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Information policy tools as instruments of Ukraine's information security after Russia's full-scale invasion

Narzędzia polityki informacyjnej jako instrumenty bezpieczeństwa informacyjnego Ukrainy po rozpoczęciu pełnoskalowej inwazji rosyjskiej

Abstract: The paper presents the methods and means of conducting information policy by the Ukrainian authorities after the outbreak of the full-scale Russian invasion on 24 February 2022. The analysis is presented in institutional and functional terms using the method of functional analysis, which demonstrated that the information policy of Ukraine during the period of martial law is effective and provides the state (with) information security in terms of military aggression.

Keywords: information policy, war in Ukraine, information security

Streszczenie: Artykuł przedstawia metody i środki prowadzenia polityki informacyjnej przez władze ukraińskie po rozpoczęciu pełnoskalowej inwazji rosyjskiej 24 lutego 2022 r. W prezentacji uwzględniono ujęcia instytucjonalne oraz funkcjonalne. Zastosowano metodę analizy funkcjonalnej, która dowiodła, iż polityka informacyjna Ukrainy w okresie stanu wojennego jest efektywna i zapewnia bezpieczeństwo informacyjne państwa w warunkach agresji zbrojnej.

Słowa kluczowe: polityka informacyjna, wojna w Ukrainie, bezpieczeństwo informacyjne

Introduction

The outbreak of the full-scale Russian invasion of Ukraine on 24 February 2022, caused the introduction of martial law in Ukraine¹. This paper aims to present the techniques and methods of information

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1 Ukaz Prezydenta Ukrainy Pro vvedennya voyennoho stanu v Ukraini. Ukaz zatverdzheno Zakonom № 2102-IX vid 24.02.2022.

policy in terms of military aggression that threatens the infosphere². Eugenia Tychomyrowa defines the infosphere as all types of mass media on the state territory despite their typology as well as foreign mass media broadcasting³. According to this, in the infosphere information is created, broadcasted, and absorbed by the people fulfilling their information needs as well as those of society and the state. It also means to secure Ukrainian society from the aggressive influence of destructive propaganda produced by the Russian Federation (...)⁴. Tychomyrowa points out that in the infosphere, the image of Ukraine is being created as well.

Bogusława Dobek-Ostrowska links the image's creation with the information policy that secures the transfer of information in the different societal structures⁵. Krzysztof Liderman and Andrzej Malik define information policy as fulfilling the information needs of society and gaining its acceptance for decisions and actions⁶. According to Sandra Braman, the "classical narrow definition of information policy involves such issues as access to government information, but the earliest use of the phrase "information policy" by governments actually referred to propaganda efforts during World War I"⁷. Braman also claims that information policy "comprised of laws, regulations, and doctrinal positions – and other decision making and practices with society-wide constitutive effects – involving information creation, processing, flows, access, and use"⁸. In the same way, information policy is defined by Paul T. Jaeger, Kim M. Thompson, and Charles R. McClure as "rules and guidelines such as laws and regulations, created by government

2 The research activities are co-financed by the funds granted under the Research Excellence Initiative of the University of Silesia in Katowice.

3 E. Tychomyrowa, *Przestrzeń informacyjna Ukrainy*, [in:] O. Wasiuta, R. Klepka (eds.), *Vademecum bezpieczeństwa informacyjnego*, vol. 2, Cracow 2019, p. 223.

4 *Ibid.*, p. 224.

5 B. Dobek-Ostrowska, R. Wiszniowski, *Teoria komunikowania publicznego i politycznego. Wprowadzenie*, Wrocław 2007, pp. 48-49.

6 K. Liderman, A. Maik, *Polityka informacyjna a bezpieczeństwo informacyjne*, "Studia Bezpieczeństwa Narodowego" 2013, vol. 4, no. 1, p. 409, DOI: 10.37055/sbn/129814.

7 S. Braman, *Defining information policy*, "Journal of Information Policy" 2011, no. 1, p. 2.

8 *Ibid.*, p. 3.

agencies and institutions to steer the creation, management, access, and use of information”⁹.

Meanwhile, according to the Law of Ukraine “On Information”, the main direction for the state information policy of Ukraine is ensuring everyone’s access to information; ensuring equal opportunities for creating, collecting, receiving, storing, using, distributing, guarding, and protecting information; the creation of conditions for the formation of an information society in Ukraine; ensuring the openness and transparency of the activities of subjects of power; the creation of information systems and information networks, development of electronic governance; constant updating, enrichment and storage of national information resources; ensuring the information security of Ukraine; promotion of international cooperation in the information sphere and Ukraine’s entry into the global information space¹⁰.

According to Halina Batorowska, information security means the desired level of provision of crucial resources and technologies protection as well as exercising the rights to use them despite domestic and international conditions¹¹. Józef Janczak and Andrzej Nowak claim that information security is a complex of actions providing the required security and free exercising of the infosphere’s functioning in the interest of society¹².

1. Legal basis of information policy

The protection of information security is considered one of the most important obligations of the State according to the 17th Article of the Constitution of Ukraine¹³. Implementing the aforementioned state information security is exercised through specialized institutions and projects. The legal basis for this consists in the Constitution of

9 P.T. Jaeger, K.M. Thompson, Ch.R. McClure, *Social measurement in information management*, [in:] K. Kempf-Leonard (ed.), *Encyclopedia of social measurement*, San Diego 2005, p. 277.

10 Zakon Ukrainy pro informatsiyu vid 02.10.1992 № 2657-XII (Redaktsiya stanom na 31.03.2023).

11 H. Batorowska, *Bezpieczeństwo informacyjne*, [in:] O. Wasiuta, R. Klepka (eds.), *Vademecum bezpieczeństwa informacyjnego*, vol. 1, Cracow 2019, pp. 90-91.

12 J. Janczak, A. Nowak, *Bezpieczeństwo informacyjne. Wybrane problemy*, Warsaw 2013.

13 Konstytucja Ukrainy, (Vidomosti Verkhovnoyi Rady), 1996 r., № 30, st.141 iz zminamy, vnesenymy zhidno iz zakonom № 2222-IV vid 01.02.2011, 2011, № 10, st.68; № 586-VII vid 19.09.2013, 2014, № 11, st.142; № 742-VII vid 21.02.2014, 2014, № 11, st.143; № 1401-VIII vid 02.06.2016 r. 28, st. 532.

Ukraine as well as in the Laws, Decrees, and Decisions of the government and of the president of Ukraine. Therefore, information security has become an important element of the activities of the Ukrainian authorities due to the informational dominance of the aggressor state in the information space of Ukraine, starting from Ukraine regaining its independence. The protection of the information space of the state gained particular importance after the illegal annexation of Crimea by the Russian Federation in 2014, which was supported by intoxication with Russian media messages addressed to local Russians, broadcast from both foreign and domestic Russian language content providers.

The Law of Ukraine On Martial Law, Law of Ukraine On Information, Law of Ukraine on Media¹⁴, and Law of Ukraine on the Fight Against Terrorism¹⁵ stand for the legal basis of state information and media policies¹⁶ as well as the Order of the Commander-in-Chief On the organization of interaction between the Armed Forces of Ukraine, other components of the defence forces, and representatives of the mass media during the legal regime of martial law¹⁷.

Meanwhile, Presidential Decrees and Decisions of Government concerning the implementation of strategic documents have been elaborated to establish a strategic dimension to Ukraine's infosphere protection. Grażyna Piechota points out that a holistic approach to the infosphere of Ukraine is being included in the "Concept for the

14 "Ensuring effective supervision (control) of compliance in the territory of Ukraine with the requirements and restrictions in the field of media provided for by this Law, with the aim of protecting the national media space of Ukraine and building an information environment capable of resisting current threats to information security" – see more: *Zakon Ukrainy Pro media iz zminamy, vneseny my zhidno iz Zakonom № 2710-IX vid 03.11.2022, № 3136-IX vid 30.05.2023.*

15 This law defines restrictions on the dissemination of information, prohibits the dissemination through the mass media or in any other way of information that aims to promote or justify terrorism, contains statements of persons who resist or call for resistance to the implementation of anti-terrorist operations – see more: *Zakon Ukrainy Pro borot'bu z teroryzmom (Vidomosti Verkhovnoyi Rady), 2003, № 25, st. 180).*

16 *Zakon Ukrainy Pro pravovyy rezhym voyennoho stanu (Vidomosti Verkhovnoyi Rady), 2015, № 28, st. 250); Zakon Ukrainy pro informatsiyu vid 02.10.1992 № 2657-XII (Redaktsiya stanom na 31.03.2023); Zakon Ukrainy Pro media Iz zminamy, vneseny my zhidno iz Zakonom № 2710-IX vid 03.11.2022, № 3136-IX vid 30.05.2023; Zakon Ukrainy Pro borot'bu z teroryzmom (Vidomosti Verkhovnoyi Rady), 2003, № 25, st. 180).*

17 *Nakaz Holovnokomanduvacha Zbroynykh Syl Ukrainy vid 03 bereznya 2022 roku №73 Pro orhanizatsiyu vzayemodiyi mizh Zbroynymy Sylamy Ukrainy, inshymy skladovymy syl oborony ta predstavnykamy zasobiv masovoyi informatsiyi na chas diyi pravovoho rezhymu voyennoho stanu.*

promotion of Ukraine in the world and its interests in the global information space” as well as the “Doctrine of Information Security and Information Security Strategy”¹⁸. As far as The Information Security Strategy is concerned, the novelty of the latter document relies on framing the legal and practical basis for the functioning of Ukraine’s infosphere in terms of martial law¹⁹.

As far as mass media are concerned, the martial law states that this is “the work of providers of electronic communication networks and/or services, printing enterprises, publishing houses, television and radio organizations, television and radio centres, and other enterprises, institutions, organizations, and institutions of culture and media as well as the use of local radio stations, television centres, and printing houses for military needs and carrying out explanatory work among the troops and the population; to prohibit the operation of receiving and transmitting radio stations for personal and collective use and the transmission of information through computer networks”²⁰.

2. The institutional dimension of information policy tools

The Ministry of Information Policy²¹ was established in 2014. Later, it merged into the Ministry of Culture and the joint Ministry of Culture and Information Policy was thereby established²². Grażyna Piechota and Robert Rajczyk point out that “[t]asks allocated to the Ministry of Information Policy have been placed within the scope of information policy treated from the wider definitional perspective”²³, e.g., dissemi-

18 G. Piechota, *Strategia zarządzania informacją jako instrument ochrony przestrzeni informacyjnej państwa (case study: Ukraina)*, “Zarządzanie Mediami” 2022, vol. 10, no. 2, p. 115, DOI: 10.4467/23540214ZM.22.008.17165.

19 Ibid.

20 Ukaz Prezydenta Ukrainy Pro vvedennya voyennoho stanu v Ukraini. Ukaz zatverdzheno Zakonom № 2102-IX vid 24.02.2022, article 8 (11).

21 Postanova Verkhovnoyi Rady Ukrainy Pro formuvannya skladu Kabinetu Ministriv Ukrainy (Vidomosti Verkhovnoyi Rady), 2014 r., № 52, st. 2062; Polozhennya pro Ministerstvo informatsiyanoi polityky Ukrainy, zatverdzhene postanovoyu Kabinetu Ministriv Ukrainy vid 14 sichnya 2015 rik № 2.

22 G. Piechota, R. Rajczyk, *Institutionalization of Ukraine's information policy as a function of strategic communication*, “Środkowoeuropejskie Studia Polityczne” 2018, no. 3, p. 74, DOI: 10.14746/ssp.2018.3.5.

23 Ibid.

nating information about Ukraine in the world. According to strategic documents such as the Information Security Strategy of Ukraine, mentioned above, the government is considered to be a coordinator for the information policy of the state authorities. The executive role relies on the Ministry of Culture and Information Policy. Piechota and Rajczyk assume that before 24 February 2022, the “category of social campaigns concerns the activities that are aimed at explaining social policy initiatives to the citizens of Ukraine (aid for internal resettlers, access to social aid) and the necessity for changes in the fees for municipal services. Although the decision regarding increased fees caused social protests, from the narrative side it has been presented as a fight for Ukraine’s energy independence. Information campaigns, on the other hand, are concentrated on implementing the integrative function and they concern, among other things, the promotion of the Ukrainian Armed Forces, state holiday celebrations, interethnic integration, and popularizing the learning of foreign languages or promoting structural reforms such as the decentralization of the state”.

Some tasks in the field of information policy, defined as the information activities of state administration bodies, are also carried out by the Ukrainian Institute, established in 2017 within the structures of the Ministry of Foreign Affairs. The Ukrainian Institute conducts cultural diplomacy on behalf of Ukraine²⁴. Taking into account a broader definition of information policy, such activity is also carried out by the Centre for Strategic Communication at the Ministry of Culture and Information Policy and the Centre for Counter-Information Disinformation operating at the Security and Defence Council of Ukraine. Except for the Ministry of Culture and Information Policy, the other state bodies are included in the information security, providing, e.g., the Ministry of Foreign Affairs, the Ministry of Defence, the State Security Service as well as the Council of Security and Defence of Ukraine.

However, the most important element of the institutional dimension of Ukrainian information policy is the functioning of the “Mul-

24 Rozporyadzhennya Pro utvorennia derzhavnoyi ustanovy “Ukrayins'kyi instytut” vid 21 chervnya 2017 r. № 430-r.

timedia Broadcasting Platform of Ukraine” on the basis of the Law of Ukraine On the Multimedia Broadcasting Platform of Ukraine²⁵.

3. Operational dimension of information policy

The above-referenced law stands for establishing a state-owned enterprise, the “Multimedia Broadcasting Platform of Ukraine”, consisting of the television channel UATV. From October 2015 to March 2021, the UATV channel operated as a multilingual channel with five broadcasting languages. Then, it was launched as an international channel and began to enter foreign cable networks in Russia and in countries where there is a Russian-speaking audience from the former USSR. At the same time, on 1 March 2020, as part of the Multimedia Broadcasting Platform of Ukraine, the broadcasting of the TV channel “Дом”²⁶ was launched, planned as a tool to inform the inhabitants of the Russian-occupied parts of Donbas and the annexed Crimea. Russian-language programs were removed from the air. On 23 March 2023, the channel changed its name to “Дім” (the Ukrainian version of Дом)²⁷.

Since the outbreak of the full-scale Russian invasion, UATV underwent a rebranding and now broadcasts under the brand name “FreeДом”²⁸. Between 24 February and 11 September 2022, UATV and the Дом channel broadcast a 24-hour television news marathon “ЄДИНІ НОВИНИ” (Jedini Novini) with the hashtag #UArAzom. The project was introduced based on the Decision of the Council of Security and Defence of Ukraine: “(...) in the terms of martial law, the implementation of a uniform information policy is a priority issue of national security, which is ensured by unifying all national television channels, the content of which consists mainly of information

25 Zakon Ukrainy Pro systemu inomovlennya Ukrainy, (Vidomosti Verkhovnoyi Rady), 2016, № 4, st. 37.

26 <https://www.nrada.gov.ua/trk-ukrayina-multymedijna-platforma-inomovlennya-ukrainy-pro-dovzhat-movyty-za-tymchasovymy-dozvolamy-u-pokrovsku-donetskoyi-oblasti/> [12.05.2023].

27 Besides, the television channel “DOM” was accomplished with a radio channel with the same brand, <https://www.kanaldim.tv> [12.05.2023].

28 <https://uatv.ua/> [12.05.2023].

and/or information and analytical programs”²⁹. The Decision of the Council of Security and Defence of Ukraine does not clarify whether all will be obliged to broadcast the 24-hour television news marathon “#UArazom” or only those whose content “consists of information and/or information and analysis broadcasts”. Although several large TV channels (“1+1”, “ICTV”, “Suspilne”, “Inter”, “Ukraine 24”) voluntarily decided to unite after the start of the information marathon war, they alternated broadcasting news programs among themselves, many all-Ukrainian TV channels continue to broadcast independently, in particular “Perszyj”, “Espresso” or “Channel 5”. The television channel of Verkhovna Rada, the unicameral parliament of Ukraine, also took part in the 24-hour television news marathon.

Although censorship is forbidden by law³⁰, martial law concerns some limitations to the mass media and freedom of speech. The right to information may be restricted by law in the interests of national security, territorial integrity, or public order to prevent civil unrest or criminal offences, protect the health of the population, the reputation or rights of other persons, prevent the disclosure of information received on a confidential basis, or support the authority and impartiality of justice³¹. During martial law, it is prohibited to distribute information related to the names of military units (units) and other military facilities in the areas of combat (special) missions, geographic coordinates of their locations; the number of personnel of military unit; the number of weapons and combat equipment, material, and technical means, their condition and storage locations; information about the operations (military operations) that are being conducted or are planned; information about military units, forms, methods, tactics of their actions, etc.³².

29 Rishennya Rady natsional'noyi bezpeky i oborony Ukrainy vid 18 bereznya 2022 roku Shchodo realizatsiyi yedynoyi informatsiyanoi polityky v umovakh voyennoho stanu.

30 Zakon Ukrainy Pro media iz zminamy, vnesenymy zhidno iz Zakonom № 2710-IX vid 03.11.2022, № 3136-IX vid 30.05.2023], article 4 (3).

31 Zakon Ukrainy pro informatsiyu vid 02.10.1992 № 2657-XII (Redaktsiya stanom na 31.03.2023)], article 6 (2).

32 Nakaz Holovnokomanduvacha Zbroynykh Syl Ukrainy vid 03 bereznya 2022 roku №73 Pro orhanizatsiyu vzayemodiyi mizh Zbroynymy Sylamy Ukrainy, inshymy skladovymy syl obo-rony ta predstavnykamy zasobiv masovoyi informatsiyi na chas diyi pravovoho rezhymu voyennoho stanu.

Furthermore, according to the Law of Ukraine on Media “[i]nformation may not be used for calling to overthrow the constitutional order, infringing the territorial integrity of Ukraine, propaganda of war, violence, cruelty, incitement to ethnic, racial, or religious hatred, performing terrorist attacks, or encroachment on human rights and freedoms”³³.

Similar regulations apply to the Law of Ukraine on Media; it is forbidden to disseminate pieces of information indicating armed aggression against Ukraine as an internal conflict or civil war if it causes incitement to hostility or hatred or calls for violent changes, overthrow of the constitutional system, or violation of territorial integrity; dissemination of unreliable materials regarding armed aggression and actions of the aggressor state (occupier state), its officials, persons, and organizations controlled by the aggressor state (occupier state), if the consequence is incitement to hostility or hatred or call for violent changes, overthrow of the constitutional order, or violation of the integrity territorial”³⁴.

Nevertheless, “[i]nformation obtained as a result of carrying out a ‘journalistic investigation’ related to issues of national security, the defence of Ukraine, or its territorial integrity and sovereignty, is subject to publication only on the condition that it is checked by the competent authorities and authorized in accordance with the requirements of compliance with the principles of media freedom, national interests, security, defence capability, territorial integrity, public order, prevention of mass disturbances, ensuring security, strengthening the authority of the authorities, implementing health care, in order to protect the reputation or rights of other persons or to prevent the disclosure of information obtained in confidence”³⁵.

Furthermore, the special regime of accreditation for journalists was introduced according to the Order of the Commander-in-Chief.

33 Zakon Ukrainy pro informatsiyu vid 02.10.1992 № 2657-XII (Redaktsiya stanom na 31.03.2023)], article 28 (1).

34 Zakon Ukrainy Pro media iz zminamy, vneseny my zhidno iz Zakonom № 2710-IX vid 03.11.2022, № 3136-IX vid 30.05.2023], article 110 (4), 7-8.

35 Ukaz Prezydenta Ukrainy №152/2022 Pro rishennya Rady natsional'noyi bezpeky i oborony Ukrainy vid 18 bereznya 2022 roku Shchodo realizatsiyi yedynoyi informatsiyanoi polityky v umovakh voyennoho stanu.

The operational dimension of the information policy of Ukraine includes another aspect that concerns revealing numerous pieces of information about Ukraine's donors. The website <https://stop-rf.nsd.gov.ua/> provides a complete report about the amount and type of anti-war coalition help given to Ukraine since the outbreak of Russia's full-scale invasion.

Conclusions

Liderman and Malik claim that every correlation between different pieces of information being broadcasted by mass media remains the crucial issue of effective information policy³⁶. Liderman points out that information security concerns the threat of losing information resources or low-quality information³⁷. Tomasz Aleksandrowicz considers the following to be the basic threats to information security: lack of access to information (information void); information overload (information noise); access to false information and disinformation; lack of protection of own information resources; no control over your own news channels³⁸.

The functioning of the 24-hour television news marathon was based on broadcasting a permanent information block with social announcements regarding the most sensitive and important problems that the inhabitants of Ukraine had to face in the first days of the Russian invasion. Information was provided, among others, about collections for financing military operations and about the conditions and possibilities of evacuating civilians as well as about the humanitarian aid they could count on when escaping from places affected by military operations. Broadcasting of a unified television program was carried out in a system of antenna strips hosted by each of the main channels participating in the 24-hour television news marathon. This technical solution eliminated the risk of losing the TV signal due to the Russian bombing.

36 K. Liderman, A. Malik, *op. cit.*, p. 409.

37 K. Liderman, *Bezpieczeństwo informacyjne*, Warsaw 2012, p. 22.

38 T. Aleksandrowicz, *Bezpieczeństwo informacyjne państwa*, "Studia Politologiczne" 2018, no. 49, p. 46.

The 24-hour television news marathon has provided trustworthy information to the people of Ukraine and helped the journalists in their work. Journalists of TV channels involved in the implementation of the project benefited from the synergy effect because, after the start of the full-scale Russian invasion of Ukraine, they had easier and faster access to politicians who provided commentary and information only to one of the TV channels, and not to several or a dozen, as before. The very functioning of the media due to the ongoing warfare, especially the printed media, was very difficult due to logistical problems³⁹. Hence, the incredible popularity of online content and social media as well as online journalism. It should be noted, however, that in relation to social media and content, the credibility of the sender and the message itself play an important role. In the case of the "Jedini Novini" project, the risk of disinformation was significantly reduced. According to a survey published by the Ministry of Culture and Information Policy, the television news marathon is considered to be one of the most reliable sources of information during the war, with almost 50% support⁴⁰.

On the day of the full-scale Russian invasion of Ukraine, both websites and profiles in social and content media, e.g., ukraine.ua, managed by the public administration in Ukraine, changed their information content and layout, provided pieces of information about Russian aggression in Ukraine to foreign audiences, and offered useful information for the refugees and citizens of Ukraine. Since then, information about tourist attractions and facilities for investors has been replaced by documentation of destruction and war crimes, which are intended to convince international audiences that the country has become a victim of Russian aggression.

The information policy of Ukraine as well as its tools during the period of martial law is effective and provides the state information security in terms of military aggression. Due to the proper information policy, a lack of access to information (information void), information overload (information noise), access to false information and disinformation, a lack of protection of own information resources,

39 M. Kowalczyk, *Front medialny*, "Press" 2023, no. 3-4, pp. 40-45.

40 <https://mkip.gov.ua/news/7611.html> [12.05.2023].

and a lack of control over own news channels, these information security phenomena potentially unfavourable for the State were avoided by the society of Ukraine.

Accordingly, the relationship between mass media and the state is a vivid indicator of the nature of social relations and the political situation in a society despite martial law or a period of war.

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