

# Dentons Flashpoint

## Daily Global Situation Report

March 8, 2022

# Global Situation Update: March 8, 2022

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## KEY TAKEAWAYS

In Ukraine,  
a tentative ceasefire  
has enabled  
civilians to flee cities of  
Sumy and Irpin.

Global markets  
roil over  
economic impact of  
the Ukraine war.

Tensions on the  
Korean Peninsula  
increase.

*Note: This report is based on sources and information deemed to be true and reliable, but Dentons makes no representations to same.*

# Global Situation Update: March 8, 2022

## WHAT WE'RE WATCHING

The Islamist insurgency in Mali is intensifying just as France and other European countries are withdrawing their troops from the country. A large-scale attack by jihadists against the Malian Army at the Mondoro military camp on Friday killed at least 30 soldiers and left dozens more injured, while separate IED attacks yesterday claimed the lives of numerous UN peacekeepers and Malian soldiers.

The breakdown of military cooperation between the Malian Army and international troops will undermine tactical responsiveness to these sorts of attacks. The Wagner Group can help Bamako only so much as the al-Qaida affiliate in Mali receives reinforcement from fellow jihadists in Burkina Faso and Niger.



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# Global

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**The third round of Russian-Ukrainian talks ended on Monday evening with the delegations reporting some positive signs but no breakthrough.**

- **Russia's offensive in Ukraine** continued but at a significantly slower pace on Tuesday as Russian fighters are concentrating in the eastern, northwestern, and western outskirts of Kyiv for an assault on the capital, likely in the next few days.
- Russia warned that **oil prices** could surge to \$300 a barrel and it might close the main gas pipeline to Germany if the West halts oil imports over the invasion of Ukraine.
- More than 2 million have fled the country since Russia invaded more than a week ago in what the UN has termed the “**fastest growing refugee crisis**” since the second world war. Officials warn that there could be up to 5 million refugees if the war persists.

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# Markets & Business

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## The US has banned imports of Russian oil and gas into the US as Washington sharply steps up economic sanctions on Moscow.

- **Oil prices** rose today, with Brent surging past \$126 a barrel, as fears of formal sanctions against Russian oil and fuel exports spurred concerns about supply availability.
- Officials from the OPEC met US shale oil company executives on the sidelines of the **CERAWeek** conference in Houston yesterday as energy prices soared over supply concerns.
- Malaysia's **Top Glove Corp Bhd** has postponed a plan to raise \$347 million in a Hong Kong listing due to elevated market uncertainty after Russia's invasion of Ukraine. Top Glove joins a growing list of Asian companies postponing listing plans.
- Russia's invasion of Ukraine is driving up the **price of metals** used in cars, from aluminium in the bodywork to palladium in catalytic converters to the high-grade nickel in electric vehicle batteries. Increased costs will drive up the cost to consumers.
- The London Metal Exchange halted **nickel trading** today after prices doubled to a record \$100,000 per ton, fueled by a race to cover short positions after Western sanctions threatened supply from major producer Russia.
- **Uniper**, one of Germany's biggest utilities, has said it would recognize an impairment loss worth €987 million on its loan to **Nord Stream 2** as it joined other companies in limiting its involvement in Russia.

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# Environment, Sustainability & Governance

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**The US SEC is reportedly planning on releasing its long-awaited climate risk rules as early as Wednesday. The rule will require US-listed companies to provide investors with detailed reports on their climate risk exposure.**

- General Motors and South Korea's POSCO Chemicals announced plans to build a \$400 million **EV battery plant** in Canada, part of GM's plan to mainly produce EVs in the future.
- A new study found that it will take 30 years at the current pace for **women** to reach gender parity with men **in leadership positions** within the UK financial sector.
- The US EPA proposed new rules to cut smog-inducing and **greenhouse gas emissions** from heavy duty vehicles.

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# Africa

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- Hundreds of protesters took to the streets in Khartoum, **Sudan**, renewing anti-coup protests that have been near constant since the military junta seized power in October.
- **Burkina Faso's** military junta met for their first official cabinet meeting after being sworn in on Friday and pledged to alleviate violence caused by jihadist insurgents.
- The French military reported that it had killed a senior **Algerian** member of the al Qaeda in the Islamic Maghreb (AQIM) jihadist group in **Mali** at the end of February. The UN reported that at least two **French** soldiers and two UN peacekeepers were killed in separate attacks in Mali yesterday.
- **Zimbabwe's** finance minister claimed that the country has lost \$43 billion in potential revenue as the result of western sanctions in place for almost 20 years.
- The UN's human rights chief reported that the situation in **Ethiopia** is further deteriorating, with widespread reports of airstrikes and abuses by both sides.



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# Asia

- **Hong Kong** may postpone its mass testing initiative to April and switch its focus to elderly care, reducing death rate.
- Flood warnings stretched across **Australia's** east coast today and tens of thousands of Sydney residents fled their homes as torrential rains again flooded parts of the country's largest city.
- Prime Minister Narendra Modi's party looks set to retain power in Uttar Pradesh state, **India's** most politically crucial state, exit polls predicted, indicating his popularity remains high despite rising inflation, joblessness and a devastating wave of COVID-19 infections.
- **South Korea's** military seized a **North Korean** boat that crossed into its waters yesterday and fired a warning shot to see off a North Korean patrol vessel that tried to intervene. This is the first time that a North Korean patrol vessel has crossed the border since 2018, when the rival Koreas agreed to cease "*all hostile acts*" and dismantled some structures along the heavily fortified land border.
- The **Sri Lankan** rupee posted its biggest single-day decline in more than 40 years, after a continued drain in the nation's international reserves forced the central bank to relax its grip on the currency.



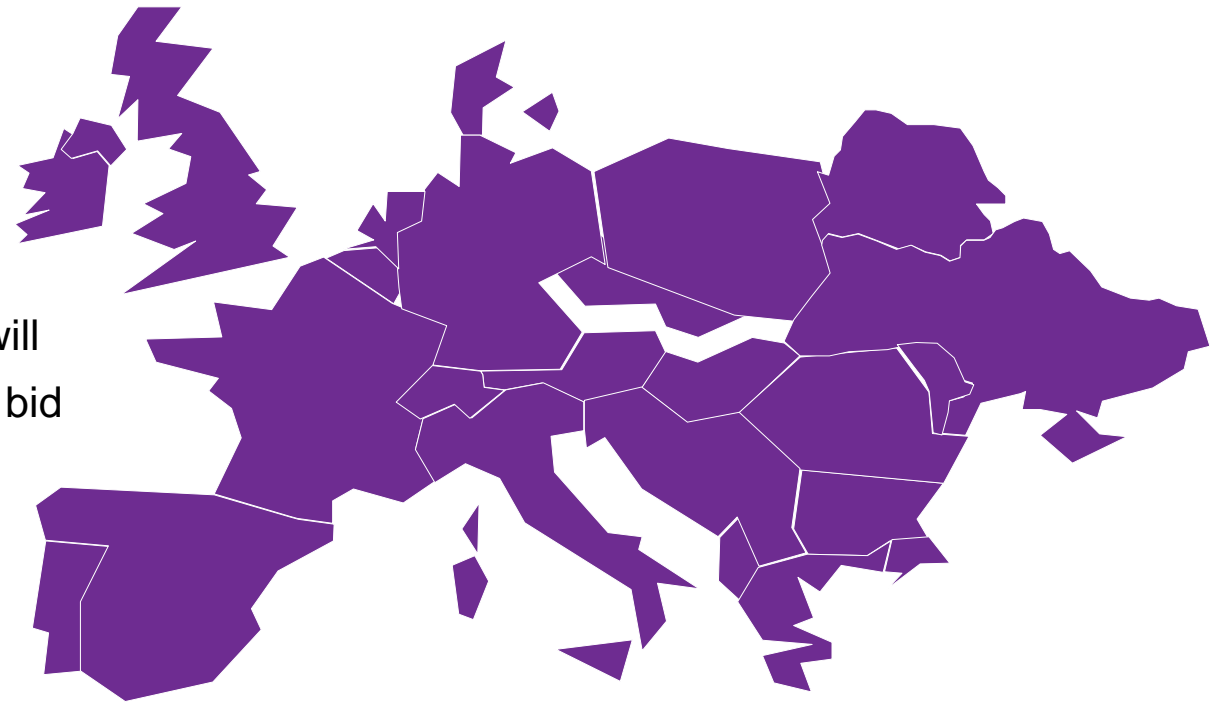
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# Europe

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- An **EU** summit will be held on Thursday and Friday and will discuss boosting their joint defense capability, **Ukraine's** bid to become a member and a plan to phase out the EU's dependency on imports of **Russian** gas, oil and coal. The EU buys from Russia 45 percent of its imported gas, around a third of its oil and nearly half of its coal.
- The **EU** will unveil a plan this week to jointly issue bonds on a potentially massive scale to finance energy and defense spending as the bloc manages the fallout from **Russia's** invasion of **Ukraine**.
- **UK** MPs are set to pass a new law, the Economic Crime Bill, will let British authorities root out money linked to **Russian** President Vladimir Putin, by requiring overseas firms with assets in Britain to reveal their true owners, an attempt to crack down on money-laundering and the use of shadowy shell companies to buy businesses and properties. Businesses will have six months to comply.



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# How do You Manage Incident Response?

*2021 has already seen business disrupted by extreme weather, ransomware attack, the ongoing pandemic and more. The common refrain “It’s not if, but when” rings truer than ever for disruptive incidents that will impact business as usual.*

*Working with Dentons, you can effectively develop an organizational incident-behavior adopted by all your team members. Dentons will help you build muscle memory through tabletop exercises, which are crafted to fit the business strategy of every client.*

*Our team plays events and incidents of different severities and complexities and accounts for real-world factors such as inconclusive evidence, mistakes by responders, and the business impact of eradication steps. Our tech-savvy lawyers continuously revise the playbooks per the evolving sector-specific threat landscape.*

*Dentons tabletop sessions are fluid, and designed to enhance preparedness with services, including:*

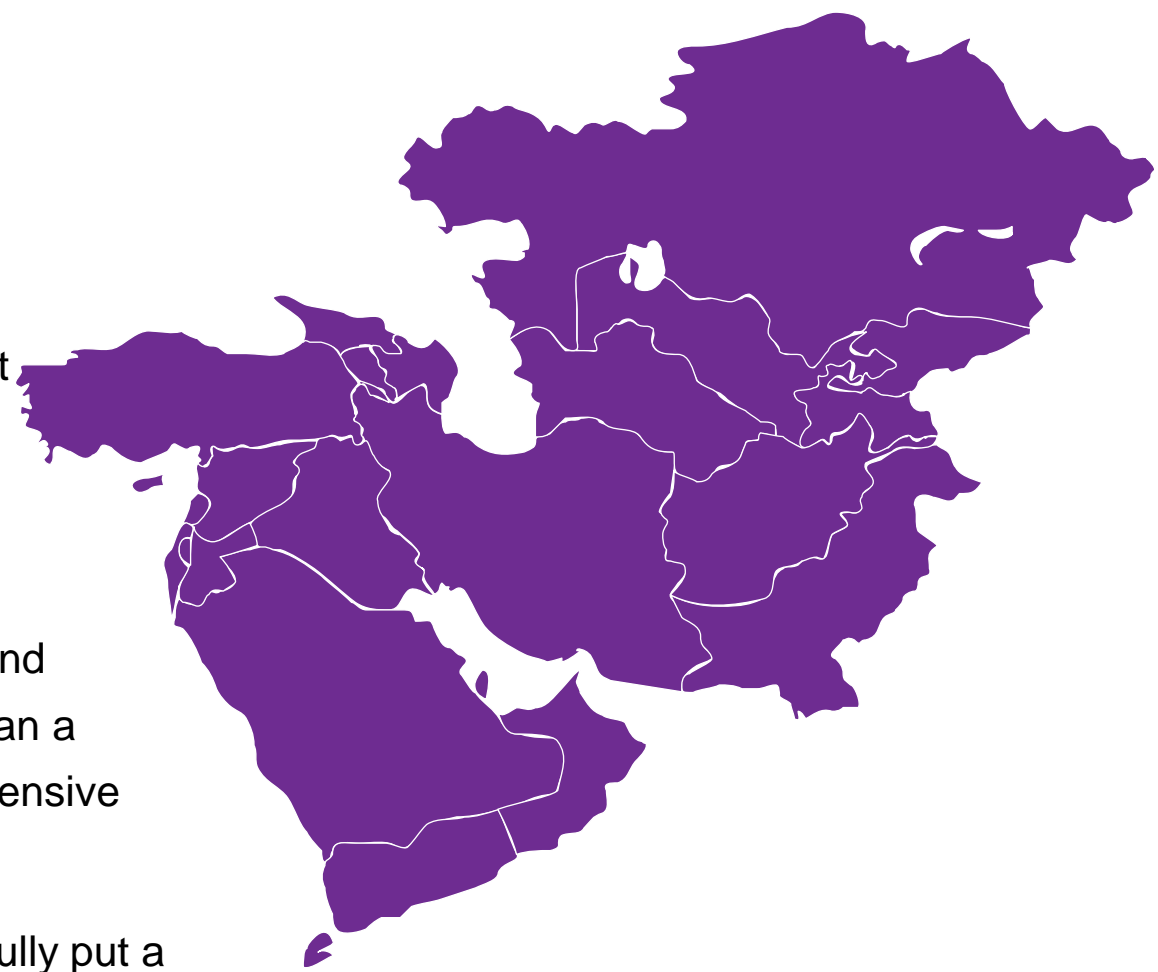
- ❖ Ransomware tabletop exercises
- ❖ Post-tabletop action reports
- ❖ Maturity assessments for preparedness
- ❖ Supply-chain attack simulation
- ❖ Comprehensive incident response plan
- ❖ Threat analysis and monitoring

*All interaction with Dentons is attorney-client privileged*

*To learn more about the bespoke intelligence and risk services from Dentons, contact [Karl Hopkins](#).*

# Middle East

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- **Tunisian** President Saied appointed a temporary replacement for the head of the country's supreme judicial council; Saied drew international condemnation when he dissolved the body several weeks ago.
- **Turkey and Israel** will seek to overcome years of animosity and insults when their presidents meet for the first time in more than a decade on Wednesday, expanding a recent Turkish charm offensive with regional rivals.
- **Iran's** Islamic Revolutionary Guard Corps claimed it successfully put a second military satellite, the Noor 2, into orbit.
- Lockheed Martin plans to invest more than \$1 billion to localize military manufacturing in **Saudi Arabia**.

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# Americas

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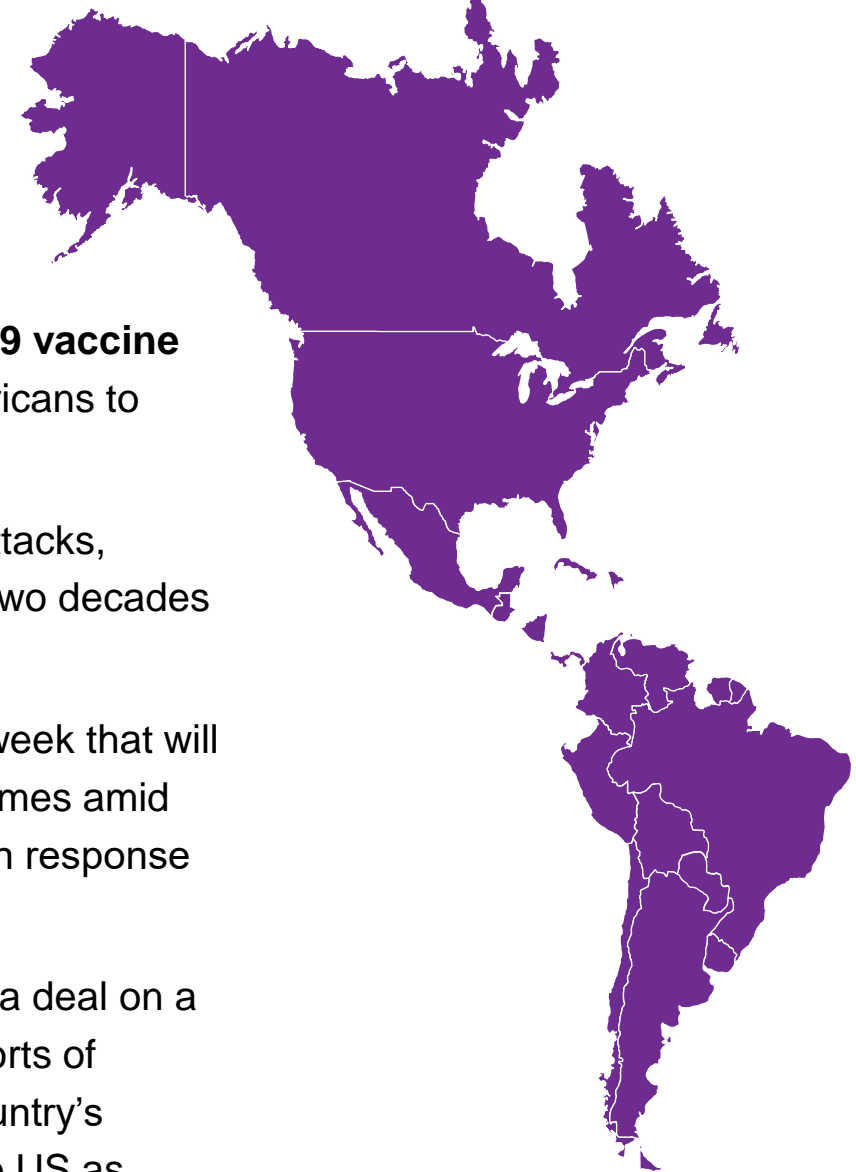


- **Canada** announced new sanctions on 10 more individuals close to **Russian** President Putin over the invasion of **Ukraine**.
- The **Canadian** province of Alberta will drop its provincial fuel tax in an effort to decrease costs for consumers.
- **Argentina** leaders called on congress to swiftly pass its new debt restructuring deal with the IMF, warning that default would be destabilizing for the country.
- **Brazilian** sources told media that President Bolsonaro is considering a fuel subsidy program to bring down fuel prices for Brazilians, despite opposition to such a program within his conservative government.
- **Venezuela's** president Nicolás Maduro described landmark talks with a **US** government delegation as “respectful” and “cordial,” as Washington explores a rapprochement with Caracas to secure alternative oil supplies to Russia.

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# Americas: US

- Florida's top health official said the state would recommend against the **COVID-19 vaccine** for healthy children, breaking with guidance from the CDC. The CDC urged Americans to **avoid travel** to Hong Kong, New Zealand and Thailand over COVID-19 cases.
- A man accused of being the would-be 20th hijacker in the September 11, 2001 attacks, Mohammad Mani Ahmad al-Qahtani, has been repatriated to Saudi Arabia after two decades detained at **Guantanamo Bay**. In all, 38 detainees remain at Guantanamo Bay.
- President Biden is expected to sign an executive order on **cryptocurrency** this week that will mark the first step toward regulating how digital currency is traded. The action comes amid about Russia's use of cryptocurrency to evade the impact of crushing sanctions in response to its invasion of Ukraine.
- Senior congressional Democrats and Republicans announced they had reached a deal on a bill that would punish **Russia** for invading Ukraine, as they seek to ban U.S. imports of Russian oil while further empowering President Biden to impose tariffs on the country's products. US President Biden has banned imports of Russian oil and gas into the US as Washington sharply steps up economic sanctions on Moscow.



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# Will NATO Invoke Article 5 in Response to a Cyber Attack?

By Emilio Iasiello, Global Threat Intelligence Manager

***Attacks that are proven to be from Russian state actors and that negatively affect NATO members would force the Alliance to begin the necessary discussions to trigger Article 5. But whether the intensity of the attacks, their volume, what they targeted, and the damages inflicted on the civilian population meets the threshold for justifying a response is largely subjective, and ultimately a political decision for NATO to make.***

Last month, a North Atlantic Treaty Organization (NATO) official stated that a cyber attack against a member state could trigger Article 5 of its defense clause, which considers an attack against one as an attack against all.<sup>1</sup> In 2014, NATO updated its defense policy to reflect this change in the aftermath of the 2007 distributed denial-of-service (DDoS) attacks that impacted Estonia, and the 2008 and 2014 cyber attacks that coincided with Russian military actions against Georgia and Crimea, respectively. In June 2021, NATO reaffirmed this commitment after the United States was victimized by two Russian cyber crime gangs that impacted its fuel and meat supply chains.<sup>2</sup> To date, Article 5 has only been invoked once, in relation to the September 11, 2001 terrorist attacks against the United States.

Since the start of the invasion into Ukraine, Russia has been deploying disruptive and destructive cyber attacks against important Ukrainian public and private organizations. It conducted DDoS attacks and deployed WhisperGate Wiper malware prior to its invasion,<sup>3</sup> and deployed Hermetic Wiper and Isaac Wiper before and during the attack.<sup>4</sup> A dangerous aspect of wiper malware is its ability to expeditiously propagate across an infected network, circumventing detection by implanting anti-forensic countermeasures, and thereby facilitating its presence on machines to destroy or corrupt the data resident on them.

The fear of such malware escaping the boundaries of its primary target is very real, as history has continually proven that propagating

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# Will NATO Invoke Article 5 in Response to a Cyber Attack?

malware cannot be contained to a specific environment. The Russian military intelligence's 2017 NotPetya ransomware attack quickly spread throughout Europe, and then globally, after its initial infection of Ukrainian organizations. At the time, the gravity of the attack and its impact against NATO members raised the question over if a cyber or kinetic retaliation would be warranted should the NotPetya attack be attributed to a nation state (while suspected of at the time, no evidence tied it to Moscow). Though NATO determined the threshold had not been met, the event spurred the Alliance to consider how cyber attacks could affect members and how NATO should handle them.

NATO now finds itself in a familiar position with Moscow aggressively targeting Ukraine with an onslaught of kinetic military and destructive malware attacks. With the bulk of NATO members in the region, it is understandable that the Alliance is concerned should an attack "get out" or be "misdirected," potentially hurting a member or members in the process. NATO clearly acknowledges the potential ramifications of cyber attacks against its membership, but still struggles to determine the criteria that cross that ambiguous threshold to warrant an Alliance response.

Attribution and the effects of cyber attacks weigh significantly in this determination. Russia's past cyber transgressions and US and European Union assistance in helping Ukraine defend against Russian cyber operations certainly makes it more difficult for perpetrators to obfuscate themselves and conceal their ties to Moscow. It took nearly three years after NotPetya before confident attribution was made to indict six Russian Main Intelligence Directorate officers by the Department of Justice, even though many suspected Moscow's involvement earlier.<sup>5</sup> Today, the world is watching and aiding Ukraine by tracking social media disinformation campaigns and closely monitoring all hostile cyber activity targeting the besieged country. This ultimately helps NATO to attribute these activities faster and more confidently.

However, determining what those effects might be remains the bigger question mark, and herein lies the difficulty in invoking Article 5 due to a cyber attack. Certainly, attacks that are proven to be from Russian state actors and that negatively affect NATO members would force the Alliance to begin the necessary discussions to trigger Article 5. But whether the intensity of the attacks, their

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volume, what they targeted, and the damages inflicted on the civilian population meets the threshold for justifying a response is largely subjective, and ultimately a political decision for NATO to make.<sup>6</sup> Consider the 2017 NotPetya attack that caused billions of dollars in damage. NATO felt at the time that the attack did not meet the necessary threshold. There may have been an appetite for a response but no clear understanding of what one would look like, where to deploy it, and the possible fallout after its execution. Any retaliation risks escalation, which can be hurtful to all sides, especially when responding to a highly capable cyber actor like Russia with expansive cyber resources at its disposal.

Whether NATO commits to Article 5 in the case of a cyberattack that stems from the Ukraine-Russia war will largely rely on whether Russia implements attacks destructive and attributable enough to force NATO to act. If Moscow feels its national security interests are threatened by NATO, it could implement more destructive cyber attacks in response to any NATO offensive taken. The effects of these attacks and their impact against a civilian population akin to a kinetic attack will contribute significantly to the triggering of Article 5. Depending on the course of the conflict, Moscow may prefer to use its nonstate actors (e.g., patriotic hackers, cyber crime gangs) to

target non-critical infrastructure targets in NATO and Western countries to cause just enough damage and inflict enough pain without crossing that undefined threshold for use of force. This would provide Moscow just enough plausible deniability to evade an official NATO military or cyber response, while keeping the West preoccupied, freeing up Russia to concentrate on its objectives in Ukraine.

1. [www.reuters.com/world/europe/cyberattack-nato-could-trigger-collective-defence-clause-official-2022-02-28/](https://www.reuters.com/world/europe/cyberattack-nato-could-trigger-collective-defence-clause-official-2022-02-28/)
2. [www.govtech.com/blogs/lohmann-on-cybersecurity/nato-adds-cyber-commitments-potential-ransomware-response](https://www.govtech.com/blogs/lohmann-on-cybersecurity/nato-adds-cyber-commitments-potential-ransomware-response)
3. [www.microsoft.com/security/blog/2022/01/15/destructive-malware-targeting-ukrainian-organizations/](https://www.microsoft.com/security/blog/2022/01/15/destructive-malware-targeting-ukrainian-organizations/)
4. [www.thehackernews.com/2022/03/second-new-isaacwiper-data-wiper.html](https://www.thehackernews.com/2022/03/second-new-isaacwiper-data-wiper.html) ; [www.sentinelone.com/labs/hermetic-wiper-ukraine-under-attack/](https://www.sentinelone.com/labs/hermetic-wiper-ukraine-under-attack/)
5. [www.justice.gov/opa/pr/six-russian-gru-officers-charged-connection-worldwide-deployment-destructive-malware-and](https://www.justice.gov/opa/pr/six-russian-gru-officers-charged-connection-worldwide-deployment-destructive-malware-and)
6. [www.reuters.com/world/europe/cyberattack-nato-could-trigger-collective-defence-clause-official-2022-02-28/](https://www.reuters.com/world/europe/cyberattack-nato-could-trigger-collective-defence-clause-official-2022-02-28/)

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# Ukraine War Update: Humanitarian Corridors, Kyiv's Encirclement, Oil Embargo

*“Today, US President Biden signed an executive order banning the importation of Russian oil and natural . The British government has confirmed its plan to phase out the import of Russian oil. ”*

## **Political Developments**

The third round of Russian-Ukrainian talks ended on Monday evening with the delegations reporting some positive signs but no breakthrough. Ukrainian officials state the parties agreed on a ceasefire from 9am to 9pm, to open a humanitarian corridor from the eastern city of Sumy to Poltava in the south that would allow people to leave and humanitarian goods to enter. A first convoy of residents and foreign students is reported to have successfully departed Sumy. Residents have also been leaving the Kyiv suburb of Irpin which has been under intense Russian bombardment recently.

Kremlin spokesman Dmitry Peskov told Reuters Moscow would halt operations if Ukraine ceased fighting, amended its constitution to declare neutrality, and recognized Russia's annexation of Crimea and the independence of regions held by Russian-backed separatists.

The EU's 27 governments on Monday took a preliminary first step towards Ukraine, Georgia and Moldova's membership, following the three countries' recent application to join the bloc. Member states the bloc's executive draft an opinion on the membership applications. This technical step is meant to have “symbolic value,” as the process for accession is a lengthy process.

More than 2 million have fled the country since Russia invaded more than a week ago in what the UN has termed the “fastest growing refugee crisis” since the second world war. Officials warn that there could be up to 5 million refugees if the war persists.

Poland's government has put forward legislation that would create an 8 billion zloty fund to help those fleeing the war in Ukraine. Under the plan, the Polish government would pay Polish families taking in refugees 1,200 zloty a month for up to two months and will also make one-off payments of 300 zloty to each refugee. Poland

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# Ukraine War Update: Talks in Turkey, Attacks on Humanitarian Corridors, Discussions on Russian Oil Ban

has received as many as 1.03 million refugees since the beginning of the invasion, About 180,000 have entered Hungary while 128,000 have gone to Slovakia. Another 149,000 have emigrated to Russia, which includes 96,000 from the Donetsk and Luhansk regions who left between February 18 and February 24.

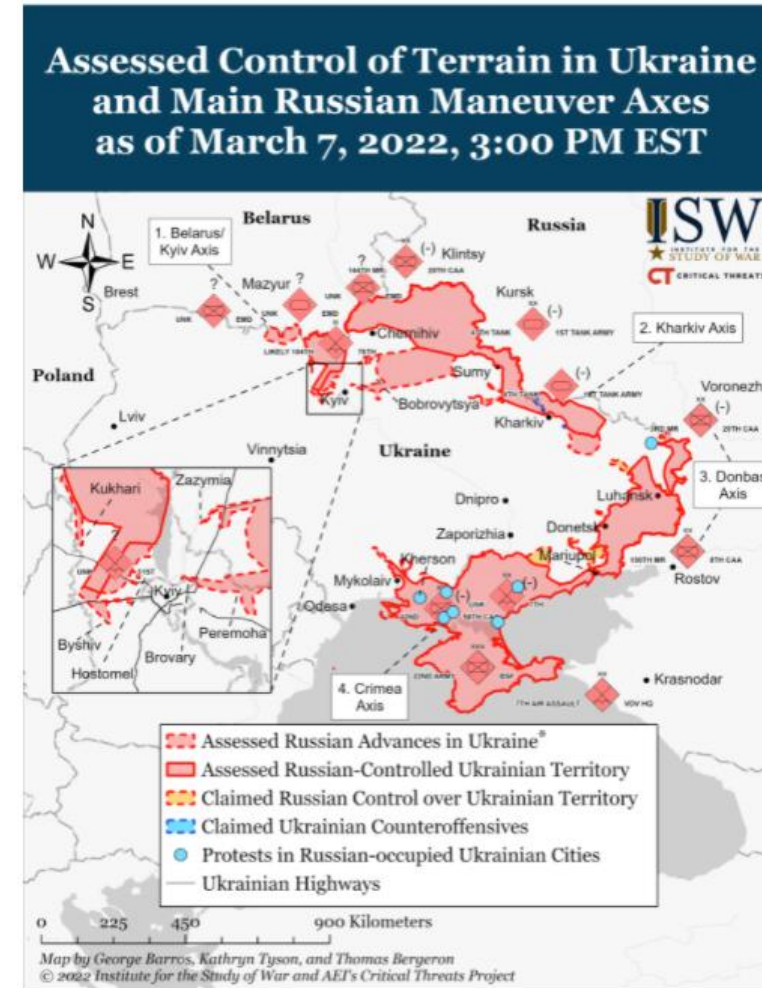
Ukrainian President Volodymyr Zelenskiy will address British lawmakers via videolink in the House of Commons today, the first time a president of another country has addressed the main Westminster chamber.

## Battlefield Developments

Russia's offensive in Ukraine continued but at a significantly slower pace on Tuesday as Russian fighters are concentrating in the eastern, northwestern, and western outskirts of Kyiv for an assault on the capital, likely in the next few days. The Russian military is resupplying and bringing in reinforcements as well as conducting artillery, air, and missile attacks to weaken defenses and intimidate defenders in advance of an assault.

Russia has now deployed "nearly 100%" of the combat power that it had massed on Ukraine's borders, per the US Defense Department. The new forces had entered from the north, suggesting they would bolster Russian troops advancing on Kyiv.

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Source: Institute for the Study of War

# Ukraine War Update: Talks in Turkey, Attacks on Humanitarian Corridors, Discussions on Russian Oil Ban

Russia kept up its artillery assault on Ukraine's cities overnight. Russia is increasingly employing long-range fires (artillery, rockets and missiles) to attack cities as its forces continued to face obstacles, particularly in the north and north-east of Ukraine.

Russian troops in southern Ukraine continue to divide their efforts between attacks westward toward Mykolayiv and Odesa, attacks northward toward Zaporizhya, and attacks eastward toward Mariupol and Donbas.

British defense minister Ben Wallace said Britain would support Poland if it decided to provide Ukraine with fighter jets but warned that doing so might have direct consequences for Poland.

Hungarian premier Viktor Orban reversed positions and now will allow lethal weapons to be transported through Hungary en route to Ukraine, provided they transit via another NATO state before reaching the Ukraine.

The World Health Organization confirmed at least 14 attacks on Ukrainian health facilities since the start of Russia's invasion.

The US is deploying another 500 troops to Europe in response to the invasion, putting the total number of American forces in the region to 100,000.

Amid reports that the Russian military is recruiting fighters from Syria, President Putin ruled out mobilizing Russian conscripts for Ukraine.

## *Economic and Commercial Developments*

There was high volatility in the markets for oil and natural gas prices and global stocks fell on Monday as western powers discussed a ban on Russian energy export. Today, US President Biden signed an executive order banning the importation of Russian oil and natural gas. The British government has confirmed its plan to phase out the import of Russian oil in response to the illegal invasion of Ukraine, clarifying that it intends to carry this out by the end of the year. German Chancellor Olaf Scholz rejected a European embargo. Russia warned that oil prices could surge to \$300 a barrel and it might close the main gas pipeline to Germany if the West halts oil imports over the invasion of Ukraine.

# Ukraine War Update: Talks in Turkey, Attacks on Humanitarian Corridors, Discussions on Russian Oil Ban

Germany will host a virtual meeting of agricultural ministers from G7 countries on Friday to discuss the impact of the invasion on global food security and how to best stabilize food markets,

Japan has increased sanctions on Russia, freezing assets of an additional 32 Russian and Belarusian officials, oligarchs and executives of companies with close ties to the government such as Volga Group, Transneft and Wagner. Japan is also banning exports of Russia-bound oil refinery equipment and Belarus-bound general-purpose items that could be used by its military.

The Australian government said it was placing new sanctions on Russia's propagandists and purveyors of disinformation."

The World Bank approved \$723 million in loans and grants for Ukraine to be transferred in the next few days.

JPMorgan Chase announced it would remove Russian debt from its widely-used bond indices in the latest move to exclude the country from the global financial system

The US Treasury Department's Financial Crimes Enforcement Network (FinCEN) sent a note to US financial institutions advising

extra "vigilance" over potential sanctions evasion activity and offering guidance on "red flags" to spot such moves.

The industry body that oversees London's \$5 trillion gold market has effectively blocked the ability to trade Russian bullion following the invasion of Ukraine.

IBM and Procter & Gamble became the latest large US companies to rein in their business in Russia

Australian refiner Viva Energy said on Tuesday it would stop buying Russian crude oil

Danone's new chief executive has defended continuing to operate in Russia despite a western corporate exodus. analysts believe the company earns about 6 per cent of its €24bn in annual revenue in Russia, making it the most exposed of Europe's large consumer groups.

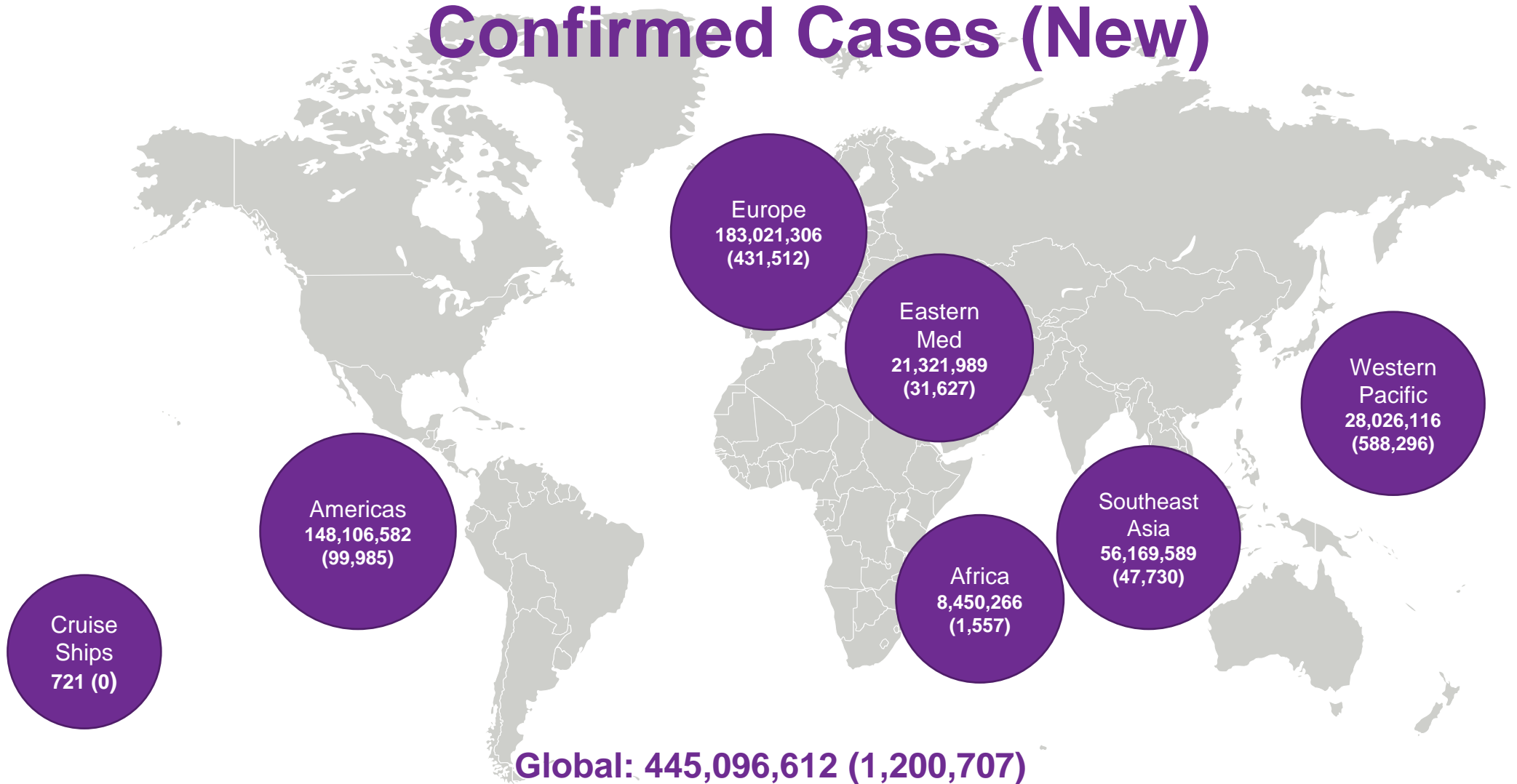
Hacking groups from Russia and Belarus have carried out large phishing campaigns in Ukraine and Poland over the past two weeks, Google warned.

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# Coronavirus Condition Updates

As of 5:13 pm CEST on March 7, 2022

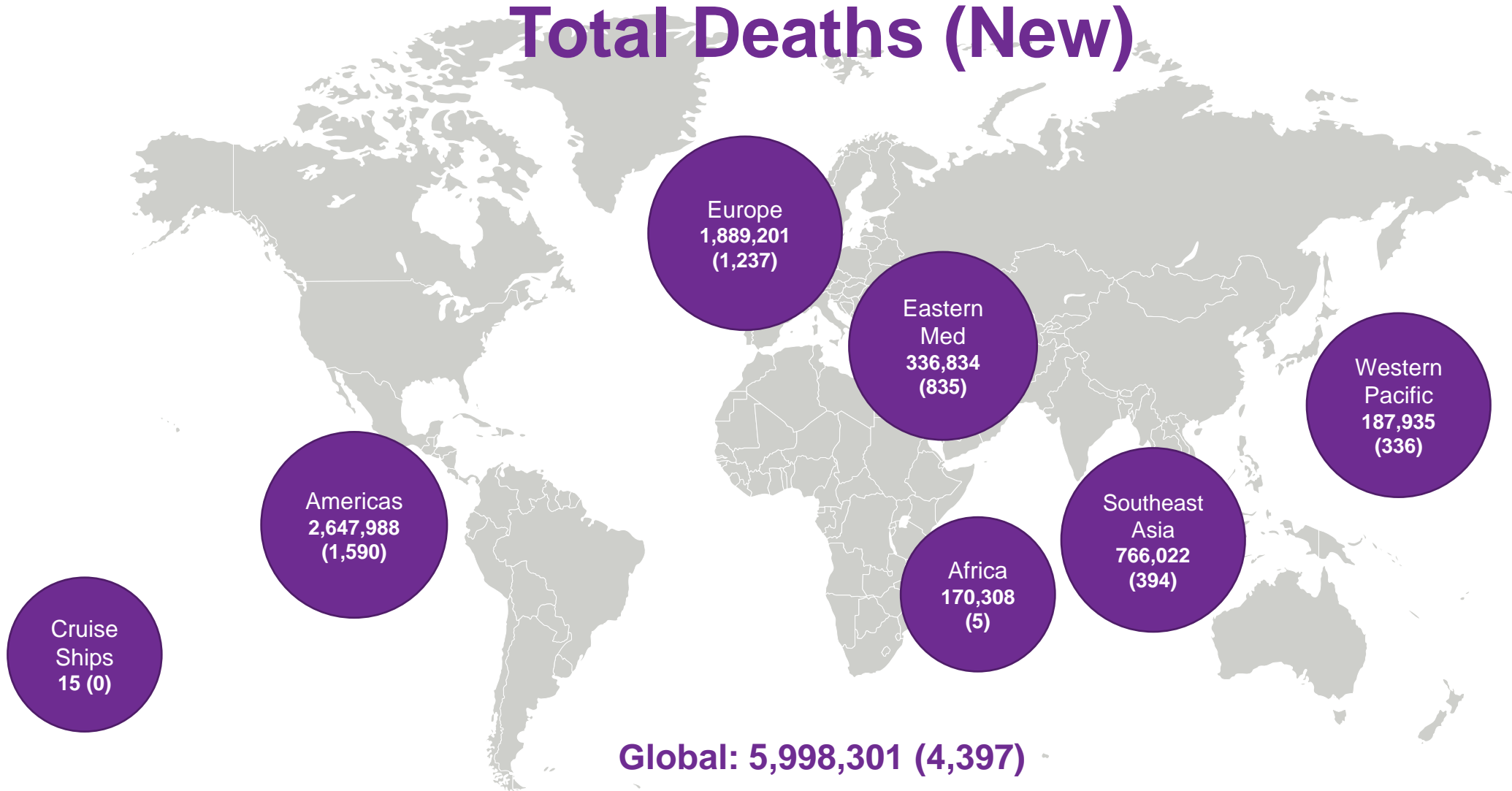
# Confirmed Cases (New)



Reflects data as of 5:13 pm CEST on March 7, 2022.  
Data Source: World Health Organization

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# Total Deaths (New)



Reflects data as of 5:13 pm CEST on March 7, 2022.  
Data Source: World Health Organization

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# Contacts

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*This summary is based on reports sourced from among the 75 countries in which Dentons currently serves clients as well as from firms in other locations, some of which will formally join Dentons later in 2020. We are pleased to share this complimentary summary and contemporaneous assessment, with the caveat that developments are changing rapidly. This is not legal advice, and you should not act or refrain from acting based solely on its contents. We urge you to consult with counsel regarding your particular circumstances.*

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