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## LEGISLATIVE TOOLS AGAINST AIDING AN AGGRESSOR STATE: ANALYSIS OF THE EXPERIENCE OF THE USA, THE UK, AND THE BALTIC STATES

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**Abstract.** The author analyzes legislative and law enforcement mechanisms for combating assistance to aggressor states in the United States, the United Kingdom, the Baltic States, and at the international level. The study examines historical precedents and legislative acts such as the Espionage Act of 1917, the Foreign Agents Registration Act of 1938, the Official Secrets Act of 1989, as well as international treaties such as the Geneva Conventions and the Rome Statute of the International Criminal Court. Specific cases, including the Rosenbergs, John Walker, Ana Montes, Kim Philby, George Blake, and modern instances of Russian espionage, are analyzed. Particular attention is given to measures taken by the Baltic States to counter Russian aggression, including criminal liability for collaboration with the aggressor, bans on pro-Russian organizations, and information security control. The conclusion highlights the importance of utilizing international law and national legislation to combat assistance to aggressor states and explores the potential application of this experience in Ukraine.

**Key words:** aiding an aggressor state; U.S. legislation; UK legislation; Baltic States legislation; international law; war crimes; espionage; collaborationism; sanctions; information security; Geneva Conventions; Rome Statute; International Criminal Court; combating aggression; national security.

**Introduction.** The issue of countering collaboration with an aggressor state has become one of the most pressing challenges in the context of full-scale warfare. As international law and national security systems evolve, the need for effective mechanisms to address and punish those who assist aggressors is critical in maintaining the integrity and sovereignty of a nation. In times of armed conflict, when a state is under attack, internal threats posed by collaborators can be as dangerous as external military forces. These individuals not only undermine the defense capabilities of the state but also contribute to social, political, and economic destabilization. In this regard, the international community has a crucial role to play in providing legal instruments and support to isolate the aggressor, while national authorities must ensure rigorous legal frameworks to address and eliminate collaboration. **The purpose of the article** is to analyze legislative and law enforcement mechanisms for combating assistance to aggressor states in the United States, the United Kingdom, the Baltic States, and at the international level.

**Materials and methods of research.** This research employed a comprehensive set of methods aimed at thoroughly examining the issue of aiding an aggressor state within both international and national legal frameworks. First and foremost, an analysis of legislative acts was conducted. This included the examination of legal instruments of the United States, such as the Espionage Act of 1917, the Foreign Agents Registration Act of 1938, and provisions of the U.S. Constitution. The legal framework of the United Kingdom was also studied, particularly the Official Secrets Act 1989, the Terrorism Act 2000, and the Counter-Terrorism and Security Act 2015. Additionally, attention was paid to the modern criminal codes of the Baltic states – Lithuania, Latvia, and Estonia. The research further encompassed major international legal instruments, including the Geneva Conventions and the Rome Statute of the International Criminal Court.

As part of the analysis of historical precedents, several high-profile cases that shaped the enforcement of national security laws were examined. These included the cases of Julius and Ethel Rosenberg, John Walker, Ana Montes, Kim Philby, George Blake, as well as more recent instances of Russian espionage in the 21st century.

The comparative method was applied to examine and contrast legislative approaches and law enforcement mechanisms used in the United States, the United Kingdom, and the Baltic states to counteract collaboration with an aggressor state. This facilitated the identification of effective strategies that could be adapted for application in the Ukrainian context.

Furthermore, a systemic analysis was employed to consider anti-aggression efforts as an integrated framework. This encompassed criminal liability, international sanctions, measures for information security, and intergovernmental cooperation.

Finally, a method of generalization was used to summarize the findings derived from the study of various sources, legal cases, and scholarly opinions. This allowed the formulation of key trends, challenges, and prospective developments in the fight against collaboration with an aggressor state, with due regard to current threats to national and international security.

**Main part.** This article examines the multifaceted challenges of combating collaboration with an aggressor state, the mechanisms of international law, and national strategies aimed at preventing and punishing such acts.

**The United States** has a developed system of legislative and law enforcement mechanisms for combating complicity with aggressor states. This system is based on historical precedents, legislative acts, and control mechanisms that ensure national security and protect state sovereignty.

Enacted during World War I, this law criminalizes the transfer or disclosure of information that could threaten the national security of the United States or benefit foreign enemies. The Act prohibits espionage, interference with military operations, and other actions that undermine the country's defense capabilities. Penalties for violating this law range from significant fines to life imprisonment, and in some cases, the death penalty. Since its enactment, it has been actively applied during the world wars, the Cold War, and remains an important tool for combating information leaks in modern times (Murphy, P. L., 1979).

This law aims to identify individuals and organizations that act in the interest of foreign states and engage in political or propaganda activities within the United States. Registration requirements include mandatory registration with the U.S. Department of Justice for all individuals or companies conducting activities on behalf of foreign governments. The FARA imposes requirements for financial transparency, particularly concerning the disclosure of funding sources and the nature of the activities. Violations of this law carry criminal liability.

The U.S. Constitution (Article III) mandates severe penalties for treason, which is defined as waging war against the United States or aiding its enemies. For a treason conviction, evidence must be presented, including testimony from two independent individuals or a written confession from the accused. Treason is considered the most serious crime in U.S. law, and its punishment can be very severe.

Julius and Ethel Rosenberg were accused of passing secret information about U.S. nuclear weapons to the Soviet government. Julius was an electrical engineer, and Ethel was his wife. They were arrested in 1950 and sentenced to death for espionage in 1951. The trial of the Rosenbergs became a major political and legal scandal. Despite numerous appeals and attempts to obtain clemency, they were executed by gas chamber on June 19, 1953, in a U.S. prison.

John Walker, a former U.S. Navy officer, was convicted of espionage on behalf of the USSR. In 1968, Walker began transmitting secret military data to Soviet intelligence officers. He was arrested in 1985 and confessed to his crimes. John Walker was sentenced to life imprisonment for espionage. This case became one of the largest espionage scandals of the time, as Walker had provided the USSR with documents related to military ships and U.S. strategic plans.

Ana Montes, an analyst at the U.S. Department of Defense, was convicted of espionage on behalf of Cuba. Over a period of 16 years, she transmitted secret information about U.S. military and intelligence operations to the Cuban government. Montes was arrested in 2001, and in 2002, she confessed to her crime. She was sentenced to 25 years in prison. Her activities were uncovered after the FBI received information from Cuban dissidents (Murphy P. L., 1979)

These cases are important examples of the application of strict legal measures against individuals who harm U.S. national security. The decisions regarding the punishment of such offenders send a clear message about the importance of protecting state sovereignty and maintaining trust in the institutions that ensure the safety of the country's citizens.

**The United Kingdom** has one of the strictest systems for combating complicity with aggressor states, based on laws regarding official secrets, anti-terrorism acts, and common law precedents.

The Official Secrets Act (1989) updated previous versions of the law (1911, 1920, 1939), increasing penalties for the disclosure of classified information (Kohn S. M. (1994)). The key provisions of this law criminalize the leak of information that could harm national security or assist a foreign state. The law applies not only to military personnel and intelligence officers but to any individuals who have access to confidential information.

Unlike the United States, the United Kingdom does not have a legal justification for disclosing secrets in order to expose governmental abuses of power. This law has been actively applied in espionage cases and information leaks, including the case of Katharine Gun (2003), who leaked secret information about British-American spying on the UN ahead of the Iraq War, as well as the investigations into WikiLeaks and Edward Snowden, which jeopardized national security by leaking data about British intelligence services.

The United Kingdom's anti-terrorism legislation is among the strictest in the world, and its provisions extend to individuals who support aggressor states. Key acts regulating the fight against terrorism include the Terrorism Act (2000), which criminalizes aiding terrorist organizations even abroad, and the Counter-Terrorism and Security Act (2015), which grants the government broad powers to prosecute individuals supporting hostile states or militants, including the possibility of stripping them of British citizenship (The Terrorism Act, 2000). The law also criminalizes funding terrorist organizations and hostile regimes. A significant development occurred in 2023, when the British government discussed expanding anti-terrorism laws to combat individuals who openly support Russia's aggressive actions in Europe.

The British legal system is based on precedents, allowing for flexible adaptation of legislation to new circumstances. Historically, well-known cases of punishment for aiding enemy states include Kim Philby (1963), a double agent who spied for the USSR and fled to Moscow after his exposure, and George Blake (1966), a KGB spy who was sentenced to 42 years in prison but escaped to the USSR. Recent cases of Russian espionage (2020–2023), when British counterintelligence MI5 uncovered Russian espionage networks linked to political influence and cyberattacks, demonstrate the UK's high level of readiness to address any threats to national security.

Thus, the United Kingdom employs a strict approach to combating agents of aggressor states, which includes legislation that allows for the prosecution of spies, terrorist agents, and individuals supporting hostile states. This practice may serve as an important precedent for other countries, including Ukraine, in strengthening control over potential agents of influence.

**The Baltic States – Lithuania, Latvia, and Estonia** – share a common historical experience of Soviet occupation, which has shaped their distinct stance towards the threat posed by Russia, a factor that continues to contribute to regional instability. In response to contemporary aggressive challenges, these countries have developed strict legislation aimed at combating collaboration with aggressor states. They have introduced criminal liability for cooperation with the enemy, banned pro-Russian organizations, and maintain continuous monitoring of information security.

Following the onset of Russia's full-scale war against Ukraine in 2022, the Baltic countries updated their criminal codes, imposing harsh penalties for any form of collaboration with the aggressor. Lithuania, according to Article 118 of its Criminal Code, punishes recruitment or assistance to hostile forces, funding hostile activities, or participation in information campaigns that support the aggressor with up to ten years of imprisonment. Latvia, in turn, provides for criminal liability for justifying or supporting the war, even through social media. Estonia, which has one of the strictest legislations in this regard, punishes individuals for any illegal contacts with representatives of the aggressor state. (Bieliūnas, E., Švedas, G., & Abramavičius, A., 2010). These measures are actively applied to punish individuals cooperating with Russian occupiers or supporting their propaganda.

An important component of the Baltic States' policies is also the fight against pro-Russian political movements and organizations. For example, the Republic of Latvia has banned the activities of the so-called "Russian Union of Latvia," an organization openly supporting Kremlin policies, while Lithuania has dismantled pro-Russian movements attempting to influence public opinion through mass media and social networks (Demchenko O., 2022). The Republic of Estonia has also revoked the licenses of Russian-language media outlets that spread disinformation. Such actions are crucial for minimizing Russian political influence and preventing cooperation with the aggressor through information channels (Kudin O. Borotba Estonii, 2024)

Another significant direction is criminal responsibility for supporting Russian aggression. Latvia passed a special law criminalizing financial or moral support for the war, including donations to Russian military or funds, participation in events that justify aggression, and receiving money from Russia for political or public activities. This allows for severing financial ties with Russia and halting support for pro-Russian agents (Makhmurova-Dyshliuk O. P. 2024, p. 170)

**The Baltic States** are also taking stringent measures to ensure information security. They have banned the broadcasting of Kremlin propaganda channels such as RT, Sputnik, and Russia 24, as well as Russian-language content that justifies Russia's aggression. Such restrictions are an effective tool in combating information diversions that foster support for aggressive actions among the local population (Kudin O., Borotba Latvii, 2024)

The Baltic States pay particular attention to the fight against collaborationism. Latvia has passed a law allowing the revocation of citizenship for individuals who support Russia's war, including those with dual citizenship who publicly approve of Russia's aggression or cooperate with enemy intelligence services. Lithuania and Estonia are also considering similar measures (Demchenko O., 2022)

By employing a comprehensive approach, including strict criminal legislation, the banning of pro-Russian organizations, and control over information security, the Baltic States effectively counter hybrid threats posed by Russia. Ukraine may adopt this experience as a foundation for improving its mechanisms for combating collaborators and influence agents, considering its unique political and social context.

International law defines clear measures for combating collaboration with an aggressor state, including the prohibition of cooperation with occupiers, the imposition of sanctions on organizations and individuals aiding aggression, and criminal liability for war crimes.

One of the fundamental documents in this context is the Geneva Conventions, particularly the Fourth Convention, which regulates behavior during occupation

(The Geneva Convention, 1949). According to Article 49 of this Convention, forcible displacement or deportation of the population from occupied territory is prohibited, which directly bans practices aimed at displacing civilians from their native lands. Additionally, Article 51 prohibits the forced conscription of residents of occupied territories into the aggressor's army, indicating the inadmissibility of coerced labor or military mobilizations. Article 4 of Additional Protocol I defines cooperation with the occupier as a violation that harms the civilian population. Such collaboration, including collabo-

rationism, deportation, and assisting the occupiers, is recognized as a war crime under international humanitarian law (Pysmenskyi Ye. O., Movchan R. O. 2022, p.357)

The Rome Statute of the International Criminal Court is particularly important, as it stipulates individual criminal responsibility for aiding the commission of war crimes. Article 25 defines that any assistance in committing crimes such as genocide or war crimes can lead to accountability. Furthermore, Article 8 directly classifies collaborationism and assisting occupiers as war crimes, while Article 7 establishes responsibility for deportation, forced displacement, or discrimination in occupied territories. These provisions of the Rome Statute allow for the prosecution of individuals cooperating with an aggressor, including through international judicial mechanisms such as international tribunals.

The United Nations and other international organizations have also actively applied sanctions to counter support for aggressors. Resolution 3314 of the UN General Assembly (1974) defines aggression as a crime against international peace, and providing assistance to an aggressor as criminal activity. The imposition of sanctions under UN Security Council Resolution 2209 (2015) allows for restrictions on individuals supplying arms or financing the aggressor. Additionally, the sanctions lists of the EU, the USA, and the G7 prohibit entry and freeze assets of individuals supporting aggression, which, in turn, leads to the isolation of the aggressor at the international level. Precedents set by international tribunals, such as the Nuremberg Trials, the International Criminal Tribunal for the former Yugoslavia, and the International Criminal Tribunal for Rwanda, show that aiding an aggressor can be punished as a war crime. These tribunals have created legal precedents in which individuals assisting the aggressor are subject to prosecution. Specifically, the tribunals convicted individuals who supported war crimes, ethnic cleansing, and genocide, providing the opportunity to hold accountable those who contribute to aggression, as evidenced in contemporary situations (Havroniuk M., 2022)

In the context of Russia's war against Ukraine, international institutions have increasingly applied mechanisms of international law to combat accomplices of the aggressor. The European Union is developing legal instruments for the confiscation of assets belonging to those supporting Russia, while Ukraine has referred to the International Criminal Court to investigate crimes committed by the occupier's accomplices. Furthermore, the expansion of sanctions lists includes not only businessmen and politicians but also media outlets that support Russian aggression. This demonstrates that international law is a powerful tool for combating assistance to an aggressor state on a global scale, and that mechanisms for punishing assistance to an aggressor are fully operational.

Thus, international law clearly defines responsibility for cooperation with the aggressors, including war crimes, sanctions, and individual criminal responsibility. Ukraine could effectively use these legal instruments to bring Russian accomplices to justice and create conditions for the international isolation of the aggressor. (Bieliūnas E., Švedas G., Abramavičius A. 2010, p. 301)

Based on the aforementioned, it can be stated that combating collaboration with an aggressor state is an extremely complex and multifaceted task that requires a strategic approach at both the international and national levels (Aktual'ni shlyakhy, 2021).

To ensure that national security is at a high level, it is important to have a system capable of effectively identifying and neutralizing internal threats, including collaborationist activities and other forms of cooperation with the enemy (Rubashchenko A. M. 2022, p. 136)

In countries where national security is a top priority, justice and law enforcement systems do not hesitate to impose strict punishments on individuals cooperating with aggressor states. An important aspect is that such crimes receive an unequivocal evaluation in society: they are perceived as a betrayal of national interests and therefore rightfully face universal condemnation. A strong response from both the state and the public contributes to the formation of a firm public opinion that condemns any form of assistance that undermines the country's defense capabilities and independence (Statut Mizhnarodnoho viiskovoho trybunalu, 2025).

The issue of collaboration becomes particularly relevant when a country is experiencing external aggression. In the context of Ukraine, which is currently fighting Russian aggression, the problem of collaborationism becomes critically important. Cooperation with the enemy, undermining the defense capability of the state, essentially allows the aggressor to strengthen its position in the occupied territories, which not only poses a threat to national security but also results in social and political destabilization (Holinka M. I. 2023, p. 256).

Therefore, the issue of collaboration is highly urgent, and resolving it requires the development of a clear and effective strategy at the level of law enforcement agencies, judicial institutions, and the wider public.

One of the main areas of combat is increasing criminal liability. Legislation should clearly define all forms of assistance and prescribe strict penalties for them. (Griffin J. 1989, p. 273). This includes espionage, terrorism, financing enemy forces, as well as propaganda that undermines the moral spirit of the population and supports the enemy. Legislative bodies must actively work on improving the regulatory and legal framework to effectively combat such crimes (Syniuk O., Luniuva O. 2023).

Additionally, an important element is the creation and implementation of effective mechanisms for detecting and investigating assistance crimes. This requires not only adequate funding for law enforcement agencies but also granting them the necessary powers to respond promptly. It is crucial that the mechanism for identifying collaborators is impeccably honed at all stages – from investigation to judicial review (Statut Mizhnarodnoho viiskovoho trybunalu, 2025)

**Conclusions.** An important aspect is ensuring the inevitability of punishment. Only when people know that every crime of assisting the aggressor state will be thoroughly investigated and punished, can high effectiveness in this fight be achieved. At the same time, it is important to prevent situations where individuals with high status or special connections may avoid responsibility through political influence or other methods.

(Griffin J. 1989, p. 273). The formation of public condemnation is another key factor. It is crucial to conduct a continuous information campaign to establish a zero-tolerance attitude toward collaboration/ Highlighting instances of collaboration in the media, actively involving civil society organizations in combating this issue, and enhancing legal education could serve as effective tools in shaping society's unwavering stance on such crimes. Without active civil society, which will not tolerate traitors, the state will struggle to achieve success in combating internal threats (Kraiiia V., 2024)

In general, to ensure effective combat against collaboration, it is important not only to strengthen the legal system and law enforcement agencies but also to develop a resilient national policy that leaves no room for tolerance toward cooperation with the enemy. Only such an approach will ensure an adequate level of national security and protect the country from both internal and external threats. The issue of combating collaboration with an aggressor state has become increasingly critical, particularly in the context of full-scale wars. Throughout history, the involvement of internal collaborators has often been as dangerous as external military aggression, undermining the defense, stability, and unity of the state. As demonstrated in the cases of the Baltic States, the response to such collaboration must be multifaceted and comprehensive, combining strict legal measures, international sanctions, and effective mechanisms of accountability.

National legal systems should be strengthened to ensure a clear and unambiguous legal framework for prosecuting those who aid the aggressors, including through mechanisms such as criminal law, asset confiscation, and restrictions on political participation. This should be accompanied by a firm commitment to international law, with countries actively supporting mechanisms such as international tribunals to hold perpetrators accountable.

Countries under attack should implement clear strategies that aim to prevent and punish assistance to the aggressor at all levels, including through measures that target specific forms of aiding the aggressor such as espionage, financing hostile forces, and supporting propaganda efforts. These

strategies should be part of a broader national security policy that does not leave room for tolerance toward any collaboration with the aggressor.

In addition to these legal measures, fostering a strong public awareness campaign is crucial. A national culture of zero tolerance for aiding the aggressor should be promoted, and the role of civil society organizations in identifying and denouncing those who assist the aggressor should be encouraged. Media outlets and educational programs should contribute to reinforcing the notion of national betrayal and the importance of resisting foreign aggression. (Aktual'ni shlyakhy, 2021).

Finally, international cooperation remains vital. Sanctions imposed by international organizations, such as the European Union and the United Nations, provide essential tools for isolating the aggressor and curbing the flow of support to the occupying state. Countries under attack must actively participate in international efforts to curb assistance to the aggressors, utilizing diplomatic channels and international legal mechanisms.

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