

The International Legal Mechanism of Humanitarian Aid

Activities during Martial Law in Ukraine

Ielyzaveta Lvova – Volodymyr Dryshliuk*

Abstract

This paper contributes to the definition of the evolving, separate field of international legal mechanisms for humanitarian aid. Moreover, the paper's aim is to introduce and examine the practice of humanitarian cooperation in Ukraine, with special regard to the role of the EU. The research relies on a survey of the relevant literature and interviews conducted with representatives of humanitarian organizations working in Ukraine. With this paper we aim to contribute not only to the shaping of this field of international law, but to the formation of its separate elements with the ambition of improving the efficiency of international legal mechanisms for humanitarian policy.

Keywords: humanitarian aid, Ukraine, International Red Cross Society, martial law, war

1. Introduction	163
2. General Remarks on the International Mechanism of International Humanitarian Aid	165
3. The Humanitarian Aid Activities of the International Red Cross Society (ICRS) in Ukraine	169
4. The Stance of EU Member States towards the Humanitarian Situation in Ukraine	173
5. Concluding Remarks	176

1. Introduction

In February 2022, the unprecedented full-scale Russian military aggression in Ukraine caused innumerable damages and catastrophic humanitarian crises with socio-economic, environmental and cultural challenges affecting Ukrainian statehood. After the ceasefire millions of Ukrainians suffered physical pain, mental harm, stress and other traumas that forever changed their lives. Understanding the impact of war, international humanitarian organizations fulfill the crucial task of fostering cooperation within states for the protection of humans in areas within and outside the control of Ukraine. Meanwhile, the responsibility of the international community for improving the existing system of humanitarian aid is becoming increasingly urgent.

* Ielyzaveta Lvova: professor of law, Odessa State University of Internal Affairs. ORCID: 0000-0002-3391-318, lvovaliza@outlook.com.

Volodymyr Dryshliuk: associate professor of law, Odessa State University of Internal Affairs, ORCID 0000-0002-2274-441X, drishliuk@gmail.com.

In this context the international legal mechanism of humanitarian aid governs a civilizational choice to observe to the principles of human safety and environmental conservation, focusing on the activities of local non-governmental organizations. While the international legal mechanism for providing humanitarian aid as an independent field of public international law is still being formed, the threat of new wars strongly contributes to the reinforcement of control measures over the provision of humanitarian aid not only in Ukraine, but also abroad.

Under the above mentioned conditions, the international legal mechanism of humanitarian aid is a multidisciplinary phenomenon and ensuring: (i) control over cash and commodity flows; (ii) assessment of prospects and efficiency of use; (iii) analysis of the interaction between civil society and the authorities; (iv) monitoring of compliance with the principle of neutrality, fairness, and control over the distribution of funds by civil society, *etc.*

The article examines theoretical and legal approaches to the definition of humanitarian aid, equipping the reader with the current prerequisites and prospects for the formation of (inter)national legislation on humanitarian aid. The article draws on the international statements and interviews conducted with the representatives of the International Red Cross Society (hereinafter: ICRC) in Ukraine and non-governmental humanitarian organizations. It uses statistic data published in open sources and telegram channels to explore the significance of international humanitarian aid and assistance to Ukraine. The purpose of this article is to review the relevant literature to suggest some possible directions for future research in the context of the formation of an international legal mechanism of humanitarian aid. The findings resulting from the analysis of international legislation on the provision of international humanitarian aid and assistance show a fragmentation and lack of conceptual principles and norms to solve existing problems (*e.g.*, humanitarian access and humanitarian logistics). For an effective solution, the system of forecasting, planning, and coordination of international humanitarian support in Ukraine must be improved. In addition, there is a need for a reliable system to monitor the volume of the support provided. Ukraine implements the elements of EU humanitarian policy within the framework European trade policy. Such engagement helps provide international governments and non-governmental humanitarian organizations with relevant information on the level social and economic security in Ukraine. This article reflects is attempt to build the theory underpinning the international legal mechanisms for humanitarian aid with the ambition to contribute to the development of international public law

scholarship. It develops a taxonomy of methods, used in the international and national law governing humanitarian aid, also pointing out which of these methods work best.

2. General Remarks on the International Mechanism of International Humanitarian Aid

It is well known that under the conditions of international armed conflicts, states are obliged to provide humanitarian assistance and facilitate its receipt by persons affected. This is to be done in accordance with their needs, however, it is worth emphasizing that the theory of public international law does not contain a well-developed doctrine and cannot live up to the above-mentioned expectations. Moreover, the relevant international law does not entail international criminal liability for states, are these responsibilities detailed in the provisions of the sources of international humanitarian law.

As a matter of principle, international humanitarian aid during armed conflicts is provided directly to the victims of catastrophe. Moreover, international assistance mostly includes services that facilitate protection (e.g., consultation, training, work to prevent harm to the environment from explosive remnants of war). So, precluding international humanitarian aid can be understood as a crime against humanity.

Humanitarian aid is a form of charitable assistance. More specifically, in Ukraine, recipients of humanitarian aid are legal entities, as well as accredited representative offices of foreign states, international and foreign humanitarian organizations in Ukraine (without creating a legal entity), determined in accordance with the procedure established by the Cabinet of Ministers of Ukraine as recipients of humanitarian aid. For the period of martial law and within three months after its termination or cancellation, persons who may be recipients of humanitarian aid in accordance with this law shall be recognized as such regardless of their inclusion in the Unified Register of Recipients of Humanitarian Aid. Humanitarian aid donors are legal entities established and registered in accordance with the legislation of Ukraine or a foreign state, and individuals located in Ukraine or abroad who voluntarily provide humanitarian aid to recipients of humanitarian aid in Ukraine or abroad.

Humanitarian aid provided in cash by a state is managed by the central executive body that ensures the formation and implementation of foreign policy, realized through transferring funds in foreign currency to the bank

account of a foreign state. The transfer of funds is carried out in accordance with the procedure established by law. Humanitarian assistance in the form of involving civil defense forces in carrying out emergency rescue and other urgent work, extinguishing fires, providing life support to victims, *etc.* is provided by the central executive body responsible for civil defense, and/or another authorized central executive body to which such forces are subordinate. Humanitarian assistance in the form of involving disaster relief and medical units to provide assistance to victims in the event of emergencies is provided by the central executive body responsible for the field of health care, jointly with the central executive body that implements state policy in the field of civil protection.¹

It is clear that the task of the international community to improve the existing system of institutions for providing humanitarian aid is becoming more urgent. Taking into account the unattainable effect of recognizing the problems of providing humanitarian aid from the point of view of a revisionist approach (from the Latin *revisio* – review), we note the need to revise the established doctrine of providing humanitarian aid by law enforcement agencies. The legal mechanisms for international humanitarian aid are operated based on the principles of humanitarian logistics. Rojas Trejos *et al.* argue that

“Decisions in humanitarian logistics can be divided into four key phases: mitigation, preparedness, response and recovery. [...] [O]ne of the challenges of humanitarian aid distribution logistics with accessibility constraints is to redistribute relief goods to avoid severe shortages in some nodes and excess inventory in others. Likewise, it is important to work on alternative transport mechanisms such as drones for infrastructure network assessment and humanitarian aid delivery and their possibility of integration with networks and modes of transportation used in each particular area. It is also necessary to explore new supply systems, such as shared vehicles, whose structure allows an easy and safe sharing of different types of goods, or hybrid delivery vehicles, which are viable under various social, economic and infrastructure constraints. The study of collaborative environments in inventory management, transportation, storage, location of facilities and stakeholder's coordination is relevant. Given that the distribution of aid may jointly involve decisions associated with

1 On humanitarian aid, *see* Law of Ukraine vid 22 October 1999, № 1192-XIV. Vidomosti Verkhovnoi Rady Ukrainy, 1999 r., № 51, st. 451 iz nastupnymy zminamy [Law of Ukraine on humanitarian aid, № 1192-XIV] (in Ukrainian).

the evacuation of victims, it may be an interesting research opportunity to analyze issues on coordination of these two processes. It is also necessary to generate maturity models for humanitarian distribution chains or networks, which allow the selection and evaluation of logistics suppliers that contribute to obtain inputs, supplies, and equipment in an effective manner.”²

The principles of charitable assistance are enshrined under clause 3.1. Decision of the Constitutional Court of Ukraine dated 28 October 2009, No. 28-rp/2009, which enumerates the following principles: (i) *selflessness* – indicating the provision of assistance for others without any own benefit; (ii) *voluntariness* – the activity carried out by one’s own will and motivations upon a moral and ethical basis, without any coercion and interference from other persons and subjects of authority; (iii) *targeted orientation* – the presence of a specific goal served through the provision assistance to those who need it, within the areas and under the procedure defined by the law.³ Pedro Arcos González and Rick Kye Gan rightfully observe that

“Humanitarian aid raises ethical dilemmas of a different nature that have worsened in recent decades. The reasons for this are the deterioration of the international economic and geopolitical context, international relations based on states’ return to unilateralism and protectionism, and the loss of the capacity of multilateral organizations to guarantee respect for international humanitarian law. These ethical dilemmas affect essential elements of humanitarian aid, such as an adequate selection of crises to which to provide aid and a selection of beneficiaries based on needs and not political or geostrategic criteria; neutrality against the aggressor or collaboration with governments that do not respect human rights; the allocation of resources and prioritization when they are limited; the safety and protection of aid recipients; cultural and political sensitivity and the recognition of local knowledge, skills, and capacities in responding to crises; the appropriateness, sustainability, and long-term impact of actions; security risks for aid personnel; transparency and accountability; the duty to report and civil activism in the face of the violation of human rights and the deterioration of respect for international humanitarian

2 Rojas Trejos *et al.*, ‘Humanitarian aid distribution logistics with accessibility constraints: a systematic literature review’, *Journal of Humanitarian Logistics and Supply Chain Management*, Vol. 13, 2023, Issue 1, pp. 26–41.

3 Decision of the Constitutional Court of Ukraine dated 28 October 2009, No. 28-rp/2009, at <https://zakon.rada.gov.ua/laws/show/v028p710-09#Text>.

law; and the rights of affected groups and local communities in humanitarian decision-making and implementation.”⁴

Ukrainian Professor V. Krikun examined the theoretical and semantic content, as well as the legal bases for the protection of *national interests*, mentioning that

“the analysis of the use of the term ‘security’ shows that there is no security separated from human life, and the category of security is determined by all objective and subjective factors of human life, society and the state. It was concluded that the national interest determines the essence of both the domestic and foreign policy of any state, as it orients its priority goals in the system of international coexistence, which is determined primarily by the level of socio-economic development and the type of political system of the country, as well as historical traditions, mentality, the degree of security of one's sovereign rights through the system of national or collective security and its geographical location. It is in the national interests of Ukraine at this historical stage to do everything possible to become an active subject of regional politics and join the discussion of European security issues. And, in the end, all of the above will not make sense if the national interests of Ukraine do not include a significant, rapid and tangible increase in the standard of living of the country's citizens. This point is the most difficult to fulfill, because it involves the presence in politics of people with high personal qualities, who are able to put the interests of society above their own interests.”⁵

In general, international organizations actively working in the field of humanitarian assistance in Ukraine are: (i) the UN Office for the Coordination of Humanitarian Affairs (OCHA): Humanitarian Coordinator in Ukraine⁶ – the government's leading partner in coordinating actions with the international humanitarian community; the National Working Group on Humanitarian Issues. (ii) The International Red Cross Society (ICRS) in Ukraine. (iii) The World Health Organization (WHO) in Ukraine. (iv) The North Atlantic Treaty Organization (NATO) – one of the main areas of ac-

4 Pedro Arcos González & Rick Kye Gan, ‘The Evolution of Humanitarian Aid in Disasters: Ethical Implications and Future Challenges’, *Philosophies*, Vol. 9, Issue 3, 2024, p. 62.

5 Viacheslav Krikun, ‘Legal principles of protection of national interests as the basis of ensuring national security of the state’, *Actualni problem vitchiznjanoi jurisprudencei*, 2023/1, pp. 16–17.

6 *Ukraine: Summary for the humanitarian needs and response plan and regional refugee response plan*, UN Office for the Coordination of Humanitarian Affairs, January 2025.

tivity is the provision of humanitarian assistance to countries affected by natural and man-made disasters. (v) The Committee on Humanitarian Aid and Food Aid (COHAF) is the main forum in the EU for discussing humanitarian aid policy, focusing on issues of implementation, effectiveness and coordination. (vi) The UNICEF Global, UNICEF Ukraine for every child – the organization protects and advocates for the rights and interests of Ukrainian children. (vii) The Office of the UN High Commissioner for Refugees in Ukraine (UNHCR) – provides support to the government and civil society organizations that meet the needs of IDPs through the provision of legal, material and social assistance. (viii) The USAID's Bureau of Humanitarian Assistance (BHA) – which provides life-saving humanitarian assistance, including the provision of food, water, shelter, emergency medical care, sanitation and hygiene, and essential nutrition services to the world's most vulnerable and hardest-to-reach the people. (ix) The EU – it initiates new programmes of humanitarian aid for Ukrainian citizens and refugees. (e.g., EU4Ukraine,⁷ the Horizon Europe Office in Ukraine is the result cooperation between the Directorate of the National Research Foundation of Ukraine, the Government of Ukraine and the European Commission).

3. The Humanitarian Aid Activities of the International Red Cross Society (ICRS) in Ukraine

In general, humanitarian organizations that provide humanitarian assistance can be categorized according to certain criteria, depending on their competence in protection and assistance. Based on these criteria, they can be grouped into organizations that have as their mission the international protection of affected persons and have the competence to analyze the situation in the country, state policies and procedures to protect the fundamental rights of citizens within the framework of international humanitarian law.

In 2024, over 660⁸ humanitarian organizations provided assistance to 8.4 million people in Ukraine under the 2024 Humanitarian Needs and Response Plan, OCHA, which was 73% funded. By the end of January 2025, nearly 980 people had received assistance under the Autumn-Winter Re-

⁷ See at <https://eu4ukraine.eu/>.

⁸ See at <https://response.reliefweb.int/ukraine/operatyvne-zvedennia>.

response Plan, including support for heating needs and other non-food items specifically provided for winter.⁹

An important condition for ensuring the effectiveness of the international legal mechanism of humanitarian aid at the current stage is to optimize the legislation prescribing humanitarian principles under martial law in Ukraine. For example, Article 70 of the Protocol Additional to the Geneva Conventions¹⁰ relating to the Protection of Victims of International Armed Conflicts sets forth the specifics of implementing an assistance operation, namely: (i) If the civilian population of any territory under the control of a Party to the conflict, other than occupied territory, is not adequately provided with the supplies mentioned in Article 69,¹¹ relief actions which are humanitarian and impartial in character and conducted without any adverse distinction shall be undertaken, subject to the agreement of the Parties concerned in such relief actions. Offers of such relief shall not be regarded as interference in the armed conflict or as unfriendly acts. In the distribution of relief consignments, priority shall be given to those persons, such as children, expectant mothers, maternity cases and nursing mothers, who, under the Fourth Convention or under this Protocol, are to be accorded privileged treatment or special protection. (ii) The Parties to the conflict and each High Contracting Party shall allow and facilitate rapid and unimpeded passage of all relief consignments, equipment and personnel provided in accordance with this Section, even if such assistance is destined for the civilian population of the adverse Party. (iii) The Parties to the conflict and each High Contracting Party which allow the passage of relief consignments, equipment and personnel in accordance with paragraph 2: a) shall have the right to prescribe the technical arrangements, including search, under which such passage is permitted; b) may make such permission conditional on the distribution of this assistance being made under the local supervision of a Protecting Power; c) shall, in no way whatsoever, divert relief consignments from the purpose for which they are intended nor delay their forwarding, except in cases of urgent necessity in the interest of the civilian population concerned. (iv) The Parties to the conflict shall ensure the protection of relief supplies and shall facilitate their rapid distribution. (v) The Parties to the

9 *Ukraine Winter Response Plan, October 2024 – March 2025*, UN Office for the Coordination of Humanitarian Affairs, July 2024.

10 Convention for the Amelioration of the Condition of the Wounded in Armies in the Field. Geneva, 22 August 1864, at <https://ihl-databases.icrc.org/en/ihl-treaties/gc-1864/state-parties>.

11 See at <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-69>.

conflict and each High Contracting Party concerned shall encourage and facilitate effective international coordination of relief operations referred to in paragraph 1.¹²

In Ukraine the ICRC provides international aid and international assistance to the vulnerable population of Ukraine, to prisoners of war, to missing persons, and others. According to official information provided by the Ukrainian Red Cross, the activities of the Ukrainian Red Cross Society (URCS) are based on Geneva Conventions of 12 August 1949 and three Protocols Additional thereto: Protocols I and II of 8 June 1977 and Protocol III of 8 December 2005. The URCS activities are regulated by the Law of Ukraine “On the Ukrainian Red Cross Society” of 2014, Law of Ukraine “On Emblems of the Red Cross, Red Crescent, and Red Crystal in Ukraine” of 2010, Decree of the President of Ukraine No 548/92 “On the Ukrainian Red Cross Society” of 28 October 1992, as well as the Charter of the Red Cross of Ukraine. The Society was recognized by the ICRC on 29 September 1993 as well as by the Decision of the IX session of the General Assembly of the International Federation of Red Cross and Red Crescent Societies, adopted by the collective membership of the International Federation of Red Cross and Red Crescent Societies. The Society’s activities are carried out with the support and cooperation of state authorities and local self-government bodies, public organizations, corporate sector, as well as partners within the international movement: International Committee of the Red Cross (ICRC), International Federation of Red Cross and Red Crescent Societies (IFRC) and other National Societies.¹³

Exploring fundamental principles of the Red Cross and Red Crescent Movement, Varga noted the constraints of cooperation between a national society and authorities, providing the following example:

“Access by authorities to documents of national societies or to personal information managed by them may be a sensitive issue, especially if these are related to persons who went missing during the war and the search for whom was initiated with the national societies, because in view of their independence and the sensitivity of the activity they are carrying out, tracing service documents are confidential, but at the same time national societies have to cooperate with their own authorities. In such cases states often accept the fact that the humanitarian mission served by the

12 The Geneva Conventions and their Commentaries, at <https://www.icrc.org/en/law-and-policy/geneva-conventions-and-their-commentaries>.

13 See at <https://redcross.org.ua/en/about-urcs/mission/>.

tracing service is more important than the state's right of access, with the exception of certain priority cases like e.g., criminal procedures [...] The fundamental principles thus serve the victim-centered, efficient operation of humanitarian organizations [...] We can say that the Movement and especially ICRC's practices serve as guidance for many humanitarian organizations, even though they often divert from that practice."¹⁴

Since the start of the full-scale war, the Ukrainian Red Cross sent to the regions of Ukraine over 12,947,402 food and hygiene kits. Every day the staff and volunteers in logistical centers receive, sort, assemble, and send to the regions hundreds of tons of cargo containing food, hygienic products, medicines, water, bed linen and other essentials. 13,000,000 people received assistance from Ukrainian Red Cross Society, in the form of 12,974,402 humanitarian aid delivered to all regions of Ukraine, 326,000 people received assistance in the evacuation, 308,000 people learned how to provide first aid.¹⁵

In 2024, 174,366 medical and technical items were donated to support humanitarian demining activities across Ukraine. In 2024, 21 hospitals regularly received support in the form of medical equipment and medicines. 16,524 people received either cash assistance or agricultural equipment to conduct agricultural activities or livestock breeding to obtain a new source of income.

Due to the international armed conflict, hundreds of thousands of people face difficulties in accessing water in Ukraine. In 2024, access to essential services (water, heating, electricity and sanitation) was restored or improved for over 27 million people thanks to the ICRC's support to municipal enterprises. In December 2024, the ICRC provided 1,300 tons of solid fuel materials to medical institutions in Odessa, Mykolaiv and Kherson regions. On 7 January 2025, with the donation of the International Committee of the Red Cross, the Odessa region received a shipment of 40 tons of medicines and consumables delivered to 132 health care institutions, a modern laboratory, which will become the basis for the training of students who will be Ukraine's future prosthetists and orthotists.

URCS maintains a close relationship with the EU. In March 2023, Budapest hosted a two-day kick-off meeting for the #EU4Health programme par-

14 Reka Varga, 'International Red Cross and Red Crescent Movement and Humanitarian Activities for Migrants', *Hungarian Yearbook of International Law and European Law*, Vol. 4, Issue 1, 2016, p. 375.

15 See at <https://redcross.org.ua/en/>.

ticipants, focused on “Providing Quality and Timely Psychological First Aid (PFA) to the Population Affected by the Crisis in Ukraine”. During the meeting, Anna Didenko, the Head of the Mental Health and Psychosocial Support Unit of the Ukrainian Red Cross Society (URCS) presented the key achievements in this area.

The main objectives of the EU4Health programme are: (i) providing quality and timely PFA to the affected population through the possibility of contacting the URCS information center; (ii) conducting webinars and psychoeducational sessions (providing information on how to overcome stress in conditions of uncertainty); (iii) offering psychosocial support to the URCS staff and volunteers, including training sessions to raise awareness of PFA and meetings to ensure the well-being of the entire team; (iv) cooperation with the public sector, communities, and representatives of organizations involved in emergency response.

With these goals in mind, the URCS implements related activities with the support of the European Commission. Countries participating in the programme include Denmark, the Czech Republic, Hungary, Poland, Romania, Slovakia, Bulgaria, Croatia, Germany, Switzerland, Iceland, and others.¹⁶ The outstanding value of this project comes from restoring family links, from the first aid training in response to emergencies of mines and explosive remnants of war, mental health aid and psychological support, blood donation, social services and home care, humanitarian education, health promotion and disease prevention, advocacy and mobilization of the public, to name just a few.

4. The Stance of EU Member States towards the Humanitarian Situation in Ukraine

International aid provided by the EU to Ukraine is a mutually beneficial affair, and the EU stands firmly within a policy of granting military and humanitarian aid to Ukraine.¹⁷ The interaction between entities implementing humanitarian aid and the coordination of their activities is important, and so is the development of new international norms to ensure control the implementation and effectiveness of international law in this area.

¹⁶ See at <https://redcross.org.ua/en/uncategorized/2023/03/83259/>.

¹⁷ See e.g. Humanitarian aid and civil protection, at <https://eur-lex.europa.eu/summary/chapter/04.html>.

For example, at the level of the EU, humanitarian aid and civil protection are part of the EU's external action enshrined in the Article 21 TEU in the context of the EU's values, rules and principles. Article 214 TFEU provides the basis for EU humanitarian aid operations and the establishment of the European Voluntary Humanitarian Aid Corps. According to Article 21(2)(g) TEU, the EU shall seek to assist populations, countries and regions affected by natural or man-made disasters. The competence for civil protection is based on Article 196 TFEU and is governed by Decision No 1313/2013/EU establishing a Union Civil Protection Mechanism. The European Commission's Directorate-General for Civil Protection and Humanitarian Aid Operations (ECHO) is not only a humanitarian aid donor, but is also responsible for coordinating civil protection operations at the EU level.

The rules for providing humanitarian aid, including its financing instruments, are set out in Council Regulation (EC) No 1257/96 (Humanitarian Aid Regulation). Humanitarian action, based on the fundamental humanitarian principles of humanity, neutrality, impartiality and independence, aims to provide special assistance, relief and protection to people in non-EU countries affected by natural or man-made disasters.

Based on data provided by EU Neighbors East, almost €1.1 billion has been made available in humanitarian aid projects to help civilians affected by the war in Ukraine. EU humanitarian assistance includes support for shelter, cash support, healthcare, food assistance, education, water and sanitation. The EU is also providing large-scale support to Ukraine itself to help overcome the crisis, including emergency macro-financial assistance of up to €25.2 billion in the form of loans, and an additional €620 million to Ukraine in budget support.¹⁸

From among the directives ensuring product quality, the following may be mentioned: Directive 85/347/EEC on liability for defective products, as amended by Directive 1999/34/EC,¹⁹ as well as Directive 2001/95/EC on general product safety.²⁰ The general framework of humanitarian aid policy and its principles are set out in the European Consensus on Humanitarian

18 EU Neighbours East. What about humanitarian support? See at <https://euneighbourseast.eu/news/explainers/eu-support-for-ukraine-from-sanctions-to-military-and-humanitarian-aid-how-is-the-eu-helping/>.

19 Council Directive 85/374/EEC of 25 July 1985 on the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products.

20 Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety.

Aid Council Regulation (EC) No 1257/96²¹ of 20 June 1996 concerning humanitarian aid (2007).²²

Ukraine, as a welfare state, is signatory to the ICESCR and has recognized the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. Together with the States parties to the ICESCR, it shall take appropriate measures to ensure the realization of this right, recognizing the importance of international cooperation based on free consent. Also, the States Parties, recognizing the fundamental right of everyone to freedom from hunger, take the necessary measures, individually and through international cooperation, including the implementation of specific programs, in order to: (i) to improve methods of production, storage and distribution of food through the wide use of technical and scientific knowledge, the dissemination of knowledge of the principles of nutrition and the improvement or reform of agricultural systems so as to achieve the most efficient development and use of natural resources, (ii) to ensure an equitable distribution of world food supplies according to the needs and taking into account the problems of countries, both importing and exporting products.

In 2024, the humanitarian community, with the participation of donor countries, including Denmark, provided assistance to at least 7.2 million Ukrainians. In 2024, Denmark allocated 6 million euros to restore Ukraine's energy infrastructure damaged by Russian attacks. As part of the response plan for the autumn-winter period 2024–2025, Denmark contributed to funding measures to support 1.8 million people in need of assistance during the winter. This includes providing heat, temporary housing and other necessary resources.

According to public sources, as of May 2024, the United 24 programme raised \$650 million from donors in 110 countries. In December 2024, the platform reported its highest monthly fundraising total in its history, over 160 million US dollars, which was half of its annual fundraising for that year. In February 2025, the total amount of donations exceeded 1 billion US dollars, but this already includes data for January 2025. Thus, for 2024, it can be assumed that the platform raised about 800–850 million US dollars, taking into account the increase until the end of the year.

21 European Consensus on Humanitarian Aid, at https://civil-protection-humanitarian-aid.ec.europa.eu/who/european-consensus_en.

22 See e.g. https://civil-protection-humanitarian-aid.ec.europa.eu/what/humanitarian-aid_en.

The charitable project ‘United 24’ funds were directed to key needs: (i) medical assistance (e.g., the purchase of armored ambulances ‘Gurkha’); (ii) reconstruction of infrastructure, in particular bridges (in October 2023, the reconstruction of the 19th bridge in the Mykolaiv region was completed, with the process continuing in 2024); (iii) support for the Armed Forces of Ukraine, in particular the purchase of equipment and technology.

As of the end of 2024, about 150,000 declarations of goods recognized as humanitarian aid had been registered, covering approximately 123.2 million units of goods (according to data published in early 2025). The majority of the shipments were delivered by charitable organizations (63.94% of the total volume).²³

The international legal mechanism for providing humanitarian aid can be defined through the following approaches: (i) in the axiomatic sense, humanitarian aid is a legal phenomenon that, according to the classification of values, has a special subjective element; (ii) in the praxeological sense, humanitarian aid is of human nature, promoting the development of human potential; (iii) in practical and functional terms – this is the daily activities of competent persons with the aim of creating decent conditions for people finding themselves in emergency circumstances.²⁴ The complementary nature of the humanitarian aid should also be emphasized. This character is well reflected in its interdisciplinary nature and the fact that it is an institution connected with several branches of law: international humanitarian law, international human rights law and EU law.

5. Concluding Remarks

In conclusion, humanitarian aid activities in Ukraine are connected to the sphere of activity of non-governmental organizations. Their activity is implemented at different levels (international, national and local), and under different legal regimes of civil-military cooperation – the legal regime during wartime (for states participating in armed conflicts) and in peacetime (for foreign donors). Ukraine does not have the ability to independently dispose over a budget to restore the damaged infrastructure of the regions. In-

23 See e.g. <https://unity.gov.ua/2023/08/15/gumanitarne-reaguvannya-v-ukrayini-pidsumky-pershogo-pivrichchya-2023-roku/>.

24 Ielyzaveta Lvova, ‘International-legal mechanism of humanitarian aid as an interdisciplinary instrument for the protection of human rights’, *Bulletin of Mariupol State University*, 2024/28, pp. 79–86.

deed, the scale of efforts that must be made to restore such infrastructure requires joint financing and other activities.

An analysis of international legislation on the provision of international humanitarian aid and assistance indicates its fragmentation and the lack of conceptual principles and norms to solve existing problems (*e.g.*, humanitarian access and humanitarian logistics). To solve these problems, it is crucial to improve the system of forecasting (foresight), planning, and coordination of international humanitarian aid; in this particular case, the support provided in Ukraine. In addition, there is a need for a reliable system of monitoring the volume of the provided support. Harmonizing the legal regulation of international humanitarian aid with humanitarian logistical standards is considered as a challenge for future integration of Ukraine to the EU. Nevertheless, Ukraine implements the elements of EU humanitarian policy in balance with European trade policy. Such engagement help provide governments and non-governmental humanitarian organizations with relevant information on the socio-economic situation and security in Ukraine.

