



# Russia's Conflict with Ukraine: In the Perspective of International Law and Its Influence on Indonesia's Development Policy Strategy

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**Abstract.** The conflict that currently grabs the world's attention is the conflict between Russia and Ukraine. This conflict stems from tensions between Russia and Ukraine that have started since 2014. Russia, which invaded Ukraine after President Vladimir Putin delivered a speech and declared Russian special operations in Ukraine on February 24, 2022, has caused various reactions from the international community. This reaction is shown in various forms, including the provision of economic sanctions because the conflict between Russia and Ukraine does not only have a physical impact, but also affects the global economy. This happens because the global economy is interconnected with each other. Russia's invasion of Ukraine is expected to hamper economic recovery due to the COVID-19 pandemic in Europe and globally. Indonesia as a part of the international community is also affected by the Russian-Ukrainian conflict. The impact of the Russian-Ukrainian conflict and sanctions by other countries could come through multiple transitions, including commodity price spikes, energy price spikes, and supply chain shocks. Based on this description, this research identifies the problems of the conflict between Russia and Ukraine from the perspective of international law, and examines the impact of the conflict on Indonesia's development policy strategy. Try to identify and analyze using, which is facilitated by a survey of library materials. Or secondary data.

**Keywords:** Russia and Ukraine Conflict · International Law · Its Effect on Indonesia

## 1 Introduction

Conflict is the most frequent phenomenon because it has always been a social and political part of human life and a driving force of socio-political dynamics and change. The conflicts that arise are motivated by various interests between certain groups and create instability in the life order of the conflicting community. Conflicts can arise on many levels. B. Conflicts between individuals (conflicts between individuals), conflicts

between groups (conflicts between groups), conflicts between groups and nations (vertical conflicts), conflicts between nations (conflicts between nations). Each level has its development background and direction.

One of the conflicts that currently grab the world's attention is the conflict between Russia and Ukraine. This conflict stems from tensions between Russia and Ukraine that began in 2014. This tension was caused by the Ukrainian people wanting to be independent by overthrowing the pro-Russian president Viktor Yanukovich. Demonstrations began to occur from pro-EU parties as a form of rejection of President Viktor's policy of choosing trade relations with Russia. The ouster of Viktor caused internal conflicts for the Ukrainian government to be divided into two groups, namely the pro-Russian and pro-European Union groups.

The conflict between Russia and Ukraine re-emerged in early February 2022 after the Russian fighter fleet demonstrated force on the Ukrainian border, particularly in the Belarus Territory. A large number of Russian troops were used as soldiers to attack Ukraine, this caused the level of tension in Russia-Ukraine relations to be higher, although diplomatic efforts have been made but have not provided a solution [1]. Russia, which invaded Ukraine after President Vladimir Putin delivered a speech and declared Russian special operations in Ukraine on February 24, 2022, has caused various reactions from the international community. This reaction is shown in various forms, including the provision of economic sanctions. Russia's invasion of Ukraine is expected to hamper economic recovery due to the COVID-19 pandemic in Europe and globally. In general, the economic impact that can occur due to tensions between the two countries; soaring world oil prices, the threat of inflation, stock market turmoil, slowing economic growth, rising interest rates and cyber attacks (cyberwar) [2].

The form of economic sanctions for Russia's invasion of Ukraine has been covered by several countries, among others. First, the European Union (EU) has banned all companies based in its territory from trading or interacting with Russia in the technology sector. The companies are prohibited from exporting technology to Russian technology development company and weapons manufacturer JSC Kalashnikov, arms maker Almaz-Antey Trucking company, defense technology development company Rostec, nuclear submarine maker Sevmash, shipbuilding company United Shipbuilding Corporation. In addition, the EU also blocked the Internet Research Agency which Russia considered used to campaign for misinformation against Ukraine. Then, the EU also limits the export of goods and technology that can be used for military and non-military circles (dual use goods and technology). One of the limitations in this classification is the export of semiconductors, which are often used to make laptop and cell phone chipsets. The European Union has also agreed to close airspace to Russian airlines and ban some pro-Kremlin media from February 27, 2022.

Indonesia, a member of the international community, is also affected by the conflict between Russia and Ukraine. The impact of the Russian-Ukrainian conflict and sanctions by both countries could come through several transitions, including higher commodity prices, higher energy prices, and shocks to supply chains. Russia and Ukraine are not Indonesia's major trading partners, but relations with Indonesia, a direct result of Russia's aggression against Ukraine, are more trade-oriented. But the conflict will affect Indonesia's material imports from Ukraine, especially wheat, iron and steel. [3].

Indonesia currently depends on imports of fertilizer, steel and iron from Russia, and fertilizer imports from Russia alone account for about 15% of Indonesia's total fertilizer imports. This means that if there is a disruption in global supply, the supply of some of these commodities could be disrupted, leading to higher inflation (higher commodity prices) [4]. This certainly has many implications and could be far-reaching, which is why the authors decided to discuss the threat posed by the conflict between Russia and Ukraine from the perspective of international law and its implications for Indonesia's development strategy. Become.

## 2 Research Method

This contribution draws on a kind of legal normative legal research, namely library law research, conducted by examining library materials and secondary data [5]. Juridical normative legal research is a document study that uses qualitative methods as a method to analyze data and uses secondary data as research sources. The secondary data in question are regulations, court decisions, legal theories, and doctrines.

## 3 Result and Discussion

### A. *The Legality of Russia's Invasion of Ukraine in the Perspective of International Law*

The conflict between Russia and Ukraine historically arose as a result of the dissolution of the Soviet Union, resulting in several Warsaw Pact member states joining NATO's North Atlantic Treaty Organization.. Since then, NATO has sought to extend its influence to Eastern Europe, the countries of the former Soviet Union. Several former Soviet countries are members of NATO, including Poland, the Czech Republic, and Hungary, which joined in 1999. In 2004 Estonia, Latvia, Lithuania, Bulgaria and Romania joined NATO in 2004 and Albania joined in 2009. NATO's growing influence also extends to the countries of the former Yugoslav Federation, which included Slovenia in 2004, Croatia in 2009, Montenegro in 2017 and North Macedonia in 2020.

The successful NATO membership of the former Soviet Union and the former Yugoslavia encouraged other countries to join NATO. On September 14, 2020, Ukrainian President Volodymyr Zelensky approved new policies for Ukraine's National Security Strategy, including a partnership with NATO. To facilitate Ukraine's accession, NATO set up a special commission on business with Ukraine in 1997. This commission provides a forum for discussing security issues, and without a formal accession agreement he serves as a way forward for relations between the two parties.

In this case, the Russian state is trying to block Ukraine from joining NATO, an attitude that should not be taken as it would lead to intervention measures that endanger the sovereignty of the Ukrainian state. The principle of national sovereignty is a state's exclusive authority over policies or decisions that affect its internal interests. Article 2(1) of the Charter of the United Nations states: "This organization is based on the principle of sovereign equality of all member states", i.e. each country has equal or equal status as a country under the principle of sovereignty of all member states of the United Nations.

The principle of national sovereignty leads to the concept that every country has an obligation to respect the sovereignty of others and the rights of others, including Russia, over Ukraine.

Russia's political policy of taking military action on Ukrainian territory is based on Article 51 of the United Nations Charter on the Right of Self-Defense (Right of Self-Defense): [6].

“Nothing in the present Charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measure taken by Members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take in any time such action as it deems necessary in order to maintain or restore international peace and security.”

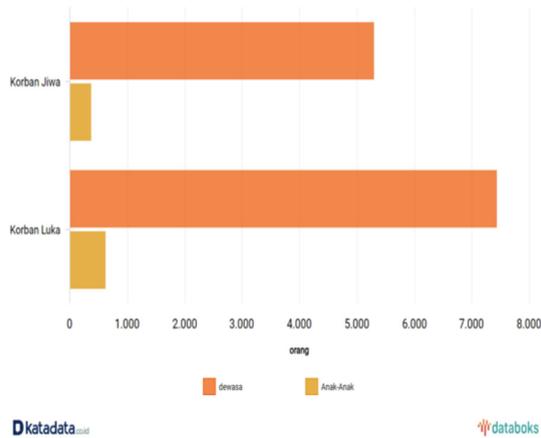
If we look at the meaning of the right to self-defense, it will be understood that the state is allowed to go to war only because it carries out self-defense, the right to self-defense is a right that may be exercised if there has been an armed attack from another country. Self-defense is indeed a right inherent in the state, but it must be practiced strictly and requires it to be carried out when absolutely necessary [7].

During the beginning of the Russian invasion of Ukraine that began in the city of Bucha, about 300 bodies of Ukrainian civilians were found. With the discovery of hundreds of bodies of civilians suspected of being victims of the invasion carried out by Russia, this is a violation of human rights because the status of civil society in international humanitarian law is included as a civilian object which absolutely cannot be used as a military target, let alone being attacked which causes death. If there is an attack on a civilian object, moreover it causes death, then this is considered a violation of human rights. Therefore, Russia can be said to have committed human rights violations due to massive civilian deaths in the city of Bucha which allegedly resulted from the Russian invasion of Ukraine.

In addition, based on a report from the Office of the High Commissioner for Human Rights (OHCHR) from February 24, 2022 to August 28, 2022, 5,663 Ukrainian civilians died as a result of this military conflict. While as many as 8,055 others were injured (Fig. 1).

Another report from the UN Office for the Coordination of Humanitarian Affairs (OCHA) also stated that at least in addition to the fatalities and injuries above, 6.9 million Ukrainians were forced to flee to European countries.

Russia's actions in attacking Ukraine can be categorized as not carrying out Article 2 paragraph 4 of the UN Charter which states: “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations” which means that every member of the United Nations is required to exercise restraint in international relations so as not to use force or violence to attack the territorial integrity or political independence of other countries.

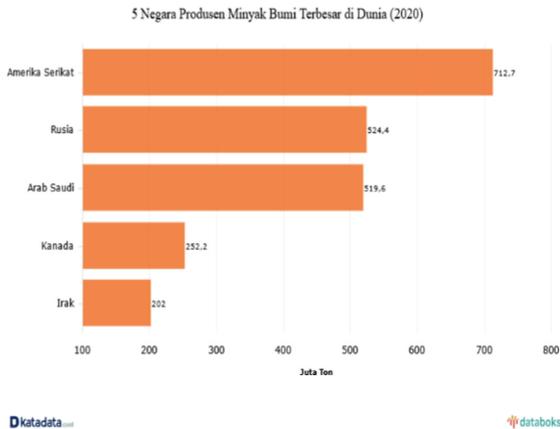


**Fig. 1.** Number of Ukrainian Civilians Who Became Victims of War (24 February-28 August 2022)

In fact, an unwarranted invasion in accordance with circumstances legitimized by the United Nations, namely in the context of maintaining international peace and security or because of this emergency is not allowed, because it will inevitably involve the use of force, while the invasion by Russia was caused by disputes between regions and territories. political problems between the Russian state and the Ukrainian state so that the invasion cannot be justified. Looking at the situation during the invasion, there were allegations of attacks involving civilian objects, namely the Ukrainian people, which included violations of international humanitarian law.

As enshrined in international humanitarian law, a fundamental principle of martial law is the protection of civilians and other non-combatants at risk of armed conflict [8]. This way and method of warfare characterizes how the conduct of hostilities by the belligerent parties must pay attention to and distinguish between combatants and civilians. Human rights are *lex specialis* or even more specific norms in certain circumstances. Russia and Ukraine are parties to a number of regional and international human rights treaties, including the European Court of Human Rights (ECtHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on Degrading Punishment (CAT), and torture. country. and cruel conventions, and others. It is clear from the basic rules of martial law that Russia's reference to indemnifying Ukrainian civilians in an armed conflict does not indicate the implementation of the basic principles of martial law [9].

Based on the explanation above, the invasion by the Russian state against Ukraine is an illegal act by not respecting the provisions and principles of international law in choosing the way of resolving disputes, and ignoring the rules of humanitarian law within the limits of war.



**Fig. 2.** Largest Petroleum Producing Countries in the World (2020)

### B. *The Influence of Russia's Conflict with Ukraine on Indonesia's Development Policy Strategy*

Indonesia's economy ranked 16th in the world in 2019 with a Gross Domestic Product (GDP) of US\$1.12 trillion, the highest in Southeast Asia. GDP is the value of all goods and services produced by a country in a given period, regardless of who produced them. GDP can be an indicator of a country's overall economic growth, but it does not necessarily represent the wealth level of the country's people. According to World Economic Forum (WEF) data, Indonesia's economy will rank fifth in the world in 2024 with a GDP of her US\$5.3 trillion. This forecast is based on a significant increase in the middle class and productive workforce, boosting people's income and consumption. In addition, Indonesia has a large population and is achieving high economic growth.

The ongoing conflict between Russia and Ukraine could disrupt Indonesia's trade performance with both countries. The conflict could reduce Indonesia's non-oil and gas exports, hinder wheat imports, and increase prices for various food ingredients in the country. Indonesia's trade share with Russia and Ukraine is actually not that big. The current conflict is estimated to affect both exports and imports by around 1%. However, the traded commodities of both countries are very important commodities for Indonesia, for example Crude Palm Oil (CPO) and its derivatives. According to Ministry of Commerce data, Indonesia's total trade with Russia in 2020 and 2021 will be \$1.93 billion and \$2.74 billion respectively. The Russian invasion of Ukraine after February 2022 had an immediate impact on global oil prices, pushing them above \$100 a barrel. This is the highest value since 2014. This is because Russia is one of the countries supplying the world's oil needs. % at 10 o'clock. In addition to oil prices, the dispute also sent wheat prices soaring to \$9.84 a barrel, the highest since 2008 (Fig. 2).

Bloomberg noted that on the first day of Russia's invasion of Ukraine, Brent crude oil prices jumped 3.5% to US\$100 per barrel, the highest level in seven years, West Texas Intermediate (WTI) oil prices also rose 4.6% to US\$96.22. per barrel, reaching the highest level since August 2014. According to the British Petroleum (BP) Statistical

Review for World Energy 2021, the largest oil producing country today is the United States with production of 712.7 million tons of oil or 17% of the total production in 2020, then Russia is in the 2nd position with production of 524 million tons of oil or 12.6% of the global total in the same year [10].

Data from the Central Statistics Agency (BPS) shows that Ukraine supplied 2.96 million tons of wheat or 27% of the total 10.29 million tons imported by Indonesia during 2020 [11]. The increase in wheat prices will sooner or later have an impact on consumers in Indonesia, considering that wheat is a raw material for food products such as instant noodles and flour, Indonesia itself is a country with the second largest consumption of instant noodles in the world with a total of 12.6 billion in 2020 [12].

As a result of the Russian invasion of Ukraine, European countries, America and several countries in Asia imposed economic sanctions on Russia in the form of stopping the supply of natural gas energy from Russia [13]. As a result of these sanctions, countries are looking for supplies of natural gas to other countries. Due to this high increase in demand, it will result in an increase in share values in mining sector companies in the Indonesian Capital Market on the 2nd to 5th day.

With regard to the economic sanctions imposed by several countries on Russia for its actions in invading Ukraine, it has had various impacts on Indonesia's development strategy, especially in the economic sector. Among the prices that rose quite high during the Russian invasion of Ukraine were crude oil, wheat, and crude palm oil (CPO). These three commodities have a large enough share in the calculation of consumer inflation, the impact of this inflation will greatly affect poor households, considering that around 60% of their total expenditure is used to buy food, besides this inflation will lead to an increase in the number of poor people [14]. If inflation due to the Russo-Ukrainian conflict continues and the incomes of the near-poor do not rise, they will become the new poor.

Policies that have been pursued by Indonesia to overcome inflation due to the conflict between Russia and Ukraine, among others, include social protection in the form of financial assistance such as basic necessities and also wage subsidies to be distributed to the Indonesian people and Indonesian workers; carry out economic recovery programs within the framework of PC-PEN (Covid-19 Handling Program and National Economic Recovery) which are focused on programs such as programs to improve food security and create job opportunities, especially for the ministry of PUPR (Public Workers and Public Housing) and the ministry other [15].

## 4 Conclusion

Based on the description of the discussion, conclusions can be drawn, as follows:

The conflict between Russia and Ukraine is an invasion carried out by Russia through armed attacks on the territory of Ukraine and in the perspective of international law this attack is illegal or illegal because it is contrary to Article 2 paragraph 1 of the United Nations Charter regarding respect for the sovereignty of other countries, Article 2 paragraph 4 of the UN Charter concerning states must refrain from attacking, and Article 55 of the UN Charter concerning acts of self-defense or self-defense.

The conflict between Russia and Ukraine has an effect on Indonesia's development policies, especially in the economic field, the conflict between the two countries has

resulted in several countries such as America and Europe imposing economic sanctions on Russia, thereby increasing the value of inflation in Indonesia marked by an increase in the price of several basic commodities for society, for example oil and wheat. Even so, Indonesia has prepared itself to deal with inflation with various policies issued such as social protection, economic recovery programs and food security.

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