



POLICY BRIEF

The International Call to Fight

Addressing Implications of Participation in and Impacts of Fighting in Ukraine

By Jessica White May 2023

When Russia launched its full-scale invasion of Ukraine in February 2022, there was an outcry across Europe, the West, and nations globally, questioning the legitimacy of the war. Although there had been Russian occupation of Ukrainian territory and associated conflict since 2014, the invasion sparked a new, distinct phase of interstate conflict with geopolitical considerations and socioeconomic impacts. Initially, there was relatively wide-ranging support of the call from Ukraine for foreign volunteers to join its military efforts based on nations' perceived alliances to Ukraine, considerations of European security, and concerns over threats from Russia and its interests and allies.²

In the initial days of the conflict, however, with official processes to join the International Legion of Defence of Ukraine still not fully in place, there was confusion over the legality of this type of active participation in a foreign conflict. For many, this dynamic resonated with the topical issue of foreign fighters, who traveled to fight with Daesh in Syria and Iraq, and the challenges of how to handle their status and return or perhaps with the less-discussed status of those who traveled to fight against Daesh outside of sanctioned military operations.³ Thus, it is important to clarify the distinctions among types of individual participation in foreign conflicts under the international legal system set up to govern armed conflict, including categories of foreign terrorist fighters, foreign fighters, foreign volunteers, and mercenaries.⁴

Ukraine worked quickly to establish a process by which foreign volunteers could officially and in a widely and internationally sanctioned manner join the ranks of the International Legion, a division of its

¹ Wilson Center, "World Reaction to the Invasion of Ukraine," Wilson Center, 24 February 2022, https://www.wilsoncenter.org/article/world-reaction-invasion-ukraine.

Bethan McKernan, "Ukraine Appeals for Foreign Volunteers to Join Fight Against Russia," *Guardian*, 27 February 2022, https://www.theguardian.com/world/2022/feb/27/ukraine-appeals-for-foreign-volunteers-to-join-fight-against-russia; Tim Hume and Henry Langston, "Foreign Fighters Are Rushing to Join Ukraine's New International Battalion," Vice, 28 February 2022, https://www.vice.com/en/article/akvyq4/russian-ukraine-invasion-foreign-fighters-battalion.

³ Jason Fritz and Joseph K. Young, "Transnational Volunteers: American Foreign Fighters Combating the Islamic State," *Terrorism and Political Violence* 32, no. 3 (April 2020): 449–468.

⁴ Tanya Mehra and Abigail Thorley, "Foreign Fighters, Foreign Volunteers and Mercenaries in the Ukrainian Armed Conflict," International Centre for Counter-Terrorism (ICCT), 11 July 2022, https://www.icct.nl/publication/foreign-fighters-foreign-volunteers-and-mercenaries-ukrainian-armed -conflict.

national military.5 Even with this process of volunteering to fight as part of a national military rather than joining paramilitary groups in place, questions remain around the legality of this process and how much process and preparation, which would normally be a part of military engagement, has been put in place to prepare foreign volunteers to fight. Additionally, due to the ideologically charged nature of the invasion, justification narratives from Russia, and the historical context of the conflict, there are concerns of exposure to far-right ideological influence for those traveling to participate. The pre-invasion context from 2014 to 2022 was certainly imbued with ideological threats, with thousands traveling to fight there in support of far-right ideological purposes.⁷ Although paramilitary units often encouraged this kind of participation, they largely have now been absorbed into the official military establishment, and the far-right ideological narrative has been discouraged. Nevertheless, there remains a concern that foreign volunteers may be exposed, due to the conflict context itself or through the belief systems of their comrades, to extremist ideologies that they may carry home.

This brief addresses the implications and impacts of the call to fight in Ukraine in order to gauge potential threats and to encourage preparations for the successful return and reintegration of volunteers into civilian life. Reportedly, there have been more than 20,000 volunteers from 52 countries,⁸ but other estimates suggest that the number of those who entered Ukraine with the intention of fighting is closer to 2,000.⁹ Therefore,

this brief provides an overview of the status of those fighting in the Ukraine conflict because this impacts potential responses, such as tracking, monitoring, and engaging with these individuals. Finally, it raises awareness of the preparations needed by the countries of origin for the mental, physical, and potentially ideological challenges these foreign volunteers may have faced while responding to the call to defend Ukraine to ensure their successful societal reintegration.

Because these private citizens are traveling to fight in an armed conflict outside of their domestic military services, they could be left without a range of support that would be available to them as domestic military veterans. Without these services in place, they face potential challenges with a civilian system largely ill-equipped to understand or address their needs. The counterterrorism community has focused on disengagement, deradicalization, rehabilitation, and reintegration of those classed as foreign terrorist fighters. Yet, there is seemingly little preparation in place at the national government level for assessment and provision of similar services, where needed, for foreign volunteers returning from the conflict. 10 Especially due to the emergency nature of this call, processes of predeployment training, mental and physical well-being monitoring, or event postdeployment support for those who have been involved in combat are unclear. It is therefore essential that countries with citizens who have volunteered to participate in this conflict are preparing for their return and providing services to them in support of their mental and physical well-being.

⁵ See International Legion of Defence of Ukraine, n.d., https://fightforua.org/ (accessed 25 March 2023).

⁶ Claudia Wallner, "The Global Far Right and the War in Ukraine: Initial Reactions and Enduring Narratives," *Global Center on Cooperative Security Policy Brief*, March 2023, https://www.globalcenter.org/wp-content/uploads/GCCS-RUSI-PB-global-far-right-war-ukraine-2023.pdf; Daniel Byman, "Foreign Fighters in Ukraine? Evaluating the Benefits and Risks," Lawfare, 2 March 2022, https://www.lawfareblog.com/foreign-fighters-ukraine-evaluating-benefits-and-risks.

⁷ Kacper Rękawek, "Extremist Foreign Fighters in Ukraine," CREST Security Review, no. 15 (Autumn 2022), pp. 50–51, https://crestresearch.ac.uk/download/4278/csr15_trauma_web_reduced_02.pdf; Kacper Rękawek, Foreign Fighters in Ukraine: The Brown-Red Cocktail (New York: Routledge, 2023)

⁸ Mark Guarino, "Foreign Fighters in Ukraine Speak Out on Their Willingness to Serve: 'I Had to Go," ABC News, 6 November 2022, https://abcnews.go.com/International/foreign-fighters-ukraine-speak-willingness-serve/story?id=91671528.

⁹ Rekawek, Foreign Fighters in Ukraine.

¹⁰ Teun van Dongen et al., "Foreign Volunteers in Ukraine: Security Considerations for Europe," ICCT, 4 May 2022, https://icct.nl/publication/foreign -volunteers-in-ukraine-security-considerations-for-europe/.

DEFINITIONS OF PARTICIPATION

With the current counterterrorism policy focus on the return of foreign fighters, in relation to returning those who traveled to fight with Daesh in Syria and Iraq, it becomes important to clarify the distinctions among foreign terrorist fighters, foreign fighters, foreign volunteers, and mercenaries under the international legal system set up to govern armed conflict.11 In order to be prosecuted as a foreign terrorist fighter, which is a legal classification established in response to the large number of individuals traveling to fight with Daesh, an individual must be fighting on behalf of a proscribed terrorist organization. In the international framework, this classification was established by UN Security Council Resolution 2178 in 2014. It remains controversial, however, with many still opting to retain use of foreign fighter versus foreign terrorist fighter because it binds member states to criminalize a wide range of activities related to foreign fighting and blurs the distinction between terrorism and participation in armed conflict that may be legal under international humanitarian law.12

Those who traveled prior to the establishment of a defined pathway for volunteering for Ukraine's International Division qualify for penalization as foreign fighters, which is often subject to national legal interpretation and influenced by political appetite. The individuals who joined as foreign volunteers with the International Legion under national constitutions that allow citizens to fight in foreign militaries have entered the conflict legally and would not be subject

to prosecution for participation within the boundaries of international humanitarian law. ¹⁴ Regardless of the legality under international humanitarian law, however, foreign military volunteering remains illegal under the national constitutions of some countries. Mercenaries are those who are contracted to fight in a foreign country for pay.

The concern this raises with regard to individuals who traveled prior to the official pathway to volunteer is that those who fought with paramilitary groups prior to February 2022 have been prosecuted in some cases for crimes as foreign fighters and linked to far-right ideological threats of violent extremism.¹⁵ Some countries (e.g., the Czech Republic, Germany, the United Kingdom) have acted to criminalize participation in the 2014–2022 conflict. Yet, some countries, often those with less political will or well-defined far-rightfocused laws, chose to largely ignore this participation. For example, as application of U.S. counterterrorism law was dependent on the legal definition of the group they were joining as a foreign terrorist organization, thousands of Americans traveled to fight with ideologically far-right paramilitary groups between 2014 and 2022 and often were not prosecuted or provided with services or deradicalization programming after their return. 16 This was seen by some counterterrorism professionals as a fault in the counterterrorism framework's design, with its myopic focus on Islamist violent extremism and in stark contrast to those prosecuted as foreign terrorist fighters due to the designation of organizations such as Daesh and al-Qaida as foreign terrorist organizations.¹⁷

¹¹ Mehra and Thorley, "Foreign Fighters, Foreign Volunteers and Mercenaries in the Ukrainian Armed Conflict."

¹² Ibid

¹³ William B. Farrell, "Central Asia's New Foreign Fighters Problem: The Russia-Ukraine War," U.S. Institute of Peace, 8 September 2022, https://www.usip.org/publications/2022/09/central-asias-new-foreign-fighters-problem-russia-ukraine-war.

¹⁴ Mehra and Thorley, "Foreign Fighters, Foreign Volunteers and Mercenaries in the Ukrainian Armed Conflict."

¹⁵ Halya Coynash, "Czech Republic Passes Record 21-Year Sentence for Terrorism in Militant-Controlled Ukraine," Kharkiv Human Rights Protection Group, 27 July 2021, https://khpg.org/en/1608809365; The Soufan Center, "White Supremacy Extremism: The Transnational Rise of the Violent White Supremacist Movement," September 2019, https://thesoufancenter.org/wp-content/uploads/2019/09/Report-by-The-Soufan-Center-White -Supremacy-Extremism-The-Transnational-Rise-of-The-Violent-White-Supremacist-Movement.pdf.

¹⁶ The Soufan Center, "White Supremacy Extremism."

¹⁷ Jessica White, "Consensus vs. Complexity: Challenges of Adaptability for the UN Security Council's Counter-Terrorism Framework & the Women, Peace, and Security Agenda," SFI Research Brief, October 2022, https://www.resolvenet.org/system/files/2022-10/SFI-RESOLVE_Jessica%20White %20Brief_6%20Oct%202022.pdf; Jessica White, "Far-Right Extremism: A Challenge to Current Counterterrorism Strategies and Structures?" RUSI Newsbrief 40, no. 2 (6 March 2020).

With it being legal under international humanitarian law to become a foreign volunteer and with relatively open and easy travel to the conflict zone, tracking those who have gone to fight might be difficult, especially if they traveled prior to the formation of the formal process. Travel outside the formal process of volunteering for the International Legion raises the legal question of foreign fighter status rather than foreign volunteer status, which adds the difficulty of whether to prosecute these individuals. Also, even for those who volunteered through the official avenue, there will inevitably arise situations of illegal battlefield conduct in violation of international humanitarian law, which will present complex legal challenges.

IMPLICATIONS OF THE APPEAL

Although it would be incorrect to assume that everyone who traveled to fight from 2014 to 2022 did so for far-right ideological reasons or that everyone who has traveled to fight after February 2022 would come into contact with these ideological influences, it is important to acknowledge that far-right influences present in Ukraine have not disappeared. For example, the Azov Battalion, which formed in 2014 and was later integrated into the Ukrainian National Guard, and the Azov Movement, a far-right nationalist network of military, paramilitary, and political organizations that grew out of the Azov Battalion, have extensive ties to the transnational far-right ecosystem.¹⁸ Also, the narratives surrounding the initial Russian invasion were highly ideological. Although these narratives were largely wielded as a political tool, there have been or are far-right ideological motivations on both sides of the conflict.19

As has been discussed in research on extremism within the security forces, there is a potential vulnerability created in environments of extreme in-group/outgroup formation, such as in the case of the military unit bonding experience.²⁰ Research has shown this can especially be true in combat-focused units, often elite military units subject to intensive unit building, with a dehumanization of the enemy out-group potentially encouraging ideologies of superiority (e.g., white supremacism, ultranationalism, misogyny).21 The combination of these "othering" narratives, individual expectation, and the physical and mental toll of combat environments could potentially increase the appeal of far-right ideologies and decrease resilience to radicalization or recruitment. Additionally, the combat and weapons skills obtained by these individuals make them a high-value target for those trying to recruit individuals into violent extremist groups.²²

In relation to this, it is important to note the highly gendered narrative of the conflict and of the appeal for volunteers. The rhetoric of this conflict, although varied, in the case of appealing to foreign volunteers often focused on a sense of hypermasculine patriotism, with a call for men with combat experience to take up arms in defense of those who could not defend themselves (e.g., pregnant women being bombed).²³ Largely due to the perception of military service being a masculine space, the call clearly was aimed to appeal to the gendered essentialisms that able-bodied men should protect women and children and that it is their duty to fight and die to defend the oppressed. This creates an environment in which the hypermasculine definition of patriotism becomes an impossible bar for performance. Expectations such as this and the mental

^{18 &}quot;Azov Movement," Stanford University, August 2022, https://cisac.fsi.stanford.edu/mappingmilitants/profiles/azov-battalion.

¹⁹ Wallner, "Global Far Right and the War in Ukraine."

²⁰ Teun van Dongen et al., "Right-Wing Extremism in the Military," ICCT, 25 May 2022, https://www.icct.nl/publication/right-wing-extremism -military; Jessica White, "Why Extremism Appeals to Some Active & Former Military Members," Rantt, 16 December 2021, https://rantt.com/why-extremism-appeals-to-some-active-former-military-members.

²¹ Daniel Koehler, "A Threat From Within? Exploring the Link Between the Extreme Right and the Military," *ICCT Policy Brief*, September 2019, https://www.icct.nl/sites/default/files/import/publication/ICCT-Koehler-A-Threat-from-Within-Exploring-the-Link-between-the-Extreme-Right-and-the-Military.pdf.

²² Margaret Davis, "Extreme Right-Wing Groups Recruiting Military Personnel," *Independent*, 13 July 2022, https://www.independent.co.uk/news/uk/national-action-isc-ukraine-west-midlands-police-mi5-b2122357.html.

²³ Emily Winterbotham, "The Impact of Gendered Narratives in the Conflict in Ukraine," *Global Center on Cooperative Security Policy Brief* (forthcoming).

pressures that they place on an individual can result in a spectrum of dangers—at one end, hypermasculine conceptions of patriotism that radicalize individuals to misogyny, ultranationalism, and xenophobia and, at the other end, feelings of inadequacy and failure that can fuel radicalization.²⁴

The implications of the call to arms are significant in the aftermath of a conflict and to an individual fighter's pathway to postcombat rehabilitation and reintegration into civilian life. The realities of combat environments, whether an experienced professional or not, are unpredictable and often different from the expected experience. Many different elements can make the point of separation from a militarized identity and the transition to civilian life a point of concern. Sometimes, such a strong identity is formed with the military/unit group that it becomes difficult to regain individual identity; sometimes, traumas experienced during conflict leave lasting physical and mental (e.g., post-traumatic stress disorder) scars; and sometimes, failed expectations of heroism or of lack of a resolution to the conflict can damage individual identity.²⁵ Additionally, in some cases, these concerns will be compounded by the fact that some of those who traveled were veterans who were already struggling to form a civilian identity and seized on the opportunity to participate again in the military environment. This could potentially compound existing challenges if they do not feel adequately satisfied by their participation or if there is an undesired or unresolved end to the conflict.

IMPACTS OF COMBAT AND NECESSARY SUPPORT SYSTEMS

Joining the military in times of crisis or conflict impacts the environment, tempo, and conditions into which individuals enter, even in the case of individuals joining their own standing national militaries, demanding that service members integrate, adapt, and prepare quickly. These effects would be amplified exponentially when a volunteer joins an international division of a foreign military during an active conflict. In most cases, the support systems in place as part of national military training, welfare, and so on would be much more comprehensive than what the foreign volunteers received, and it is essential to be aware of the impacts of the environment in which they enlisted after their return.

In the military, there is normally a "boot camp" environment at the entry point in which unit formation is emphasized. This may exist in a limited fashion for the foreign volunteers, but it would presumably be a truncated experience due to the pressing nature of the conflict dynamics. This could have implications in relation to the dangers presented earlier. Additionally, in the military there is often a focus on predeployment training and preparation or, in some cases, mission training and preparation. These systems are in place to ensure a clear understanding of purpose; a time for mental preparation, if possible, for what is to come; and an understanding of roles and responsibilities within the unit, among other things. For a quickly deployed international division, it is likely that these systems were limited and often challenged by the different backgrounds, languages, ranks, and expectations represented by the influx of volunteers from numerous countries and from various backgrounds.

There would likely be a stark contrast between those volunteering with previous military service and those who might have come from backgrounds with less, little, or no organized combatant training. ²⁶ Organized militaries are required to train their service members on international humanitarian law and the codes that govern interstate conflict and armed combat, but not all the volunteers may have received that training. This

²⁴ Hanna Rigault Arkhis and Jessica White, "Female Veterans and Right-Wing Extremism: Becoming 'One of the Boys," ICCT, 28 January 2022, https://www.icct.nl/publication/female-veterans-and-right-wing-extremism-becoming-one-boys.

²⁵ Alexander Smith et al., "Volunteer Foreign Fighters in the Ukrainian Conflict and Considerations for Forensic Psychiatry: Toward an Interdisciplinary Dialogue," *Frontiers in Psychiatry*, vol. 13 (May 2022), pp. 1–5, https://www.frontiersin.org/articles/10.3389/fpsyt.2022.914369/pdf.

²⁶ Howard Altman and Philip Athey, "Volunteer Fighters Arrive in Ukraine. But the Untrained Should Stay Home," *Army Times*, 3 March 2022, https://www.armytimes.com/flashpoints/ukraine/2022/03/03/volunteer-fighters-arrive-in-ukraine-but-the-untrained-should-stay-home/.

type of training often also focuses on preparation for the traumatic nature of combat, including preparation of individuals mentally and physically for responding to torture or being captured or held as prisoners of war.²⁷ Without this, the volunteer's experience might be exponentially more traumatic, they could endanger themselves or their unit, or they could engage in war crimes or illegal battlefield conduct.

Additionally, there is a question of the volunteers returning to their civilian lives without a postdeployment debrief and physical and mental health check and without clear access to support services of which they might be in need. Most militaries have put these systems in place, either through military systems for those remaining on active duty or through veteran's programs for those leaving service. To varying degrees, these programs monitor the physical and mental well-being of these individuals and help them to process the impacts of combat. Also, even though these efforts are often much less substantial than they should be, there is the onus on these systems to assess service members as potential security threats, in cases in which radicalization or recruitment may be happening or they may commit acts of violence, such as domestic violence or self-harm. The military jurisdiction over these support systems is often separated from civilian social care services and is especially equipped for the needs of those who have participated in combat. So, if foreign volunteers are returning to their home countries but do not qualify for support systems associated with domestic military service, there is a clear danger that they might go unmonitored or not be able to access through civilian pathways the type of services that would be best acclimated to meet their needs and understand their risks and vulnerabilities.

CONCLUSION AND RECOMMENDATIONS

Due to the implications and impacts of the call to fight in Ukraine, it becomes apparent how important it is to ensure that there is preparation at the national level for the return of citizens who have traveled to participate. Some lessons on monitoring, rehabilitation, and reintegration concerns and programming can be taken from the adjacent contexts of services that militaries provide after combat or to veterans or in some cases services that counterterrorism or civil society organizations are preparing or implementing for returning foreign fighters. Yet, many different dynamics to this interstate conflict must be fully considered to ensure that the law has been upheld and that the transition of these individuals back to civilian life does not present a danger to themselves or to society. There should be preparations made now, presumably to address some individuals who have already returned and to have support systems in place for others who are yet to return from Ukraine.

As noted, transition points between military and civilian life can be especially vulnerable. No matter the experience of individuals, there will undoubtedly be physical and mental implications of participation in an active combat zone; left unsupported, these can quickly present challenges that turn into security threats to the individuals, their families and friends, or even to society in cases of radicalization. There are often service systems in place with established national militaries that would normally oversee the pre- and postdeployment needs of those participating in combat. In the case of the pressing needs of Ukraine and the hasty establishment of their volunteer International Legion in the conflict, however, responsibility for these types of services will likely fall largely on the national governments of the countries to which these volunteers might return. Therefore, awareness of potential concerns must be raised, including devising who can best offer the most effective and appropriate services, so that preparations can be made to support these individuals.

 Wherever possible, the traveler and legal status of participants in the conflict should be established.
Policy and necessary resources should be in place

²⁷ For example, see U.S. Department of Defense, "DoD Instruction 1322.32: Pre-Deployment Training and Theater-Entry Requirements," 10 June 2020, https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/132232p.PDF.

- to track their return so that there is a clear process for relevant security, health, legal, and other actors and a point of contact for the individuals after their return.
- Consideration should be given by national authorities to who would be the relevant and responsible authorities in the case of these individuals, especially for those who have traveled legally as foreign volunteers, and how much oversight there can be of their postdeployment debrief or assessment in coordination with offering of services.
- on their national laws or their traveling prior to the establishment of the official process for foreign volunteering, or for those who may have committed battlefield crimes, agreements should be established by which it will be the national responsibility to investigate and prosecute or where this would fall under the remit of an international tribunal. Some lessons could be taken from evidence-gathering techniques applied in other contexts (e.g., the prosecution of foreign fighters).
- Communications policy should be put in place to govern the public governmental response to the participation of individuals from their country, whether this participation is considered to reflect positively or negatively, and to moderate any public

- response. This is to ensure coordination but also the well-being and safety of the individuals returning (e.g., to ensure coordinated governmental voice and lack of dynamic politization on support for volunteering or support for rehabilitation and reintegration of these individuals or to avoid negative or harmful stigmatization of returning fighters in countries where public opinion might be less supportive or divided).
- Jurisdiction of relevant physical and mental health and other support services should be considered because often the types of services that would be best equipped and knowledgeable about the needs of these individuals would be under the military or veteran services rather than civilian services. If these individuals are to be connected with civilian service providers, sufficient training should be given to these providers on the impacts and implications of participation in active combat zones.
- Awareness should be raised among policymakers, security actors, and service providers on the context of the far-right ideological dynamics espoused as part of the narrative of this interstate conflict to avoid stigmatization of those who have volunteered to fight and to help anticipate any potential threats of fighters returning radicalized or with links to transnational far-right networks.

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