no prisoners at all or summary executions to judicial trials and sentencing (Hater, 2005). Information warfare possess significant threat to Geneva Conventions and it has become even more evident in Russo-Ukrainian war of 2022. Brown gives an interesting idea that it is important for the party using information warfare techniques should adhere to existing social norms. This is because information warfare ultimately relies on people's own judgement which is based on inputs that they are provided with (Brown, 2018).

It is seen that Ukraine has started its own war crimes investigations of POWs. It is difficult to deny in the presence of multiple evidences that brutal Russian bombardment of residential areas in Ukraine has led towards significant civilian casualties. Ukraine has not only tried Russian soldiers of war crimes but even ended up sentencing one soldier to life in prison[13]. Russia responded to this act by deporting about 1000 Ukrainian soldiers to Russia for war crime trials[14], these soldiers were the ones who put up a defiant stand in Azovstol Steel Plant in Mariupol. The decision by Ukraine to conduct war crime trials in between an ongoing war has backfired to an extent. Sentencing a single soldier to life in prison in between an ongoing war is not of much importance militarily. However, this should be viewed with the angle of information warfare. Ukraine put up a defiant message to the world community that it can put enemy soldiers into trials no matter what the Russian army is capable of. Earlier, more than 2500 soldiers (mostly consisting of Azov battalion) put up a so-called heroic defense in Mariupol for months even after being outgunned and outnumbered. This became a great propaganda material for Ukraine, however these soldiers had to surrender due to intense Russian bombardment and diminishing supplies[15].

Which was once an important information warfare tool for Ukraine became a vital propaganda material for the Kremlin. Russia was able to convey to its people that the far-right militia in Ukraine has been totally defeated and it is actually winning this war. However, what is more concerning is that pro-Russian separatists have been calling for death penalty for these soldiers captured in Mariupol[16]. This goes against the Geneva

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Conventions, which seems to have been teared apart by both parties in this conflict. The emphasis given by each side in winning the information war has resulted towards a total disregard for Geneva Conventions. The surrendered Azov battalion soldiers are being tried just for a comprehensive information war victory, portraying them as neo-Nazis help the Russian propaganda further and the Ukrainian cause is helped by portraying them as heroes. The incentive to sentence soldiers in between the war is far greater than ever before. Another problem arises as mentioned by Moller with the 'privatization of war.' Private military corporations are known for their corporate nature and they take part in diverse areas. These corporations engage in logistics, training, and combat (Moller, 2005). One such example is the infamous "Wagner Group" of Russia[17].

The presence of militias like Azov regiment, Wagner group mercenaries and international volunteers are important mostly from information war angle. However, these fighters complicate the process of integrating framework of Geneva Conventions in this war. They also threaten and blur the distinction between civilians and soldiers. Russia captured two international volunteers and has given hints that they may face death penalty[18]. The very suggestion that these fighters may face death penalty is a serious threat to Geneva Conventions. As mentioned earlier, there is significant Incentives to make a show out of these trials mainly for propaganda warfare purposes, which threatens well-being of the soldiers, mercenaries and volunteers fighting this war. Nevers has mentioned that the US government claimed that Geneva Conventions do not apply to "suspected terrorists" and they should not be given POW status (Nevers, 2006). This is the same basis used by Russia to prosecute Azov soldiers and captured international volunteers. Differentiating them from professional soldiers achieve two objectives, firstly it is easier to not give them POW status and secondly it becomes a great information warfare material and signifies righteousness of the parties in this war.

The Wagner Group has complicated matters even further with its involvement in the battle for Bakhmut. Yevgeny Prigozhin, the leader of PMC Wagner is said to have political ambitions, mainly in western media. He has become highly popular for recruiting about forty thousand prisoners from Russia and sending them as 'cannon fodder' in the gruesome urban battles of Bakhmut[19]. Western media has pointed out that Prigozhin has recruited these prisoners on the pretext that he will be giving them amnesty if they survive for six months in the battlefield (which period is extremely unlikely for these prisoners to survive). The biggest issue concerning the death of several thousands of prisoners is that Bakhmut itself has little strategic value as explained by military analysts[20]. There are speculations regarding why each side is committing thousands of soldiers in Bakhmut, a simple explanation is the 'symbolic' value of Bakhmut. The Wagner group wants to show that it can perform better than regular Russian armed forces units and hence it needs an achievement to show the world and especially Vladimir Putin. Bakhmut has been described as a "fortress" by Ukraine[21] which has increased its informational value, due to which it has become even more important for Wagner forces to capture. Due to the informational value of Bakhmut, each side wants to control it. For Ukraine it is a symbol of their resistance and for Wagner it is about proving themselves better than regular Russian military units.

The tactics adopted by Wagner groups to capture Bakhmut could be termed as inhumane in mild terms. *The Institute for The Study of War (ISW)* has pointed out how a group of prisoners are sent in the first wave to face Ukrainian defenders, they are followed by regular Russian armed forces, the prisoners are expected to die during these encounters. But in the process, they make it easier for other Russian forces to overwhelm Ukrainian defenders. The US has reported that the casualty numbers are approximately thirty thousand out of the forty thousand recruited with about nine thousand killed in action[22]. These numbers are only expected to rise further, the *British Ministry of Defense* reported that at times these Wagner forces are equipped with Shovels for brutal close-quarter hand-to-hand combat. It is alleged that Prigozhin is using these convicts as expendables to promote himself and the Wagner group, therefore it can be asserted that information has become the most important aspect in this war. The presence of prisoners in the battlefield in scale serves as a major threat to Geneva Conventions.

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 Retrieved from What is Russia's Wagner Group of mercenaries in Ukraine? - BBC News
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It is because the regular Ukrainian armed forces do not see the Wagner recruits as their counterpart, and it is very likely that they will not respect any protocols when it comes to dealing with prisoners. The Human Rights experts are also extremely concerned about human rights violations that are taking place due to Wagner group[23].

II.   Conclusion

Modern wars involve information warfare. Information war has shaped Russia-Ukraine conflict. Russia invaded Ukraine under its excuse. However, propaganda helped Ukraine secure western weapons and money. Ukraine has exceptionally performed against Russia in information/disinformation campaign. However, without an "information cover," Russia could not have maintained this war. Russian propaganda has largely targeted Russians and Russian speakers in Donbass. Ukraine's call for international volunteers has not helped militarily, instead Ukraine uses them for information advantage. Russia responded by demonizing Ukrainian military and international volunteers. Both sides have ignored Geneva Conventions because of emphasis on information warfare. The timing of Russia's mass trials of Ukrainian soldiers suggests prioritization of information warfare. Finally, both sides' information campaigns have multiplied POW deaths. Thus, the international community must take significant steps to protect captured combat fighters.

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