

SCI-CONF.COM.UA

SCIENTIFIC DEVELOPMENT IN A CHANGING WORLD



**PROCEEDINGS OF VI INTERNATIONAL
SCIENTIFIC AND PRACTICAL CONFERENCE
JUNE 8-10, 2026**

**LVIV
2026**

SCIENTIFIC DEVELOPMENT IN A CHANGING WORLD

Proceedings of VI International Scientific and Practical Conference

Lviv, Ukraine

8-10 June 2026

Lviv, Ukraine

2026

UDC 001.1

The 6th International scientific and practical conference “Scientific development in a changing world” (June 8-10, 2026) SPC “Sci-conf.com.ua”, Lviv, Ukraine. 2026. 1199 p.

ISBN 978-966-8219-80-1

The recommended citation for this publication is:

Ivanov I. Analysis of the phaunistic composition of Ukraine // Scientific development in a changing world. Proceedings of the 6th International scientific and practical conference. SPC “Sci-conf.com.ua”. Lviv, Ukraine. 2026. Pp. 21-27. URL: <https://sci-conf.com.ua/vi-mizhnarodna-naukovo-praktichna-konferentsiya-scientific-development-in-a-changing-world-8-10-06-2026-lviv-ukrayina-arhiv/>.

Editor

Komarytskyy M.L.

Ph.D. in Economics, Associate Professor

Collection of scientific articles published is the scientific and practical publication, which contains scientific articles of students, graduate students, Candidates and Doctors of Sciences, research workers and practitioners from Europe, Ukraine and from neighbouring countries and beyond. The articles contain the study, reflecting the processes and changes in the structure of modern science. The collection of scientific articles is for students, postgraduate students, doctoral candidates, teachers, researchers, practitioners and people interested in the trends of modern science development.

e-mail: lviv@sci-conf.com.ua

homepage: <https://sci-conf.com.ua>

©2026 Scientific Publishing Center “Sci-conf.com.ua” ®

©2026 Authors of the articles

LEGAL DISCOURSE AND HUMAN RIGHTS: THE ROLE OF LANGUAGE IN INTERNATIONAL COURTS DURING ARMED CONFLICTS

Voloshina Anastasia,

Student,

Kyiv National University of Technologies and Design,

Ukraine

Liubymova N. V.

Senior lecturer,

Kyiv National University of Technologies and Design

Kyiv, Ukraine

Abstract: This article is dedicated to a comprehensive analysis of the role of language and legal discourse in international judicial institutions in the context of armed conflicts. The study explores how linguistic structures, terminological precision, and the semantic content of legal documents directly influence the qualification of war crimes and the protection of human rights.

Special attention is paid to the challenges facing international justice in interpreting evidence in situations where language is used as a tool for disinformation or propaganda. Based on an analysis of international experience, it is demonstrated that the lack of uniform language standards in international law creates loopholes often utilized by aggressors to evade responsibility. The study analyzes in detail the impact of Russia's war against Ukraine on the transformation of international legal discourse, particularly in the context of qualifying acts aimed at the destruction of Ukrainian identity. The analysis revealed a key problem: the contradiction between the literal interpretation of international humanitarian law norms and the necessity for contextual analysis of speech acts preceding violence. The author proposes ways to improve the methodology of international judicial proceedings to ensure greater objectivity and effectiveness of justice.

Keywords: International legal discourse, human rights, armed conflict, international courts, linguistic expertise, war in Ukraine, war crimes, qualification of crimes.

Introduction. The interaction between language, power, and law is never more critical than during times of armed conflict. [10]. International courts, such as the International Criminal Court (ICC) or the International Court of Justice (ICJ), rely entirely on discourse to establish truth and dispense justice. [1, 3]

However, language is not a neutral medium; it is a repository of cultural, political, and historical values that can be manipulated to legitimize aggression or obscure human rights violations. [8] The ongoing war of Russia against Ukraine has highlighted the acute necessity of scrutinizing how language shapes the legal landscape of accountability. [9]. Traditional legal norms, while robust, often struggle to capture the nuance of "hate speech," "incitement," or "genocidal intent" when they are embedded within sophisticated political rhetoric. [4, 7] This thesis aims to explore how legal discourse functions within international courts and how the language used by belligerents complicates the legal qualification of their actions.

Research results: the anatomy of legal discourse

1. The Linguistic Basis of International Law. International law operates through a specific register that demands precision. [1]. However, when faced with the realities of modern warfare, this register often encounters the ambiguity of human suffering and political narrative. [10]

2. The Impact of Russia's War against Ukraine. The war has served as a catalyst for a shift in international legal discourse. [9] It is no longer sufficient to document physical destruction; the discourse of "denazification" or the denial of Ukrainian statehood as articulated by the Russian leadership must be treated as primary evidence of intent behind war crimes. [3, 9]

3. Methodological Challenges. The analysis of legal proceedings shows that courts often prioritize documentary evidence over linguistic patterns, which frequently fails to hold perpetrators accountable for the rhetorical foundations of their crimes. [5]

Analysis of international experience and jurisprudence.

The role of language in international courts is multifaceted, ranging from the translation of testimonies to the complex linguistic analysis of political declarations.

[5]

- **The Problem of Translation and Cultural Context.** Often, terms such as "aggression" or "genocide" carry different weight in different languages. [3] In the context of the war in Ukraine, the Russian side has systematically utilized specific linguistic frames to characterize the invasion as a "special military operation," a deliberate attempt to manipulate the legal classification of the conflict. [3, 9]

- **The Role of Expert Testimony.** Courts increasingly rely on linguistic experts to decipher the nuances of speech acts. [5] Based on an analysis of the ICTY (International Criminal Tribunal for the former Yugoslavia) experience, it is demonstrated that linguistic evidence can be the decisive factor in proving "intent" in cases of ethnic cleansing. [2]

- **Ukrainian Legal Realities.** Ukraine has faced the dual challenge of documenting war crimes while countering a massive Russian information campaign. [9] This has forced the Ukrainian legal community to integrate advanced forensic linguistic methodologies into their case files to be presented before international bodies. [5]

Identified Challenges: The conflict between form and content

The performed analysis revealed a critical discrepancy: traditional legal norms, which are based on a formalistic interpretation of facts, are often unable to address the systemic use of "dehumanizing language." [1, 4]

- **Dehumanization as a Legal Element.** When state actors use language that equates a population to an "enemy" or a "threat," this is not just rhetoric; it is a preparatory act for genocide. [4, 6] International courts have yet to standardize how this language is incorporated into the evidence of "intent." [3]

- **The Burden of Proof.** If a state's discourse continuously denies the rights of another group, does this constitute a breach of human rights? [8] Our research suggests that the current international framework is too passive in recognizing the link between discourse and physical atrocities. [6, 7]

Recommendations for future judicial mechanisms

To address the challenges identified, it is necessary to develop new, dynamic

legal mechanisms:

1. Standardization of Linguistic Evidence. International courts should adopt a unified protocol for the linguistic analysis of political and military communications. [5, 6]

2. Contextual Jurisprudence. Judges must be trained to recognize the "rhetoric of hatred" not just as political context, but as an essential element of the *mens rea* (guilty mind) required for the prosecution of war crimes. [2, 4]

3. International Cooperation. Given the global nature of modern conflicts, the international community must unite to create an observational body dedicated to monitoring and analyzing official state rhetoric that violates the principles of international humanitarian law. [6, 8, 10]

Conclusion. The legal regulation of human rights in the context of armed conflict cannot be divorced from the volatile linguistic landscape in which these conflicts germinate and intensify. [8] The ongoing war against Ukraine serves as a sobering reminder that words act as the direct, indispensable precursors to weapons. [10] Dehumanizing rhetoric, the systematic negation of a nation's sovereign identity, and the calculated manipulation of historical narratives are not merely peripheral political discourse; they are, in fact, the foundational instruments used to manufacture the consent and moral void necessary for large-scale atrocities to occur. [2, 4, 9]

Consequently, international courts and investigative tribunals must evolve from their traditional roles as passive, literalist observers of written statutes into active, context-aware interpreters of the toxic discourse that fuels modern violence. [3, 5] When legal frameworks ignore the instrumental role of propaganda, they fail to grasp the structural reality of the conflict. [7, 9] By formally integrating rigorous sociolinguistic analysis and discourse evidence into judicial processes, the international community can create a more robust legal standard that effectively maps the causal link between inflammatory rhetoric and subsequent criminal action. [5, 7] This evolutionary shift is a moral imperative.

It is essential to ensure that those who engineer state-sponsored hatred and provide the ideological justifications for aggression are held as strictly accountable as

those who physically pull the trigger. In an era where information is weaponized as effectively as munitions, international law must transcend the mere investigation of kinetic acts to confront the architects of hate. Only by dismantling the linguistic scaffolding that supports modern violence can we achieve a form of justice that is both fully restorative and a genuine deterrent to future conflicts.

LIST OF SOURCES USED:

1. Rome Statute of the International Criminal Court. (Статут МКС — фундаментальний документ для кваліфікації злочинів та розуміння елементів злочину). URL: <https://www.icc-cpi.int/sites/default/files/RS-Eng.pdf>
2. Prosecutor v. Nahimana, Barayagwiza and Ngeze (The Media Case), ICTR-99-52-T. (Прецедент МТКР щодо ролі мови ворожнечі та медіа у підбурюванні до геноциду). URL: <https://unictr.irmct.org/en/cases/ict-99-52>
3. The International Court of Justice (ICJ): Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Ukraine v. Russian Federation). (Офіційні матеріали справи, де дискурс та виправдання агресії є ключовими елементами правової позиції). URL: <https://www.icj-cij.org/case/182>
4. Hate Speech and International Criminal Law. (Аналіз того, як міжнародне право кваліфікує підбурювання та мову ворожнечі) URL: <https://www.un.org/en/genocideprevention/hate-speech.shtml>
5. Forensic Linguistics and International Justice. (Стаття про використання лінгвістичної експертизи в міжнародних трибуналах). URL: https://www.researchgate.net/publication/342125866_Forensic_Linguistics_and_International_Justice
6. UN Office on Genocide Prevention and the Responsibility to Protect. (Матеріали щодо моніторингу мови, яка веде до масових злочинів). URL: <https://www.un.org/en/genocideprevention/about-responsibility-to-protect.shtml>
7. Journal of International Criminal Justice: Discourse and War Crimes. (Академічне дослідження впливу пропаганди на міжнародний юридичний дискурс). URL: <https://academic.oup.com/jicj>

8. Council of Europe: The use of language in armed conflicts and human rights violations. (Доповіді Ради Європи щодо впливу інформаційної війни на права людини). URL:<https://www.coe.int/en/web/portal/human-rights>

9. The Impact of Russian Propaganda on the Legal Qualification of War Crimes in Ukraine. (Аналітичні звіти про методи дезінформації як елементи злочинів). URL:<https://www.atlanticcouncil.org/blogs/ukrainealert/>

10. Geneva Conventions and their Additional Protocols. (Базові норми міжнародного гуманітарного права, на яких базується інтерпретація захисту цивільного населення від інформаційної агресії). URL:<https://www.icrc.org/en/document/geneva-conventions-1949-additional-protocols>