

ESSAY

Poland's Aid to Ukraine Through the Lens of Responsibility to Protect (R2P)

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Abstract

This article analyzes Poland's multifaceted response to the Russian aggression against Ukraine through the lens of the Responsibility to Protect (R2P) doctrine. It focuses on the often-overlooked role of neighbouring states in atrocity prevention and response, specifically exploring how Poland contributed under R2P Pillar II (international assistance and capacity-building) and Pillar III (timely and decisive response). The article addresses a research gap concerning the practical application of R2P by neighbouring states, which possess both proximity and strategic interest in regional stability but are rarely analyzed as primary actors within the R2P framework. The goal is to assess the extent to which Poland's humanitarian, diplomatic, legal, and military measures aligned with R2P obligations and contributed to mitigating mass atrocity risks. The author investigates three central questions: what obligations do neighbouring states bear in preventing mass atrocities? Which R2P instruments did Poland apply? And how did it justify its policy? The study employs a narrative and content analysis of legal documents, government materials, multilateral resolutions, and NGO reports. Poland's response included welcoming millions of refugees, providing medical and humanitarian aid, supporting international accountability mechanisms, and delivering significant military assistance. Poland also played a role in building international consensus on accountability and war crimes prosecution, including support for the ICC and the proposed special tribunal on aggression. By highlighting Poland's engagement, this article contributes to a broader understanding of how states can operationalize R2P principles. It demonstrates that neighbouring countries, driven by both moral and legal obligations and strategic interest, can act as crucial agents in atrocity prevention and response, reaffirming the practical relevance of R2P in contemporary conflicts.

Keywords

Responsibility to Protect, R2P, Poland, Ukraine, International Aid, Russia-Ukraine War

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Introduction

The concept of Responsibility to Protect (R2P) has emerged as a pivotal paradigm in international relations and humanitarian discourse. It provides a framework for the prevention of and response to genocide, crimes against humanity, war crimes, and ethnic cleansing. Every instance of mass atrocity serves as a test of the willingness and capacity of the international community to undertake national and international actions aimed at preventing and responding to such crimes in accordance with international law.¹

This article examines Poland's policy to Ukraine through the lens of R2P, specifically focusing on pillars II (international assistance and capacity-building) and III (timely and decisive response). The illegal annexation of Crimea in 2014 triggered a period of destabilization and conflict in eastern Ukraine. Subsequently, on February 24, 2022, a full-scale invasion was launched, resulting in atrocities that have been documented by international monitoring and investigative missions.² Among the states that responded most actively to the crisis, Poland - a neighbouring country - emerged as a significant actor, serving as a logistical hub for international assistance while also providing comprehensive support to Ukraine and its citizens. Poland's response encompassed long-term structural support projects, as well as a combination of humanitarian, diplomatic, economic, legal and military efforts.

¹ *Oxford Handbook of the Responsibility to Protect*, eds. A. Bellamy and T. Dunne (Oxford: Oxford University Press, 2006); S. Adams, *Mass Atrocities, the Responsibility to Protect and the Future of Human Rights: 'If Not Now, When?'* (London: Routledge, 2021); B. Adediran, "Implementing R2P: Towards a Regional Solution?," in *Global Responsibility to Protect* 9, no. 4 (2017): 459–487; A. Louise, "The Responsibility to Protect as a Duty of Care in International Law and Practice," *Review of International Studies* 34, no. 3 (2008): 445–458; A.J. Bellamy, *Responsibility to Protect: the Global Effort to End Mass Atrocities* (Cambridge: Polity Press, 2009); A.J. Bellamy, "Sovereignty Redefined: The Promise and Practice of R2P," in *The Responsibility to Protect Twenty Years On: Rhetoric and Implementation*, ed. P.G. Ercan (Palgrave Macmillan, 2022), 13–32; A.J. Bellamy, J. Alex and E. Luck, *The Responsibility to Protect from Promise to Practice* (Cambridge: Polity); S. Breaux, *The Responsibility to Protect in International Law: An Emerging Paradigm Shift* (London: Routledge, 2016); G. Evans and M. Sahnoun, "The Responsibility to Protect," *Foreign Affairs* 81 (2002): 99–110; A. Gallagher, N. Wheeler and J. Nicholas, "Trust or Perish? The Responsibility to Protect and Use of Force in a Changing World Order," *Ethics & International Affairs* 35, no. 2 (2021): 181–195; L. Glanville, *Sharing Responsibility: The History and Future of Protection from Atrocities* (Princeton: Princeton University Press, 2021); L. Glanville, "Does R2P Matter? Interpreting the Impact of a Norm," *Cooperation and Conflict* 51, no. 2 (2015): 184–199; M. Ignatieff, "The Responsibility to Protect in a Changing World Order: Twenty Years Since Its Inception," *Ethics & International Affairs* 35, no. 2, 177–180; E. Luck, "Sovereignty, Choice, and the Responsibility to Protect," *Global Responsibility to Protect* 1, no. 1 (2009): 10–21; *Constructing the Responsibility to Protect: Contestation and Consolidation*, eds. C.T. Hunt and P. Orchard (London: Routledge, 2020); *The International Politics of Human Rights Rallying to the R2P Cause?*, eds. M. Serrano and T. Weiss (London: Routledge, 2013).

² UN Human Rights Monitoring Mission in Ukraine, The Independent International Commission of Inquiry on Ukraine established by the Human Rights Council, The OSCE Moscow Mechanism Mission of Independent Experts; See also A. Bieńczyk-Missala, "Russia's War Crimes in Ukraine as a Tool of War," in *The Russian-Ukrainian Conflict and War Crimes*, eds. P. Grzebyk and D. Uczkiewicz (London-New York: Routledge, 2025), 115–128.

This research is premised on the thesis that the stance of neighbouring states plays a particularly important role within the framework of the R2P; their normative engagement is further strengthened by the strategic interest in fostering regional peace and stability. To substantiate this thesis, the author addresses three research questions: what are the obligations of neighbouring states to prevent and respond to mass atrocities? What R2P instruments did Poland use in the case of Ukraine, a victim of Russian Federation's aggression? How did Poland justify its policy? The study employs content and narrative analysis, drawing on both primary and secondary data. Key sources include legal acts, government reports and information, think-tank analyses, political declarations, and public speeches. This methodological approach allows for a comprehensive understanding of Poland's aid policy and how it fits within the R2P framework.

By analyzing Poland's assistance to Ukraine in the context of R2P, the article contributes to the broader discourse on state responsibility and international cooperation in the face of mass atrocities. Understanding Poland's approach provides an insight into the evolving role that states, particularly neighbouring states, can play in addressing complex humanitarian situations and the usefulness of non-military and military means in fulfilling the R2P mandate. The author hopes that this article will reignite interest in the concept of the Responsibility to Protect (R2P), emphasizing that the confrontation with atrocities should serve as a powerful catalyst for states and international organizations to further develop and strengthen the concept.

R2P conceptual framework in relation to international community engagement

In 2005, the United Nations General Assembly formally recognized that individual states bear the primary responsibility for protecting their populations from genocide, war crimes, ethnic cleansing, and crimes against humanity. However, when a state struggles to provide protection or is the perpetrator of atrocities, the international community, including neighbouring states, should support and encourage it in fulfilling its obligations. The international community is mandated to employ appropriate diplomatic, humanitarian, and other peaceful measures as provided under Chapters VI and VIII of the UN Charter. Collective action is also possible on a case-by-case basis through the Security Council based on Chapter VII. Additionally, the international community has committed to assisting states in building the necessary capacity to safeguard their populations from such atrocities and to supporting those under heightened stress.³

³ United Nations General Assembly, "Summit Outcome Document," 2005, 138, 139; See also "Report of the International Commission on Intervention and State Sovereignty, The Responsibility to Protect," December, 2001, accessed March 16, 2025, <https://undocs.org/pdf?symbol=en/a/57/303>; See also W.A. Knight and F. Egerton, *The Routledge Handbook of the Responsibility to Protect* (New York: Routledge Handbook, 2014); L. Glanville, "The Responsibility to Protect Beyond Borders," *Human Rights Law Review* 12 (2012): 8–15; E. Luck, "Building a Norm: the Responsibility to Protect Experience," in *Mass Atrocity Crimes. Preventing Future Outrages*, ed. R.I. Rotberg (World Peace Foundation, 2010), 108–124.

The adopted assumptions were further developed in subsequent years through conceptual reports prepared by the UN Secretaries-General and discussions held regularly within the United Nations General Assembly, as well as through the actions of the United Nations Special Advisor on the Responsibility to Protect.⁴ Among the milestone reports was the *Report of the Secretary-General: Implementing the Responsibility to Protect* (2009), which introduced the three pillars of R2P: Pillar One: The protection responsibilities of the state (sect. II), Pillar Two: International assistance and capacity-building (sect. III), and Pillar Three: Timely and decisive response (sect. IV).⁵ The first pillar emphasizes primarily the responsibilities of individual states to protect its own population. The second pillar focuses on responding to mass atrocities by individual states supported by international community, while the third pillar outlines international response measures to be implemented when a state is unable to independently protect its population. Importantly, these three pillars are considered equal in weight, mutually reinforcing, and non-sequential. In both prevention and response efforts, the emphasis is on supporting the state through bilateral and multilateral platforms, including mechanisms operating within the United Nations system, regional and subregional organizations, civil society, and the private sector.⁶

While R2P emphasizes collective responsibility, including the essential role of international organizations and their institutions, individual states — particularly neighbouring ones — also play a pivotal role. Neighbouring states often possess better knowledge of the situation, along with a deeper understanding of the historical and cultural context. This positions them to make significant contributions to the logistical aspects of international operations, including the delivery of humanitarian aid and the provision of assistance to refugees.

International community engagement under R2P's second pillar

At the invitation of the state the international community is obligated, under Pillar II, to assist a state when the likelihood of mass atrocities increases. Such situations often

⁴ A. Bieńczyk-Missala, *Preventing Mass Human Rights Violations and Atrocity Crimes* (Berlin: Peter Lang, 2021), 32–45.

⁵ B. Ki-moon, "Implementing the Responsibility to Protect," Report of the UN Secretary-General, A/63/677, January 12, 2009.

⁶ In the following years, the Secretary-General B. Ki-moon elaborated on the concept of the second and third pillars, especially in reports: "Early Warning, Assessment, and the Responsibility to Protect," A/65/864, July 14, 2010; "The Responsibility to Protect: Timely and Decisive Response," A/66/874-S/2012/578, July 25, 2012; "Fulfilling our Collective Responsibility: International Assistance and the Responsibility to Protect," A/68/947-S/2014/449, July 11, 2014; "State Responsibility and Prevention," A/67/929-S/2013/399, July 9, 2013; B. Ki-moon, "The Role of Regional and Subregional Arrangements in Implementing the Responsibility to Protect," Report of the UN Secretary-General, A/65/877-S/2011/393, July 12, 2011; B. Ki-moon, "A Vital and Enduring Commitment: Implementing the Responsibility to Protect," Report of the Secretary-General, A/69/981-S/2015/500, July 13, 2015; B. Ki-moon, "Responsibility to Protect: From Early Warning to Early Action," Report of the UN Secretary-General, A/72/884-S/2018/525, June 1, 2018.

arise in the context of crises or armed conflicts, accompanied by serious human rights violations and atrocities. The better the bilateral relations, trust, knowledge, ability, and legitimacy to act, the more certain countries can take the lead. This applies especially to neighbouring states. The main forms of support under Pillar II include three types of actions: encouragement, capacity building, and protection assistance.⁷

In the case of encouragement, the aim is to promote human rights and raise awareness of legal standards in this area. This is a long-term, structural prevention effort targeting both public authorities and society at large. States are responsible for implementing the conventions to which they are parties.⁸ Therefore, the focus is on strengthening state adherence to legal norms prohibiting human rights violations and atrocity crimes, such as the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1949 Geneva Conventions, and their 1977 Additional Protocols. States under Pillar II can engage in bilateral forums but also utilize multilateral mechanisms for monitoring human rights situations, such as the Universal Periodic Review of the UN Human Rights Council. As part of the concept of encouragement, efforts should also focus on undertaking preventive diplomacy and actions aimed at reducing tensions that could contribute to mass atrocities. This involves measures to decrease the vulnerability of populations to atrocity crimes by addressing root causes, fostering dialogue, and implementing early warning systems. However, such tasks are more frequently undertaken by international institutions rather than individual states. Organisations are often better equipped to engage in complex, cross-border preventive efforts and have the legitimacy to mediate in international disputes. Nonetheless, states often play a crucial role in initiating and supporting mechanisms that institutions have at their disposal, such as contributing to early warning systems and implementing policies aligned with the overarching goals of atrocity prevention.

Capacity building, a vital form of support, involves aiding states in establishing the necessary structures, resources, and knowledge to build resilience and prevent atrocities. This includes fostering effective and inclusive governance while strengthening key institutions such as courts, police forces, human rights organizations, and other entities that serve as safeguards against the escalation of violence. Media, in particular, is essential for countering prejudice and hate speech, which often incites violence. Training these groups to fulfill their roles effectively enhances governance and fosters societal resilience. This phase represents an investment in the

⁷ Ki-moon, "Responsibility to Protect: From Early Warning to Early Action."

⁸ A. Guterres, "Responsibility to Protect: The Commitment to Prevent and Protect Populations from Atrocity Crimes," Report of the UN Secretary-General, A/78/901-S/2024/434, June 27, 2024.

state's potential to manage emerging tensions, ensure transparency in public life, and uphold justice to avoid the impunity that often acts as a catalyst for atrocities.

At the invitation of the state, other countries and international institutions can also engage under Pillar II to help in the protection of the populations. This includes preventing the supply of weapons to potential perpetrators of atrocities while simultaneously strengthening state capacities to protect vulnerable groups. States can contribute by monitoring human rights situations, warning about escalation, and providing police and legal personnel for law enforcement and criminal investigations. Engagement is also needed to support populations requiring humanitarian aid, including refugee protection. At this stage, states can also contribute to international peace operations, whether regional or UN-led, if necessary to protect populations. The Secretary-General has emphasized the importance of development aid as a tool for preventing mass atrocities. In his 2023 report, he noted that developmental deficits and resulting instability are risk factors for mass atrocities. Conversely, mass atrocities can severely hinder development. Therefore, it is crucial for states to integrate R2P into development activities. While providing development assistance, they should consider risk factors for mass atrocities, such as instability, social deprivation, and food insecurity.⁹

International community engagement under R2P's third pillar

A response aligned with the principles of Pillar III should be initiated in the presence of an imminent risk of mass atrocities or their perpetration. In such critical scenarios, time becomes a decisive factor, necessitating prompt and robust measures to prevent or mitigate the occurrence of such atrocities. Neighbouring countries are often best positioned to provide swift assistance due to their geographical proximity, existing diplomatic ties, and deeper understanding of the local context. Their capacity to mobilize resources quickly can be instrumental in preventing further escalation and protecting vulnerable populations.

The Secretary-General has emphasized in its reports the necessity for each state, including the neighbour, to evaluate how it can contribute to the prevention and reaction to mass atrocities. Possible contributions include activities such as fact-finding, monitoring, reporting, verification, commissions of inquiry, public advocacy, quiet diplomacy, arbitration, conciliation, mediation, community engagement, humanitarian assistance, the protection of refugees and displaced persons, civilian and technical support, and consent-based peacekeeping operations.¹⁰ These actions collectively enhance the capacity of states and the international community to address and mitigate atrocity risks. In fact, collective actions are of paramount importance. Such

⁹ A. Guterres, "Development and the Responsibility to Protect: Recognizing and Addressing Embedded Risks and Drivers of Atrocity Crimes," Report of the UN Secretary-General, A/77/910-S/2023/409, June 6, 2023.

¹⁰ UN Secretary-General's 2016 Report on R2P, "Mobilizing Collective Action: the Next Decade of the Responsibility to Protect," A/70/999-S/2016/620, July 22, 2016.

actions must be grounded in reliable and independent information, underscoring the necessity for states to support the establishment of independent investigative mechanisms, such as those mandated by the United Nations Human Rights Council or OSCE Moscow Mechanism. Such mechanisms contribute to fostering international consensus and reducing the risk of politicization in decision-making processes, thereby ensuring that responses are both timely and proportionate to the scale and nature of the threat.

Responses are most effective when all levels of governance - local, national, and international - collaborate and coordinate their efforts in a cohesive manner. At this stage, it is emphasized the importance of employing the full spectrum of diplomatic, political, legal and humanitarian measures before considering more coercive actions. The use of military force is explicitly framed as a measure of last resort, to be employed only when all other options have been exhausted and when it is deemed essential for the protection of vulnerable populations. Furthermore, the implementation of the R2P must adhere strictly to the principles enshrined in the United Nations Charter and other established norms of international law.¹¹ This ensures that actions undertaken within the R2P framework maintain their legitimacy and align with the overarching goal of upholding international peace and security. By adhering to these principles, the international community aims to balance the imperative of protecting populations with the necessity of respecting state sovereignty and the rule of law.

In the end, accountability should be mentioned, as it serves as a critical mechanism for upholding international justice and maintaining the integrity of the global legal order. Ensuring that perpetrators of mass atrocities are held accountable for their actions is not only a moral imperative but also a practical necessity. Accountability reinforces the rule of law by demonstrating that violations of international norms will not go unpunished, thereby preserving the legitimacy and credibility of international institutions. The pursuit of justice under R2P involves multiple mechanisms, including national courts, international criminal tribunals and hybrid courts. These institutions play a pivotal role in prosecuting individuals responsible for the most egregious crimes, regardless of their rank or political standing. By establishing personal culpability, such mechanisms dismantle the culture of impunity that often allows atrocities to persist. It is also assumed that accountability serves as a deterrent against future atrocities.

Poland's engagement

Poland's structural support for Ukraine

Ukraine has remained one of the most important directions of Poland's foreign policy since it gained independence in 1991. The goal was to promote democratic

¹¹ UN Secretary-General's 2015 Report on R2P, "A Vital and Enduring Commitment: Implementing The Responsibility to Protect," A/69/981-S/2015/500, July 13, 2015.

standards and human rights,¹² as well as to facilitate Ukraine's contact with European and transatlantic institutions. Poland, as a state that has experienced a successful democratic transition, recognized that it could and should share its experiences with other states and thus contribute to the expansion of the area of stability and democracy.¹³ In light of Ukraine's potential efforts towards EU integration, Poland acknowledged that it could support Ukraine in meeting the Copenhagen criteria for EU candidate countries in the field of stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities.¹⁴ Importantly, successive Polish governments have remained consistent and relatively cohesive in this approach. For example, in 2015, the Polish president Bronisław Komorowski, representing the Civic Platform political party, confirmed that Poland would unwaveringly support Ukraine's efforts to strengthen its independence and sovereignty, as well as to modernize and democratize the state.¹⁵ Later that year, the newly elected president Andrzej Duda, a candidate from the opposite Law and Justice Party, declared that 'Poland will share its experiences with friends from Ukraine in building a democratic state and the rule of law'.¹⁶

Although over the years Polish policy as a neighbouring state did not directly reference the Responsibility to Protect concept, it inherently promoted human rights and democratic standards, thereby contributing to the idea of prevention through the structural support provided to Ukraine, which was reinforced after the annexation of Crimea in 2014 and later after February 2022.¹⁷ Ukraine has always been among the largest recipients of Polish development assistance, which for Poland has served as an instrument of solidarity in its foreign policy, aimed at promoting peace and democratic values.¹⁸ Funds have been allocated to the implementation of reforms, including local government reform, educational reform, anti-corruption reform, and public finance sector reform. Support was also extended to national and regional crisis management systems and the development of independent media. This included

¹² A. Bieńczyk-Missala, *Human Rights in Poland's Foreign Policy* (Warsaw: Polish Institute of International Affairs, 2006), 131–207.

¹³ E. Kaca, *Pomoc demokratyzacyjna w polskiej współpracy rozwojowej* (Warszawa, 2011).

¹⁴ "EU Accession Criteria (Copenhagen Criteria)," accessed March 16, 2025, <https://eur-lex.europa.eu/EN/legal-content/glossary/accession-criteria-copenhagen-criteria.html>.

¹⁵ The website of the President of the Republic of Poland, "Życzenia z okazji Dnia Niepodległości Ukrainy," prezydent.pl, August 24, 2015,

¹⁶ The website of the President of the Republic of Poland, "Ukraina jest wielkim strategicznym partnerem Polski," prezydent.pl, grudnia 15, 2015.

¹⁷ P. Kugiel *et al.*, *Międzynarodowa pomoc dla Ukrainy. Szanse dla polskich firm i organizacji* (Warszawa: Polish Institute of International Affairs, September, 2015); "Polska współpraca rozwojowa. Raport 2015," Grupa Zaganica 2014–2015.

¹⁸ Rady Ministrów, "Wieloletni program współpracy rozwojowej 2021–2030. Solidarność dla rozwoju," *Załącznik do Uchwały* no. 11 (January 19, 2021), accessed March 16, 2025, <https://www.gov.pl/web/polskapomoc/wieloletni-program-wspolpracy-rozwojowej-2021---2030-solidarnosc-dla-rozwoju>.

strengthening civic dialogue in Ukraine by engaging Ukrainian non-governmental organizations.

In this regard, cooperation with Canada has been significant, with the Polish-Ukrainian Democracy Support Program implemented since 2014. The program's budget amounted to 6.3 million Canadian dollars, funding forty annual or biannual projects carried out by partners from Poland and Ukraine.¹⁹ On January 19, 2015, during a visit, the Polish Prime Minister announced the establishment of a government plenipotentiary for coordinating support actions for reforms in Ukraine and the allocation of 100 million euros for joint projects involving Polish enterprises.²⁰

As the conflict escalated in 2022, Polish aid to Ukraine increasingly took on a humanitarian rather than developmental character.²¹ However, recognizing the necessity of Ukraine's reconstruction, Poland undertook efforts to organize long-term international support for Ukraine, while also allocating its own resources for infrastructure modernization. Among the events held in Poland were: The High-Level International Donors' Conference for Ukraine in 2022 and the summit "World for Ukraine 2023", which were attended primarily by representatives of local governments and non-governmental organizations.

Assistance for war victims

A significant area of support for Ukraine after 2014 was assistance provided to the population affected by the annexation of Crimea and the conflict in eastern Ukraine, which increased drastically after the escalation on February 24, 2022. Between 2014 and 2018, the value of aid allocated to Ukraine constituted approximately 34% of the total funds dedicated to Polish humanitarian efforts.²² The funds were directed towards the needs of internally displaced persons and their host communities; more than 44 million PLN were allocated for these purposes. The areas of focus included access to basic medical, psychological, and social care, as well as assistance in securing employment in their new place of residence. Projects aimed at preparing refugees for winter were also implemented in cooperation with organizations such as Caritas and the European Meeting House - Nowy Staw Foundation.²³ Additionally, deliveries of material aid were organized for internally displaced persons.

¹⁹ A. Galus, "Polska Oficjalna Pomoc Rozwojowa (ODA) w zakresie wspierania mediów na Ukrainie," accessed March 16, 2025, <https://repozytorium.amu.edu.pl/server/api/core/bitstreams/49e8db72-9049-406e-b184-d9c699156dcf/content>.

²⁰ A. Bieńczyk-Missala, "Polityka zagraniczna w roku wyborów," WN Scholar, *Rocznik Strategiczny* (2016): 316.

²¹ K. Zalas-Kamińska, "Humanitarian Aid for Ukraine as a Pivotal Element in the Polish Aid Programme and an Opportunity to Amplify the Role of Development Cooperation in the Polish Foreign Policy," *Środkowoeuropejskie Studia Polityczne* 1 (2024): 5–16.

²² Raport Ministerstwa Spraw Zagranicznych, "Polska współpraca rozwojowa. Raport roczny 2018," 43–45.

²³ Governmental website of the Republic of Poland, accessed March 16, 2025, <https://www.gov.pl/web/polskapomoc/wyniki-konkursu-pomoc-humanitarna-na-rzecz-ukrainy-2015-r-26112015>.

For instance, in February 2015, a shipment was organized to Dnipropetrovsk (since 2016 Dnipro) in cooperation with other European Union member states within the framework of the European Civil Protection Mechanism. The aid included the delivery of 200 professional rescue kits for the State Emergency Service, 1,500 hygiene kits, and 2,000 blankets for internally displaced persons.²⁴ Furthermore, support was provided for medical training, the development of emergency response systems, as well as material and psychological assistance for the population.²⁵

After February 2022, Poland was among the countries that provided the most extensive assistance to Ukrainian war victims. The majority of Polish expenditures and efforts in 2022 were focused on supporting and accommodating war refugees from Ukraine in Poland. The expenditures amounted to PLN 9.73 billion, which accounted for as much as 65% of Poland's total development aid. Additionally, PLN 1 billion was allocated for development and humanitarian assistance within Ukraine.²⁶ The cost of maintaining war refugees from Ukraine under temporary protection in 2022 amounted to PLN 4.9 billion, the highest among OECD member states. In 2023, this figure decreased to PLN 2.5 billion.²⁷

Poland received the largest number of Ukrainian refugees relative to its population.²⁸ On the first day of the war, the authorities declared full openness of the border, allowing civilians to cross even without valid travel documents.²⁹ In the following days, a series of legal acts were adopted to support refugees, as well as organizations and families involved in providing assistance. In March, the Law on Assistance to Ukrainian Citizens in Connection with the Armed Conflict in Ukraine was enacted.³⁰ The legislation regulated the issues of residence permits and

²⁴ Informacja Rady Ministrów, *Aspekty pomocy humanitarnej i rozwojowej w latach 2015–2018* (Warszawa, April 11, 2019), 19, 20.

²⁵ Poland also made financial contributions to international organizations supporting initiatives in eastern Ukraine, including the International Committee of the Red Cross (ICRC), the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Human Rights (OHCHR) Human Rights Monitoring Mission in Ukraine, and the Organization for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) Programme of Engagement and Support for Ukraine.

²⁶ "Pomoc rozwojowa Polski nie aż tak hojna, jak sugerują liczby," *Raport monitoringowy Grupy Zagranica*, September 28, 2023, accessed March 16, 2025, <https://zagranica.org.pl/pomoc-rozwojowa-polski-nie-az-tak-hojna-jak-sugeruja-liczby-raport-monitoringowy-grupy-zagranica/>.

²⁷ The website of the President of the Republic of Poland, "Poland's Aid to Ukraine," November 11, 2024, accessed March 16, 2025, <https://www.president.pl/news/polish-aid-for-ukraine,93908>.

²⁸ "Temporary Protection for Persons Fleeing Ukraine - monthly statistics," Eurostat, December 4, 2024, accessed March 16, 2025, https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Temporary_protection_for_persons_fleeing_Ukraine_-_monthly_statistics.

²⁹ European Union Agency for Asylum, "Poland," 2022, 6, accessed March 16, 2025, https://euaa.europa.eu/sites/default/files/2022-06/Booklet_Poland_EN.pdf.

³⁰ The law was the subjects of amendments: "The Act on Assistance for Ukrainian Citizens," *Stowarzyszenie Interwencji Prawnej – Ukraina – Portal Prawny dla uchodźców z Ukrainy*, 2022, accessed March 16, 2025, <https://ukraina.interwencjaprawna.pl/the-act-on-assistance-for-ukrainian-citizens/>.

the possibility of obtaining a PESEL identification number, which granted refugees access to various public services, including family and child-rearing benefits, financial aid, and free medical and psychological care. By August 2022, a total of 1.23 million individuals had registered, with children comprising the largest group (45%), followed by women (43%), and the elderly accounting for 6.8%.³¹

Additionally, at the regional level, reception points were established³² to provide basic medical assistance, facilitate onward transportation, and assist in finding shelter. Temporary collective accommodation facilities were also made available, serving hundreds of thousands of war refugees. The authorities co-financed accommodation and meals, benefiting over two million Ukrainians by June 30, 2024. From February 2022 to September 2024, over 1.3 million Ukrainian refugees utilized publicly funded healthcare services in Poland. These services included primary healthcare for more than one million individuals, specialist outpatient care for 514,000, inpatient treatment for 457,000, and psychiatric care for approximately 17,000 individuals.³³

In addition to state involvement, the assistance provided by non-governmental organizations and volunteers was a distinctive feature, as well as local governments.³⁴ Approximately 77% of Poles engaged in efforts to support Ukrainians.³⁵ Furthermore, the authorities fully cooperated with international organizations such as the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), and UNICEF, which intensified their activities in Poland.³⁶ Moreover, Poland was subject to the provisions of the European Union, such as the Temporary Protection Directive (TPD) for individuals fleeing the war in Ukraine. The rights granted to Ukrainians included residence permits, access to the labor market, accommodation, medical care, and education for children.³⁷ Poland

³¹ S. Carta *et al.*, "Refugee Protection in the EU: Building Resilience to Geopolitical Conflict. Mercator Dialogue on Asylum and Migration," October, 2022, accessed March 16, 2025, https://www.epc.eu/content/PDF/2022/MEDAM_Assessment_Report_2022.pdf.

³² By July 31, 2024, they had served a total of more than 1.5 million people.

³³ "Poland's Aid to Ukraine."

³⁴ For example, humanitarian aid was directed from Polish cities to Ukrainian cities within the framework of city partnerships, such as from Pszczyna to Bucha.

³⁵ *Pomoc polskiego społeczeństwa dla uchodźców z Ukrainy* (Warszawa: Polski Instytut Ekonomiczny, lipiec, 2022), 4, accessed March 16, 2025, <https://pie.net.pl/wp-content/uploads/2022/07/Pomoc-pol-spol-UKR-22.07.2022-D-1.pdf>.

³⁶ IOM Poland, "IOM Expands Programmes in Poland to Address Growing Needs of People Fleeing Ukraine," April 11, 2022, <https://poland.iom.int/en/news/iom-expands-programmes-poland-address-growing-needs-people-fleeing-ukraine>; "UNICEF refugee response office in Poland," accessed March 16, 2025, <https://www.unicef.org/eca/poland>.

³⁷ "Fleeing Ukraine: Travel inside the EU. EU Solidarity with Ukraine," accessed March 16, 2025, https://eu-solidarity-ukraine.ec.europa.eu/information-people-fleeing-war-ukraine/fleeing-ukraine-travel-inside-eu_en.

also benefited from the activation of the EU Civil Protection Mechanism, receiving civil protection assistance as well as shelter equipment and medical supplies from other EU Member States.

Since the beginning of the war, Polish medical institutions, government initiatives, and collaborative efforts with Ukrainian authorities have addressed the critical healthcare needs arising from the conflict. Hospitals and medical centers in Ukraine were heavily targeted, along with energy infrastructure, rendering many healthcare facilities unable to function effectively. Legislative amendments, including updates to the Nursing and Midwifery Act, have enabled the effective transport and treatment of injured soldiers and foreign fighters in Polish hospitals. Moreover, MEDEVAC Hub in Jasionka has successfully coordinated the transfer of over 3,000 patients from Ukraine to various medical facilities across 18 countries by June 2024. One significant aspect of Poland's medical assistance has been the treatment of children affected by the war. For example, in March 2022, critically ill children were transported from Lviv to Warsaw for specialized care. Poland also contributed to the training of Ukrainian medical professionals. The initiative was designed to bolster the capabilities of Ukrainian healthcare providers, equipping them to tackle the ongoing challenges stemming from the conflict.

Poland delivered also humanitarian aid to Ukraine during the ongoing conflict, with the Governmental Agency for Strategic Reserves (RARS) serving as a central actor in coordinating these efforts. Between 2022 and 2024, RARS implemented a comprehensive humanitarian response, addressing critical needs in food security, medical supplies, fuel, and emergency housing for displaced populations. RARS managed the delivery of an estimated 11,000 tonnes of food products valued at PLN 205 million, providing vital sustenance to communities affected by the war. In addition, the agency supplied medicines worth PLN 60 million, ensuring access to essential pharmaceuticals for civilians and healthcare providers in Ukraine. Furthermore, Poland's contribution to energy security included the shipment of 70,000 cubic meters of fuel, which played a critical role in sustaining logistical and humanitarian operations under wartime conditions. To address the housing crisis caused by the large-scale displacement of Ukrainians, RARS coordinated the provision of 4,000 emergency housing containers, offering immediate shelter solutions for those in need.

The scale and logistical complexity of these efforts were immense. Goods worth PLN 1.5 billion were processed through Poland's reloading hub, demonstrating the country's capacity to serve as a key logistical gateway for international aid to Ukraine. These supplies, which included over 75,000 pallets and more than 55,000 tonnes of various goods, were transported using 9,000 trucks and several hundred trains, encompassing over 10,000 wagons and containers. Contributions were sourced from 58 countries and channeled through Polish facilities, reflecting the collaborative and international nature of this humanitarian endeavor.

A useful aspect of Poland's response was the construction of container towns for internally displaced persons (IDPs). Fourteen such towns were established, including four in Lviv, offering temporary housing for more than 10,000 IDPs. These container towns provided essential shelter and living conditions while long-term accommodations were developed.

Diplomatic and political measures

Poland has extensively used diplomatic and political measures in response to Russia's violations of international law concerning Ukraine. Following Russia's annexation of Crimea in 2014 and subsequent aggression, Polish authorities consistently advocated for the territorial integrity of Ukraine. Poland refused to recognize Russia's annexation of Crimea in March 2014 or the so-called "referendums" conducted by separatists in eastern Ukraine. Similarly, it condemned the full-scale invasion of February 22, 2022, as well as the illegal referendums held to justify the incorporation of parts of Ukrainian territory into Russia. Polish authorities have repeatedly declared that Ukraine and its people can rely on Poland's full support.³⁸

Polish leaders frequently raised the issue of Russian crimes in Ukraine, urging states and international organizations to respond decisively. They called for the prosecution of perpetrators and decision-makers, and for the implementation of a firm policy towards Russia, including military support for Ukraine. In the aftermath of the attack on a maternity hospital in Mariupol on March 9, 2022, Polish officials warned that with such actions by Russia, a return to "business as usual" would be impossible.³⁹

Beyond numerous public appeals, Poland actively engaged in multilateral forums to ensure Russia's accountability for committed crimes and to advocate for the use of all available sanctions. Poland supported the resolution of the Committee of Ministers of the Council of Europe to expel the Russian Federation from the organization as of March 16, 2022. The resolution stated that Russia's aggression against Ukraine constituted a flagrant violation of Article 3 of the Statute of the Council of Europe, which sets out the membership criteria for states, including respect for human rights, democracy, and the rule of law. Furthermore, the resolution obligated member states to cooperate in achieving the objectives of the organization.

As a member of the United Nations Human Rights Council (UNHRC), Poland supported Ukraine's request, on the second day following the invasion, to convene

³⁸ "Polish president said it's 'hard to deny' genocide in Ukraine after images of civilians killed emerge," CNN News, April 6, 2022, <https://edition.cnn.com/2022/04/06/politics/andrzej-duda-poland-ukraine-cnnv/index.html>; "Address by the President at the Summit marking the 1st Anniversary of the liberation of Bucha from the Russian occupation," President News, March 31, 2023, accessed March 16, 2025, <https://www.president.pl/news/address-by-the-president-at-the-summit-marking-the-1st-anniversary-of-the-liberation-of-bucha-from-the-russian-occupation,66457>.

³⁹ Speech by the President Andrzej Duda at the Verkhovna Rada, May 22, 2022, accessed March 16, 2025, <https://www.president.pl/news/speech-by-the-president-at-verkhovna-rada,54101>.

an urgent debate in the Human Rights Council concerning the human rights situation in Ukraine. Poland was among the co-sponsors of the resolution titled ‘Situation of human rights in Ukraine stemming from the Russian aggression,’ adopted on March 4, 2022. The resolution condemned the Russian Federation’s aggression against Ukraine and expressed grave concern over the ongoing human rights and humanitarian crisis in the country.⁴⁰

Furthermore, an independent International Commission of Inquiry was established with the mandate to investigate all alleged violations and abuses of human rights, breaches of international humanitarian law, and related crimes within the context of Russia’s aggression against Ukraine. The Commission aimed to establish facts, circumstances, and root causes of such violations, as well as to collect, consolidate, and analyze evidence to support accountability efforts. From the outset of the invasion, Poland actively advocated for the suspension of Russia from the UN Human Rights Council. It supported the United Nations General Assembly (UNGA) resolution on this matter, adopted on April 7, 2022.

Poland was also among the group of states that actively supported UNGA initiatives addressing the humanitarian consequences of Russia’s aggression against Ukraine. As a member of the cross-regional group, Poland contributed to the drafting and subsequently supported the UNGA resolution on March 24, 2022, focusing on the humanitarian impact of the war.⁴¹ Poland also endorsed subsequent UNGA resolutions, including the resolution on the territorial integrity of Ukraine: defending the principles of the Charter of the United Nations, adopted on October 12, 2022,⁴² and the resolution principles of the Charter of the United Nations underlying a comprehensive, just, and lasting peace in Ukraine.⁴³ Poland further supported the resolution on the situation of human rights in the temporarily occupied territories of Ukraine, including the Autonomous Republic of Crimea and the city of Sevastopol.⁴⁴

Within various UN institutions, Poland has actively addressed issues related to Russia’s aggression and its impact on civilians and prisoners of war.⁴⁵ Additionally,

⁴⁰ Resolution adopted by the Human Rights Council on March 4, 2022 49/1, “Situation of Human Rights in Ukraine Stemming from the Russian Aggression,” A/HRC/RES/49/1.

⁴¹ Resolution adopted by the General Assembly on March 24, 2022, “Humanitarian Consequences of the Aggression Against Ukraine,” A/RES/ES-11/2.

⁴² Resolution adopted by the General Assembly on October 12, 2022, “Territorial Integrity of Ukraine: Defending the Principles of the Charter of the United Nations,” A/RES/ES-11/4.

⁴³ Resolution adopted by the General Assembly on February 23, 2023, “Principles of the Charter of the United Nations Underlying a Comprehensive, Just and Lasting Peace in Ukraine,” A/RES/ES-11/6.

⁴⁴ Resolution adopted by the General Assembly on December 19, 2023, “Situation of Human Rights in the Temporarily Occupied Territories of Ukraine, Including the Autonomous Republic of Crimea and the City of Sevastopol,” A/RES/78/221.

⁴⁵ See Poland’s President A. Duda speeches at session of the UN General Assembly, September 10, 2022, September 19, 2023 and September 24, 2024; Poland in the UN, “Poland on Russia’s Attacks Against Ukrainian Civilians,” *News*, July 9, 2024.

Poland has organized and participated in side events related to Ukraine during the sessions of the UN Human Rights Council, further reinforcing its commitment to supporting Ukraine at the international level. Among the most notable statements were those made by Polish Minister of Foreign Affairs Radosław Sikorski, who addressed Russian crimes against civilians, including the deportation of Ukrainian children, during sessions of the United Nations Security Council, notably on September 24, 2024. On several occasions, the Polish delegation left the room during speeches delivered by Russian representatives, who accused Ukraine of fascism and sought to justify acts of aggression. This diplomatic gesture underscored Poland's firm stance against the dissemination of disinformation and its rejection of attempts to legitimize violations of international law.⁴⁶

Some of Poland's efforts involved cooperation with neighboring countries. In cooperation with Ukraine, the victim of aggression, and Lithuania within the framework of the Lublin Triangle Group, Poland prepared joint statements before UN institutions, highlighting Russian practices of torture, arbitrary detentions, enforced disappearances of civilians and prisoners of war in occupied territories, the situation of Ukrainian refugees, and the persistent attacks on energy infrastructure. These joint initiatives also called for the prosecution of those responsible for violations of international humanitarian law (IHL) and international human rights law (IHRL).

Complementing these efforts were initiatives aimed at drawing the attention of UN members to human rights violations in Belarus and Russia. The Polish delegation to the United Nations in Geneva consistently raised the issue of political prisoners in both countries, supporting the establishment and functioning of monitoring mechanisms, including the appointment of the Special Rapporteur on the Situation of Human Rights in the Russian Federation – the first such mechanism ever established for a permanent member of the UN Security Council. On March 11, 2024, Poland co-organized a side event titled “Life and Death in Isolation – Political Prisoners in Russia” following the death of Alexei Navalny. Additionally, on September 29, 2024, Poland and Luxembourg co-organized a side event on human rights in Russia, featuring Special Rapporteur Marina Katzarova and dissident Vladimir Kara-Murza, urging the international community not to forget about political prisoners in Russia.⁴⁷

Poland also employed diplomatic measures in response to war crimes by assuming the OSCE Chairmanship in 2022. During its chairmanship, the Moscow Mechanism of the OSCE was invoked three times, allowing expert missions to be sent to Ukraine. The published reports presented significant examples of human rights

⁴⁶ “Diplomats Walk Out During Sergey Lavrov Speeches in Protest at Ukraine Invasion,” Euro News, March 1, 2022.

⁴⁷ Poland in the UN, “Human rights in Russia: Aggression Abroad and Repression at Home – a Side-Event on the Margins of the 57th session of the Human Rights Council in Geneva,” *News*, September 24, 2024.

violations and breaches of international humanitarian law by the Russian military.⁴⁸ OSCE meetings served as platforms to criticize Russian actions in Ukraine, which led to Russia blocking the organization's activities. Where consensus could not be achieved due to Russia's obstruction, Poland sought alternative, extrabudgetary means to exert pressure. For instance, Poland took on the responsibility of organizing the annual Warsaw Human Dimension Conference from September 26 to October 7, 2022, which provided an important forum for exchanges of views among governments, international organizations, and civil society representatives. Human rights organizations from Ukraine and Belarus particularly benefited from this opportunity.

In a significant diplomatic move, Poland denied entry to Russian Foreign Minister Sergey Lavrov for the OSCE Ministerial Council meeting on December 2, 2022. Consequently, no formal declaration could be adopted at the meeting. The rotating OSCE "Troika" (Sweden – Poland – North Macedonia) issued a joint statement in which member states condemned the atrocities committed by Russia, asserting that Russia bears full responsibility for the war and will ultimately be held accountable for all its despicable acts against Ukraine and the Ukrainian people.⁴⁹

Sanctions

Poland has played a proactive role in implementing economic, diplomatic, and individual sanctions. It has undertaken unilateral actions while also being a key advocate and adopter of successive sanction packages within the European Union against Russia, and later against Belarus and North Korea. These measures aimed to weaken Russia's capacity to conduct aggressive military operations and exert pressure on individuals and business entities supporting and benefiting from illegal actions.

Sanctions imposed between 2014 and 2022 were a response to the annexation of Crimea, the war in Eastern Ukraine, and Russia's failure to comply with the Minsk Agreements, which were intended to achieve peace. Polish authorities, along with the European Union, consistently referred to violations of fundamental principles of the United Nations Charter, international humanitarian law, and human rights law, particularly the persecution of the Tatar minority in Crimea, as documented in reports by the UN Office of the High Commissioner for Human Rights.⁵⁰

⁴⁸ "Report of the OSCE Moscow Mechanism's Mission of Experts Entitled 'Report on Violations of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity Committed in Ukraine (1 April – 25 June 2022),' accessed March 16, 2025, <https://www.osce.org/files/f/documents/3/e/522616.pdf>.

⁴⁹ "Rada Ministerialna OBWE w Łodzi – oświadczenie Trojki," grudnia 2, 2022, dostęp Luty 10, 2023, <https://www.gov.pl/web/obwe/rada-ministerialna-obwe-w-lodzi---oswiadczenie-trojki>; Zob. także A. Bieńczyk-Missala, "Polityka zagraniczna Polski po agresji Rosji na Ukrainę," *Rocznik Strategiczny 2022/2023* (2023): 354–356.

⁵⁰ Ministry of Foreign Affairs Republic of Poland, "Statement by Polish MFA on EU's Adoption of Sanctions Against Russia," *News*, October 11, 2021, accessed March 16, 2025, <https://www.gov.pl/web/diplomacy/statement-by-polish-mfa-on-eus-adoption-of-sanctions-against-russia>.

Following the escalation of the war in February 2022, Polish authorities called for “serious rather than symbolic sanctions” against Russia.⁵¹ The discovery of mass graves near Kyiv, including in Bucha,⁵² served as a catalyst for these appeals. Polish leaders, including President Andrzej Duda and Prime Minister Mateusz Morawiecki, were among the first to visit crime scenes in Bucha, Irpin, and Borodianka, openly advocating for an international response to the atrocities committed against Ukrainian civilians.⁵³

In April 2022, Poland adopted the Act on Special Solutions, which served as the basis for the creation and subsequent updates of a list of individuals and companies subject to restrictions. These measures included the freezing of funds and economic resources, a ban on their availability, and the inclusion of foreign nationals deemed undesirable on Polish territory.⁵⁴ By the end of February 2025, the European Union, including Poland, had adopted a total of 16 sanction packages across various sectors, such as energy, finance, transport, communications, and dual-use goods, as well as within the visa system. Individual sanctions targeted those responsible for war crimes in Bucha and Mariupol, attacks on civilians and civilian infrastructure, deportations, and the forced adoption of Ukrainian children.⁵⁵ Sanctions against Russia were also motivated by the deteriorating human rights situation within the country itself, including the intimidation of activists and individuals protesting the war. The death of Russian opposition leader Alexei Navalny in February 2024 further prompted international reactions and reinforced the need for continued restrictive measures.

Prosecuting international crimes

Effective prosecution of perpetrators of international crimes serves as a R2P mean of preventing future atrocities. In the case of Ukraine, a wide range of measures have been implemented to collect evidence of crimes and prosecute those responsible.⁵⁶ Poland has actively joined these efforts and became the first state,

⁵¹ *Polish MoD Calls for “Serious Sanctions” Against Russia* (Polish Press Agency, February 22, 2022).

⁵² Ministry of the Interior and Administration, “The Deputy Head of the Ministry of the Interior and Administration: this Act is Poland’s Voice in the European Discussion on Sanctions,” *News*, April 6, 2022.

⁵³ Bieńczyk-Missala, “Polityka zagraniczna Polski po agresji Rosji na Ukrainę,” 351.

⁵⁴ Ministry of the Interior and Administration of the Republic of Poland, “Lista osób i podmiotów objętych sankcjami,” [List of persons and entities subject to sanctions], Informacje Publiczne, accessed March 16, 2025, <https://www.gov.pl/web/mswia/lista-osob-i-podmiotow-objetych-sankcjami>.

⁵⁵ “EU sanctions against Russia,” EU News, accessed March 16, 2025, <https://www.consilium.europa.eu/en/policies/sanctions-against-russia/#human-rights>.

⁵⁶ P. Grzebyk and D. Uczkiewicz, *The Russian–Ukrainian Conflict and War Crimes* (Routledge, 2025).

outside of Ukraine, to launch an investigation into Russian aggression against Ukraine⁵⁷ and the crimes committed in connection with it.⁵⁸

In the first year of the Russian invasion alone, the Polish prosecution service interviewed over 1,700 witnesses,⁵⁹ including Ukrainian citizens who had fled to Poland due to the war. Hundreds of these testimonies were considered crucial to the investigation. The process of reaching witnesses was facilitated through collaboration with non-governmental organizations, including the Pilecki Institute's Raphael Lemkin Center for Documenting Russian Crimes in Ukraine, and the Ukrainian organization OPORA, which established the Center for Assistance in War Crimes Documentation in Poland. Based on witness statements, 24 investigative threads were identified, focusing on incidents such as attacks on civilians and civilian infrastructure, forced deportations, and acts of torture.

Thanks to cooperation with the Ukrainian prosecutor's office, investigations were conducted on Ukrainian territory, particularly in central and southeastern regions, where site inspections were carried out. They documented the destruction of civilian buildings by the armed forces of the Russian Federation. Photographic and video evidence documenting these crimes has been secured, providing crucial material for international legal proceedings. The collected evidence has been made available to investigators from the International Criminal Court (ICC), further contributing to the global effort to ensure accountability for war crimes.

To facilitate the collection of evidence, the National Prosecutor's Office published an appeal in Ukrainian, encouraging refugees to provide testimonies and evidence. Arrangements were made to conduct interviews in locations convenient for refugees and to ensure the presence of psychologists. While Poland's prosecutorial actions mainly supported the primary proceedings conducted by Ukraine, they were also vital for the broader international efforts to document and secure evidence of these crimes.⁶⁰ Poland played an active role in Eurojust's initiatives aimed at enhancing legal cooperation in criminal matters across Europe. On March 2, 2022, Eurojust, upon the request of Lithuania, Poland, and Ukraine, convened a coordination meeting. This meeting led to the establishment of a Joint Investigative Team (JIT) on March 25, 2022.⁶¹ The JIT facilitates the direct exchange of evidence and streamlines legal

⁵⁷ C. McDougall, "Imperative of Prosecuting Crimes of Aggression," *Journal of Conflict and Security Law* (2023): 203–230.

⁵⁸ The proceeding was initiated by the Mazovian Branch Office of the Department for Organized Crime and Corruption of the National Prosecutor's Office on February 28, 2022.

⁵⁹ "Prokurator Krajowy: są dowody na zabójstwa cywili, kradzieże i tortury w Ukrainie," [National Prosecutor: there is evidence of killings of civilians, theft and torture in Ukraine], Polish Press Agency, January 24, 2023.

⁶⁰ Compare with: B. Krzan, "Polish Involvement in Prosecuting International Crimes Committed in Ukraine," in *The Russian–Ukrainian Conflict and War Crimes*, eds. P. Grzebyk and D. Uczkiewicz, 243–254.

⁶¹ A. Neville, "Russia's War on Ukraine: Investigating and Prosecuting International Crimes," A briefing by the European Parliamentary Research Service, June, 2022.

procedures, significantly bolstering international investigations. Subsequently, the JIT expanded to include Estonia, Latvia, Slovakia, and Romania. The Joint Investigative Team was also joined by ICC and Europol. A significant milestone in Eurojust's efforts, supported by Poland, was the establishment of the Core International Crimes Evidence Database (CICED) in February 2023. CICED enables the secure storage, analysis, and transmission of evidence for future legal proceedings.

Poland has played a role in supporting the International Criminal Court (ICC) actions. On March 2, 2022, alongside other states, Poland submitted a joint referral to the ICC, requesting an investigation into war crimes committed by Russia in Ukraine. Poland welcomed the ICC's decision to issue arrest warrants for Vladimir Putin and Maria Lvova-Belova in connection with allegations of war crimes, specifically the unlawful deportation of civilians (children) and the illegal transfer of population (children) from occupied areas of Ukraine to the Russian Federation.⁶²

Given the ICC's lack of jurisdiction over crimes of aggression, Poland has actively supported the establishment of a special tribunal for crimes of aggression against Ukraine. In March 2023, the Polish Ministry of Foreign Affairs openly endorsed this initiative, suggesting that the tribunal could be established through an agreement between the UN Secretary-General and Ukraine, based on recommendations from the UN General Assembly.⁶³ Poland has also expressed openness to alternative methods of establishing the tribunal. It supported an initiative of the foundation of the International Center for the Prosecution of Aggression Crimes, which was inaugurated at Eurojust's headquarters in the Hague in July 2023 and is involved in its work.⁶⁴ Poland has also undertaken efforts to work on reparations for Ukraine, particularly within the framework of the Council of Europe.

The actions undertaken by institutions addressing Russian aggression have been supported by resolutions adopted by the Polish parliament. In its resolution of February 23, 2022,⁶⁵ and the statement issued on February 24, 2022,⁶⁶ the parliament condemned Russia's aggression against Ukraine and the annexation of Ukrainian territories. Furthermore, in the resolution of March 23, 2023, concerning war crimes,

⁶² "Foreign Ministry Communiqué on the issuance of an arrest warrant for Mr Putin and Ms Belova by the ICC," March 17, 2023, accessed March 16, 2025, <https://www.gov.pl/web/dyplomacja/komunikat-mtk-w-sprawie-wydania-nakazu-aresztowania-w-sprawie-w-putina-i-m-Bielowej>.

⁶³ Ministry of Foreign Affairs, "Poland Supports Establishment of the Special Tribunal for the Crime of Aggression," March 4, 2023, accessed March 16, 2025, <https://www.gov.pl/web/nato-en/poland-supports-creation-of-a-special-tribunal-for-crimes-of-aggression-against-ukraine>.

⁶⁴ Ministry of Justice, "Minister of Justice Adam Bodnar and Deputy Minister Maria Ejchart visit Kyiv," March 1, 2024, accessed March 16, 2025, <https://www.gov.pl/web/justice/minister-of-justice-adam-bodnar-and-deputy-minister-maria-ejchart-visit-kyiv>.

⁶⁵ "Resolution of the Sejm of the Republic of Poland of 23 February 2022 on Russia's Aggression Against Ukraine," M.P. 2022 poz. 281.

⁶⁶ "Statement of the Sejm of the Republic of Poland of 24 February 2022 on the Aggression of the Russian Federation against Ukraine," M.P. 2022 poz. 284.

crimes against humanity, and human rights violations committed by Russia in Ukraine, the parliament called on all states that recognize Ukraine's sovereignty, territorial integrity, and right to self-determination to initiate and support legal proceedings before the International Court of Justice (ICJ) and the International Criminal Court (ICC) to prosecute those responsible for international crimes. The Polish parliament also explicitly designated Vladimir Putin as a war criminal.⁶⁷

Additionally, in a resolution adopted on April 14, 2023, the Polish parliament expressed its support for the establishment of a special tribunal for crimes of aggression against Ukraine, underscoring its commitment to ensuring accountability for Russia's actions in Ukraine.⁶⁸

Polish institutions have demonstrated a consistent approach to the prosecution of crimes committed in Ukraine, undertaking independent actions in this regard while also cooperating with Ukraine, neighbouring countries and international institutions. By the end of 2024, the Polish prosecution had not yet brought charges against any individuals and had not fully resolved all challenges related to the exercise of universal jurisdiction. However, its engagement and achievements, particularly in areas such as witness interviews and evidence preservation, contribute to combating impunity, which often accompanies armed conflicts.

Military assistance

In appealing to Western states for assistance, Ukrainian authorities primarily sought military aid to enhance Ukraine's defense capabilities. President Volodymyr Zelensky emphasized that the scale of this assistance directly influenced both territorial defense and the protection of civilians.⁶⁹ Indeed, reports on Russian practices in occupied territories highlighted numerous atrocities, including killings, torture, extrajudicial executions, sexual violence, forced detentions, and abductions.⁷⁰ These acts contributed to internal displacement and reinforced the perception among states, including Poland, that military support for Ukraine was essential for safeguarding the civilian population.

⁶⁷ "Resolution of the Sejm of the Republic of Poland of 23 March 2022 on Committing War Crimes and Crimes Against Humanity and Violating Human Rights by Russia in Ukraine," M.P. 2022, poz. 367.

⁶⁸ "Resolution of the Sejm of the Republic of Poland of 14 April 2023 on the Establishment of the Special Tribunal for Crimes of Aggression against Ukraine," MP 2023, poz. 427.

⁶⁹ R. Barber, "What Does 'Responsibility to Protect' Require of States in Ukraine?," *Journal of International Peacekeeping* 25 (2022): 155–177.

⁷⁰ Report by Rafal Lemkin Centre for Documentation of Russian Crimes in Ukraine, "Sexual Violence of the Russian Occupying Forces Against Ukrainian Women," February, 2024; V. Bilkova, C. Hellestveit and E. Steinerte, "OSCE Report on Violations and Abuses of International Humanitarian and Human Rights Law, War Crimes and Crimes Against Humanity, Related to the Forcible Transfer and/or Deportation of Ukrainian Children to the Russian Federation," April 28, 2023; W. Benedek, V. Bilková and M. Sassoli, "OSCE Report on Violations Of International Humanitarian And Human Rights Law, War Crimes And Crimes Against Humanity Committed In Ukraine Since 24 February 2022," April 12, 2022; "Treatment of Prisoners of War and Persons Hors de Combat in the Context of the Armed Attack by the Russian Federation Against Ukraine, 24 February 2022 – 23 February 2023," UN OHCHR, March 24, 2023.

As of July 2024, Poland's military assistance to Ukrainian forces had exceeded 4 billion EUR, with the majority of the provided equipment being utilized on the frontline. From the perspective of civilian protection, the most significant elements of the aid package included anti-aircraft missile systems (S-125 Neva SC, 9K33 Osa, 2K12 Kub) and MiG-29 fighters. Additionally, individual protective equipment for soldiers and medical support for the Ukrainian army were supplied.

Poland also played a crucial role in delivering material assistance to Ukrainian emergency services. By July 2024, Poland had provided 2,895 pallets of firefighting equipment, including personal protective gear such as protective clothing, helmets, firefighter boots, thermal imaging cameras, power generators, medical kits, and 259 fire trucks.⁷¹ Furthermore, in 2023, Polish police forces participated in the demining of areas liberated from Russian occupation as part of bilateral aid efforts.⁷²

Domestically, there was limited public debate regarding the necessity of deploying Polish armed forces and the potential for an international military intervention under the Responsibility to Protect (R2P) doctrine. Any potential military intervention faced significant obstacles, including the unlikely prospect of authorization by the UN Security Council, where Russia, as a permanent member, holds veto power. Moreover, concerns were raised about the potential escalation of the conflict, given Russia's threats to use nuclear weapons. Most importantly, however, Ukraine had not formally requested international military intervention, instead focusing on efforts within the framework of the first pillar of R2P, aimed at ensuring the protection of its population through national means.

Conclusions

In his address to the United Nations General Assembly on September 25, 2013, Polish President Bronisław Komorowski referred to the concept of the Responsibility to Protect (R2P) in the context of the humanitarian catastrophe in Syria. He called for international cooperation, especially among the members of the Security Council, who have the greatest capacity to undertake effective actions in situations covered by R2P. Unfortunately, this institution becomes dysfunctional when mass atrocities are committed by a permanent member of the UN Security Council with veto power. The war in Ukraine has unequivocally confirmed this. The Security Council was unable to take any decisive action in response to Russian

⁷¹ Agreement on Security Cooperation Between the Republic of Poland and Ukraine, Warsaw, July 8, 2024, accessed March 16, 2025, <https://www.gov.pl/web/premier/polsko-ukrainskie-porozumienie-w-dziedzinie-bezpieczenstwa>.

⁷² A. Bieńczyk-Missala, "If Not Now, Then Never. Poland Towards the European Defense Development," in *EU Common Security and Defense Policy. Quo Vadis? How European Capitals Understand CSDP, Cuaderno de Estrategia*, nr 228 (Madrid: Centro Superior de Estudios de la Defensa Nacional (CESEDEN), 2024), 157–185.

aggression and the suffering of civilians, thereby contributing to the erosion of the legal foundations of the post-war international order.

However, it is important to note that many states and international institutions engaged in supporting Ukraine, contributing to the prevention and response to mass atrocities, even if they did not explicitly invoke the R2P framework. In the case of Poland, humanitarian motives were accompanied by concerns for regional security and stability, as well as historical experiences of aggression and imposed undemocratic regimes, which reinforced the level of commitment. Poland extensively utilized diplomatic, economic, legal, and military instruments in response to Russian aggression and committed mass atrocities. Some measures, such as opening its borders to Ukrainian war refugees, enabled rapid humanitarian assistance, while others, such as economic sanctions, were designed as long-term measures aimed at weakening Russia's economic capacity to sustain its war efforts. The scale of aerial attacks and the methods used by Russia to destroy entire cities highlighted the critical importance of military measures related to air defense. Although Ukraine was among the primary recipients of Polish development assistance and the implemented projects were valuable in terms of the democratic standards development, their scale could not be sufficient. Moreover, Poland lacked the capacity to exert effective diplomatic influence on Russia after 2014. The annexation of Crimea resulted in a limited response from Poland, other Western states, and institutions; therefore, the responsibility to prevent was not effectively implemented. It was only the full-scale Russian aggression that triggered a significant response.

Given the paralysis of the Security Council, R2P is rarely invoked in discussions about the war in Ukraine. However, as indicated by reports and proposals from the UN Secretary-General, the concept is much broader and encompasses what states and the international community can do in terms of preventing and responding to mass atrocities. It is crucial to continue discussions and research on the experience of cooperation within the R2P framework in the context of the Russia-Ukraine war, especially in light of the conceptual and practical crisis resulting from conflicts such as the war in Ukraine and the Hamas-Israel war. Poland's response, as a neighbouring state, serves as a valuable case study and a noteworthy example of proactive engagement under the R2P framework.

Ethics and consent

Ethical approval and consent were not required.

Data availability statement

No data are associated with this article.