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Terrorism: The Case of Donbas and Ukraine

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Terrorism: The Case of Donbas and Ukraine

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In 2014, the Crimean Peninsula was pseudo-legally annexed by the Russian Federation after months of internal turmoil (the “Euromaidan crisis”) that ousted then-President Viktor Yanukovich. This crisis, which began in November 2013, would turn into the most intense conflict in Eastern Europe since the Russian Federation was formed in the aftermath of the fall of the Soviet Union. The annexation, along with the declaration of independence by the oblasts of Donetsk and Lugansk would see several non-state actors (notably the People’s Republic of Donetsk, the People’s Republic of Lugansk, and Cossack Separatists) rise in opposition to the pro-Western forces in Ukraine. The sum result is a complex, multiparty conflict essentially frozen in a ceasefire declared in 2015 as a result of the Minsk Protocol (II).

During this time, terrorism proliferated dramatically in the region. One of the main allegations by Ukraine is that Russia has failed to stop acts of terror originating from its intelligence and finance institutions, particularly in the aftershock of the downing of Malaysian Airlines Flight MH17, a civilian flight that was shot down over contested territory.¹ Further, Russia has obfuscated its role in Ukraine by using “little green men” (unmarked military units) to manage the international response to their involvement in the conflict.² These units would later be identified as Russian *Spetsnaz* forces and would debut a new form of engagement (“hybrid warfare”) to the forefront of warfare.

This study uses the Global Terrorism Database (GTD) to examine the nature of terrorism in Ukraine. According to the GTD, 1690 incidents of terrorism occurred in Ukraine alone between 2014 and 2018. For reference, the database catalogues 1775 instances of terrorist events in Syria – a conflict region much more easily identifiable as having actors involved in terrorism – during the same period.

¹ Khaldarova and Pantti (2016)

² Reeves and Wallace (2015)

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Quantitatively speaking, this dataset has catalogued a set of terrorism events within Ukraine that is comparable to one of the most intense conflict regions in contemporary history.

The difficulty of this dataset is twofold: first, disentangling the notion of “real” terrorism events from nominally ordinary combat tactics, and second, discerning the relationship between non-state actors and their sponsors. This is a particularly sensitive case, as the results of this study may qualitatively implicate Russia in state-sponsored terrorism – a determination that the United States has traditionally reserved for the “axis of evil.” Likewise, the Ukrainian government does not have clean hands in this conflict through its use of extreme proxy-forces. Thus, this study will pay close attention to the constellation of terrorism, non-state actors, and state-sponsored terrorism through open-source intelligence sources to determine the nature of terrorism in Ukraine.

Defining Terrorism in Ukraine

When searching for a proper definition of terrorism, the primary issue depends on the circumstances in which the term is invoked. In Ukraine, terrorism has been invoked as a legal mechanism to legitimize military action against separatists through the “anti-terror operations zone” (ATO).³ Though this was abandoned in 2018 in favor of the “Joint Forces Operation” (JFO), it should be noted that for the most intense parts of the conflict, specifically those that determined the relatively stable boundaries of the JFO, the determination of the ATO included that of “valid” Russian forces involved in the conflict as well as terrorist forces.⁴

To study terrorism in Ukraine accurately, then, requires separating events within the boundaries of the conflicts between 2014-2015 in the ATO territory. Events categorized as terrorism by the GTD outside this territory are much easier to justify as terrorism. For instance, in May 2014, two unsuccessful

³ “Про тимчасові заходи на період проведення антитерористичної операції” (2014).

⁴ Uacrisis.org. “Old War, New Rules: What Comes next as ATO Ends and a New Operation Starts in Donbas?” 2018.

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Fig. 1 – Map illustrating the dominant conflict regions in Ukraine (Donetsk, Lugansk, Kharkiv, and Crimean Peninsula) marked with all incidents of terrorism colorized according to partisanship to Russia and Ukraine (and other/unknown)

perpetrators were detained after an explosive they were carrying began to smoke in the Arsenalnaya subway station in Kiev city.⁵ The targeting of civilian populations by two individuals outside a conflict zone on public transportation is indisputably terrorism. An attack on Ukraine troops by a Donetsk People’s Republic outfit in Sloviansk in the same week, however, presents a more difficult case. In this situation, it seems the only reason this event was included as a “terrorist incident” was because the Interior Minister Arsen Avakov posted to Facebook that “We estimate that **the terrorists** lost more than 30 people.”⁶ However, a deeper examination of the “pro-Russian extremists” in Sloviansk reveals a much more complex picture: according to a 2015 international law study, Ukrainian separatists share approximately

⁵ GTD Event ID: 201405090106.

⁶ Reuters. 2014. “Ukraine Says More than 30 Separatists Killed in Sloviansk Fighting.” Emphasis added. GTD Event ID: 201405050062

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the same conditions of combat engagement if they meet the same standards as valid combatants affiliated with the Ukrainian armed forces, so long as they are clearly identifiable. As Fig. 2 suggests, although these are not clearly demarcated military units, they are very clearly armed, valid combatants in the internal Ukrainian conflict. The behavior of some the separatists in this battle, when examined



Fig. 2 – “Pro-Russian extremists” outside the Sloviansk police station (Kyiv Post)

further in the context of ethnic cleansing to the Roma people living in Sloviansk, may very well be illegal – even though terrorism, ethnic cleansing, kidnapping do often overlap (i.e., ethnic cleansing of Yazidis in Syria), these are thin arguments for construing activities as terrorism.⁷ Further, the context of the Battle of Sloviansk was important as the first units to engage the separatists were members of S14, an extreme far-right organization used as first wave shock troops.⁸ This presents an even more difficult problem for conflict management for Ukrainian strategy, as these armed forces ostensibly fall under “unlawful combatants” such as mercenaries or members of a non-State armed group.⁹ Thus, the rhetorical strategy of framing an ostensibly legitimate irredentist movement as terrorism deepens both the strategic and political benefits of construing the management of the conflict as against terrorism.¹⁰ In the evaluation of

⁷ Chervonaruta (2014). “A Wave of Gypsy Pogroms Has Swept over the Donetsk Region.” These activities, if taken by soldiers, are more accurately defined as war crimes rather than terrorism.

⁸ Юрий, Бугусов (2016). “Дмитро Ярош: ‘Перший наступальний бій війни відбувся 20 квітня 2014-го - добровольці атакували блокпост під Слов’янськом.” “Sector 14” (S14) is a neo-fascist white supremacy organization (see: David Lane’s “14 words”) and is listed in several entries in the GTD.

⁹ Reeves and Wallace (2015) “The Combatant Status of the “Little Green Men” and Other Participants in the Ukraine Conflict,” p. 389. It is important to note that at the time this review was written, S14 was may have been considered a nationalist movement not under the direct control of Kiev. It has now since surfaced that interim-President Turchynov specifically used S14 to engage the separatist forces occupying Sloviansk. Further, although it may be easy to view the DPR and LPR as non-state actors, it is important to see that they present themselves as members of the armed forces of a state (Novorossiya, or their own People’s Republics), rather than auxiliary units acting on the behalf of a state.

¹⁰ Pokalova, E. (2010), “Framing Separatism as Terrorism: Lessons from Kosovo.”

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political violence by the GTD, the START program has chosen to include a plethora of questionable incidents into the repertoire of terrorism studies. However, as we will see, their inclusion still serves a useful purpose for the study of terrorism.

To the best knowledge of the author, no substantive study of terrorism in Ukraine has been conducted. This is revealing for two reasons: first, the Russian state cannot afford to be seen as a state sponsor of terrorism. Rather than grift by with unmarked units, the Russian state has since established a normative presence in Ukraine as a belligerent. Second, the strategic framework of Ukrainian separatism is not related to the standards of irridentist terrorism. In the first case, designating Russia as a state-sponsor of terrorism would dramatically escalate tensions; in the second, framing it within a terrorist framework may in fact lend credibility to the separatist movement¹¹ as well as neglect the nature of Russian revanchism and the interplay of great power competition that has been synonymous with the Russo-Ukrainian conflict. Doing either almost necessarily creates the conditions for the other to legitimize their position and thus escalate to match at zero-sum parity. Conspicuously, neither NATO nor the US have specifically oriented policy around ethno-nationalist terrorism in Ukraine as a rationale for aid.

The lack of any quality studies on irridentist terrorism in Ukraine, too, articulates that few in the international community consider the Russian-backed separatist movements as classical terrorism. For the past two decades, terrorism has been reliably identified with extremist movements that have no compatibility with the nation-state. This is rather ironic, as many terrorist movements in fact have roots in ethno-nationalism or nation-building. For instance, the foremost literature on terrorism considers the actions of the Zionist Militant movement *Lehi*, of which Israeli Prime Minister Yitzakh Shamir was a member, as a successful example of the contributions that terrorist activities may make in a nation-

¹¹Pokalova, E. (2010).

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building project.¹² Instead, the goalpost of identifying international and local terrorism has instead moved to the brutality associated with inhumane movements, such as Salafist “Zarqawiism.”¹³ Far unlike conflicts associated with these movements (generally deemed “new terrorism”¹⁴), the conflict in Ukraine has been mediated by international partners from both sides of the conflict,¹⁵ observed by the Organization for Security and Co-operation in Europe (OSCE),¹⁶ and allowed human rights monitors to enter the country upon the Annexation of Crimea.¹⁷ In other words, although terrorism is most certainly a component in the Russo-Ukrainian conflict, none of the strategic parameters of the conflict are truly conducted in a terroristic fashion.

To further explore the dimensions of terrorism in Ukraine, we will take three cases. These cases have been chosen specifically because they articulate different degrees of relationships between state entities, non-state entities, and the power that terrorist rhetoric holds in determining policy. First, we will explore the downing of Flight MH17. Second, the battle of Donetsk Airport. Lastly, the rise in far-right Ukrainian nationalist terrorism since the beginning of the Russo-Ukrainian conflict, which may represent the most transparently “terrorist” of all three case studies.

MH17: State-Sponsored Terrorism or Accidental Escalation?

On July 17, 2014, Malaysia Airlines Flight 17 was shot down by anti-aircraft while flying over Donetsk Oblast. The incident would spark international outrage and a high point in the escalation of tensions between Russian-backed separatists and Ukrainian soldiers. The high-profile nature of the

¹² Hoffman, B. (2017), *Inside Terrorism*.

¹³ Fishman, B. H. (2016), “*The Master Plan*.”

¹⁴ Duyvesteyn, I. (2004), How new is the new terrorism?

¹⁵ Stępniewski, T. (2017), “European Union, Ukraine, Russia and the Minsk Ceasefire Negotiations.”

¹⁶ “OSCE Special Monitoring Mission to Ukraine.”

¹⁷ “United Nations Human Rights Monitoring Mission Deployed to Crimea amid Crisis between Russian Federation, Ukraine, Security Council Told.”

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incident would spark cases in the International Court of Justice (IJC)¹⁸ and the Netherlands¹⁹ and perhaps the largest criminal and open source²⁰ investigations in history. The Joint Investigations Team (JIT) investigation is “beyond all bounds and ... incomparable with other investigations,”²¹ and the Bellingcat analysis on the MH17 case illustrates *par excellence* just how deep a professional open-source analysis can penetrate.

The intentional targeting of civilian planes, whether by anti-aircraft, on-board bombs, or hijacking, has been a hallmark of terrorism since the 1970s. Reactions to, and court rulings on, then, have an especially strong influence on how analysts interpret terrorism – especially state sponsored terrorism. In 1988, Pan Am 103 exploded over Lockerbie, Scotland. Colloquially known as “the Lockerbie bombing,” the incident implicated two Libyan intelligence agents in the death of 270 passengers, which the Libyan government would only formally recognize its responsibility for in 2003.²² This acknowledgement, along with steps to dismantle weapons of mass destruction, lead to the subsequent removal of Libya as a state-sponsor of terrorism from the US State Department.²³

This study will not tread ground that has been covered many times, but the essential facts are required: MH17 was allegedly shot down by Russian-backed separatists (RBS) highly networked with Russian intelligence over conflict space in a period when the Ukrainian Air Force was taking heavy losses to RBS using anti-aircraft systems. While MH17 was shot down in a different context (i.e., conflict zone with the possibility of a genuine intelligence failure) than the Lockerbie bombing, the sanctions and

¹⁸ “Application of the International Convention for the Suppression of the Financing of Terrorism and of the International Convention on the Elimination of All Forms of Racial Discrimination (Ukraine v. Russian Federation).”

¹⁹ Rankin, J. (2015), “MH17 Plane Crash Trial Opens in the Netherlands.”

²⁰ “Identifying the Separatists Linked to the Downing of MH17.” 2019. *bellingcat*.

²¹ Ministerie van Justitie en Veiligheid. 2018. “Incomparable Investigation - MH17 Magazine.”

²² Barringer, F. 2003. “Libya Admits Culpability In Crash of Pan Am Plane.”

²³ “AILA - Libya To Be Removed from State Sponsors of Terrorism List.”

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international isolation placed on Libya in the aftermath of a comprehensive, international investigation are a standard that Ukraine and its Western partners are attempting to hold Russia responsible to.

This is best illustrated by the ICJ case “Ukraine v. Russian Federation.” The pretext of the case rests upon the allegations by Ukraine that Russia violated two international treaties: the “International Convention for the Suppression of the Financing of Terrorism” (ICSFT) and the “International Convention on the Elimination of All Forms of Racial Discrimination” (CERD). It is the first allegation that concerns this paper. According to the case, Ukraine alleges that the Russian Federation “[supplied] funds ... weapons and training, to illegal armed groups that engage in acts of terrorism in Ukraine, including the DPR, the LPR, the Kharkiv Partisans, and associated groups and individuals” and have “[failed] to take all practical measures to prevent and counter acts of financing terrorism committed by Russian public and private sectors.” The portion of the case related to the ICSFT, then, is a gambit by Ukraine to hold Russia responsible for its actions in failing to prevent the RBS from targeting a civilian outfit. While there is little support for the narrative the Russian state offers on MH17, contextualizing the ramifications of this case in similar international legal settings as past state-sponsored terror attacks on civilian flights provides a stronger basis for understanding for the disinformation campaign defending any Russian culpability or responsibility for the tragedy.

Battle of Donetsk Airport (26 May 2014 to 21 January 2015)

The Battle of Donetsk Airport occurred in two phases: first, a short offensive by Ukrainian Armed Forces (UAF) against RBS to gain control of the airport and the region as a broader push against RBS; second, an offensive by RBS, more directly supported by Russia, to reclaim Donetsk. As one military analyst puts it, the push against UAF in late 2014 represents “not a disconnected series of random battles; it was comprehensive campaign to deny Ukrainian forces key terrain, destroy their offensive

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capabilities.”²⁴ Satellite imagery provides strong evidence for this perspective. Consider the condition before and after the first offensive:



*Satellite imagery of Donetsk Airport, April 2014.
(2014 Maxar Technologies)*



*Satellite imagery of Donetsk Airport, September 5, 2014.
(2014 Maxar Technologies)*

Whereas the after the offensive in late 2014:



Satellite imagery of Donetsk Airport, September

*Fig. 4 – 7: Sergei Prokofiev Airport Terminal in Donetsk,
Ukraine*



*Satellite imagery of Donetsk Airport, February 20, 2015.
(2015 Maxar Technologies)*

²⁴ Fox, A. (2019), “Cyborgs at Little Stalingrad”: A Brief History of the Battles of the Donetsk Airport,” p. 5.

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The following imagery mapped with coordinates provided by the database shows the tight clustering of terrorist attacks on the terminal:



Fig. 8: Sergei Prokofiev Airport Terminal in Donetsk, Ukraine mapped with terrorist incident coordinates in the GTD.

Given the natural strategic importance of the airport, this clustering is rather unsurprising. At times, opposing forces were separated only by the floors of the airport terminal they control.²⁵ However, diving deeper into the details of the database, we find that the information in the GTD is hardly descriptive of specific incidents. Almost every incident in this small area is catalogued with the boilerplate summary that “Assailants attacked the airport in Donetsk city, Donetsk oblast, Ukraine.” Moreover, the variable for culpable party is a binary of “unknown/gunmen” or “Donetsk People’s Republic.” While

²⁵ Fox, A. (2019), “*Cyborgs at Little Stalingrad*”: A Brief History of the Battles of the Donetsk Airport,” p. 6.

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citations of news sources for these available, they are not referred to by almost any news organization as terrorists, but as either militants or assailants. Alternatively, RBS militants are occasionally referred to as insurgency or guerilla actors. Many times, casualties from multiple events are divided among a set of incidents because they are part of the same attack.

This lack of media attention to call these acts terrorism, but the Ukrainian government's clear desire portrays them as such has already been expressed in a previous section. However, this still does not get to the crux of the issue: *are these attacks terrorist? What purpose does calling these attacks serve other than the narrative of a state entity calling them such?* One author alleges that "Russia resorted to terror tactics to suppress the pro-Ukraine population in Crimea ... [through] pressure, discouragement, threats, and killings."²⁶ While this may accurately describe terrorism against a civilian population, it does not accurately characterize the attacks discussed above in an active conflict zone.

Many of the attacks in Ukraine fall into a gray zone of military philosophy deemed "hybrid warfare." Fittingly, like terrorism, there is no consensus on the definition of hybrid warfare. One working definition in the Notre Dame Law Review describes it as the "range of clandestine efforts to influence policymakers and key players in a targeted state while avoiding attribution and retribution."²⁷ This definition fits the events described above in a more congruent manner, as the line between RBS and Russian Forces has been blurred. In fact, by categorizing these as terrorist attacks, the GTD may inadvertently be helping Russia's position in the conflict by obfuscating their direct involvement.

While there has been a dearth of information available from Western open sources to help paint a picture of events from UAF and Western observers, discerning an accurate description of the leadership

²⁶ Erol, M. S. (2015), "Hybrid Warfare Studies and Russia's Example in Crimea."

²⁷ Qureshi (2020), "The Rise of Hybrid Warfare," p. 176.

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structures of RBS and Russian combined forces may make terrorism attribution more accurate. These units, broadly termed “battalion tactical groups,” which combine Russian and RBS into single units.²⁸ These units helped suppress UAF held territory while simultaneously receiving artillery support from Russia and Multiple Launch Rocket Systems (MLRS), which helped turn the tide in Russia’s favor.²⁹ It is beyond the scope of this paper to provide a full military analysis of this battle, but these examples, though, illustrate how Donetsk, in particular, is a case in which nominally “normal” warfare tactics have been used between the two opposing forces in Eastern Ukraine.

This is in stark contrast to the operations of other terrorist organizations. Organizations such as the IRA and Basque ETA never held ground, and further, made specific political targets to emphasize their message. Ukrainian separatists do not share this commonality, as neither the IRA or ETA Basque achieved the large-scale support of strong neighboring militaries nor occupying a large territory. Holding RBS up to a definition of irredentist/Nationalist separatist terrorist organizations, the events at the Second Battle of Donetsk Airport do not meet the criteria of “psychical effects,” a systemic, but unpredictable pattern of violence, and the harming of symbolic targets.³⁰ If these are characteristics found in any of the attacks listed in the GTD at near Donetsk, it is more than likely an aberration rather than the norm. There is also a distinction that these separatists hold against members of terrorist organizations such as the Islamic State and al-Qaeda in Iraq, who temporarily held territory in Fallujah at various times. However, their command structure was heavily influenced by religious and ideological reasoning rather than logical strategy, as is the case with RBS in Donetsk. Thus, these events should be seen as congruent with hybrid warfare, and not terrorism.

²⁸ Fox, A. (2019), “*Cyborgs at Little Stalingrad*”: A Brief History of the Battles of the Donetsk Airport,” p. 4.

²⁹ Fox, A. (2019), p. 6-7.

³⁰ Reinares, F. (2005). Ch. 9: *Root causes of terrorism: Myths, reality and ways forward*, 119-130.

Extreme Right-Wing Terrorism in Ukraine

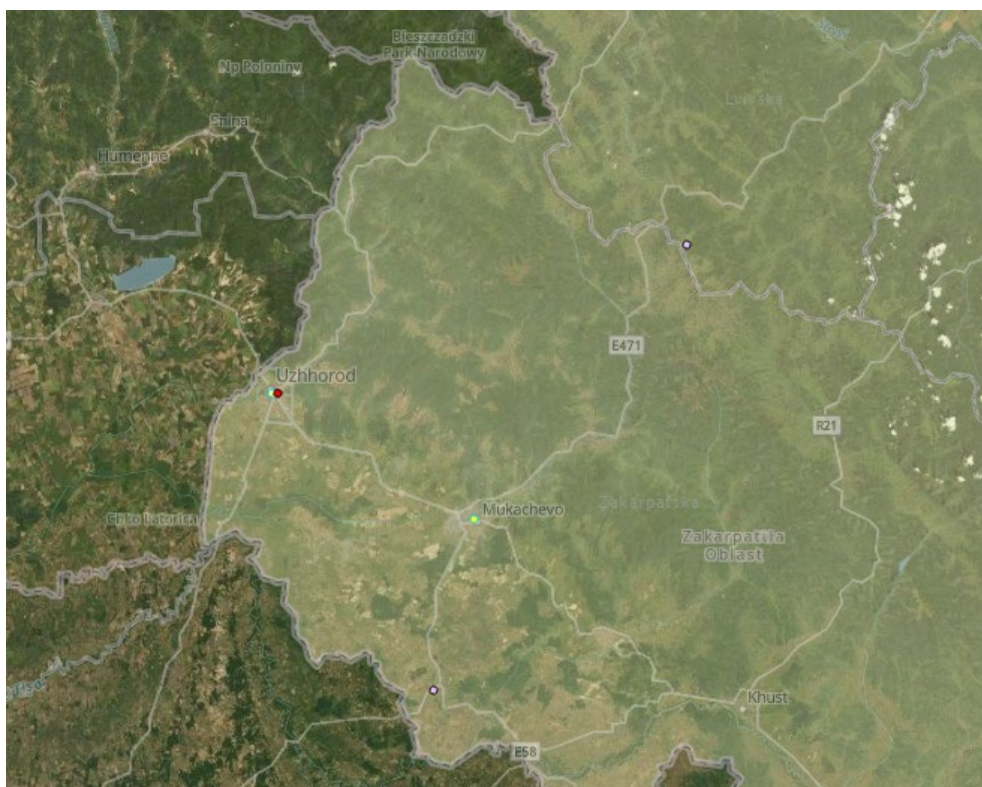


Fig. 9: Western Ukraine – Clustering of Terror Incidents near border regions.

Ukrainian right-wing extremists currently occupy a liminal space in Ukraine society. On one hand, various militias such as S14, Right Sector, and Azov Battalion have been called by the government to help in achieving critical campaign objectives. While they have served as a proxy unit for the military, they have recently come under greater international scrutiny because of their extreme political beliefs. Moreover, these groups are distinct political entities with separate goals that happen to align with the state at this period of time. For these groups, being welcomed by the state to engage in state-sanctioned violence affords an excellent opportunity to gain valuable battle experience while increasing their

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operational capability domestically. This double-edged sword is not unlike that experienced by the United States when it initially supported Mujahedeen operations in Afghanistan against the Soviet Union.

Western Ukraine has become a hotbed for targeted ethnic violence by these groups. Tightly clustered in the Carpathian Mountains are the boundaries of Poland, Slovakia, Hungary, and Romania. Ethnic minorities that are close to the borders are consistently targeted by right wing groups. For instance, one attack, although the attribution is designated to an unknown party, was directed at the “1100th Anniversary of Hungarian Conquest Monument at the Verecke Pass in Klymets, Lviv, Ukraine.”³¹ Another in Uzhgorod was a Molotov cocktail bombing of the Society of “Hungarian Culture of Transcarpathia,” attributed to the fascist organization “Falanga.”³²

The primary concern with these type of terrorist activities is the extent to the nebulous nexus of legitimate political representation, activity in the war, and underground activity. This is a dangerous trifecta of (mostly) non-sanctioned state violence interconnecting with the necessary components of organized terrorism, namely arms trafficking, smuggling, organized crime, bank heists, etc.³³ When these components are integrated into an organizational structure, it may have the effect of promoting true terrorist attacks to maintain flow of arms, cash, and violent activity which in return increase political visibility and representation. Even in the digital age, an organized terrorist group cannot operate without income mechanisms. Currently, groups such as Sector 14, Right Sector, and the Azov Battalion are acting on behalf of the governments’ interests. As the situation continues to evolve, these groups will shift their positions and make alliances according to how they may benefit most ideologically and politically while sustaining an operational bottom line. The notion that these groups will simply disappear or cease activity

³¹ GTD Event ID: 201802270032

³² GTD Event ID: 201802030023

³³ Notably in Lviv, there have been several heists of Russian banks. The organizers of these operations is still unknown.

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after the war is out of the question for any serious analyst. The question is rather how these groups will adapt to a peaceful political framework.

Conclusion:

The aim of this research was to dive into an understudied form of regional terrorism. It has identified three distinct types that occur in Ukraine: (1) State-sponsored terrorism, (2) hybrid-warfare terrorism, and (3) far-right extremist terrorism targeting ethnic minorities. Although there are 135 variables in the GTD, evaluating them in their context revealed much more than was possible to encode in the dataset. For this reason, the author suggests a deeper analysis of the relationship between hybrid warfare and terrorism. The potential for all three of these currents, which rely ultimately on a constellation of relationships between state and non-state actors, to turn into sophisticated criminal organizations after the end of the conflict. Even if peace and security is achieved, the skills developed by personnel on the battlefield are invaluable, especially for the purposes of human trafficking, arms trafficking, and acting as proxy actors for other nations. Indeed, groups such as the Japanese Red Army Faction acted on behalf of Qaddafi.³⁴

As long as these actors have a war to fight in, it is unlikely they will proliferate, but rather network and develop ties. However, when military and border stability is achieved in the region, the dividends of the Ukrainian government's choice to involve many extreme actors in the most important missions in the campaign may pay off negatively in the form of highly trained operatives that other training camps, such as those maintained by the Popular Front the Liberation of Palestine and al-Qaeda, could only dream of achieving. These negative dividends will likely be increased political viability, potential to radicalize youth into their corps, and negatively impact international perceptions of Ukrainian domestic society if they do

³⁴ O'Connel, L. (2015). "Red Circle: Japanese Terror and the Middle East."

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rise in popularity. These organizations have a substantial amount of credibility as having fought off separatists, defending the motherland, and genuinely representing the interests of the people in a country currently undergoing a crisis of corruption.

The GTD is not a perfect database. Indeed, as terrorism will forever be a politically charged term with highly variable definitions, the events the START program chooses to include will differ widely over time. This dataset, however, represents a high number of highly sophisticated urban warfare actors in a developed nation. Unlike past complex proxy wars, such as those experienced by Angola in the 1980s, both sides are fighting with state-of-the-art equipment by robust, capable militaries. The conflict represents a conflict of rival great powers, the United States and Russia, not comparable to any past military conflict because of a combination of terrorism, information warfare, hybrid warfare, and urban warfare that have not been witnessed in Europe for nearly a century. Because of this, special attention should be given to the dynamics unfolding between actors in Ukraine, as they are a portend of how proxy-wars between great powers may be fought in the setting of a highly developed nation.

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