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COMBATING ILLEGAL MIGRATION AS A TYPE OF MARITIME TERRORISM IN UKRAINE IN THE CONDITIONS OF WAR IN 2022

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The hybrid war launched by Russia in 2014 against Ukraine turned into direct aggression against Ukraine on February 24, 2022. The issue of liberating territories captured by the enemy is a priority for Ukraine in the conditions of martial law, but leaving the state's borders unattended at such a difficult time is dangerous and impractical. Therefore, the issues of protecting the water borders of Ukraine and maritime terrorism related to them are particularly acute. Maritime terrorism, in the generally accepted sense, is a set of socially dangerous acts committed in the territorial waters of Ukraine, which cause serious consequences and represent a significant threat to the universally recognized principle of «freedom of the high seas» [3, p. 105]. Such acts are carried out in general, sea terrorists are often illegal migrants. This provision provides for consideration of the negative origins of the concept of illegal migration in our country and the efforts of the Navy of the Armed Forces of Ukraine to fight it in the conditions of the 2022 war. It should be noted that one of the ways of illegal migration to our country is by sea. It is characterized by economic terrorism without violence, which involves illegal sea transportation of people, citizens of other countries, which form the basis of illegal migration. All this is one of the directions of illegal economic activity. Recently, there has been a merging of political and economic types of maritime terrorism [5, p. 48]. If the economic type of maritime terrorism with illegal migration involves the illegal enrichment of the Ukrainian criminal oligarchy, which organizes such illegal sea transportation of people from other countries as a living commodity – cheap labor for the enterprises of the oligarchs,

then the political type of maritime terrorism involves illegal migration of foreigners sent by international terrorist organizations and special services of foreign countries to carry out political subversive activities in our country, destroy the sovereignty and national unity of the Ukrainian people, undermine the foundations of democracy and independence of Ukraine [3, p. 103]. We will single out the aspects that determine the impact of illegal migration on the growth of maritime terrorism in modern Ukraine, which harms our state and involves improving the activities of the Navy of the Armed Forces of Ukraine in the fight against illegal migration in the territorial waters of Ukraine. Socio-political aspects foresee the intensification of intrastate and international conflicts in the coastal areas of Ukraine; decrease in the presence of state military fleets of other countries in the nationwide Ukrainian seas; strengthening the fight against the growth of illegal migration, the fight against the support of illegal migrants by the local population, ethnic groups, and in some cases – by state institutions and state governments; the fight against the recruitment of criminal groups from illegal migrants by former fighters of special forces operating at sea. An example of the socio-political aspect of the military conflict in the coastal areas of Ukraine was Russia's attacks on the Ukrainian island of «Zmiiny», which began on February 24, 2022, with a missile attack on the Ukrainian border garrison on the island. «Zmiiny» during the full-scale Russian invasion of Ukraine and the subsequent seizure of the island. On June 30, 2022, the Russian garrison was hastily evacuated. On July 4, «Zmiiny» Island returned to the control of Ukraine, the State Flag of Ukraine was delivered to the island by helicopter. The military de-occupation operation has been completed and the territory has again been returned to the jurisdiction of Ukraine. According to publicly available and non-secret sources of information, the planning and management of the operation to liberate «Zmiiny» Island was carried out by the command of the 73rd Separate Special Purpose Marine Center. The soldiers of this center made up the main part of the consolidated group, engineers of the 59th separate motorized infantry brigade, fighters of the GUR of the Ministry of Defense and the 801st separate detachment of the Navy of Ukraine were involved in the operation [6].

The legal aspects that determine the impact of illegal migration on the growth of maritime terrorism in modern Ukraine indicate the imperfection of the legal status of maritime territories and the regime of coastal areas of Ukraine, the inconsistency of the existing legal framework with the modern needs of shipping safety and the fight against illegal migration at sea; insufficient participation of international organizations in ensuring compliance with the shipping regime; the imperfection of the system of government and judicial bodies in the coastal sea regions of our state and neighboring states; inconsistency in the formation and imperfection of the legislation regarding the participation of the resources of the Armed Forces Navy in operations at sea in the fight against illegal migration. A negative example of such actions is the events of February-March 2022, when the

maritime terrorist country Russia (according to the Maritime Border Service of Ukraine), under the guise of a humanitarian mission, tried to create for itself a «human shield» of civilian vessels for shelling Ukraine with impunity. From February 24, 2022, the Russian Federation began to block and mine Ukrainian ports, shelling commercial vessels and port infrastructure. The aggressor state purposefully destroyed and is destroying grain and fuel warehouses, laboratories, railway infrastructure and oil refineries with missiles. Ukraine and the UN faced the task of how to completely unblock the ports in order to avoid a global food crisis and world hunger. It required recognition of the actions committed by the Russian Federation as threatening both Ukraine and the whole world, as well as appeals for help to the world community. The Verkhovna Rada of Ukraine appealed to the United Nations, the European Parliament, the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, the governments and parliaments of foreign countries to condemn the aggression of the Russian Federation in the areas of the Black and Azov Seas and the Kerch Strait: «Providing aid to Ukraine as victims of aggression in the exercise of the inalienable right to self-defense, as well as taking effective collective measures to eliminate the threat to peace and curb acts of aggression by the Russian Federation in the areas of the Black and Azov Seas and the Kerch Strait, in particular, conducting operations to ensure freedom of navigation».[1] In from a legal perspective, Ukraine faces the task of preparing and approving the Maritime Security Strategy of Ukraine in the future. Socio-economic aspects that determine the impact of illegal migration on the growth of maritime terrorism in modern Ukraine foresee the rapid development of merchant shipping; the rooting of illegal migration as an integral component of local traditions and lifestyle, a means of earning; ease of purchasing vessels for a relatively low price; institute of flag courtesy («cheap flag»); insufficient financing of the needs of the Navy of the Armed Forces. In the conditions of the war with Russia, illegal migrant workers rarely appear at the maritime borders of Ukraine due to the suspension of most of the production in the conditions of martial law and the threat to life safety [5, p. 45]. The forces and means used by the Armed Forces Navy in the fight against illegal migration today are surface forces, naval aviation and care teams. The tasks of the Armed Forces Navy during operations to combat illegal migration in the territorial waters of Ukraine are: • conducting reconnaissance and monitoring the surface situation • conducting a constant exchange of information between the headquarters of operations and the headquarters of the Armed Forces Navy • demonstrating presence in the area to deter illegal actions • conducting surveillance operations. Based on publicly available and non-confidential sources information, we can predict that the following can be used for this: • Surface forces – frigates, corvettes, helicopters, etc., not involved in the war with Russia. • Maintenance teams – Separate anti-submarine forces and means detachment and a separate marine infantry battalion

• Primary national contact point of the Navy of the Armed Forces of Ukraine. As a conclusion, we note that the use of the Naval Forces in the fight against illegal migration determines the following aspects: socio-political, legal and socio-economic; which will help to systematize the work of the Navy of the Armed Forces of Ukraine in the fight against the growth of maritime terrorism in modern Ukraine, which harms our state and provides for the improvement of the activities of the Navy of the Armed Forces of Ukraine in the fight against illegal migration in the territorial waters of Ukraine.

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