FOREIGN AND SECURITY POLICY 13.05.2024 | Anastasia Magazova

Between existence and expediency

The Ukrainian army needs new soldiers. However, the government's radical mobilisation measures threaten to divide society

Ukraine's military-political leadership has been reporting an acute shortage of infantry for some time now. Although the Ukrainian side does not officially disclose its losses on the front, according to various estimates, the number of dead and wounded runs into the tens of thousands. And these losses need to be compensated for. Moreover, the troops that have been on the frontline for more than two years need to be rotated out. The Ukrainian government is therefore seeking different ways of addressing the problem. One of these solutions is for Ukrainian men living abroad to return home to fight.

In mid-April, Ukraine's Foreign Minister Dmytro Kuleba announced that his ministry was preparing a strategy for the repatriation of Ukrainian men living abroad. The head of the Ministry of Foreign Affairs is convinced that, if Ukraine does not change its attitude towards these citizens, they will rapidly assimilate into their host countries. At the same time, Kuleba admitted that he doubts the Ukrainian men who have left the country will return to their homeland even if Ukraine wants them to. The Ministry of Foreign Affairs has stressed that the aim of the new strategy is for these people to remain Ukrainians, if only mentally, as in the future, they could become advocates for Ukraine in their new countries.

Yet, not only did the subsequent actions of the Ukrainian foreign ministry contradict the government's stated intentions, but they sparked a major wave of criticism from Ukrainians temporarily or permanently living outside the country.

Radical measures

On 23 April, Ukraine suddenly suspended consular services for all Ukrainian men of fighting age, irrespective of their status or how long they had been living abroad. This mainly concerns replacing expired or

obtaining new Ukrainian passports. The Ministry of Foreign Affairs later issued a statement that these documents will no longer be issued abroad, but will have to be applied for and collected on Ukrainian territory. The ministry is referring to this as a temporary measure, ostensibly until arrangements for the provision of consular services are brought into line with the new mobilisation law set to enter into force on 18 May this year. This law not only regulates the key aspects of the mobilisation of men into the Ukrainian army, but also introduces restrictions for Ukrainians living abroad who are liable for conscription and have not updated their personal military records in time. The new law stipulates that men aged 18 to 60 will only be provided with consular services *after* updating these records.

Men of this age must update their records within 60 days of the law's entry into force, in other words, by mid-July. But consulates started refusing to provide services to men of military age even before the law on mobilisation came into force. The official explanation from the Ministry of Foreign Affairs is that it did not have time to process the applications that had been submitted before the law came into force.

Human rights activists and lawyers have criticised the government's decision, describing it as discriminatory and a violation of the Ukrainian constitution. Yet, the Ukrainian foreign ministry remains unshakeable.

As of January 2024, there were 4.3 million Ukrainian citizens living in the EU — including 860 000 men.

'What it looks like now: a man of conscription age went abroad, showed his state that he does not care about its survival, and then comes and wants to receive services from this state. It does not work this way. Our country is at war', Kuleba wrote about the new instructions. He also added that this will restore 'fair attitudes' towards men of conscription age living outside Ukraine, as being abroad does not exempt citizens from their obligations to their homeland.

Some European countries have expressed their willingness to help with the repatriation of Ukrainian men to Ukraine. For instance, Polish Defence Minister Władysław Kosiniak-Kamysz said, without going into details, that Poland is ready to assist Ukraine in this process in any way possible, just as it has previously offered to help. Kosiniak-Kamysz's statement was followed by Latvian Defence Minister Laurynas Kasčiūnas acknowledging the need to consider how to help Ukraine return conscription-age men.

That said, it is currently unclear exactly what fighting-age men the European ministers of defence are referring to — refugees, those who crossed the Ukrainian border illegally to evade mobilisation, or simply all men with Ukrainian passports, irrespective of how long they have been living abroad.

Since the restrictions apply to absolutely all Ukrainian men, it is evident that the Ukrainian government intends to do a full stocktake to establish its potential mobilisation resources. According to Eurostat estimates, as of January 2024, there were 4.3 million Ukrainian citizens living in the EU — including 860 000 men. That being said, from a technical point of view, it seems unlikely that European governments will do anything to force these men to leave.

Berlin has stated that the decision of the Ministry of Foreign Affairs of Ukraine to suspend consular services will not affect the refugee status of Ukrainian men. Moreover, in special cases, if the Ukrainian consulate refuses to issue a passport to a Ukrainian citizen who has not performed military service, the Berlin State Office for Foreigners will provide them with a travel document as a replacement for their passport.

Growing polarisation

The instructions issued by the Ukrainian Foreign Ministry not only sparked criticism and discontent among those who were directly affected by the restrictions, but also heated discussions within Ukraine itself. Calls for justice in Ukraine's tormented society are growing ever louder. The wives, mothers and daughters of those on the frontline watch with bewilderment as fighting-age Ukrainian men roam freely in Europe's cities. They ask themselves what these people are doing there. And the men on the frontline, seeing such images, increasingly wonder why some are there, while others find themselves in the trenches under attack from Russian bombs.

The Ukrainian government should concentrate its efforts not on adopting discriminatory decisions against Ukrainian citizens abroad, but on creating the conditions for clear

Yet, the recent decision of the Ukrainian government is unlikely to meet this demand for justice. To a great extent, it will alienate Ukrainians abroad even further from their state and create polarisation between who have left and those who remain in Ukraine. Apart from the moral dimension of the problem and the complete failure of the Ukrainian government to communicate with Ukrainians abroad, it seems unlikely that Ukraine will be able to develop an effective mechanism for repatriating

and transparent mobilisation.

men to boost troop numbers. It is also clear that those who left Ukraine illegally are unlikely to return to register documents or update personal data. Those who wanted to come back and protect their homeland have, for the most part, already done so. And for those who have already been living abroad for a long time but have kept their Ukrainian passports, the government's decision is more likely to prompt them to obtain citizenship in their country of residence more quickly.

The unwillingness to fight on the frontline is as understandable and obvious as the fact that Ukraine is waging a war of survival against an enemy that is many times stronger. To put it bluntly, Ukraine needs people to operate the equipment it has been pushing for its partners to supply for so long. However, the battle for survival, already fraught with grave moral dilemmas, must not be accompanied by ill-considered and short-sighted decisions that ultimately result in the opposite of what was hoped for.

The Ukrainian government should concentrate its efforts not on adopting discriminatory decisions against Ukrainian citizens abroad, but on creating the conditions for clear and transparent mobilisation. A good start would be for it to improve communication and explain to its citizens the unpopular decisions dictated by the wartime. Two years since the start of the full-scale Russian invasion and the motivation of Ukrainians to join the army to defend their country has declined significantly. Only with genuine, rather than just symbolic changes to the work of the territorial recruitment centres and the implementation of high-quality information campaigns targeting the population will the situation improve. This alone will help restore awareness of the real threat to the survival of the Ukrainian state, which as a result will increase people's motivation to protect it.



Anastasia Magazova
Berlin

Anastasia Magazova is a Ukrainian journalist and political scientist who has been writing about Ukraine as a correspondent for various German media outlets, including *Deutsche Welle* and *tageszeitung*, since 2013.