

Recently, on September 23<sup>rd</sup>, the Commission of Inquiry on Ukraine reported to the UN Human Rights Commission on their findings from Kyiv, Chernihiv, Kharkiv, and Sumy, that they had uncovered evidence of war crimes including of sexual and gender-based violence and that the victims ranged in age from four to 82 years old. Horrifying personal testimonies in print and electronic media attest to the appalling tragedies survivors endure at the hands of Russian soldiers. Civil society organizations and service providers in Ukraine and working with Ukrainian refugees also report an increased need in their services to help survivors [4].

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## **POLICING IN TIME OF WAR: PROBLEMS AND WAYS OF DEVELOPMENT**

On 24 February 2022, the Russian Federation launched a large-scale armed aggression against Ukraine, killing Ukrainian citizens and destroying towns and villages as a result of offensive hostilities, including missile, artillery and air strikes. In order to repel the aggressor and protect the sovereignty and territorial integrity of the state, martial law was imposed in Ukraine by the Decree of the President of Ukraine No. 64/2022 as of 24 February 2022. So, the conduct of contemporary military operations takes place in a highly complex and contested terrain of legal and social norms. Whether a military force is engaged in conventional armed conflict, counter-insurgency, anti-terrorism, peacekeeping/enforcement, stability operations, or law enforcement, there is a convergence of a dense mixture of law, doctrine and policy that guides military decision-making.

The synchronization of law and policy on the one hand, and of formalism and social effect on the other, needs to be constantly reconciled. Involvement of police officers has become a key feature of operational planning

and execution. Law enforcement relates to the ‘broad range of activities to protect the civilian populace, provide interim policing and crowd control, and secure critical infrastructure. It is to be contrasted with conventional war-fighting and often takes place in a context of overlapping legal frameworks. The application of force in law-enforcement-type activities is sometimes determined by peacetime criminal law regimes, sometimes by elements of the law of armed conflict, and sometimes by both. The consequences of non-compliance with the relevant rule, norm, or standard within this highly calibrated and synergetic legal framework can be devastating. The impacts can be measured in terms of personal liability and mission accomplishment goals, as well as broader socio-political registers of legitimacy.

Conflict effects on policing are easily understood. There are two primary reasons that policing may become difficult during these times:

1. The first is the absence or weakness of state authority. Police operate under the auspices of the state, and anytime that authority is seriously challenged, the police’s job is necessarily more difficult, and may be made impossible. Additionally, during this challenge, individuals may seek other options for justice, rather than policing, few of which resemble the forms of policing performed by a state.

2. A second major reason policing can be difficult during conflict is the level of violence that can sometimes be attained. This second problem is the most widely cited reason for the loss of policing during conflict. Police forces are not meant to handle high levels of conflict. They are especially ill equipped to do so when the conflict is widespread and police involved in conflict frequently require the military to take over if the level of violence becomes too high. Moreover, in many conflicts the police themselves are targets of this violence making regular operations difficult.

Based on international experience, the United Kingdom LOAC Manual (2004) states: to avoid confusion, the law requires that «whenever a Party to a conflict incorporates a paramilitary or armed law enforcement agency into its armed forces it shall so notify the other Parties to the conflict».

Examination of conflict has now been a part of the criminal justice literature for decades, so conflict can affect justice systems. Moreover, there has been substantial study of post-conflict justice issues. The decisions made on intervention with police during conflicts are, by definition, uninformed. Further, frequently interventions take place in the context of ongoing conflict, meaning those involved have expectations that may not be realistic for police behavior during these times.

Conflict policing is a proposed research agenda examining policing behavior during conflict on multiple levels and in multiple formats to better assist decision makers with their decisions to intervene in a given conflict. Additionally, it hopes to fill a gap in understanding about how police function, or fail to function, during times of crisis. Though this is one suggestion for a way forward, it is by no means the only viable way to examine the process. Much critique of this view is expected and needed

before scholars can sufficiently understand what happens to law enforcement during a conflict, and how to make the best decisions regarding interventions or support.

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## **CHINA'S CYBERSECURITY LAW AND ITS IMPACTS**

China's Cybersecurity Law went into effect, marking an important milestone in China's efforts to create strict guidelines on cyber governance. Long before the Cybersecurity Law took effect, China had already made some efforts to strengthen information security. For example, a white paper titled *The Internet in China*, published in 2010, served as an early guide to China's policy on internet usage [1]. But the Cybersecurity Law marks a significant milestone in China's efforts to combat cybercrime.

Despite the Cybersecurity Law's passage and enactment, uncertainties still plague its introduction. Because of ambiguous requirements and broadly defined terminology, some enterprises are concerned about the law's potential impact on their operations in China, while others worry that it will create trade barriers to foreign companies in the Chinese market.

Consisting of 79 articles in seven chapters, the Cybersecurity Law is exceptionally wide in scope, containing an overarching framework targeting the regulation of internet security, protection of private and sensitive information, and safeguards for national cyberspace sovereignty and security. Similar to some of the most commonly used cybersecurity standards, such as the Cybersecurity Framework of the National Institute of Standards and Technology (NIST) and ISO 27000-27001, the Cybersecurity Law emphasizes requirements for network products, services, operations and information security, as well as monitoring, early detection, emergency response and reporting. On the topic of protection of data privacy, the Cybersecurity Law is similar to data-privacy laws and regulations in other