

# MODERN TRENDS IN THE DEVELOPMENT OF TERRORISM AS A SOCIO-LEGAL PHENOMENON

Politova Anna

DOI: <https://doi.org/10.61345/1339-7915.2025.2.17>

**Annotation.** The study demonstrates the results of generalizing the definitions of the concept of “terrorism”, which are enshrined in international law and national legislation; determines the factors that influence its formation and spread; and also contains proposals for improving the legislation of Ukraine to solve problems that arise in the activities of law enforcement agencies to minimize the existence of this negative phenomenon in modern society.

The study was carried out on the basis of a systematic analysis of international legal acts and the legislation of Ukraine on the fight against terrorism, research by scientists, analytical materials, and judicial practice. Other methods and approaches were also used, in particular: logical-semantic (to analyze the very content of the concept of “terrorism”), phenomenological (to distinguish the characteristics of terrorism as a social phenomenon), comparativist (to compare foreign experience in counteracting terrorism with Ukrainian realities), hermeneutic (for an adequate interpretation of the political and legal context of manifestations of terrorism), dogmatic (or formal-logical – to identify gaps in Ukrainian legislation), pragmatic methods (to prove the expediency and usefulness of the proposed provisions).

It has been proved that various manifestations of terrorism are openly demonstrated in Ukraine, which the Russian Federation commits after a full-scale invasion of the territory of a sovereign, independent, democratic, legal state. And this forces the Ukrainian legislator to respond promptly. In particular, a regulatory definition of “terrorist organization” and “organized terrorist group” is needed; it is necessary to create a Register of terrorist organizations; it is necessary to revise the powers of special entities for combating terrorism, and in the conditions of an armed conflict to expand their powers. Special emphasis is placed on the importance of recognizing the Russian Federation as a state-sponsor of terrorism, which will lead to the revision of international legal acts on counteracting this socio-legal phenomenon and will contribute to its regulatory settlement.

**Key words:** terrorism, fight against terrorism, security, terrorist-oriented criminal offenses, legislation, prevention

## 1. Introduction.

Acts of terrorism cannot surprise any country in the world. According to the Global Terrorism Index 2022, in 2021, deaths from terrorism fell by 1.2 percent to 7,142 deaths and are now a third of what they were at their peak in 2015. The minor fall in deaths was mirrored by a reduction in the impact of terrorism, with 86 countries recording an improvement, compared to 19 that deteriorated. However, the number of attacks globally increased by 17 percent to 5,226. As such, the lethality of attacks decreased from 1.6 deaths per attack to 1.4 deaths per attack over the 12-month period. Russia and Eurasia had the largest regional improvement [5]. But terrorism remains a persistent global threat, with 2024 marking another year of shifting patterns and evolving challenges with the geographic reach of terrorism spreading. The number of countries experiencing at least one terrorist incident increased from 58 to 66, the most countries affected since 2018. In 2024, more countries deteriorated than improved for the first time in seven years, with 45 countries reporting a higher impact from terrorism, while only 34 showed improvement [6].

Different types of terrorism threaten the peace and security of different countries, take the lives of tens, hundreds and thousands of innocent people. For example, in May 2020, a suicide bomber belonging to an affiliate of ISIS (Islamic State of Iraq and Syria) attacked people gathered at a funeral ceremony in Afghanistan, killing more than twenty people [24]. Also in the same month, terrorists killed forty civilians and twenty soldiers in an attack in Nigeria and set fire to a UN office and a local police station [9]. And these are only individual cases of committing terrorism.

On February 24, 2022, the Russian Federation made a full-scale invasion of the territory of Ukraine. It is indisputable that back in 2014 this country encroached on the sovereignty, independence and territorial integrity of our state, but this time the actions of this country lead to the death of thousands of people, including children. As of June 28, 2024, according to the Office of the Prosecutor General of Ukraine, during the full-scale invasion of the Russian Federation, 637 children were killed and 2037 were injured (without taking full account of the places of active military operations) [11]. It was the commission of such illegal actions against the civilian population of Ukraine that prompted some countries to recognize the Russian Federation as a state that supports terrorism. So, in particular, on August 11, 2022, the Seimas of the Republic of Latvia adopted a statement on the recognition of targeted military acts of Russia against the civilian population of Ukraine as terrorism, and Russia as a state that supports terrorism [23].

It is worth noting that terrorism in Ukraine and Georgia has been predominantly associated with the 2008 and 2014 conflicts with Russia. Outside of these two periods, terrorism in both countries has been low. If past patterns are any indication, then terrorist activity would be expected to increase markedly with the current conflict. Generally, the level of terrorism is proportional to the intensity of the conflict. Terrorist attacks are also a commonly used tactic in asymmetric warfare, usually targeting military, police and government infrastructure. If Russia gains control and appoints a puppet government, it will most likely meet with strong resistance and face a sustained insurgency. Myanmar is a case in point where after the democratically elected government was overthrown in 2021 by a military coup. Following this terrorism increased 23 times, resulting in 521 deaths, up from 23 deaths [27]. Such conclusions correspond to reality, because according to the results of 2014, in the rating of terrorism, Ukraine rose to 12th place, i.e. +39 positions for the year. According to the results of 2015, Ukraine took 11th place, 2016 – 17th place, 2018 – 24th place, 2019 – 36th place, 2020 – 59th place, 2021 – 78th place, 2022 – 62th place, 2023 – 73th place, 2024 – 45th place.

Therefore, the spread of terrorism in the world in general and the impact of the armed conflict on Ukraine's place in the Global Terrorism Index, in particular, point to the need to study the state of combating terrorism in Ukraine in the context of an armed conflict.

**2. The purpose of the study** is to investigate the definitions of terrorism, which are enshrined in international law and national legislation, to determine the factors that influence its spread, and to develop proposals for improving the legislation of Ukraine to solve problems arising in the activities of law enforcement agencies to minimize the existence of this phenomenon in society.

### **3. Materials and methods.**

An analysis of international legal acts and legislation of Ukraine on the fight against terrorism, research of Ukrainian scientists on the problems of combating terrorism, analytical materials and court practice was carried out in order to identify the gaps in the current legislation.

During the preparation of the study, logical-semantic, phenomenological, comparativist, hermeneutic, dogmatic (formal-logical), pragmatic methods, as well as methods of system analysis, were used. In particular, the logical-semantic method was used to analyze the term "terrorism" (in particular, to determine the basic definition and distinguish it from similar in content and related concepts). The phenomenological method is involved in research to study the subject (terrorism as a phenomenon) with ascertaining the facts of its manifestation and correlating its content with reproduction in consciousness: this is how the content of terrorism is revealed, which is separated

from other phenomena and appears as if in its pure form (as a phenomenon). The comparativist method has become useful in the study of foreign experience regarding manifestations of terrorism in the world, as well as in comparing this experience with Ukrainian legislation and legal practice. The hermeneutic method was needed to analyze and explain the political and legal context in which acts of terrorism can manifest, as well as to develop options for an adequate legislative response to such phenomena. The dogmatic (or otherwise formal-logical) method is used to analyze the current legislative material for the purpose of regulating terrorist acts, identify gaps in it, and develop appropriate proposals for their elimination. The methodology of pragmatism is applied to the study of legal norms, in the context of their practicality, how they act in reality, how fully they regulate relations in a certain specific case of the manifestation of terrorism (that is, to determine the ability of legal norms to act effectively, to meet their purpose, to be “useful” in legal reality). The method of system analysis was used in the study of the normative definition of terrorism.

#### 4. Review and discussion.

The events of September 11, 2001 forced the world to change its understanding of terrorism: it turned out to be multifaceted and diverse. Terrorism exists alongside such global problems as the threat of nuclear war, environmental pollution, climate change, poverty, and hunger. But this phenomenon transforms together with humanity, it is aimed at the fight against injustice, inequality, oppression, the national liberation movement and other socio-political processes that can be perceived ambivalently by society.

For Ukraine, the problem of combating terrorism became especially urgent with the beginning of aggression from the Russian Federation, which in the spring of 2014 held an illegal referendum and annexed the part of our territory – the Autonomous Republic of Crimea, which violated the territorial integrity of our state and forced the population to overthrow the constitutional order. Also, using the forces and means of intelligence agencies and special services, the aggressor country provoked numerous terrorist acts in the Donetsk and Luhansk regions, and as a result, armed demonstrations by separatists. It was the commission of such actions that gave reason to believe that Ukraine has become the object of a “hybrid” war in which the enemy uses terrorist acts. At the same time, wanting to destroy our state, on February 24, this state made a full-scale invasion not only from its territory, but also from the territory of the Republic of Belarus.

In modern scientific literature, there are more than a hundred definitions of the term “terrorism”, and the normative definition of this phenomenon is enshrined both in international law and national legislation, and covers its various manifestations and types. This indicates that there is no universal interpretation of terrorism.

In addition, it is worth supporting the point of view that so far, there is no generally agreed-upon definition of terrorism in the international community. Against this background, in an interlocutory decision issued on February 16, 2011, the Appeals Chamber of the Special Tribunal for Lebanon held that terrorism has evolved into a crime under international customary law. This Appeals Chamber’s decision has been harshly criticized from an academic point of view, but several important issues have been raised in this decision, including issues concerning a transnational element and an element of political motives in the definition of international terrorism. In this sense, this interlocutory decision may be regarded as providing an important opportunity for academic analysis and discussion of the definition of international terrorism [8].

It should be noted that the impetus for the development and adoption of a number of normative acts at the international level of combating terrorism was the recognition of terrorism as a global problem, and the initiator of the development of normative acts was the United Nations.

General international treaties on combating terrorism include: Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, dated December 14, 1973; International Convention against the Taking of Hostages of December 17, 1979; International Convention on Combating the Recruitment, Use, Financing and Training of Mercenaries of December 4, 1989; Convention on the Safety of United Nations and Associated Personnel of 9

December 1994; International Convention for the Suppression of the Terrorist Bombing of December 9, 1994. The UN Convention against Transnational Organized Crime of December 18, 2000 is also related to the fight against terrorism in a certain way. To block global financial flows aimed at supporting terrorists, the International Convention for the Suppression of the Financing of Terrorism of December 9, 1999 was adopted, in the development of which Ukraine also participated.

Along with universal international treaties aimed at combating terrorism in general, a number of agreements are in effect to create an international legal basis for combating terrorism in specific directions or in specific territorial spaces where various states' activities are carried out. So, for example, after the terrorist acts of September 11, 2001, the United States has documents that are the international legal basis for cooperation between states in the fight against terrorism in air transport, in particular: Convention on Offences and Certain Other Acts Committed on Board Aircraft of September 14, 1963; Convention for the Suppression of Unlawful Seizure of Aircraft of December 16, 1970; Convention for the Suppression of Unlawful Acts Against the Safety of Civil Aviation of September 23, 1971; Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation of February 24, 1988. It is worth noting that these documents were adopted within the framework of the International Civil Aviation Organization.

In addition, the international community singles out international legal acts of combating terrorism at sea, which include: the UN Convention on the Law of the Sea of December 10, 1982; Convention for Suppression of Unlawful Acts Against the Safety of Maritime Navigation of March 10, 1988; Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf of March 10, 1988.

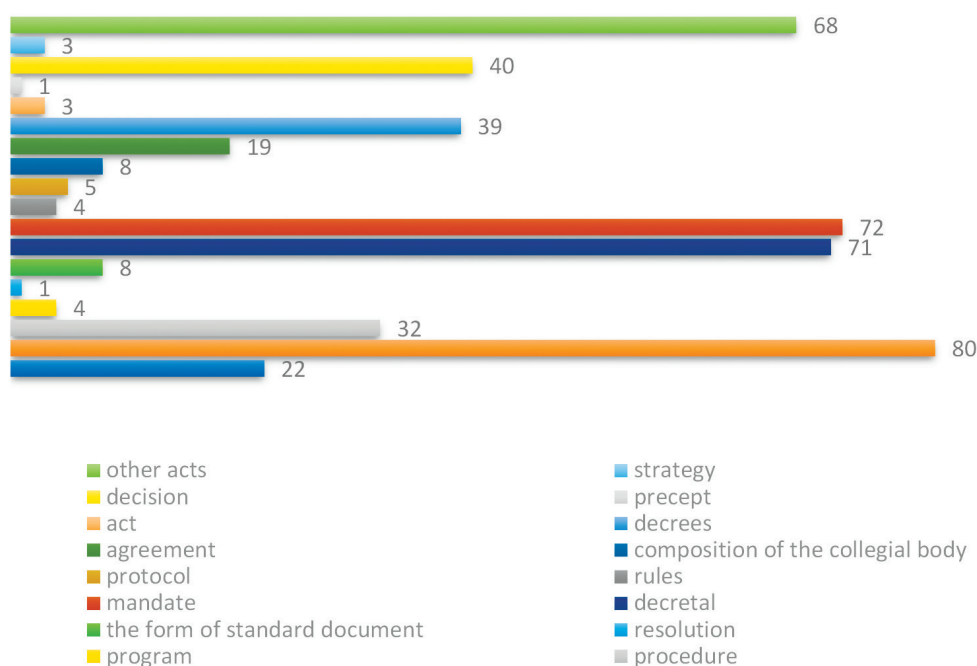
Also, a great threat to humanity is the possibility of terrorists taking possession of weapons in general and nuclear, in particular, explosives. To prevent such manifestations of terrorism, the following acts were adopted: Convention on the Marking of Plastic Explosives for the Purpose of Detection of March 1, 1991; the UN Convention on the Physical Protection of Nuclear Material of March 3, 1980; the International Convention for the Suppression of Acts of Nuclear Terrorism of September 14, 2005; Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components, and Ammunition, supplementing the UN Convention against Transnational Organized Crime of May 31, 2001.

The European Convention on the Suppression of Terrorism of January 27, 1977, and the Council of Europe Convention on the Prevention of Terrorism of May 16, 2005, make a certain contribution to combating terrorism. Also, since 1973, a special committee on terrorism has been operating at the UN, which works mainly in the following areas: development and coordination of legal norms; preparation of international treaties and conventions; identifying and studying the causes contributing to terrorism; development of anti-terrorism measures.

As for the European Union, the Committee of Experts on Terrorism was created in order to coordinate the actions of the Council of Europe against terrorism, which in 2018 was transformed into the Council of Europe Committee on Counter-Terrorism. Along with the development of the Council of Europe Counter-Terrorism Strategy for 2018-2022, for the detection of the latest terrorist threats, the Council of Europe Committee on Counter-Terrorism actively cooperates with other countries on the exchange of practical experience [4].

Therefore, our analysis of international acts related to the fight against terrorism indicates the concern of the world community about the scale and possible forms of this phenomenon. That is why it should be agreed that the documents listed above are convincing in the extent to which international organizations are responsible for this serious problem. A huge array of scientific and journalistic literature is also dedicated to its solution, which examines the phenomenon of terrorism in all its dimensions. All this gives reason to state that there is an extremely wide range of interpretations, evaluations and approaches to the studied phenomenon [25, c. 35].

The fight against terrorism at the national level also has its own characteristics. Analysis of the "Legislation of Ukraine" database allows us to note that as of June 28 of the current year, it contains 480 normative legal acts related to counteracting terrorism.



**Figure 1. Types of normative legal acts related to counteracting terrorism**

The main document that regulates the fight against terrorism is the Law of Ukraine of March 20, 2003 No. 638-IV “On Combating Terrorism”, according to which terrorism should be understood as socially dangerous activity, which consists in the deliberate, purposeful use of violence by taking hostages, arson, murders, torture, intimidation of the population and authorities or committing other encroachments on the life or health of innocent people or threats to commit criminal acts in order to achieve criminal goals [14]. In addition, the Law of Ukraine dated December 6, 2019 No. 361-IX “On prevention and counteraction to legalization (laundering) of proceeds obtained through crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction” is aimed at protecting the rights and legitimate interests of citizens, society and the state, ensuring national security by defining a legal mechanism for preventing and counteracting the legalization (laundering) of proceeds obtained through crime, the financing of terrorism, and the financing of the proliferation of weapons of mass destruction [17].

Resolution No. 92 of the Cabinet of Ministers of Ukraine dated February 18, 2016 “On the approval of the Regulation on the unified state system for preventing, responding to, and ending terrorist acts and minimizing their consequences” [18] defines the mechanism of functioning of the unified state system for preventing, responding to, and ending terrorist acts and minimizing their consequences, levels of terrorist threats and response measures of counter-terrorism subjects to the threat of committing a terrorist act.

The Decree of the President of Ukraine dated March 5, 2019 No. 53/2019 approves the Concept of Combating Terrorism, which defines the purpose, tasks, main principles and directions of improvement of the national system of combating terrorism in view of modern terrorist threats to the national security of Ukraine and the forecast of their development [15].

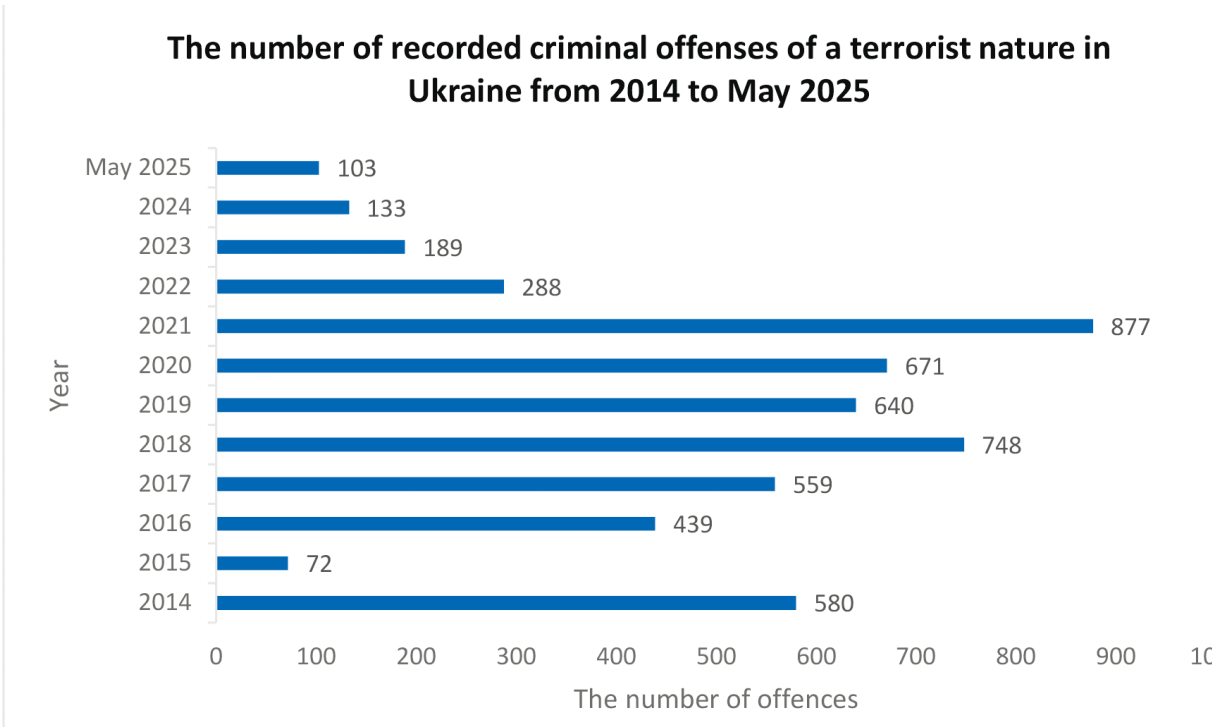
In addition, by order of the Office of the Prosecutor General of Ukraine of June 29, 2022 No. 110 “On the approval of reporting in form No. 1-LFT “Report on the results of the investigation of criminal proceedings on criminal offenses related to the legalization (laundering) of property obtained through crime, the financing of terrorism, the proliferation of weapons of mass destruction” [19], the provision of unified accounting of data on criminal offenses related to the legalization (laundering) of property obtained through crime, the financing of terrorism, the proliferation of weapons of mass destruction, persons who committed them, and the movement of criminal proceedings, was approved.



The main instrument of counteracting terrorism in Ukraine is the Criminal Code of Ukraine. Section IX. Criminal offenses against public safety includes the following types of criminal offences: Art. 258. Terrorist act, Art. 258-1. Involvement in the commission of a terrorist act, Art. 258-2. Public calls to commit a terrorist act, Art. 258-3. Creation of a terrorist group or terrorist organization, Art. 258-4. Contribution to the commission of a terrorist act, Art. 258-5. Financing of terrorism, as well as Art. 209-1. Deliberate violation of the requirements of the legislation on prevention and counteraction to legalization (laundering) of proceeds obtained through crime, the financing of terrorism and the financing of the proliferation of weapons of mass destruction, which is included in Section VII. Criminal offenses in the field of economic activity.

According to the Numbeo service, which forms the Crime Index, as of 2025, Ukraine ranks 68th in the world (out of 148) in terms of the level of crime. In Europe, according to this indicator, our country is in eighth place after Sweden and Italy. Does this situation affect the number of registered criminal offenses of a terrorist nature?

An analysis of the data of the Office of the Prosecutor General of Ukraine regarding the number of recorded criminal offenses of a terrorist nature from 2014 to May 2025 indicates that the largest number of them were committed precisely because of the full-scale invasion of the Russian Federation on the territory of our state. This is confirmed in the results of the study of Noelle C. Chubb. So, in particular, the scientist notes that 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 financial institutions, particularly in the aftershock of the downing of Malaysian Airlines Flight MH17, a civilian flight that was shot down over contested territory. 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. 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 [10].



**Figure 2. The number of recorded criminal offenses of a terrorist nature in Ukraine from 2014 to May 2025.**

At the same time, despite the increase in the number of recorded criminal offenses of a terrorist nature, the number of persons who committed these criminal acts remains unknown.

Sensing the need to create a unit that would counter terrorist threats, the Decree of the President of Ukraine dated December 11, 1998 No. 1343/98 "On the Anti-Terrorist Center" established coordination groups at the regional bodies of the Security Service of Ukraine. In addition, the Decree of the President of Ukraine dated April 14, 1999 No. 379/99 "On the Regulations on the Anti-Terrorist Center and its Coordination Groups at the Regional Bodies of the Security Service of Ukraine" established that the Anti-Terrorist Center (hereinafter – the Center) is a permanent body under the Service of Security of Ukraine, which coordinates the activities of counter-terrorism entities in the prevention of terrorist acts against government officials, critical objects of life support for the population, objects of increased danger, acts that threaten the life and health of a significant number of people, and their termination [16].

Therefore, our analysis of normative legal acts on counter-terrorism allows us to note that Ukraine as a whole has created the necessary legislative conditions to ensure successful counter-terrorism. However, the individual provisions of the normative legal acts cited by us also reduce the efficiency of the application of anti-terrorist legislation and the effectiveness of law enforcement agencies in this area. This necessitates the search for solutions to improve domestic anti-terrorist legislation.

The well-known terrorism researcher B. Jenkins (USA) believes that the threat of violence, individual acts of violence or a campaign of violence, which generate a feeling of fear, can be defined as terrorism. Violence with the use of weapons, not limited by geographical boundaries and any norms, without a clear front line, secrecy in the preparation of operations, their unsystematic nature – all this gave B. Jenkins the reason to put forward the thesis that terrorism is a new type of war. It is clear that it is impossible to equate war and terrorism, but they are closely related and sometimes overlap, as evidenced by, for example, the events in Chechnya [3].

In 2003, when no one particularly believed in the reality of terrorism in Ukraine, in order to keep up with the world public, the Law of Ukraine dated March 20, 2003 No. 638-IV "On Combating Terrorism" was adopted. It is this Law that defines what a terrorist organization is – a stable association of three or more persons, which was created for the purpose of carrying out terrorist activities, within which the distribution of functions is carried out, and certain rules of conduct are established, which are mandatory for these persons during preparing and committing terrorist acts. An organization is recognized as terrorist if at least one of its structural units carries out terrorist activities with the knowledge of at least one of the leaders (management bodies) of the entire organization [14].

In 2021, there was an attempt in Ukraine to consolidate the list of terrorist organizations at the legislative level. So, in particular, on August 26, the Cabinet of Ministers of Ukraine approved the Draft Law on changing the procedure for recognizing the organizations as terrorist and creating a list of terrorist organizations. This Draft Law (reg. No. 5872 dated 27.08.2021) was submitted to the Verkhovna Rada of Ukraine for consideration. At that time, the mass media actively discussed the question of classifying the "DPR/LPR" groups as terrorist organizations. But the Draft Law was not adopted and it was not even included in the agenda of the meetings of the Verkhovna Rada of Ukraine.

Starting from February 24, the process of classifying one or another organization as terrorist gained new momentum. Thus, in particular, the Draft Law on Amendments to Certain Legislative Acts of Ukraine on Improving the Fight against Terrorism (reg. No. 7349 dated 05.05.2022) [22] proposed to comprehensively strengthen the state-wide system of fighting: in addition to amending the legislative acts, it was proposed to create a register of terrorist organizations, establish the procedure for their inclusion (exclusion) in (from) such a register, as well as determine the legal consequences of including terrorist organizations in the register. For example, it was proposed to make the following changes to the Law of Ukraine "On Combating Terrorism" [22]:

- add a new fourth paragraph with the following content: "criminal offenses of a terrorist nature – criminal offenses provided for by Articles 112, 113, 147, 258-260, 443, 444 of the Criminal Code of Ukraine, as well as other criminal offenses committed with a terrorist purpose";
- the tenth paragraph should be written as follows:  
"organization of illegal armed groups, criminal organizations, terrorist groups, organized terrorist groups, terrorist organizations to commit terrorist acts, as well as participation in such acts";
- paragraphs seventeen and eighteen should be set out in the following wording:

“for any purpose by an individual terrorist or terrorist group, organized terrorist group, terrorist organization”;

“for the organization, preparation or commission of a terrorist act, involvement in the commission of a terrorist act, public calls for the commission of a terrorist act, creation of a terrorist group, organized terrorist group, terrorist organization, assistance in the commission of a terrorist act, receiving training in terrorism, leaving Ukraine and entering Ukraine with a terrorist purpose, carrying out any other terrorist activity, as well as attempts to commit such actions”;

– paragraph twenty-one should be amended as follows:

“terrorist group – a group of two or more persons who, based on a prior conspiracy, have united for the purpose of committing one or more terrorist acts or criminal offenses of a terrorist nature”;

– add the paragraph twenty-two with the following content:

“organized terrorist group – a stable association of three or more persons who have organized to commit one or more acts or criminal offenses, united by a single plan with the division of functions of group members, aimed at achieving this plan, known to all group members”.

In this regard, paragraphs twenty-two to twenty-seven should be considered paragraphs twenty-three to twenty-eight, respectively;

– paragraph twenty-three should be amended as follows:

“terrorist organization is a stable hierarchical association of five or more persons, the members or structural parts of which, by prior conspiracy, have organized themselves for direct carrying out terrorist activities by members of this organization; or directing or coordinating the terrorist activities of other persons; or ensuring the functioning of this terrorist organization or other organized terrorist groups; or it is the organization included in the Register of terrorist organizations”;

– add the paragraph twenty-nine with the following content:

“anti-terrorist training of the population is a system of organizational, educational, enlightening, practical-training and other measures aimed at forming anti-terrorist competencies in representatives of state authorities, local self-government and the civilian population”.

But after submitting this Draft Law on August 19 for a repeated first reading, it was rejected on August 30.

On October 13, at the regular session of the Parliamentary Assembly of the Council of Europe, the document “Further escalation in the Russian Federation’s aggression against Ukraine” was adopted, the key points of the Resolution of which are:

1. Condemnation of aggression and its recognition as a crime under international law.
2. Confirmation of the sovereignty of Ukraine.
3. Recognition of the Russian regime as terrorist.
4. Accelerating the establishment of the Special (*ad hoc*) International Tribunal for the prosecution of the crime of aggression against Ukraine.
5. Creation of a comprehensive international compensation mechanism, including a register of losses.
6. Creation of a mechanism for permanent verification of measures to ensure and protect the system of responsibility for serious violations of international law of Russia.
7. Providing Ukraine with air defense systems.
8. Bringing the issue of Russia’s responsibility to the top of the agenda of the upcoming 4th Summit of Heads of State of the Council of Europe.



9. Cleansing international organizations of Russian agents.

10. The question of the expediency of Russia's participation in the UN [12].

Also, on October 15, the final Resolution was adopted at the 145th Assembly of the Inter-Parliamentary Union, which strongly condemns the aggression against Ukraine. In particular, the adopted Resolution, at the initiative of Ukrainian representatives, also states that: "in addition to massive human casualties, the ongoing aggression of the Russian Federation against Ukraine has caused one of the largest displacement crises in the world, with over 7 million Ukrainian refugees and over 6.9 million internally displaced persons" [1].

What is the reason for such a reaction of the international community to the actions of the Russian Federation on the territory of our country, because on January 14, 2015, the Parliament of Ukraine already appealed to the countries of the European Union, the European Parliament, the Parliamentary Assembly of the Council of Europe, the United States, Canada, Australia and Japan with a request to recognize the DPR and the LPR as terrorist organizations? In response to this appeal of the Verkhovna Rada of Ukraine, the European Parliament adopted a Resolution in which it limited itself to the formulation of "the use of terrorist methods of activity" and did not recognize the Russian Federation as a "state sponsor of terrorism" at that time.

A similar project of the appeal was registered in May of this year, in which it was proposed to appeal to the United Nations, the European Parliament, the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, the Parliamentary Assembly of the BSEC, the governments and parliaments of the countries of the world about the recognition of the armed forces of the Russian Federation and Russian private military companies as terrorist organizations [21], which was included in the agenda, but not considered.

The fact that over the last six years, terrorism in the Russia and Eurasia region has declined is undeniable. Ninety-three percent of the region's attacks since 2007 were recorded prior to 2016, highlighting how pronounced this decline has been. Terrorism peaked in the region in 2010 in the wake of the Russian-Georgia conflict, with 339 attacks and 318 deaths recorded in that year [27]. However, it happened historically that throughout the nineteenth century, anarchist revolutionaries in Russia, Italy, and other areas of Europe carried out bombings and killings to destroy organized government and capitalism [2].

Terrorism is characterized by violence. As noted by M.P. Trebin, in terms of identifying the features of violence in the commission of terrorist acts, two points must be emphasized: explicit and latent elements of violence. An explicit element of violence is connected with the implementation of direct terrorist acts, which can cause people to die, houses getting destroyed, planes, trains, etc. explode. In today's conditions, the nature of the objects of terrorist attacks and the forms of these attacks are sharply spreading. But the main threat from terrorists remains a threat to the lives and safety of people. It should be noted that the distinctive feature of modern terrorism is that it has a distinction between the immediate victim of violence and the group being the object of influence and the purpose of violence, and the degree of cruelty from this does not diminish, and perhaps even more [26].

The Russian Federation commits various acts of terrorism on the territory of our state, for example, a nuclear attack on the territory of the Zaporizhia NPP. So, in particular, there is heavy equipment and ammunition at the ZNPP site. The Russian invaders, having established control over the nuclear power plant, turned it into a military base from which shelling of Ukrainian cities is carried out. In addition, the Russian Federation mined a number of communications at the ZNPP [13].

Since nuclear danger has no borders, in Resolution No. 7667 of the Verkhovna Rada of Ukraine dated August 15, 2022, our state calls on: 1) recognizing the actions of the Russian Federation regarding the occupation of the ZNPP, its mining and shelling as an act of nuclear terrorism; 2) applying sanctions against the state corporation "Rosatom"; 3) suspending the privileges and rights of the Russian Federation as a member of the IAEA and depriving it of the right to vote at meetings of the Board of Governors of the IAEA and the opportunity to participate in programs of technical cooperation, scientific and technical exchange and international research projects under the auspices of the

agency; 4) the UN and the IAEA to take the necessary measures to organize and send a joint security mission to the ZNPP with subsequent demilitarization of the plant and the withdrawal of armed Russian military and equipment from the plant and the entire surrounding area, including the city of Energodar [28]. But even the admission of the IAEA mission to the ZNPP did not significantly affect the situation, because shelling of the territory continues, violence against workers is committed, and the creation of a safety zone around the power plant is rejected by the Russian Federation.

Also interesting is the fact that Ukraine became the first country in the world to sue under the International Convention on Combating the Financing of Terrorism. In its appeal to the European Union and the countries of the Group of Seven as founders of the FATF, regarding the strengthening of the fight against money laundering, including funds of criminal origin, the financing of terrorism, the financial mechanisms used by the Russian Federation to avoid sanctions and continue the invasion of the territory of Ukraine [20], the Verkhovna Rada of Ukraine:

- calls for stronger control over tools such as cryptocurrencies, other virtual assets, which become a transit mechanism for the transfer of funds of international terrorists and sanctioned countries, financing of international trade in sanctioned goods, in particular of the Russian Federation;
- calls for the identification, unmasking and seizure of all available wealth and assets belonging to the President of the Russian Federation Vladimir Putin, officials and oligarchs of the Russian Federation against whom sanctions have been imposed due to the aggression of the Russian Federation against Ukraine;
- calls on the European Union and the countries of the Group of Seven to create an effective mechanism for monitoring compliance with sanctions and to apply all possible measures of influence to countries that facilitate the evasion of sanctions or do not take sufficient measures to ensure compliance with sanctions against persons responsible for the aggression of the Russian Federation against Ukraine and committed war crimes on the territory of Ukraine, including the President of the Russian Federation Vladimir Putin, other Russian officials, politicians, oligarchs and their family members.

It is worth noting that at the International Court of Justice, our state is trying to prove the facts of the Russian Federation's supply of weapons, explosives, money and other material assets, conducting training for the "LPR/DPR" groups, which subsequently commit terrorist acts against the civilian population.

The individual facts we have analyzed regarding the commission of terrorism on the territory of Ukraine testify to its diversity. That is why we should agree with W. Laqueur, who claims that it can be predicted with confidence that disputes about a comprehensive, detailed definition of terrorism will continue for a long time, that they will not result in consensus and that they will make no noticeable contribution to the understanding of terrorism [7]. At the same time, the gaps noted by us in the legislation of Ukraine regarding the fight against terrorism need to be resolved.

## 5. Conclusions.

Today, Ukraine is faced with various manifestations of terrorism committed by the Russian Federation after a full-scale invasion of the territory of a sovereign, independent, democratic, legal state. The existing legislative basis of Ukraine for combating terrorism is sufficient, however, the challenges that arise in the conditions of an armed conflict force the legislator to promptly respond to these processes. The fact that some normative legal acts of Ukraine require changes and additions to them is indisputable. This fully applies to the definitions of "terrorist organization", "organized terrorist group", and also indicates the need to create a Register of terrorist organizations with a clear definition of the grounds for assigning this or that organization to it. The powers of special counter-terrorism entities and their expansion, especially in the conditions of an armed conflict, need to be reviewed.

The recognition of the Russian Federation as a state-sponsor of terrorism will necessitate the revision of international legal acts on counteracting this socio-legal phenomenon and its possible regulatory

settlement. But, unfortunately, terrorism will continue to exist despite the fact that the international community is trying to reduce its influence, especially during armed conflicts.

## References:

1. 145 Asambleia Mizhparlamentskoho Soiuzu pryiniala finalnu Rezoliutsiiu, u yakii rizko zasudzhuietsia ahresiia rosii proty Ukrainy [145th Assembly of the Inter-Parliamentary Union adopted the final Resolution, which sharply condemns Russia's aggression against Ukraine] Retrieved from: <https://www.rada.gov.ua/news/razom/229190.html> [in Ukrainian].
2. Adejumo, T.O., Adams, J.A., & Abumbe, G.T. (2022). Terrorism and abrahamic religious tradition: a focus on boko haram islamic fundamentalism in the north-eastern nigeria. *Journal of Liberty and International Affairs*, 8(2), 177-201. <https://doi.org/10.47305/JLIA2282177a> [in English].
3. Bilenchuk P.D., Kofanov A.V., Kobylanskyi O.L. (2009) Mizhnarodnyi teroryzm: konsolidovanyi analiz zabezpechennia bezpeky: navch. posibn. Kyiv: NNIPSK KNUVS, 2009. 72 s. (Seriia «Bezpeka liudyny, suspilstva, derzhavy») [International terrorism: a consolidated analysis of security: training manual Kyiv: NNIPSK KNUVS, 72 p. (Series "Safety of man, society, state")] [in Ukrainian].
4. Council of Europe Counter-Terrorism Committee, CDCT. Council of Europe. Retrieved from <https://www.coe.int/en/web/counter-terrorism/cdct> [in English].
5. Global Terrorism Index 2022 report. Retrieved from: <https://www.visionofhumanity.org/wp-content/uploads/2022/03/GTI-2022-web-09062022.pdf> [in English].
6. Global Terrorism Index 2025. Retrieved from: <https://reliefweb.int/report/world/global-terrorism-index-2025> [in English].
7. Laqueur, W. Terrorism. London: Weidenfeld and Nicolson. Boston: Little, Brown, 1977. Pp. 277. [in English].
8. Minakawa Makoto. Is terrorism a crime under customary international law?: Issues on the definition of international terrorism raised by the Special Tribunal for Lebanon. THE NAGOYA GAKUIN DAIGAKU RONSHU; Journal of Nagoya Gakuin University; SOCIAL SCIENCES 58 (3), 41-54, 2022-01-31. [in English].
9. Nigeria's Boko Haram crisis: UN 'appalled' by twin jihadist attacks in Borno, *bbcNews*, June 14, 2020. Retrieved from: <https://www.bbc.com/news/world-africa-53041886> [in English].
10. Noelle C. Chubb. Terrorism: The Case of Donbas and Ukraine. Spring 2022. Retrieved from: [https://thekeep.eiu.edu/cgi/viewcontent.cgi?article=1002&context=lib\\_awards\\_2022\\_docs](https://thekeep.eiu.edu/cgi/viewcontent.cgi?article=1002&context=lib_awards_2022_docs) [in English].
11. Ofis Heneralnoho prokurora Ukrainy [Office of the Prosecutor General of Ukraine] Retrieved from: <https://www.gp.gov.ua/> [in Ukrainian].
12. PARle sohodni ukhvalyla rezoliutsiiu «Podalsha eskalatsiia ahresii Rosiiskoi Federatsii proty Ukrainy» [PACE today adopted the resolution "Further escalation in the Russian Federation's aggression against Ukraine"] Retrieved from: <https://www.rada.gov.ua/news/razom/229133.html> [in English].
13. Pavko Ya. Yadernyi teroryzm u svitli viiny rosiiskoi federatsii proty Ukrainy [Nuclear terrorism in the light of the war of the Russian Federation against Ukraine] Retrieved from: <http://www.golos.com.ua/article/363889> [in Ukrainian].
14. Pro borotbu z teroryzmom: Zakon Ukrainy vid 20 bereznia 2003 r. № 638-IV [On combatting terrorism: Law of Ukraine of March 20, 2003 No. 638-IV]. Retrieved from: <https://zakon.rada.gov.ua/laws/show/638-15#Text> [in Ukrainian].
15. Pro Kontseptsiiu borotby z teroryzmom v Ukraini: Ukaz Prezydenta Ukrainy vid 5 bereznia 2019 r. № 53/2019 [On the Concept of Combating Terrorism in Ukraine: Decree of the President of Ukraine dated

March 5, 2019 No. 53/2019] Retrieved from: <https://zakon.rada.gov.ua/laws/show/53/2019#Text> [in Ukrainian].

16. Pro Polozhennia pro Antyterorystychnyi tsentr ta yoho koordynatsiini hrupy pry rehionalnykh orhanakh Sluzhby bezpeky Ukrainy: Ukaz Prezydenta Ukrainy vid 14 kvitnia 1999 r. № 379/99 [On the Regulations on the Anti-Terrorist Center and its coordination groups under the regional bodies of the Security Service of Ukraine: Decree of the President of Ukraine dated April 14, 1999 No. 379/99] Retrieved from: <https://zakon.rada.gov.ua/laws/show/379/99#Text> [in Ukrainian].
17. Pro zapobihannia ta protydiu lehalizatsii (vidmyvanniu) dokhodiv, oderzhanykh zlochynnym shliakhom, finansuvanniu teroryzmu ta finansuvanniu rozpovsiudzhennia zbroi masovoho znyshchennia: Zakon Ukrainy vid 6 hrudnia 2019 r. № 361-IX [On prevention and counteraction to legalization (laundering) of proceeds obtained through crime, financing of terrorism and financing of the proliferation of weapons of mass destruction: Law of Ukraine dated December 6, 2019 No. 361-IX.] Retrieved from: <https://zakon.rada.gov.ua/laws/show/361-20#Text> [in Ukrainian].
18. Pro zatverdzhennia Polozhennia pro yedynu derzhavnu systemu zapobihannia, reahuvannia i prypynennia terorystychnykh aktiv ta minimizatsii yikh naslidkiv : Postanova Kabinetu Ministriv Ukrainy vid 18 liutoho 2016 r. № 92 [On the approval of the Regulation on the unified state system for preventing, responding to, and ending terrorist acts and minimizing their consequences: Resolution of the Cabinet of Ministers of Ukraine dated February 18, 2016 No. 92.] Retrieved from: <https://zakon.rada.gov.ua/laws/show/92-2016-%D0%BF#Text> [in Ukrainian].
19. Pro zatverdzhennia zvitnosti za formoiu № 1-LFT «Zvit pro rezultaty rozsliduvannia kryminalnykh provadzen pro kryminalni pravoporushennia shchodo lehalizatsii (vidmyvannia) maina, oderzhanoho zlochynnym shliakhom, finansuvannia teroryzmu, rozpovsiudzhennia zbroi masovoho znyshchennia: nakaz Ofisu Heneralnoho prokurora Ukrainy vid 29 chervnia 2022 r. № 110 [On the approval of reporting in form No. 1-LFT "Report on the results of the investigation of criminal proceedings on criminal offenses related to the legalization (laundering) of property obtained through crime, the financing of terrorism, the proliferation of weapons of mass destruction: order of the Office of the Prosecutor General of Ukraine dated June 29, 2022 No. 110.] Retrieved from: <https://zakon.rada.gov.ua/laws/show/v0110905-22#Text> [in Ukrainian].
20. Pro Zvernennia Verkhovnoi Rady Ukrainy do Yevropeiskoho Soiuzu ta krain Hrupy Semy yak zasnovnykiv Mizhnarodnoi hrupy z protydii vidmyvanniu brudnykh hroshei (FATF) shchodo posylennia borotby z vidmyvanniam koshtiv, u tomu chysli koshtiv kryminalnoho pokhodzhennia, z finansuvanniam teroryzmu, z finansovymy mekhanizmamy, yaki vykorystovuie Rosiiska Federatsiia dlia unyknennia sanktsii ta prodovzhennia vtorhnennia na terytoriiu Ukrainy: Postanova Verkhovnoi Rady Ukrainy vid 29 lypnia 2022 r. № 2496-IX. [On the Address of the Verkhovna Rada of Ukraine to the European Union and the countries of the Group of Seven as founders of the FATF regarding the strengthening of the fight against money laundering, including funds of criminal origin, the financing of terrorism, the financial mechanisms used by the Russian Federation to avoid sanctions and continue to invade the territory of Ukraine: Resolution of the Verkhovna Rada of Ukraine dated July 29, 2022 No. 2496-IX.] Retrieved from: <https://zakon.rada.gov.ua/laws/show/2496-20#n9> [in Ukrainian].
21. Proiekt Postanovy pro Zvernennia Verkhovnoi Rady Ukrainy do Orhanizatsii Obiednanykh Natsii, Yevropeiskoho Parlamentu, Parlamentskoi Asamblei Rady Yevropy, Parlamentskoi Asamblei OBSi, Parlamentskoi Asamblei NATO, Parlamentskoi Asamblei OChES, uriadiv i parlamentiv derzhav svitu pro vyznannia zbroinykh syl Rosiiskoi Federatsii ta rosiiskykh pryvatnykh viiskovykh kompanii terorystychnymy orhanizatsiiamy (reiestr. № 7519 vid 04.07.2022) [Draft Resolution on the Address of the Verkhovna Rada of Ukraine to the United Nations, the European Parliament, the Parliamentary Assembly of the Council of Europe, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, the Parliamentary Assembly of the BSEC, the governments and parliaments of the countries of the world on the recognition of the armed forces of the Russian Federation and Russian private military companies as terrorist organizations (reg. No. 7519 dated 04.07.2022)] Retrieved from: <https://itd.rada.gov.ua/billInfo/Bills/Card/39900> [in Ukrainian].

22. Projekt Zakonu pro vnesennia zmin do deiakykh zakonodavchykh aktiv Ukrainy shchodo vdoskonalennia borotby z teroryzmom (reiestr. № 7349 vid 05.05.2022) [Draft Law on Amendments to Certain Legislative Acts of Ukraine on Improving the Fight against Terrorism (Reg. No. 7349 dated 05.05.2022).] Retrieved from: <https://itd.rada.gov.ua/billInfo/Bills/CardByRn?regNum=7349&conv=9> [in Ukrainian].
23. Saeima paziņojumā atzist Krieviju par terorismu atbalstošu valsti. Retrieved from: <https://www.saeima.lv/lv/aktualitates/saeimas-zinas/31308-saeima-pazinojuma-atzist-krieviju-par-terorismu-atbalstosu-valsti> [in Latvian].
24. Saudi Arabia, UAE slam ‘Houthi’ missile attack in Yemen’s Marib, Al-Jazeera News, January 20, 2020. Retrieved from: <https://www.aljazeera.com/news/2020/1/20/saudi-arabia-uae-slam-houthi-missile-attack-in-yemens-marib> [in English].
25. Sereda V.V., Serkevych I.R. (2016) Teroryzm: kryminolohichna determinatsiia i kryminalno-pravova protydiia: monohrafiia / za zah. red. V. S. Kantsira. Lviv: LvDUVS [Terrorism: criminological determination and criminal law countermeasures: monograph / by general. ed. V. S. Kantsir. Lviv: LvDUVS]. [in Ukrainian].
26. Trebin, M.P. (2019). FENOMEN TERORYZMU: ROZUMINNIa SUTNOSTI. “Visnyk NluU imeni Yaroslava Mudroho”. Serii: Filosofiia, filosofiia prava, politolohiia, sotsiolohiia, 2(41), 88–102. [THE PHENOMENON OF TERRORISM: UNDERSTANDING THE ESSENCE. “Yaroslav the Wise NYU Herald”. Series: Philosophy, philosophy of law, political science, sociology, 2(41), 88–102.] Retrieved from: <https://doi.org/10.21564/2075-7190.41.168239> [in Ukrainian].
27. Ukraine Russia Crisis – Terrorism Briefing. Retrieved from: <https://www.visionofhumanity.org/wp-content/uploads/2022/03/Ukraine-Russia-Crisis-Terrorism-Briefing-1.pdf> [in English].
28. Verkhovna Rada Ukrainy pryniala postanovu shchodo zasudzhennia aktu yadernoho teroryzmu, yakyi zdiisniue derzhava-ahresor na ZAES [The Verkhovna Rada of Ukraine adopted a resolution condemning the act of nuclear terrorism which the aggressor state commits at the ZNPP] Retrieved from: <https://snriu.gov.ua/news/verhovna-rada-ukrayini-prijnyala-postanovu-shchodo-zasudzhennya-aktu-yadernogo-terorizmu-yakij-zdijsnyuye-derzhava-agresor-na-zaes> [in Ukrainian].

---

**Anna Politova,**  
*Candidate of Legal Sciences, Associate Professor,  
Associate Professor of Department of Law,  
Mariupol State University  
E-mail: [politova1954@gmail.com](mailto:politova1954@gmail.com)  
ORCID: 0000-0002-7351-7110*