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THE OCCUPIED ZONES IN UKRAINE IN THE EVENT OF A FROZEN CONFLICT: HUMANITARIAN NO-GO AREAS, OR UNCONVENTIONAL HUMANITARIAN SPACE?

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Identifying scenarios is a central part of contingency planning. In light of the enormous sacrifices that the country and its society continue to make for the sake of their survival, the mere idea of the war ending in a frozen conflict à la Nagorno-Karabakh, Transnistria or Korea sounds obscene to many Ukrainians.[1] For the sake of clarity, this article and its author—who has been a relief practitioner for almost ten years, a large part of it in-crisis and disaster-affected areas of the former Yugoslavia and former Soviet Union—do not advocate such a scenario as a *desirable* outcome of the war. Instead, they assume, in line with a body of research and commentaries on the topic, that it is a *not improbable* scenario and that, if it occurs, it will affect the operational choices and positionality of relief organizations that work in the region.[2] Yet, even if the frozen conflict scenario does not materialize in southeastern Ukraine, a number of insights and factors under examination still remain relevant for relief workers faced with the dilemma whether they should

[1] In terms of attitudes among the Ukrainian grassroots via-à-vis a frozen conflict scenario, according to a spring 2024 poll commissioned by the Carnegie Endowment for International Peace, an average of 44 percent of the respondents reportedly thought that currently neither side is winning, 22 percent declared that they support a scenario in which hostilities are ceased and the war is frozen at the current frontline as a condition for peace, while 65 percent oppose it. The question is however, whether among many respondents in the 'support' category, it is not so much a matter of really supporting such a scenario but rather of deeming it likely or seeing it as a fait accompli that will come at some point. Carnegie Endowment for International Peace (2024). *War and peace: Ukraine's impossible choices – Social expectations regarding the end of war: first wave*, Carnegie Endowment for International Peace and Sociological Group Rating, p. 4 and 25; see https://carnegie-production-assets.s3.amazonaws.com/static/files/Carnegie_survey_Ukraine_war_Ukrainian_public_opinion_March_2024.pdf.

[2] See, for example, Jan Ludvik and Vojtěch Bahenský (2024). "The Russia-Ukraine frozen conflict: evidence from an expert survey", Comparative Strategy, 43(2), pp. 104–117, Mathew Burrows (2024). "Ending the war in Ukraine: harder than it seems", The Stimson Centre Policy Memo, https://www.stimson.org/2024/ending-the-war-in-ukraine-harder-than-it-seems/; Frank Hoffer (2024). "Ukraine: a bitter armistice or war until victory?", Social Europe, https://www.socialeurope.eu/ukraine-a-bitter-armistice-or-war-until-victory ; and John Lough (2024). "Four scenarios for the end of the war in Ukraine: assessing the political and economic challenges ahead", Chatham House Briefing, pp. 6-8, https://www.chathamhouse.org/sites/default/files/2024-10/2024-10-16-scenarios-end-war-ukraine-lough.pdf.

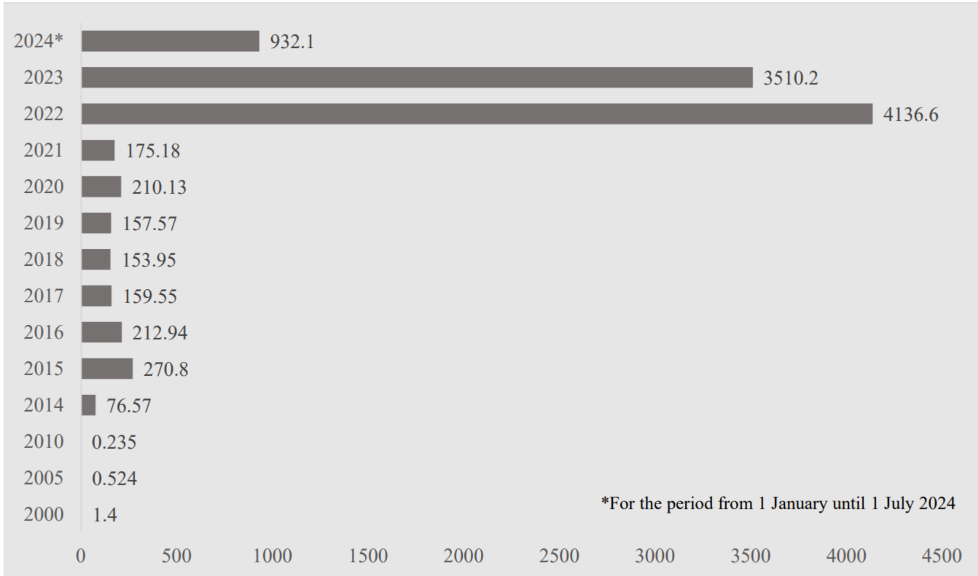
operate and assist affected populations in occupied territories and non-recognized polities.

So, based on the concepts of humanitarian space and humanitarian dilemma, available aid data, policy research, and a set of qualitative interviews with local and international relief practitioners in Ukraine, this article aims to tackle the question if and how relief organizations are to deliver aid to affected populations in parts of southeastern Ukraine that remain under Russian occupation in the event of a frozen conflict. After concisely setting Ukraine's post-1991 experience with external relief aid, the article discusses the key concepts of humanitarian space and humanitarian dilemma, before examining, and putting these against, the relief-relevant characteristics of the present occupation zones.

Ukraine as an external aid destination

In terms of reported humanitarian funding, in 2022 and 2023, Ukraine was globally the largest destination of humanitarian funding with, respectively, 10.9 and 10.3 percent of reported funding in these years. In the first half of 2024, it became the second-largest with 8.3 percent, after Gaza and Cis-Jordania.[3] The near-totality of this official reported aid was and continues to be destined to parts of Ukraine under the control of the government, armed forces, and paramilitaries, as well as to neighboring countries which host a lot of Ukrainian refugees. In Ukraine, it is delivered in the form of a wide range of relief activities through a rather conventional aid architecture that, in spring 2024, involved a dozen government or government-affiliated institutions, some 360 national-local and 110 international non-governmental organizations or NGOs, nine specialized UN agencies, a number of private subcontractors, as well as the International Red Cross and its Ukrainian section.[4]

Figure 1 – Officially-reported international humanitarian assistance and disaster relief to Ukraine from 2000 to early summer 2024 (in million US$)[5]



[3] OCHA Financial Tracking Service, https://fts.unocha.org/.

[4] OCHA Situation Report, 12 July 2024, p. 6, https://www.unocha.org/publications/report/ukraine/ukraine-situation-report-12-july-2024-enuk. In mid-2024, the bulk of relief aid funding for Ukraine went to activities focusing on, or related to, emergency shelter, early recovery, food aid, health relief, water, and sanitation, displaced people's protection and to multi-sectoral activities combining two or more of these. OCHA Financial Tracking Service, https://fts.unocha.org/.

[5] Figure created by the author on 16 March 2023 and on 1 July 2024 on the bases of data of the OCHA Financial Tracking Service database, https://fts.unocha.org.

In terms of Ukraine's historical experiences with the international relief system over the last few decades, as we can see from Figure 1 showing the reported foreign relief aid volumes between 2000 and mid-2024, there is a clear and substantial rise in the external relief that Ukraine received with the start of the Donbas war in 2014 and a boom after the invasion in early 2022. The foreign aid presence in the realm of relief and social development goes back, however, to the post-Soviet 'transition crisis' which lasted roughly from the winter of 1991-93 to 2010. The situation back then was characterized, amongst others, by the degradation of the Soviet social infrastructure and the impoverishment and increased vulnerability of a number of sectors in society like pensioners. This era also saw the introduction and expansion in Ukraine of a donor-backed civil society.[6] Although civil society development in se is not relief, a number of local organizations that then came into being now conduct relief operations or reoriented their activities towards relief after the invasion, most often as local subcontractors for foreign donors and aid organizations.

The momentum of the Donbas war in its 'separatist phase' started in spring 2014 and ended as a distinct phase with the open and fully-fledged military invasion by Russia in early 2022. In 2021, the population reportedly in need of some form of relief aid was estimated at 3.4 to 3.8 million. Characteristic of this context, largely confined as it was to the provinces of Luhansk and Donetsk, was its considerably more limited geographical scope, even if the displacement caused by the conflict deeply affected several neighboring provinces. It was also a context of a regionalist–separatist insurgency and proxy warfare.[7] Conventional international relief deployment was concentrated in government-controlled areas of the southeast and in adjacent provinces that hosted sizeable amounts of internally displaced persons (henceforth called IDPs).

Go, stay, go …? : on space(s) and dilemma(s)

Relief aid being situated at the interface of the social and the political realms, two fundamental concepts are at stake. The first is *humanitarian space*. Dorothéa Hilhorst and Bram Jansen define this as

"an environment where humanitarians can work without hindrance and follow the humanitarian principles of neutrality, impartiality and humanity' (…) Like any type of space, humanitarian space has physical and metaphorical dimensions. It refers to physical environments: refugee camps, humanitarian corridors during ceasefires or safe havens where peacekeepers and humanitarians provide physical protection and basic services. It also refers to the room for manoeuvre of humanitarians to work without fear of attack in dangerous situations and alongside other actors. (…) It has been amply demonstrated that the effectiveness of humanitarian spaces is very limited in practice. (…) Nonetheless, the notion of humanitarian space as the site of principled aid remains widely accepted as the expression and aspiration of humanitarian assistance."[8]

So practically, the humanitarian space supposes a physically sufficiently secure space and a minimal level of physical-infrastructural access. It is also, and most importantly, a space defined by the applicability and actual application of the four fundamental humanitarian work principles. To start with, *humanity* means that "human suffering must be addressed wherever it is found" and that "the purpose of humanitarian action is to protect

[6] For a more in-depth examination, see, for example, Irina Mützelburg (2018). "L'*empowerment* par des financements internationaux? Comment les donateurs créent un secteur non-étatique en Ukraine?", Revue Gouvernance, 15 (1), pp. 62-85.

[7] The core characteristics of the Donbas war included that it was primarily a conflict fought among citizens of Ukraine, that it involved, amongst others, actors operating outside of the violence monopoly of the state, that it had strong ideological–identitarian stakes and it also involved (para)military personnel and so-called 'political technologists'—agents who try to 'steer' a local–regional movement into a preferred political–ideological direction—from Russia, as well as foreign volunteers.

[8] Dorothéa Hilhorst and Bram J. Jansen (2010). "Humanitarian space as arena: a perspective on the everyday politics of aid". 41(6), pp. 1118-1119.

life and health and ensure respect for human beings." The principle of *neutrality* comprises that "humanitarian actors must not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature." Then, *impartiality* stipulates that "humanitarian action must be carried out on the basis of need alone, giving priority to the most urgent cases of distress and making no distinctions on the basis of nationality, race, gender, religious belief, class or political opinions." Finally, (operational) *independence* means that "humanitarian action must be autonomous from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented."[9] Officially, the said principles form the basic operational code for conventional humanitarian assistance and relief aid.

The second framework concept is *humanitarian dilemma*. Mark Lindeberg and Coralie Bryant frame it as follows: "the greatest dilemmas for (… aid organizations…) working in the most complex emergencies concern whether life-saving actions contribute to the perpetuation of conflict." The authors cite as 'dilemmas' of humanitarian action: indirect assistance in the deportation of populations; diversion of aid; perpetuation of a war economy; escalation of conflict; and competition between beneficiary groups by assisting refugees but not residents, for example; and weakening local capacities to cope with a crisis.[10] So, the basic dilemma is, that the presence of aid actors feeds the crisis, yet if they leave, it will be at the detriment of the most vulnerable population groups. Over the years, relief workers faced such dilemmas in many areas of deployment, yet one case that sparked controversy among aid organizations and that is a textbook example of humanitarian dilemma is that of the Democratic People's Republic of Korea (commonly known as 'North Korea') during the floods and food insecurity of 1995-1999.[11]

As Michaël Schloms outlines:

"(… there …), the actors had to deal with enormous humanitarian needs (… and…) a small number of very diverse aid organizations have been (…) involved in several sectors of humanitarian action (food aid, nutrition, agriculture, public health, …). Humanitarian work in North Korea (was) a highly sensitive activity for political reasons, for the Korean authorities as well as for donor countries (notably the United States, Japan, South Korea and the member states of the European Union). (…) The structural ambiguity of humanitarian work in North Korea (… was…), that freedom of action (…was..) very limited: aid agencies cannot identify the needs of the population themselves, they cannot define the institutions or individuals who benefit independently, and they cannot assess the effects of their projects on the health and nutritional status of the population."

"Restrictions on working conditions have triggered very diverse reactions from humanitarian actors: all consider(ed) their work in North Korea to be difficult, but only a certain group of actors face(d) a dilemma."[12] Eventually, it caused a rift: while a number of non-governmental organizations decided to shut down their activities, the UN stayed. Whether the Russian occupation regime in southeastern Ukraine can be at once and wholesale compared to North Korea is not the question here. At least they are socially and

[9] Office for the Coordination of Humanitarian Affairs, "What are humanitarian principles?", OCHA on Message, 2022, accessible via https://www.unocha.org/sites/unocha/files/oom_humanitarian%20principles_eng.pdf, and Félix Schwendimann (2011). "Le cadre juridique de l'accès humanitaire dans les conflits armés", Revue international de la Croix-Rouge, XCIII (3), pp. 124-125. The said principles are based on the core principles of the International Committee of the Red Cross and were officially codified in 1965.

[10] Michaël Schloms (2005). "Le dilemme inévitable de l'action humanitaire", Cultures & Conflits, 60, p. 2.

[11] For more background on this episode, see, amongst others, Marcus Noland, Sherman Robinson, and Tao Wang (2001). "Famine in North Korea: causes and cures", Economic Development and Cultural Change, 49(4), pp. 741-767. A number of these experiences also came up in the stories of a couple of former colleagues of this author who worked in the Democratic People's Republic of Korea at the time.

[12] Michaël Schloms, op. cit., p. 7.

culturally very different contexts.[13] Yet the experience of relief workers in North Korea is instructive, for when one makes abstraction of them, the donor government interests and the restrictions on the working conditions imposed by local authorities that have just been listed, are, most likely, similar to those that will be encountered by foreign aid organizations that eventually decide to set up activities in the occupation zones.[14]

Finally, again according to Michaël Schloms, to set the space,

"it is necessary to analyze the moral framework of 'traditional' humanitarian action. In general, humanitarian action faces three groups of actors that influence the moral obligations of a humanitarian actor. First, the vulnerable population, that is, the existence of human suffering, determines the behavior of a humanitarian organization. The desire to alleviate suffering is the initial obligation of the movement, and therefore remains at the heart of humanitarian ethics ('humanitarian imperative'). Second, it is the ethical framework of the organization itself that influences its behavior on the ground. This ethical framework is composed of the mandate of the specific activity of the organization (medical aid, nutrition, agriculture, …), its founding history and its tradition."

Further, "(the) humanitarian movement has diversified in recent decades and this diversification calls into question the classical principles of humanitarianism. The third influence derives from the political interests of external actors in the recipient country and in the donor country of the aid. The political environment therefore determines the conditions to be respected by humanitarian organizations, conditions which also have a moral connotation. The effects of humanitarian work on a war economy or on the stability of an anti-democratic regime, for example, can pose ethical problems for a humanitarian agency."[15]

Some context characteristics of the occupation zones

Paradigm geographies

At the time of writing, and as we can see on Map 1, the zones under some form of Russian occupation regime comprise the whole of Crimea and Sevastopol, the near-totality of the province of Luhansk, half of Donetsk province, part of Kupiansk district near Kharkiv, and approximately two-thirds each of Zaporizhzhia and Kherson provinces. This covers a sizeable portion of Ukraine's southeast and represents approximately one-sixth of the country's territory within its 1991 borders. Since the Crimean peninsula was annexed by Russia in quite different and comparatively much less violent circumstances, and since as such, the degree of displacement and destruction is much more limited than in the other four areas, it is not included in this examination.

There is a distinction between the areas that were occupied and cut from the rest of Ukraine only after the 2022 invasion, and the parts of the Luhansk and Donetsk that, for some seven years before the full invasion, were under the control of the self-declared 'People's Republics' with their own government institutions, state symbols, passports, customs, and peculiar war economies.[16] At least until late 2022, this paradigm of unrecognized polities resembled that of Transnistria and Nagorno-Karabakh. Both the separatist-

[13] Although with the recently reported deployment of military personnel from the DPRK on the Ukrainian front they are becoming intertwined.

[14] Another relevant historical example, and one closer to the context under examination at that, is that of the work of the United Nations Relief and Rehabilitation Administration in Soviet-(re-)captured Belarus and Ukraine from 1946 to 1947. See Andrew Harder (2012). "The politics of impartiality: the United Nations Relief and Rehabilitation Administration in the Soviet Union, 1946-7", Journal of Contemporary History, 47 (2), pp. 347-369.

[15] Michaël Schloms, op. cit., pp. 5-6.

[16] Tetyana Malyarenko and Borys Kormych (2023). "Russian policy towards the economy of occupied Ukrainian territories: crawling de-modernization", Eurasian Geography and Economics, 64:2, pp. 225-227 and Yana Lysenko (2023). "Etablierungsformen russischer Herrschaft in den besetzten Gebieten der Ukraine: Wege und Gesichter der Okkupation", Ukraine-Analysen, 282, pp. 2-7.

and government-controlled sectors of Luhansk and Donetsk had considerable destruction, displacement, and relief presence before the invasion. This does not mean that regions like Kherson and especially Zaporizhzhia were totally unaffected. Both hosted a number of IDPs from the Donbas war.[17] And while in Donetsk and Lugansk major urban centers and agglomerations are under occupation, this is less the case with Kherson and Zaporizhzhia where the social–geographic texture of the occupied portions of these provinces is predominantly provincial.

Map 1 – Frontline areas and occupation zones as of spring 2024.[18]

In a policy research note of the Overseas Development Institute that was published a few months after the invasion, Patrick Saez defined five humanitarian sub-spaces which emerged in the context of the post-invasion Ukraine war. One of these are the parts of Ukraine which are still occupied by Russian forces, mercenary units, or by the paramilitary forces of the self-declared polities of Donetsk and Luhansk or that are under Russian influence but where authority is unclear.[19] Still according to this note, in a number of instances, the Russian armed forces, paramilitaries, and occupation administrations might have wanted to be perceived to be tackling humanitarian needs or at least to be minimizing suffering for the sake of stabilization and local legitimacy

[17] Vlad Mykhnenko, Elliott Delahaye and Nigel Mehdi (2022). "Understanding forced internal displacement in Ukraine: insights and lessons for today's crises". Oxford Review of Economic Policy, 38(3), pp. 703-704.

[18] OCHA Situation Report, 24 May 2024, https://reliefweb.int/report/ukraine/ukraine-situation-report-29-nov-2022-enruuk. The frontline and occupied zones have been more or less consolidated since.

[19] Patrick Saez (2022). "Navigating humanitarian dilemmas in the Ukraine crisis". HPG Emerging Analysis, Humanitarian Policy Group, Overseas Development Institute, pp. 4-5. The other four sub-spaces are the relatively peaceful areas under Ukrainian government control but who host many IDPs, the neighboring countries that host Ukrainian refugees, contested areas of intense fighting, and, remarkably, Russia itself once its population come to face increasing hardship due to the economic impact of the war and the sanctions. It has proved, however, to be more resilient so far than initially assumed.

building.[20] In others, the occupants could also collectively punish populations for resistance or non-cooperation, or continue to deport civilians to Russia under the guise of humanitarian evacuation.

The conventional humanitarian system is as good as absent in these zones due to both physical and political constraints. Also, certainly in the earlier days of the post-invasion war but still reverberating, aid agency presence in occupied territory was considered, in official Ukrainian circles and among a sizeable part of grassroots opinion, to be a form of collaborationism or at least legitimation of the enemy and the occupation. The International Committee of the Red Cross or ICRC experienced this in spring 2022 after it had negotiated a humanitarian corridor with high-ranking Russian officials in Moscow to evacuate civilians from Mariupol during the *Azovstal* steel plant siege.[21]

As an aid worker from Western Europe who worked for a Kharkiv-based Ukrainian non-governmental organisation commented on the wider issue:

"(What…) happened to the ICRC and (… by association…) to the Ukrainian Red Cross shows, that neutrality (…and impartiality…) no longer really work here. The thing is, if you (…) try to approach both conflicting parties in the hope of maximizing access, you get a shitstorm over you. No matter what."[22]

The question, however, is how the humanitarian system should and can act in the case of a so-called 'frozen conflict' scenario in which portions of southeastern Ukraine remain occupied or under the control of internationally non-recognized Russian-backed polities for the longer term. Can and should international aid actors work in these areas—which have seen severe damage, societal disruption, and displacement due to fighting that often predates the open invasion—without facing a backlash from the Ukrainian authorities, the vox populi, and also international donors, without compromising too much on operational independence in the occupation zones and without running the risk of political-propagandistic instrumentalization by the occupying power?

When one asks relief practitioners, different thrusts come forward in the answers. "According to articles 55 and 56 of the fourth Geneva convention, the occupying power has the duty of ensuring the food and medical protection of local people on occupied territories," a Ukrainian citizen relief worker from northern Ukraine stated. "Russia likes to break international law, especially the Geneva conventions. (It) likes to control the local population by being a monopolist of humanitarian aid, which often is just stolen products from local stores and other facilities. A sad fact, but it's almost impossible to provide help to occupied territories. Especially in the warzone, the only real help that can be given to the local people is evacuation. (…)"

"(…) Sometimes the Ukrainian government succeeds in negotiations about humanitarian corridors for people to escape from occupied territories but it's not always possible to negotiate such corridors with Russia", this responded continued. "And these lifelines for escape are often corrupted. The occupants usually demand to pay them a few thousand dollars for getting a quick pass to Ukraine. If somebody can't pay, they hold this person as a hostage for 4-5 days in a line to escape. This line is just a row of cars, standing at the highway. And a lot of occupied territories don't have these humanitarian corridors to

[20] In that respect, one country-based non-Ukrainian interlocutor specialized in humanitarian issues mentioned the presence of Russian civilian volunteer relief organizations in Mariupol after it was captured by the Russian and Donetsk armed forces. Interview of 3 July 2022.

[21] For more on the ensuing row and its impact on the staff of the Ukrainian Red Cross, see Lily Hyde (2023). "Evacuation challenges and bad optics: why Ukrainians are losing faith in the ICRC", The New Humanitarian, https://www.thenewhumanitarian.org/news-feature/2022/05/03/the-icrc-and-the-pitfalls-of-neutrality-in-ukraine.

[22] Interview with an international aid worker from Western Europe, who worked for half a year for a Kharkiv-based Ukrainian NGO in Donbas, 10 May 2022.

Ukraine. And the only way to escape back to Ukraine is to go to Russia, then to a third country, where the international humanitarian organizations can take action (…). Embassies of third countries also can help Ukrainian refugees in Russia to return to Ukraine."[23]

"If you really want access to Ukrainian prisoners of war to monitor their humanitarian situation, well, then you have to contact the occupants at some point", a Western European cadre staff of a donor institution shared. "The same with access to citizens who are trapped in occupied zones. Now, mind you, (… about trapped citizens…) there's this state of mind, even among a number of individual donor representatives here, that if these are still living in occupied area it is because they chose to do so instead of fleeing. And that in that case, they should not get any aid."[24]

As of spring 2024, the humanitarian access constraints in regard to the occupation zones beyond the frontlines are categorized as very high to extreme.[25] Besides the frontline and fighting and the severing of the transport links between the country's occupied parts and the sovereign parts where the vast majority of the conventional international aid to Ukraine is deployed, there are the psychological–political constraints. In the still fought-over parts and the frontline areas in Kherson, Zaporizhzhia, and Donetsk, humanitarian responders have also been intentionally as well as collaterally the target of attacks.[26]

The (potential) target (de)population

Let us look into a few characteristics of the occupied territories and the occupant regimes that affect the humanitarian and the (potential) operational conditions therein in the case of a frozen conflict. To start with, there are no exact or reliable post-invasion demographic data. How many people live under occupation, actually? Estimates go as high as 11 million, though this is likely a copy and paste of prewar population census figures of the areas under examination plus Crimea and Sevastopol.

What we can propose is to take the joint late 2021 population figure of 8.81 million, and deduct the 1.96 million IDPs who declared themselves to originate from one of the occupied areas under examination as well as the reportedly still some 1.23 million who fled or have been deported to Russia and are registered as refugees there. Although not all of the latter come from the still-occupied southeast, the majority reportedly do. So this brings us to a rough residual population figure of 5.62 million. The provinces with the highest shares of post-2022 displaced people vis-à-vis their 2021 population are Kherson and Zaporizhzhia, with, respectively, over a quarter to nearly half of the population.[27]

Other estimates put the remaining population in occupied southeastern Ukraine at 3.2 to 4.56 million. The first figure refers to the number of Russian passports that had been officially issued in what Russia calls 'the new regions' by autumn

[23] Interview with a Ukrainian citizen relief worker from northern Ukraine, 20 August 2022. Related to the international humanitarian law article quoted by this respondent, see Sonia Sulakian (2022). "Unrecognized states: neutralizing obstacles to humanitarian aid", Review of Law and Social Justice, 31 (1), pp. 157-158 and Félix Schwendimann (2011). "Le cadre juridique de l'accès humanitaire dans les conflits armés". Revue international de la Croix-Rouge, XCIII (3), pp. 121-138.

[24] Interview with a cadre from Western Europe working for a donor institution, in Ukraine since 4 years at the time of interview, 23 August 2022.

[25] ACAPS Analysis Hub (2024). "Ukraine: quarterly humanitarian access update", ACAPS Analysis Hub Thematic Report, https://www.acaps.org/en/countries/archives/detail/ukraine-quarterly-humanitarian-access-update-3.

[26] ACAPS Analysis Hub (2024). "Ukraine: quarterly humanitarian access update", ACAPS Analysis Hub Thematic Report, p. 16, https://www.acaps.org/fileadmin/Data_Product/Main_media/20240206_ACAPS_Ukraine_analysis_hub_quarterly_access_update_October-December_2023.pdf.

[27] International Organization for Migration (2024). "Ukraine internal displacement report – general population survey", round 16, IOM Global Data Institute – Displacement Matrix, p. 3; UNHCR Operational Data Portal, https://data.unhcr.org/en/situations/ukraine/location/680.

2023.[28] So-called *pasportizatsiya*, the large-scale and rapid distribution of Russian passports, has to hasten the integration of these areas into Russia, and for the inhabitants, having a Russian passport is a prerequisite to obtaining pensions and other social benefits and to register or reregister a business.[29] It is not clear though whether the quoted figure of 3.2 million actually covered the entire population of the occupation zones or not. The latter estimation of 4.56 million is based on Russian electoral registers, though these might be based on outdated prewar lists.[30] Reportedly, a high percentage of the remaining population in the occupation zones are pensioners, with some 2023 Russian figures, again based on the age profile of the inhabitants who were given a Russian passport, going up to more than 50 percent.[31]

The social–economic disruption and humanitarian impact caused by the fighting and destruction,[32] as well as of post-2022 occupation policies, created social vulnerabilities which will endure in a frozen conflict situation. Starting from spring 2022, the Russian military and paramilitary gradually blocked and expelled aid from Ukrainian organizations and citizens' relief initiatives as well as from international organizations who already worked in government-controlled areas.[33] Thus, affected and needy populations became largely dependent on Russian relief aid and other assistance. This, however, does not mean that in the case of a frozen conflict, the occupants could not open the door to foreign aid again. What circumstances could lead to such a shift? We can think of the following. First, the occurrence of severe winter shortages of fuel and food that in some districts and localities will primarily affect the sizeable older population. Second, reconstruction policies that focus on a few highly symbolic or strategic areas, such as the city of Mariupol and the Sea of Azov coast, water and energy infrastructure deemed crucial for Crimea or showcase reconstruction projects,[34] and leaves more remote areas at the subsistence and handout level, making them highly vulnerable in the case of new setbacks.

Third, the occurrence of natural disasters like floods or epidemiological crises à la the corona outbreaks, the impact of which will be exacerbated by lingering wartime destruction and social–economic disruption. Fourth, flare-ups of fighting along the frontline leading to new displacement and housing rehabilitation needs inside the occupation zones. Fifth, substantial return of, or pressure to resettle, refugees from the region who fled to Russia during the Donbas war and the early post-invasion days. And finally, external aid may be called in or at least tolerated when the resilience against the international sanctions which Russia has shown so far, erodes. In occupied areas, the latter can lead to an incapability to pay pensions and social benefits and to provide relief, as well as to seizures of agricultural produce in Kherson and Zaporizhzhia to make up for shortages in Russia itself. In such

[28] Rosbizneskonsulting (2023). "Vlasti vpervye nazvali chislennost' rossijan v novyh regionah", https://www.rbc.ru/economics/29/09/2023/6516e5449a79477c35e5f12d.

[29] David Lewis (2023). "Economic crime and illicit finance in Russia's occupation regime in Ukraine", SOC ACE Research Paper 20, University of Birmingham, p.13.

[30] Discussion of 29 July 2024 with David Lewis, Department of Politics, University of Exeter and author of *Occupation: Russian rule in south-eastern Ukraine*, London: Hurst (forthcoming).

[31] Fond Politika – Reitingi i Issledovania (2023). "V Rossii snova rasztyot chislo pensionerov", https://polity.ru/ratings_10_2023.html. Before the invasion, top-heavy population pyramids were characteristic for Donbas.

[32] See Vasily Astrov, Mahdi Ghodsi, Richard Grieveson, Mario Holzner, Michael Landesmann, Artem Kochnev, Olga Pindyuk, Robert Stehrer, and Marina Tverdostup (2022). "Russia's invasion of Ukraine: assessment of the humanitarian, economic and financial impact in the short and medium term", Policy Notes and Reports 59, Wiener Institut für internationale Wirtschaftvergeleiche - Vienna Institute for International Economic Studies, pp. 14-18 and 20-22.

[33] Tatiana Zhurzhenko (2022). "Terror, Kollaboration und Widerstand: Russlands Herrschaft in den neu besetzten Gebieten der Ukraine", Osteuropa, 72 (6-8), p. 187.

[34] See Tetyana Malyarenko and Borys Kormych (2024). "New 'Wild Fields': how the Russian war leads to the demodernization of Ukraine's occupied territories", Nationalities Papers, 52(3), pp. 508-509.

circumstances, the opening up to foreign aid could be justified by a line—which was also used by the authorities in North Korea at the time—that since 'the West' imposed the sanctions, it has now to take care of the people suffering because of them.

The contours of 'unconventional relief'

The 'classical' international aid system may be absent in occupied southeastern Ukraine, but that does not mean that there is no relief activity there. There *are* relief activities ongoing by a wide range of actors from Russia. Three of the most prominent Russian relief providers in the occupation zones at present are the units of the federal Ministry of Civil Defense, Emergencies and Disaster Relief, the relief wing of the presidential party, United Russia, and the Department of Charity and Social Service of the Russian Orthodox Church.[35] How much aid in terms of committed and disbursed funding and actual delivery volumes we are talking about is difficult to say, as reported figures are patchy and nothing can be found in the regular international aid-reporting databases. Since Russia considers the occupied territories to be its 'new regions' and, therefore, an internal matter, the relief that it deploys there is not considered international aid.[36]

Some patchy figures on aid volumes can be found in Russian media reports and in what the institutions and organization involved report themselves on their portals. The Ministry of Civil Defense, Emergencies and Disaster Relief, for example, reportedly distributed 133,000 tons of food aid and 'technical relief' and also cash grants during the one and a half years following the invasion, while United Russia's relief wing was said to have distributed about 100,000 tons of relief aid with a value of nearly 13 billion rubles (US$151.1 million, at the time of research) in two years' time in what is called 'the new regions.'[37] Different forms of relief are also delivered by Russian regions and cities, which in a number of cases 'adopted' (or were instructed to adopt) cities and provinces in Ukraine's southeast to assist them in their reconstruction.[38]

The Communist Party of the Russian Federation reportedly organized nearly 130 humanitarian convoys to Donbas at the time of research.[39] Finally, there is a wide range of ad hoc relief initiatives by war veterans associations and soldier family support committees, Orthodox parishes,

[35] Institut Religii i Politiki (2022). "143 mln rublei sobrano v RPTs na pomoshch' bezhentsam", Institut Religii i Politiki, 3 April 2022, https://irp.news/143-mln-rublej-sobrano-v-rpc-na-pomoshh-bezhencam/; Yelena Muhametshina (2024). RPT͡s poluchil 37 mln rublei na proekt Patriarshaya gumanitarnaiya missia", Vedomosti, 16 January 2024, https://www.vedomosti.ru/society/articles/2024/01/16/1015188-rpts-poluchit-37-mln-rublei-na-proekt.

[36] Russia's international humanitarian assistance and relief reported to the UN amounted to US$10 million in 2022 and US$34 million in 2023. Prominent destinations are Syria, Gaza, and Cis-Jordania. The bulk of Russia's reported humanitarian assistance and relief in the reference years consisted of food aid, and is channeled through specialized UN agencies. Financial Tracking Service, https://fts.unocha.org/donors/3006/summary/2022 and https://fts.unocha.org/donors/3006/summary/2023.

[37] Mark Markelov (2024). "2 goda raboty: gumanitarnyi shtab Edinoi Rossii napravil v novye regiony desyatki tysiach tonn pomoshchii", Komsomolskaya Pravda Ulyanovsk, 24 April 2024, https://www.ul.kp.ru/online/news/5780316/; Alexandra Knyazkina (2023). "MChS dostavilo zhiteliam novykh regionov bolee 133 tys. tonn gumanitarnom pomoshchi", Pravda, 19 July 2023, https://www.pravda.ru/news/districts/1858816-rossija_gumpomosch/. See also Tatiana Zhurzhenko (2022). Op. cit., p. 187.

[38] For an example, see that of Tatarstan to Lisichansk and Rubezhnoe, Inna Morozova (2024). "100 tonn gumanitarki otpravili v Lisichansk i Rubezhnoe iz Tatarstana - v sostave gruza produkty, bytovaya khimia i mnogoe drugoe", Komsomolskaya Pravda, 6 May 2024, https://www.lugansk.kp.ru/online/news/5795411/.

[39] Yegvenia Naumova (2024). "Ocherednoi, 127-i gumanitarnyi konvoi KPRF otpravila na Donbass", Kommunisticheskaya Partiya Rossiyskoy Federatsii, 26 July 2024, https://msk.kprf.ru/2024/07/26/255191/; Nizhegorodskoe regional'noe otdelenie KPRF, "Nizhegorodskoe regional'noe otdelenie KPRF prinyalo uchastie v otpravke 127 gumanitarnogo konvoia KPRF", Nizhegorodskoe regional'noe otdelenie KPRF, 29 July 2024, https://www.kompas-rf.ru/2024/07/28806/.

entrepreneur networks, nationalist groups, and networks of citizens with various motivations to set up some kind of aid activity or crowdfunding.[40] Probably continuing in a pattern established during the Donbas war, and perhaps reflecting that the old cause of the Donbas 'People's Republics' is striking more of a chord in Russian society than the full invasion of 2022, this kind of non-governmental, citizen-based Russian aid initiative seems to be more focused on Donbas than on Kherson and Zaporizhzhia.

Characteristic of Russian relief is that it is largely embedded in the legitimacy building of the occupation, is openly politicized, and does not abide by the principle of impartiality in the sense that it is clearly driven by the *nashikh ne brosayem!* (we don't abandon our people!) line and the idea that these areas belong to the *Russkii mir* (the Russian world)—so, is specifically aid to the (perceived) self-group. Apart from the various forms of Russian relief that were just discussed, there reportedly is low-key and ad hoc relief by the Ukrainian *maquis* resistance—more specifically in Lugansk and Zaporizhzhia—and by informal mutual aid networks of citizens who want to remain as independent as possible from the occupants.[41] But due to its high informality, its underground character, and attempts by the new authorities to repress it, it is difficult to have any concrete idea of this aid's proportions and whether and how these channels and networks are still operational.

The Donbas war as a 'blueprint space'?

The aid architecture during the separatist war varied considerably depending on which side of the 'line of contact'—as the more or less stabilized frontline was euphemistically called—once was. The foreign relief actors and their local counterparts and subcontractors who were active in the parts of Luhansk and Donetsk that were under the control of the Ukrainian government largely reflected the way of operating of the international aid system. By contrast, after 2016 the latter was largely absent from the areas under the control of the Donetsk and Luhansk 'People's Republics.' Instead, the relief landscape there consisted largely of Russian actors.

In a quantitative analysis of 589 Russian aid deliveries to separatist territory in Donbas until autumn 2021, Jonathan Robinson found that 46 percent of aid operations were organized by units of the Russian federal civil protection and emergency situations ministry, around 26 percent through the Orthodox church of Russia and affiliated organizations, and nearly 12 percent by war veterans associations. In terms of sector activities, 44 percent were reported to be 'unknown' or 'not specified,' 22 percent concerned food, water, and sanitation, 6 percent were health-related, and 10 percent were combined, multi-sectoral activities.[42]

Besides this, there were a number of local ad hoc citizen relief initiatives, and citizen initiatives and associations from Russia, who were, if not ideologically aligned with the propagated societal

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[40] For some concrete examples, see that of a Petrozavodsk committee of families of soldiers to the Lugansk and Donetsk 'People's Republics', "Missiia vypolnima: gumanitarnyi gruz iz Karelii dostavlen na Donbass", Petrozavodsk govorit', 19 April 2023, https://ptzgovorit.ru/news/missiya-vypolnima-gumanitarnyy-gruz-iz-karelii-dostavlen-na-donbass; and for that of entrepreneurs from Nizhnii Novgorod province to orphanages in Lugansk and Ilovaisk, see "Nizhegorodtsy sobrali dlia detskikh domov LNR i DNR gumpomoshch- na 4,5 mln rublei", Nizhnegorodsakaya Pravda, 14 June 2024, https://pravda-nn.ru/news/gumanitarnuyu-pomoshh-na-4-5-mln-rublej-sobrali-nizhegorodskie-predprinimateli-dlya-detskih-domov-lnr-i-dnr/.

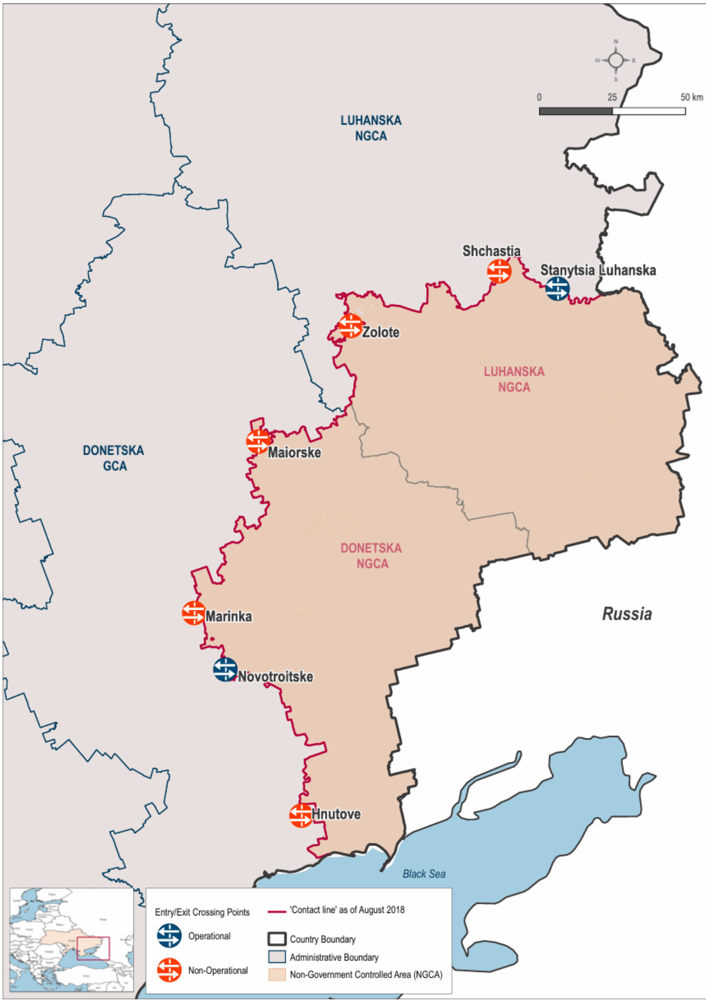
[41] Tatiana Zhurzhenko, "Terror, Kollaboration und Widerstand: Russlands Herrschaft in den neu besetzten Gebieten der Ukraine", Osteuropa, 72 (6-8), 2022, p. 191. For a good visualization of 'resistance relief' in post-invasion Donbas, see Xavier Muntz (2022). "*Ukraine : die unsichtbare Armee des Widerstands (*Ukraine : bénévoles du Donbass, la résistance invisible)", ARTE Reportage and Première lignes, accessible until 14 June 2025 via Arte.tv, https://www.arte.tv/fr/videos/109454-000-A/ukraine-benevoles-du-Donbas-la-resistance-invisible/. Subtitles in English and several other languages are available.

[42] Jonathan Robinson (2022). "Russian foreign humanitarian assistance: identifying trends using fifteen years of open-source data", Expeditions with MUCP, pp. 12-13.

project of the 'People's Republics,' then at least sympathetic to the regions' 'kin population.' These pretty much resembled those discussed earlier. At the time, already, one also encountered interpretations of what humanitarian assistance should be that radically differed from conventional ones, in the sense that if it is a question of protecting lives and increasing the chances of the survival of populations in danger, it was seen as legitimate that it includes (para)military aid against an existential threat.[43]

A limited number of international organizations like the ICRC and a couple of specialized UN agencies managed to maintain some form of presence on both sides. Likely, this was because of the specific mandate and way of operating of the ICRC, because Russia is a permanent member of the UN Security Council and had been contributing as a donor to a number of the UN's emergency response funds, because the ICRC and some UN organizations have a long-standing presence in Russia itself, in the Caucasus and in Tajikistan—or even because of the personalities of their field representatives and the local officials whom they dealt with.

Map 2 – The non-government-controlled areas in Luhansk and Donetsk provinces on the eve of 2022.[44]



[43] Bruno De Cordier (2018). "Du Donbass à la Transnistrie: les 'États de fait' comes espace humanitaire", Grotius International, https://grotius.fr/du-donbass-la-transnistrie/.
[44] ACAPS Analysis Hub (2022). "Ukraine: current humanitarian situation and outlook (17 February 2022)", ACAPS Briefing Note, p. 13, https://reliefweb.int/report/ukraine/acaps-briefing-note-ukraine-current-humanitarian-situation-and-outlook-17-february.

How to obtain access (again) to populations in Donetsk's and Luhansk's non-government-controlled areas and how to interact with the separatist de facto authorities and local relief structures there were constant issues for aid actors. Not only were the separatist authorities highly suspicious of possible espionage by aid workers and of any foreign aid beyond the delivery of hardcore relief commodities like food and building repair materials, many organizations were also reluctant because of the reaction of the Ukrainian government and public opinion if they concluded cooperation agreements with the Luhansk and Donetsk polities.[45] Some did manage to set up a structure and a modus operandi. As an aid worker who was deployed in Donbas at the time recalls:

"During the Donbas war, in terms of international aid, besides (… us …) there only was the OSCE, the UNHCHR and one (… relief organization from Central Europe …) who worked inside separatist territory. That was about it. For the rest, there was local and Russian relief there. We had field offices on both sides of the 'line of contact': in Donetsk and Luhansk in separatist-controlled territory, and in Mariupol and Severodonetsk in government-controlled territory. So, on the basis of that structure, we tried to reach the target population on both sides. In separatist areas it was really a matter of being careful so that nothing that you do or say could be considered, either by the separatists or by the Ukrainian authorities, as a recognition and legitimation of the de facto authorities. (…)"

"Whether the Ukrainian authorities blamed us for going into the separatist zones? Not that I experienced. It actually depended a lot on the military situation of the moment. But in general, what we did was, emphasize that the citizens whom we helped on the other sides were fellow Ukrainians, that there were children there born after the de facto secession, and stressing the equal right to pensions. Some of our international staff had worked in (… the unrecognized entity of …) Abkhazia and along the Abkhaz-Georgian 'border' before. That was certainly useful."[46]

Finally, during the Donbas war, aid actors were also confronted with a peculiar interpretation of internal displacement. In line with an official requirement and condition to continue to receive Ukrainian pensions and social benefits, some 958,000 pensioners of the separatist-controlled areas of Donetsk and Luhansk registered as IDPs in government-controlled areas, but often maintained their actual place of residence in separatist areas.[47] From there they regularly crossed the 'line of contact'—the frontline and de facto border separating the government- and non-government-controlled sectors—into government-controlled sectors, however, to collect their pensions and social benefits there. So even though they were not IDPs in the 'proper' sense, they formed a sizeable portion of the 1.36 to 1.7 million officially-registered IDPs.

Crossing the frontline-'border' between government-controlled and separatist territory was possible at seven crossing points, not all of which functioned or were open simultaneously. Whether a similar situation will come into being in the case of a frozen conflict in southeastern Ukraine remains to be seen. The experiences with other frozen conflicts vary in this regard. In Transnistria, 'border' crossing is possible. In Nagorno-Karabakh, there were no regular crossing points

[45] Véronique Barbelet (2017). "Humanitarian access and local organizations in Ukraine". HPG Working Paper. Humanitarian Policy Group, Overseas Development Institute, pp. 9-12.

[46] Interview with a Western European cadre of a major international refugee organization, who had spent 5.5 years in Ukraine at the time of the interview on 29 July 2022. Because both the cities of Donetsk and Luhansk were in separatist hands, the Ukrainian provincial administration was temporarily based in Mariupol and Severodonetsk.

[47] Or reportedly, 75 percent of the 1,278,200 pensioners registered in summer 2014 in separatist-controlled areas. United Nations Briefing Note (2020). "Pensions for IDPs and persons living in the areas not controlled by the government in the east of Ukraine", pp. 1-2, https://www.unhcr.org/ua/wp-content/uploads/sites/38/2020/03/briefing-note-on-pensions_2020.pdf.

for civilians along the frontline with Azerbaijan-held territory. In the case of a similar situation in southeastern Ukraine, the only access to the occupation zones for external aid will be through Russian territory.

Even if Russian military and paramilitary personnel, intelligence agents, and political technologists covertly and half-covertly played crucial roles in the conflict,[48] the Donbas war was much more a context of regional insurgency, rebel governance, and de facto statehood than the traditional inter-state war and occupation since 2022 is. In late summer 2022, the Luhansk and Donetsk 'People's Republics' were declared regions of the Russian Federation, and as such ceased to exist as de facto states. In a sense, for aid practitioners, what came instead was as unusual:

"The full invasion by a neighboring power and an old-school inter-state war with trenches and stuff... That hasn't happened for a while really. Aid workers have gotten used for many years now to working predominantly in areas with internal armed conflicts, with civil wars. Well, there was the Russian invasion of South Ossetia and Georgia back in 2008. But this, this is of a different scale. Its impact is global."[49]

Did the way that relief functioned during the Donbas war or in frozen conflicts like Abkhazia have modes and characteristics that might come up again with regard to aid in the case of a frozen conflict in southeastern Ukraine?

"Donbas as compared to Abkhazia where I was before … Hmm it was both a situation with unrecognized states, yes. But they were totally different. (… In Abkhazia…) there was little or no active fighting. The degree of destruction was far less, the scale and affected areas were much smaller. And there was much less psychological polarization than in Donbas (… and certainly since the full invasion…)."[50]

"Most of the foreign aid during the Donbas war was concentrated close to the 'line of contact'. But even if the separatists in Donetsk and Luhansk kicked most aid organizations out of their territory years ago, at least back then, it was easier because there was some sort of a polity and some sort of authority you could approach and who were locals. (…) There was little (… in separatist-controlled areas…) in terms of functioning sub-contractors and local NGOs of the sort we're used to. Most had been closed down. There were some government-controlled NGOs. So mostly we did direct distribution, concrete work like shelter, (…) water and sanitation (…) activities and so on, or concentrated on the line of contact. There were very different attitudes depending on which side of the 'border-frontline' you were. It was strange, but manageable. What we have now is very different."[51]

Besides the sheer scale and intensity of the inter-country post-invasion war, the occupation of southeastern Ukraine and the policies deployed there since 2022 have been, indeed, much more oriented towards annexation and administrative–institutional, with economic and cultural integration into Russia than to de facto statehood à la pre-2022 Donbas.[52] Other than Donbas, what relevant experiences with aid deployment can be retained from other frozen conflicts in the post-Soviet space? In his study on Nagorno-Karabakh and Abkhazia, Neil MacFarlane emphasizes that

[48] See, for example, Sanshiro Hosaka (2019). "Welcome to Surkov's Theater: Russian political technology in the Donbas war", Nationalities Papers, 47: 5, pp. 750–773 and Nikolay Mitrokhin (2014). "Transnationale Provokation. Russische Nationalisten und Geheimdienstler in der Ukraine", Osteuropa, 64 (5-6), 2014, pp. 157–174.
[49] Interview with a cadre from Western Europe who had been working for a donor institution in Ukraine for 4 years at the time of the interview on 23 August 2022.
[50] Ibid.
[51] Interview with a field officer of a major refugee organization who spent 7 years in eastern Ukraine, 5 August 2022.
[52] For a discussion of these policies, see Tetyana Malyarenko and Borys Kormych (2024). Op. cit., pp. 497-515, Yana Lysenko, 2023. op. cit., pp. 2-7, Nikolaus von Twickel, "Die Lage im annektierten Donbas zwei Jahre nach dem 24 February 2022", Russland-Analysen, 447, 27 March 2024, pp. 6-10 and David Lewis (2023). "Russia's economic occupation of southeastern Ukraine", Ukrainian Analytical Digest, 3, pp. 26-29.

conventional foreign aid, at least during the first decade following 1990-1993, largely focused on displaced people from Nagorno-Karabakh and Abkhazia in government-controlled parts of Azerbaijan and Georgia. Inside insurgent territory, activities initially remained limited, not in the least because of major donor concerns that substantial operations there would legitimize the secessionist authorities.[53] Against that background, some Ukrainian interlocutors suggest that relief supplied to affected populations in the occupation zones in their country is by definition a dead-end, and should instead focus on the evacuation of 'trapped compatriots' from the occupation zones—similar to the aid that was deployed for Hungarians who fled Hungary after the foiled anti-communist and anti-Soviet uprising of 1956.

The (non-)space of donorship patterns

This brings us to a factor that affects the practicability and perception of neutrality and operational independence in particular: the position and influence over operational choices and patterns of aid of donor governments and institutions. As visualized in Figure 2, over half of the US$3.5 billion in officially reported international relief and humanitarian assistance to Ukraine in 2023 and, as such, of the funding of the agencies and organizations that implement the aid, is financed by five major donor governments: the US, UK, the Federal Republic of Germany, Norway, and France. These countries also provide large amounts of financial and military assistance to the Ukrainian government and armed forces, well-exceeding those of their humanitarian assistance.[54]

One technical relief cadre summarized the impact of this reality as follow:

"Ukrainians do what they can to help fellow Ukrainians affected by the invasion and the war, and they expect foreign aid organizations to do the same. Yet in any case, most aid comes from donor governments that are openly on Ukraine's side. So, *exit neutrality*."[55]

As a cadre from Western Europe working for a donor institution who had been in Ukraine for four years added,

"Before, and even still during the earlier Donbas war, there was a strong reluctance to combine combat and relief aid activities, at least publicly or visibly. This taboo is now indeed completely gone, including among some donors and foreign aid actors. Most probably it will also happen in places other than Ukraine."[56]

Aid and aid organizations which get to be deployed in the occupation zones yet are funded by donor countries openly engaged against the occupant and thus considered to be 'hostile powers' by the latter will, as such, certainly be perceived by definition as not neutral and unreliable, or, if they are pragmatically admitted, at least as needing to be strictly supervised and customized. To be eligible for aid from or financed by member countries and institutions of the DAC donor group of the Organization for Economic Cooperation and Development—to which all of Ukraine's main donor countries belong—a country must be

[53] Neil S. Mac Farlane (2000). "Humanitarian action and conflict in the southern Caucasus : the cases of Abkhazia and Nagorno-Karabakh, CEMOTI – *Cahiers d'études* sur la Méditerranée orientale et le monde turco-iranien, 29, pp. 51-64.

[54] For an examination of the aid patterns of the US, UK, and the FRG to Ukraine, see Katelyn Bushnell, André Frank, Lukas Franz, Ivan Kharitonov, Stefan Schramm, and Christoph Trebesch (2023). "Eine Datenbank für militärische, finanzielle und humanitäre Unterstützung der Ukraine", Kiel Institut für Weltwirtschaft, accessible via https://www.ifw-kiel.de/de/themendossiers/krieg-gegen-die-ukraine/ukraine-support-tracker/ and Arianna Antezza and Pascal Frank (2022). "Internationale Hilfe für die Ukraine. Der 'Ukraine Support Tracker' zeigt Kluft zwischen Zusagen und Umsetzung auf", Ukraine-Analysen, 273, pp. 2-6.

[55] Interview with a 'commuting' technical aid cadre from Western Europe working for one of the large relief NGOs, 22 June 2022.

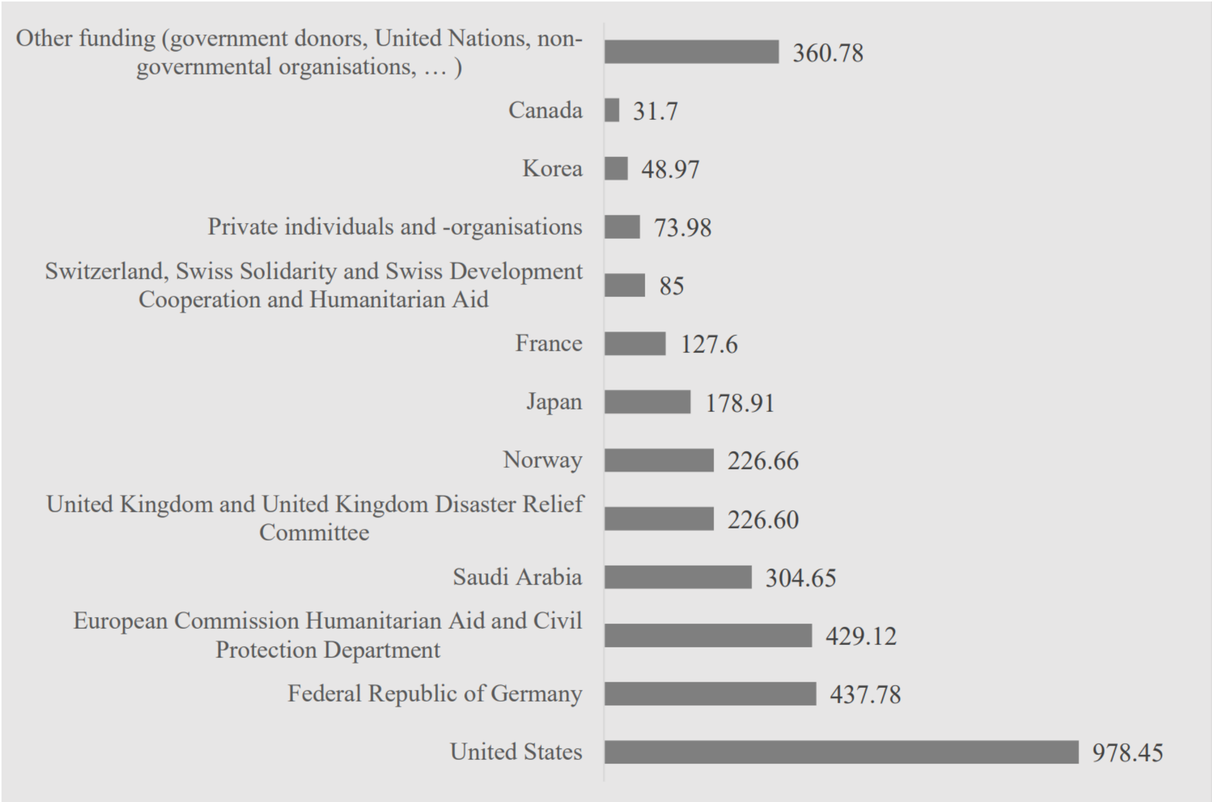
[56] Interview with a cadre from Western Europe working for a donor institution who had been in Ukraine for 4 years at the time of the interview on 23 August 2022.

included in the DAC list of eligible recipient countries.[57] While Ukraine, to which the occupied territories belong, is on the list, Russia, which considers and treats the occupied areas as its 'new regions, does not.

As such, unless a context-specific construction is set up, aid to the occupied Ukrainian southeast funded by DAC group donors will be by definition aid to Ukraine and, as such, be considered by the occupying power as outright hostile to its claims.

Reminiscent of the ICRC row during the 2022 Mariupol siege, what aid organizations faced at some point with the choice whether to work in occupied areas and cross the frontline or not is, what the impact will be, if they do, on their relationship with the Ukrainian government and the way that they are being perceived by wider Ukrainian opinion.[58]

Figure 2 – Officially reported international humanitarian assistance and disaster relief to Ukraine by donor and funding sources in 2023 (in million $)[59]



This being said, is eventual aid deployment financed by 'hostile' donor governments by definition excluded or, in this case, would it be a first? No. To come back to the earlier-quoted case of North Korea in 1995-1999, over three-quarters of foreign food and other relief aid in that period was financed by the US, Japan, and the Republic of Korea ('South Korea'), which are all countries

[57] Organization for Economic Cooperation and Development DAC list of ODA recipients, https://www.oecd.org/en/topics/sub-issues/oda-eligibility-and-conditions/dac-list-of-oda-recipients.html. This list also means that official DAC group aid to non-recognized states like Transnistria and—until its demise in late 2023—Nagorno-Karabakh is excluded.

[58] There are also concerns that articles against collaborationism and aiding and abetting the aggressor state which were added to the Ukrainian criminal code in spring 2022 can, if interpreted too broadly, backfire against relief workers. David Lewis (2023). "Russia's economic occupation of southeastern Ukraine", Ukrainian Analytical Digest, 3, pp. 26-29. p. 29.

[59] Figure created by the author on 16 March 2023 and updated on 1 July 2024 on the basis of data of the OCHA Financial Tracking Service database, https://fts.unocha.org.

considered to be very hostile by the North Korean regime. Most of it was channeled through UN agencies. This is less contradictory as it seems. Aid deployment in hostile territory which can be seen at first glance as a consequent practice of impartiality by donors and their sub-contractors, can be, for interested donor governments, a channel of influence and presence inside hostile areas that have been, as was the case with North Korea, off-limits for quite some time.

It can be intended to improve the image of the donor countries among the population while undermining that of the incumbent regime by helping where the regime or occupant is unable or unwilling to help its affected subjects.[60] Exactly that is the reason why different forms of foreign relief deployment in Ukraine's occupied southeast is not unthinkable if the situation there turns into a frozen conflict. It can also have an unintended opposite effect though: by averting or decreasing the chances of social unrest with relief, it can eventually and decisively boost the incumbent regime's survival.[61]

So who to engage with then?

If and where it occurs, one channel likely to play, or be tolerated by the occupation authorities to play, a prominent role in aid deployment in the occupation zones is the UN, of which Russia is a member state, a permanent member of the organization's Security Council as well as a donor to a number of its emergency response funds. But more importantly, although the UN's political role and clout have in general been on the wane for a while now—it played no decisive political role in the Donbas war nor could it avert the invasion for instance—it remains an important humanitarian and relief actor through a number of its specialized agencies. As a Ukrainian relief worker summarized,

"At the beginning, there was this perception, this hope among some that (… a neutral body like the…) UN could stop the war, but that quickly vanished. Now its associated primarily with relief aid."[62]

In occupied territory, the liberal civil society with its local and national non-governmental organizations, the international aid system usually works with subcontractors and implementing partners, is largely gone or dysfunctional. So apart from hypothetical ad hoc local networks, that leaves the state and state-affiliated structures as the main implementation channel. In se, there is nothing wrong with focusing on working with the state and its specialized institutions and affiliates to implement relief activities, for the latter are compatible with one of the state's core tasks: to protect the population.

It becomes much more problematic when the state and its institutions are the outcome of an invasion and of policies that are to transform the occupied areas, and which are partly staffed, especially at the higher echelons, with officials who were transferred to the occupied areas from the occupying country itself. Somehow, working with occupation officials come to, or will locally, in Russia as well as in government-controlled Ukraine, at least be perceived to legitimize them. In the case of some form of deployment, foreign relief

[60] See, for example, Jiyoung Kim (2014). "The politics of foreign aid in North Korea", The Korean Journal of International Studies, 12-2, pp. 425-450.

[61] As a historical example, this was arguably the case with the massive foreign relief aid—primarily from the US—that was deployed in areas controlled by the fledgling Soviet state during the 1921-1923 famine which was caused by the civil war, war communism, and drought, and particularly affected the Volga and Cis-Caspian regions. For more on this episode, see, for example, Yulia Khmelevskaya (2019). "La philanthropie entre business et pratiques militaires: l'aide américaine à la Russie soviétique lors de la famine des années 1920". Connexe : les espaces postcommunistes en question(s), 1, pp. 33-53 and Robert W. McElroy (1992). "Morality and American foreign policy: the role of ethics in international affairs", 201, Princeton Legacy Library, Princeton University Press, pp. 57-87. For a debate on whether foreign aid props up regimes or not, see Calimo Nieto-Matiz and Luis Schenoni (2020). "Backing despots? Foreign aid and the survival of autocratic regimes", Democracy and Security, 16 (1), pp. 36-58.

[62] Interview with a Ukrainian cadre of an international refugee organization, 20 August 2022.

organizations could try to put an emphasis on working with municipalities and church parishes which are closest to the grassroots and enjoyed rather high levels of popular trust before the 2022 invasion.[63] However, since the occupation authorities have scaled back the Ukrainian policy of local self-administration and many mayors were replaced or brought to heel, it remains to been seen how much real manoeuvring room municipalities still have.[64] The same applies to church parishes.

In lieu of a conclusion

No matter who they work for and how they proceed, more experienced relief workers know that even if they are granted access to the occupation zones, they will have to constantly walk on eggshells and be on-guard for a number of things. The presence of foreign aid workers could be presented in propaganda as a recognition of the occupying force and the de facto authorities, be instrumentalized for forced displacement or agricultural requisition policies, or get channeled exclusively to loyal citizens and locations to punish unloyal or 'unreliable' ones.

Monitoring and evaluation, protection, independent needs assessment, and pretty much everything else beyond the delivery of hardcore material relief like foodstuffs, medical equipment, and shelter construction materials will likely raise suspicion. If and where allowed, activities will be closely watched or surrounded as such, so that external relief workers only get to see what the occupation authorities want them to see. Whatever conventional external relief aid will be deployed in the occupation zones in the case of a frozen conflict, it will most likely be instrumentalized by the occupying regime, major international donor governments, or both. So in the end, it is a matter of deciding whether the principle of humanity—human suffering must be addressed wherever it is found—can be detached from the other three principles of neutrality, impartiality, and especially, operational independence where and when these become practically difficult if not impossible to upkeep.

As said at the beginning of this article, even if the frozen conflict scenario does not materialize in southeastern Ukraine, a number of insights and factors under examination still remain relevant for relief workers faced with the dilemma of whether they should operate and assist affected populations in occupied territories and non-recognized polities. A test case that might come up in the same region is Transnistria. Although the paradigm in Transnistria, the official population of which is some 469,000, differs from that in the occupied southeast of Ukraine and is much more one of an unrecognized insurgent state and Russian protectorate than of a fully-fledged occupation, it could become a 'side crisis' to the Ukraine war if the economic assistance from Russia based on which it functions comes to a halt or when it is subject to a gas supply and transport blockade.[65]

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[63] See, for example, Ukrainskyi tsentr ekonomichnykh ta politychnykh doslidzhen im. O. Razumkova, 2021. *Dovira do instytutiv suspilstva ta politykiv, elektoralni oriientatsii hromadian Ukrainy (lypen–serpen 2021 r.)*, https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/dovira-do-instytutiv-suspilstva-ta-politykiv-elektoralni-oriientatsii-gromadian-ukrainy. According to this summer 2021 survey, 73.8 percent 'rather trusted' or had 'a very high level of trust' in churches and parishes, and 62.5 percent in municipal institutions. Focusing on working with municipalities and local self-administrations in relief efforts is an approach advocated for the government-controlled parts of Ukraine. See, for example, François Grünewald (2022). "Évaluation en temps réel de la réponse humanitaire à la crise liée à la guerre en Ukraine, 24 juillet-18 août 2022". Évaluation en temps réel, Groupe Urgence, Réhabilitation et Développement, p. 68.

[64] Tetyana Malyarenko and Borys Kormych (2024). Op. cit., p. 508.

[65] Transnistria also hosts a certain number of refugees from neighboring Ukraine. How many exactly is not clear. According to official Transnistrian sources, after 24 February 2022, 63,800 foreign nationals arrived in Transnistria and more than 54,500 were registered there. In early 2023, 1,974 people were reportedly living in refugee reception points, though many more may be residing outside of these. Novosti Pridnestrov'ia (2023). "V Pridnestrov'e iz Ukrainy vyekhali okolo 63,8 tysiachi bezhentsev", https://novostipmr.com/ru/news/23-01-30/v-pridnestrove-iz-ukrainy-vehali-okolo-638-tysyachi-bezhencev#. The numbers of refugees, as well as who counts as a

The peculiar challenge for aid organizations will then be how to operate and who to engage with in an international non-recognized country.

Ukrainian refugee in Transnistria or not, are disputed though. See Carolin Busch (2023. „Aktuelle Lage der ukrainischen Geflüchteten in Moldau“, German Economic Team, 78, https://www.german-economic-team.com/newsletter/aktuelle-lage-der-ukrainischen-gefluechteten-in-moldau/.