Ukraine

A Defence Sector Reform Assessment

Adriana Lins de Albuquerque and Jakob Hedenskog

FOI

Adriana Lins de Albuquerque
and Jakob Hedenskog

Ukraine

A Defence Sector Reform Assessment

Bild/Cover: Shutterstock.com

Titel	Ukraina: En bedömning av reformbehoven inom försvarssektorn
Title	Ukraine: A Defence Sector Reform Assessment
Rapportnr/Report no	FOI-R—4157—SE
Månad/Month	December
Utgivningsår/Year	2015
Antal sidor/Pages	54
ISSN	1650-1942
Kund/Customer	Försvarsmakten/Swedish Armed Forces
Forskningsområde	8. Säkerhetspolitik
Projektnr/Project no	E13486
Godkänd av/Approved by	Maria Lignell Jakobsson
Ansvarig avdelning	Försvarsanalys

Sammanfattning

Denna rapport analyserar Ukrainas försvarssektor med syfte att identifiera reformbehov för att i sin tur kunna bidra till en långsiktig, behovsbaserad och lokalt ägd säkerhetssektorreform (SSR) och kapacitetsbyggnadsmål för externt stöd till reformåtgärder. Fem breda områden anses vara av central betydelse för utvecklingen av en försvarssektor som upprätthåller SSR-ideal, nämligen demokratisk kontroll över försvarssektorn, ansvarighet (*accountability*), mänskliga rättigheter, samhällelig representativitet, samt kapacitet och förvaltning.

Det legala ramverk som etablerar demokratisk kontroll över Ukrainas militära styrkor är mer eller mindre på plats, men några potentiellt allvarliga problem återstår att lösa. Det allvarligaste problemet är att frivilligbataljonen DUK fortfarande är oberoende. Att det två frivilligbataljoner som blivit inkorporerade under Försvarsministeriet fortfarande är intakta är också problematiskt, eftersom det väcker frågor om huruvida dessa är mer under *de jure* än *de facto* demokratisk kontroll. Att den nuvarande försvarsministern är en militär och att Försvarsministeriet saknar en grupp av civila tjänstemän utan tidigare militär anknytning är andra faktorer som underminerar demokratisk kontroll av Ukrainas militära styrkor.

Vad gäller ansvarighet, så utgör korruption inom försvarssektorn den kanske största reformutmaningen. Korruption kommer att fortsätta att vara ett stort problem i framtiden, trots relativt nya legala reformer, en ny antikorruptions-strategi, etablerandet av två nya institutioner som fokuserar på att förebygga och undersöka korruption, och internationella partners stöd till antikorruption.

Den ukrainska regeringen har fortfarande inte undersökt anklagelser om brott mot mänskliga rättigheter av soldater i före detta frivilligbataljoner som stridit i öst. Positivt är dock att regeringen gett retroaktiv jurisdiktion till Internationella brottmålsdomstolen att hålla soldater till svars för brott mot mänskliga rättigheter.

Eftersom det inte finns offentligt tillgänglig statistik över uppdelningen av den ukrainska försvarsmakten vad gäller social och etnisk tillhörighet och kön är det

svårt att bedöma samhällelig representativitet inom denna. Det verkar dock finnas mycket begränsad politiskt vilja, i alla fall inom regeringen, vad gäller att implementera ett genderperspektiv inom försvarssektorn.

Överlag exponerade annekteringen av Krim och den tidiga fasen av antiterrorist-operationen i östra Ukraina den ukrainska försvarssektorns militära svaghet, inklusive omfattande brister inom logistik och militär sjukvård. Eftersom kapacitet och förvaltning är så centrala för militär effektivitet – något som är en prioritet för Ukraina p.g.a. den nuvarande säkerhetssituationen – har president Porosjenko drivit på kraftfullt för reformering inom dessa områden. Förutom nationella reforminitiativ som syftar till att omstrukturera de nuvarande systemen för logistik, inköp och militärmedicin, har Ukraina även fått betydande stöd genom Nato och bilaterala program vad gäller reformering av de kapacitets- och förvaltnings-relaterade områdena.

Nyckelord: Ukraina, Försvarsmakten, försvarssektor, säkerhetssektorreform, SSR, demokratisk kontroll, ansvarighet, mänskliga rättigheter, samhällelig represen-tativitet, kapacitet, förvaltning

Summary

This report analyses the Ukrainian defence sector in order to identify reform needs for the purposes of long-term, needs-based, locally owned security sector reform (SSR) and capacity building objectives. We identify five broad issues recognized as being central to the development of a defence sector that upholds SSR ideals, namely democratic control of the armed forces, accountability, human rights, societal representativeness, and capacity and management.

We find that the legal framework establishing democratic control of the Ukrainian Armed Forces is essentially in place, but that some potentially serious problems remain to be addressed. The most urgent problem identified in this report is the continued independence on the DUK volunteer battalion. The fact that the two volunteer battalions now incorporated under the MoD still remain intact is also problematic, since it raises questions regarding whether these battalions are more under *de jure* than *de facto* democratic control. Finally, the fact that the current Minister of Defence is a representative of the military and that the MoD largely lacks a civilian cadre without previous military affiliations are other issues believed to undermine democratic control of the Ukrainian Armed Forces.

With regard to accountability, corruption in the defence sector remains perhaps the greatest reform challenge. Despite recent legal reforms, a new national anti-corruption strategy, the establishment of two new institutions focusing on preventing and investigating corruption and international partners assisting in anti-corruption, this issue is likely to continue to be a major problem for the foreseeable future.

The Ukrainian government has yet to investigate allegations of human rights abuses by troops in former pro-government volunteer battalions during fighting in the East. Having said that, it has given retroactive jurisdiction to the ICC to hold troops accountable for human rights and war crimes abuses.

Given that there are no statistics on the breakdown of the Ukrainian Armed Forces according to social class, ethnic affiliation and gender, assessing societal representativeness in the armed services is difficult. With regard to adopting a

gender perspective in the defence sector, however, there appears to be very weak local ownership, at least within the government, for this type of reform.

The overall capacity of the Armed Forces of Ukraine proved very poor during the Russian annexation of Crimea and in the early phase of the anti-terrorist operation (ATO) in Eastern Ukraine and also exposed serious weaknesses in logistics and military medicine. Given the centrality of capacity and management to military effectiveness – a priority for Ukraine given the current security situation – President Poroshenko has pushed forcefully for reform in these areas. In addition to national reform efforts seeking to restructure the logistics, procurement and military medicine systems, Ukraine has received substantial assistance through various NATO and bilateral programs for a broad range of capacity- and management-related areas.

Key words: Ukraine, Armed Forces, defence sector, security sector reform, SSR, democratic control, accountability, human rights, societal representativeness, capacity, management

Contents

1 Introduction

The Swedish government has been collaborating with the Ukrainian government on security sector reform (SSR) assistance, with particular focus on the defence sector, since 2006. In this capacity, the Swedish Armed Forces have sought to contribute to Ukrainian defence sector reform through information sharing/advice, education and financial contributions, working both bilaterally and through the Nordic Baltic Initiative and NATO projects. With the aim of assisting in continuing work to promote the future development of a Ukrainian defence sector that is democratically controlled, respectful of human rights, efficient and transparent, the Swedish Armed Forces tasked the Swedish Defence Research Agency (FOI) with conducting an analysis of the Ukrainian defence sector in order to identify reform needs for the purposes of long-term, needs-based and locally owned SSR-and capacity building objectives. The findings, which are presented in this report, are intended to serve as a resource for Sweden to consult when seeking to identify and assess the potential for future long-term, needs-based and locally owned SSR objectives, including capacity building, in the Ukrainian defence sector, and also as a resource that Ukraine and its international partners can use for the same purposes.

1.1 What is Security Sector Reform and What Does it Seek to Achieve?

The Swedish approach to engaging in SSR follows international guidelines formulated by the European Union and the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD-DAC).[1] According to the *OECD-DAC Handbook on Security System Reform: Supporting Security and Justice,* the definitive text on SSR, the overall purpose of SSR is "to increase the ability of partner countries to meet the range of security and justice challenges they face in a manner consistent with democratic norms, and sound principles of governance and the rule of law." As such, "SSR helps create a secure environment conducive to other political, economic, and social developments, through the reduction of armed violence and crime."[2] Accordingly, SSR donor states should seek to assist countries with four goals, namely:

1) Establishment of effective governance, oversight and accountability in the security system.

2) Improved delivery of security and justice services.

---

[1] Svensk inriktning avseende säkerhetssektorreform (SSR) Promemoria, 2007-12-17, p.4.
[2] OECD DAC Handbook on Security Sector Reform: Supporting Security and Justice. Organisation for Economic Co-operation and Development (2007), p. 21.

3) Development of local leadership and ownership of the reform process.

4) Sustainability of justice and security service delivery.[3]

1.2 Scope Conditions: Focus on the Defence Sector

This report seeks to analyse reform needs in one part of the security sector in Ukraine, namely the *defence sector*, from a SSR perspective. For the purposes of this analysis, we limited the scope of investigation of the Ukrainian defence sector to the Ministry of Defence (MoD) and the Armed Forces (AF). This means that we excluded military intelligence institutions and National Guard forces, the latter since they are organised under the Ukrainian Ministry of Internal Affairs (MoIA).

1.3 Methodology: How to Assess Defence Sector Reform Needs

In order to identify defence sector reform needs from a SSR perspective, various different aspects of the defence sector need to be taken into consideration. Following an extensive review of internationally recognised defence assessment tools,[4] we identified five categories that are of critical relevance to assessing defence sector reform needs from a SSR perspective. These are: Democratic, control of the armed forces; Human rights; Accountability; Societal representativeness; and Capacity and management. We describe the importance of these categories for the overall purpose of SSR in more detail later in this report (Chapters 7-11). When discussing accountability, we focus more on transparency and anti-corruption than criminal accountability, while criminal accountability is discussed in more detail in the section on human rights. Needless to say, some of these categories are interrelated. However, for the purposes of this report we discuss them separately.

To assess the extent to which there is a reform need within these various categories, we examine whether each is in line with the overarching SSR ideals of a well-functioning defence sector. Having done so, we then describe whether this is perceived as a high priority reform area by Ukrainian government representatives. The reason for doing so is that defence reform assistance is only likely to be successful if there is political will and local ownership of the proposed reform

---

[3]OECD DAC, p.21.

[4]These include OECD DAC's Handbook on Security Sector Reform, RAND Corporation's Defence Sector Assessment Rating Tool (DSART) (2010), and Folke Bernadotte Academy's Security Sector Reform Assessment Framework.

initiatives within the government receiving such aid.[5] We recognise that in order to get a holistic view of local ownership for SSR projects, all sectors of the state, including non-government organisations (NGOs) and civil society, should be heard. In an effort to do so, we did interview members of a Ukrainian umbrella group of NGOs. However, since this group is not necessarily representative of civil society at large, we concluded that we within the scope of this project did not have the resources available to conduct a representative survey of the views of NGOs and civil society in general with regard to defence sector reform priorities. As such, we had to limit ourselves to assessing local ownership exclusively within the government. Following each analysis, we report whether there are international programmes already in existence that address reform within these categories and which donor states interested in supporting further reform can potentially access. At best and if possible, SSR aid should seek to contribute to existing multilateral arrangements, since experience shows that financial and human resource contributions tend to be much more effective if they are inserted into existing assistance projects.[6] Since these multilateral projects are likely to have individual, project-specific ways in which to assess the extent of progress, we do not suggest metrics for measuring progress in this report.

1.4 Sources

In order to analyse the Ukrainian defence sector in the way outlined above, we draw on secondary sources and on interviews conducted in Kyiv, Ukraine, during 27 September -2 October, 2015. Those interviewed included officials in various government positions (The Presidential Administration, Ministry of Defence, National Security and Defence Council, and Members of Parliament), civilians with expertise in SSR in general and the Ukrainian defence sector in particular, and representatives of international organisations (UN Women, the EU Delegation and NATO Liaison Office) and domestic NGOs. Data source limitations often made it difficult to discuss all aspects of the analysis at the level of detail we desired. This was particularly true with regard to disaggregated gender statistics, lack of which made it practically impossible to discuss the various sectors of the defence sector using a comprehensive gender perspective.

1.5 Structure of the Report

The report proceeds as follows. Chapter two provides a brief background to Ukraine as a country and chapter three describes the events leading up to the illegal annexation of Crimea by Russia in 2014 and the current status of the conflict. Chapter four gives an overview of the Ukrainian Armed Forces and their military

---

[5]Svensk inriktning, p.3.
[6]Ibid.

capacity, and describes the extent to which the volunteer battalions (which played an important role in an early phase of the conflict) have been incorporated into the existing military structure. We then turn to assessing reform needs in the Ukrainian defence sector in chapter five. After giving a general review of the status of defence sector reform in the country in chapter six, in chapters seven to eleven we systematically examine the five different categories listed above, namely: Democratic control of the defence sector; Accountability; Human rights; Societal representativeness; and Capacity building and management. For each of these five categories we discuss local ownership, i.e. to what extent this is a high priority area of reform for the Ukrainian government, as well as ongoing related reform projects. We summarize this discussion in chapter twelve and conclude with some closing remarks in chapter thirteen.

2 Brief Country Background

Ukraine is an Eastern European country bordering Belarus, Poland, Slovakia, Romania, Moldova, Russia, the Black Sea and the Sea of Azov. It has an area of 603,550 square km and a population of approximately 44.4 million (July 2015 estimate).[7] According to the latest official census, in 2001, the majority (77.8%) of the population are Ukrainian, with the largest minority being Russian (17.3%).[8]

The Russian Empire absorbed large parts of present-day Ukraine at the end of the 18th century. A brief period of independence occurred near the end of World War I, but in 1919 Ukraine's territories were conquered and consolidated under Russian rule. From 1922 onwards, Ukraine became a Soviet Republic within the Union of Socialist Soviet Republics (USSR). Under Soviet rule, three famines (1921-22, 1932-33, and 1946-47) were engineered by the USSR, resulting in the death of millions of Ukrainians. Another 7-8 million Ukrainians died during World War II. Ukraine gained independence in 1991, following the dissolution of the USSR.[9]

The country is currently deemed "partly free" by Freedom House.[10] Following the ousting of President Viktor Yanukovych in February 2014, the Ukrainian parliament called a snap presidential election. Although voting did not take place in Crimea and parts of Donbas, due to Russia's annexation and separatist occupation respectively, international election monitors deemed the election free and fair.[11]

The president is elected directly by the populace for a period of five years, with the possibility of a second term.[12] The Ukrainian Parliament (referred to as the Supreme Council or *Verkhovna Rada*) is elected through popular vote, with 50% of members chosen by proportional representation and the rest in single-member districts. The president appoints a prime minister, pending confirmation by Parliament.[13]

The current chief of state is President Petro Poroshenko (since 7 June 2014) and the head of government is Prime Minister Arseniy Yatsenyuk (since 27 February 2014). In February 2014, the Parliament reversed a 2010 ruling by the Yanukovych regime that had strengthened presidential power, instead opting to revert to a previous 2004 charter where power is shifted to the prime minister and cabinet, but also making these responsible to the Parliament. The president nevertheless

---

[7]C.I.A. World Factbook, https://www.cia.gov/library/publications/the-world-factbook/
[8]State Statistics service of Ukraine (2001) All-Ukrainian Population Census 2001,
  http://www.ukrcensus.gov.ua/eng/
[9]C.I.A. World Factbook.
[10]Freedom House 2015, https://freedomhouse.org/report/freedom-world/2015/ukraine
[11]Ibid.
[12]Ibid.
[13]Ibid.

remains *commander-in-chief* of the Armed Forces and retains control over the Foreign and Defence Ministries.[14] The 2004 constitution is currently in the process of reform in order to strengthen decentralisation of the country.

From 2013 to 2014, Ukraine's GDP per capita (in current $US) fell from $4,030 to $3,082 (compared with Sweden's GDP per capita of $58,887 in 2014). Close to a quarter of the population is below the poverty line (2010 estimate). Ukraine relies on imports to satisfy 40% of its annual natural gas and oil needs and most of its nuclear fuel requirement.[15] In the past, Ukraine has been especially dependent on Russia for its energy supplies, although imports from European countries such as Slovakia have increased in recent years. When in power, President Yanukovych agreed a financial assistance package with President Putin which entailed lower gas prices and $15 billion in loans. Following the ousting of the Yanukovych government, Russia halted further assistance. The International Monetary Fund (IMF) has instead granted Ukraine an assistance package of $17.5 billion.[16] In addition, in August 2015 Ukraine reached a deal with its main creditors allowing it to restructure $18 billion of its foreign debt.[17] Still, as of April 2015, the scale of Ukraine's foreign debt was $126 billion, which was 109.8% of the country's GDP.[18]

Ukraine is not a member of either the European Union (EU) or the North Atlantic Treaty Organisation (NATO), but has recently expressed ambitions to join both organisations. Ukraine's relationship with NATO goes back to 1991, when following independence it joined the North Atlantic Cooperation Council (replaced in 1997 by the Euro-Atlantic Partnership Council). In 1994 Ukraine also became the first of the countries of the Commonwealth of Independent States (CIS) to join the Partnership for Peace (PfP) programme. In 2008, Allied NATO leaders agreed that Ukraine should be granted membership in the organisation at some time in the indefinite future.[19] In June 2014 Ukraine deepened its relationship

---

[14]Ibid.

[15] Konunczuk, Wojciech "Reform #1. Why Ukraine has to reform its gas sector", OSW Commentary, 2 September, 2015, http://www.osw.waw.pl/en/publikacje/osw-commentary/2015-09-02/reform-1-why-ukraine-has-to-reform-its-gas-sector.

[16]Mayeda, Andrew, "IMF Approves Ukraine Aid Package of About $17.5 Billion", *BloombergBusiness*, 11 March, 2015, http://www.bloomberg.com/news/articles/2015-03-11/ukraine-wins-imf-approval-for-17-5-billion-to-rescue-economy

[17]Kramer, Andrew, "Ukraine Agrees on Plan to Restructure $18 billion of Foreign Debt," *New York Times*, 27 August, 2015. http://www.nytimes.com/2015/08/28/business/international/ukraine-debt-restructuring.html?_r=0.

[18]Sadowski, Rafal,"Ukraine on the financial front – the problem of Ukraine's foreign public debt," OSW Commentary, 5 August,2015, http://www.osw.waw.pl/en/publikacje/osw-commentary/2015-08-05/ukraine-financial-front-problem-ukraines-foreign-public-debt

[19]NATO (2015) "NATO's relations with Ukraine", http://www.nato.int/cps/en/natohq/topics_37750.htm

with the EU through signing the EU-Ukraine Association Agreement, thereby reversing Yanukovych's previous decision.[20]

---

[20]EEAS (2012) "A look at the EU-Ukraine Association Agreement", European Union Action Service, http://www.eeas.europa.eu/top_stories/2012/140912_ukraine_en.htm

3 The National Security Context

Ukraine has been in a state of emergency since the 2014 illegal annexation of Crimea by Russia and the onset thereafter of the conflict in Donbas (the Donetsk and Luhansk regions), which are now partly held by Kremlin-sponsored separatists. The roots of the conflict can be traced to the sudden decision of then president Viktor Yanukovych in November 2013 not to sign an Association Agreement, including the Deep & Comprehensive Free Trade Area (DCFTA), with the EU and instead seek closer ties with Russia. This decision provoked the formation of the Euromaidan protest movement against the corrupt and authoritarian rule of Yanukovych.

The active phase of the Euromaidan movement ended in late February 2014 with clashes between protesters and police in central Kyiv, which resulted in the death of more than 100 people and led the president to leave the country for Russia. The new speaker of the parliament, Oleksandr Turchynov, took over as acting president and an interim government headed by opposition leader Arseniy Yatseniuk was formed, supported by a new majority in the *Verkhovna Rada*.

The Russian leadership considered the events in Kyiv a *coup d'état*. On the night of 26-27 February, administrative buildings in the Crimean capital of Simferopol were taken over by Russian special forces. Within days, the whole peninsula was captured by Russian regular forces from the Black Sea Fleet based in Crimea, together with special forces brought in from Russia without insignia or indications of nationality. The decision of Kyiv not to oppose the intrusion militarily, in order to avoid bloodshed, and instead keep its military and naval forces at its bases on Crimea probably raised doubts as to whether Ukraine was prepared to defend its country militarily under any circumstances. On 16 March, the new pro-Russian separatist authorities in Crimea organised an unconstitutional "referendum" on the peninsula's status, and two days later Crimea was annexed by the Russian Federation.

The events in Crimea further inspired separatist sentiments, supported by Russia, in Ukraine's east. On 6 April, pro-Russian separatists started to occupy official buildings in the cities of Donetsk and Luhansk. These separatists proclaimed a "People's Republic" in each region, appointed "People's Governors" to rule them and declared a "referendum" on independence from Ukraine to be held on 11 May. The rebellion seemed to spread over the area when masked men armed with machine guns, most likely again supported by Russian special forces, took control

of several towns in northern Donetsk oblast a week later. This action led Kyiv to launch an anti-terror operation (ATO) in certain parts of Donbas.[21]

After a slow start, the ill-prepared Ukrainian Armed Forces, with support of volunteer battalions, managed to repel the Russia-backed separatists. By the end of summer 2014, it seemed as though the military offensive launched by the newly-elected president, Petro Poroshenko, could manage to re-capture all the territory that the separatists had taken since April. However, Russia had no intention of letting the "People's Republics" in eastern Ukraine collapse. By advancing towards the Russian border, the Ukrainian troops made themselves a target for Russian artillery launched from Russian territory. By the time of Ukraine's Independence Day, 24 August, Russia had sent in regular troops and heavy weaponry from the armed forces to take the lead in the fight by the separatists. Faced with this direct threat from an invincible military opponent, Poroshenko could do nothing other than accept a ceasefire, mostly on Russia's and the separatists' terms, negotiated on 5 September 2014 in Minsk by Germany's Chancellor Merkel, France's President Hollande and Russia's President Putin.[22] Despite overwhelming evidence of Russian manpower and weaponry being supplied to the separatists, Russia has continued to deny providing anything but political support.[23]

After a relatively calm autumn of 2014 with Ukrainian pre-term parliamentary elections establishing a pro-European parliamentary majority, fighting had intensified again in Donbas by January 2015. With heavy fighting first concentrated at Donetsk airport and later in Debaltseve, a strategic junction north-east of Donetsk, it was clear that the Minsk protocol had collapsed completely. A new package of measures intended to stop the fighting in Donbas, called "Minsk II", was agreed on 12 February 2015. Since then, the lines of contact have been relatively stable, although fighting, including heavy artillery fire in clear breach of Minsk II, has continued at a low level of intensity.[24] By 15 August 2015, close to 8,000 people had died and 17,800 had been wounded in the conflict, according to the UN.[25] These figures include both civilians and military personnel on both sides.

---

[21]Hedenskog, Jakob (2014),"Ukraine – A Background", in Granholm, Niklas et al. (eds.) A Rude Awakening: Ramifications of Russian Aggression towards Ukraine, FOI-R—3892—SE, June, pp. 19-22.

[22]Hedenskog, Jakob (2015) "Utvecklingen i EU:s östra närområde" [The Development in the EU's Eastern Neighbourhood], FOI-R—4132—SE, October, pp. 25-26.

[23]Czuperski, Maksymilian (2015) "Hiding in Plain Sight: Putin's War in Ukraine," Atlantic Council, http://www.atlanticcouncil.org/en/publications/reports/hiding-in-plain-sight-putin-s-war-in-ukraine-and-boris-nemtsov-s-putin-war.

[24]Hedenskog (2015), p. 27.

[25]Cumming-Bruce, Nick, "Nearly 8,000 Killed in Ukraine Conflict, U.N. Says," *New York Times,* 9 September, http://www.nytimes.com/2015/09/09/world/europe/nearly-8000-killed-in-ukraine-conflict-un-says.html?ref=topics

Considering the delicate security situation, it is not surprising that Ukraine in its new Military Doctrine lists "Russia's military build-up in close proximity to the state border", "deployment of tactical nuclear weapons in Crimea" *and* "presence of military contingents of Russia in [the pro-Russian Moldovan secessionist Republic of] Transnistria" as the three greatest threats facing the country. The most likely scenario that Ukraine must prepare for, according to the Military Doctrine, is "full-scale armed aggression of Russia against Ukraine."[26]

---

[26]RT "Enemy №1: Ukraine's President Signs new military doctrine, Russia named biggest threat", *RT*, 25 September, 2015, https://www.rt.com/news/316448-ukraine-doctrine-russia-threat/

4 The Armed Forces

The Ukrainian Armed Forces are composed of three main branches: Army, Navy and Air Force. In 2014, active duty forces were divided as follows: Army 64,000 (includes land forces and 8th Army Corps) and Navy 7,000 (includes Naval Aviation, approx. 1,000 and Naval Infantry, approx. 500).[27]

In the past, conscription accounted for little more than half of the Ukrainian Armed Forces,[28] with conscripts having to be at least 18 years old to serve.[29] The government indicated in late 2013 that conscription would be suspended in 2014. However, after a brief suspension, conscription was reinstated in May 2015, [30] following a January 2015 decision to expand the compulsory military draft, which was originally for males up to the age of 25, to males up to the age of 27 years.[31] Experts believe that since the suspension was brief, it did not affect conscript management experience or infrastructure.[32]

There are 1,000,000 joint reserve forces. At present, reserves aged 25-60 are eligible for mobilisation and receive a month of training prior to being deployed. There were three waves of partial mobilisation in 2014, with a total of 110,000 reserves being conscripted.[33] Mobilisation is currently in its sixth round, with the objective of reaching a total force of 250,000 in 2015. It is unclear whether this number will be reached, given relatively high desertion rates and other problems.[34] During 2014, a total of 8,490 soldiers faced charges of evasion of military duty.[35]

Ukrainian military capability can be assessed partly from the perspective of military developments in Crimea in 2014, when Russian airborne troops (VDV) and special operations forces evicted Ukrainian armed forces. Most of the Ukrainian Navy's and Air Force's materiel in Crimea was lost during this episode, and Russian forces co-opted a substantial number of Ukrainian vessels. Experts suggest that the Ukrainian mobilisation effort demonstrated serious deficiencies in both combat readiness and armaments, a consequence of receiving inadequate resources and training over the years.[36] Indeed, in March 2014, only 6,000 soldiers in the armed forces were combat-ready, according to the Minister of Defence at

---

[27]Military Balance (2015), Chapter Five: Russia and Eurasia, 115:1, p. 200.

[28]Ibid.

[29]CIA World Factbook.

[30]Military Balance, p.200.

[31]Global Security (n.d.) "Military Personnel",
http://www.globalsecurity.org/military/world/ukraine/personnel.htm

[32]Military Balance, p. 200.

[33] White Book 2014: The Armed Forces of Ukraine. Ministry of Defence, 2015, p. 10.
http://www.mil.gov.ua/content/files/whitebook/WB_2014_eng.pdf

[34]Global Security.

[35]White Book 2014: The Armed Forces of Ukraine. Ministry of Defence, 2015, p. 11.

[36]Klein, Margarete, "Ukraine's Volunteer Battalions - Advantages and Challenges", RUFS Briefing, No 27, FOI Memo 5312, April 2015.

the time, Ihor Tenyukh. The remaining force consisted of skeleton units that were only 60% equipped and 20% manned. As regards the national armoury, estimates from 2012 indicate that 92% of weapons available to the Armed Forces were not only old, but also had not been maintained well. Only 1.2% of hardware had been manufactured within the previous ten years.[37] The recent conflict has resulted in an already depleted arsenal becoming even more depleted. In short, at the time of the annexation of Crimea, the Ukrainian Armed Forces consisted of a mass mobilisation army primarily intended for land war, as opposed to countering an enemy using irregular warfare tactics.[38]

In terms of government military capacity, the situation has reportedly improved since the first round of mobilisation, due to the Armed Forces receiving extensive military support, including training and equipment, especially from NATO member states. In addition to American, Canadian and UK training,[39] Poland and Lithuania signed an agreement with Ukraine in September 2014 to develop a joint brigade, the primary goal of which is to help further develop Ukraine's military capability (as opposed to being used as a combat force in the current conflict).[40]

The Ukrainian defence budget in 2012 and 2013 was roughly the same (14.8 and 15.2 billion UAH, respectively), but increased to 27 billion UAH in 2014. However, because of inflation, the actual increase in 2014 was smaller than it may appear.[41] In November 2015, the National Security and Defence Council (NSDC) recommended that the government approve the amount of 100 billion UAH, or 5% of GDP, requested by the Ministry of Defence (MoD) for national security and defence in the 2016 state budget.[42]

In 2014, Ukraine contributed human capacity to UN peacekeeping missions: 10 military observers, six staff officers and 250 personnel to the mission in the Democratic Republic of Congo (MONUSCO), two military observers, two staff officers and 187 national contingent personnel to the mission in Liberia (UNMIL), two staff officers and 19 personnel to the mission in Côte d'Ivoire (UNOCI), two military observers to the mission in Cyprus (UNFICYP), two staff officers to the mission in Serbia (UNMIK), four military observers and two staff officers to the mission in Sudan (UNISFA), and three military observers and one staff officer to

---

[37]Ibid.

[38]Ibid.

[39]Marcus, Jonathan "Ukraine army to be trained by UK troops – Cameron," *BBC*, 24 February, 2015, http://www.bbc.com/news/world-europe-31610026

[40]Kyiv Post, "Defence ministers of Ukraine, Lithuania, Poland to sign technical agreement on joint brigade on July 24", *Kyiv Post*, 20 July, 2015, http://www.kyivpost.com/content/ukraine/defence-ministers-of-ukraine-lithuania-poland-to-sign-technical-agreement-on-joint-brigade-on-july-24-393858.html

[41]White Book 2014, p. 12.

[42]Tsentr voennykh politiki i politiki bezopasnosti [Centre for Military and Security Policy], Informatsionno-analiticheskii obzor voennykh novostey [Information-Analytical Overview over Military News], No 44/2015, p. 1.

South Sudan (UNMISS). It also contributed personnel to NATO's missions in Afghanistan (ISAF; 10 individuals) and Serbia (KFOR; 40 individuals).[43] Ukraine is currently the only partner country that has contributed troops to all current NATO missions at some point in time.[44]

As regards popular trust in the Armed Forces, the latest poll (March 2015) reported that 15.9% of the population "fully trust" them, 45% "rather trust" them, 17.4% "rather distrust" and 14.5% "fully distrust" them (with 7.3% responding "difficult to say"). This means that over 60% of the Ukrainian population trusts the Armed Forces to some degree, a significantly higher rating than trust in other state institutions such as parliament, the president, the government, the courts and prosecutors. Only the church achieved a higher degree of trust among the institutions surveyed.[45]
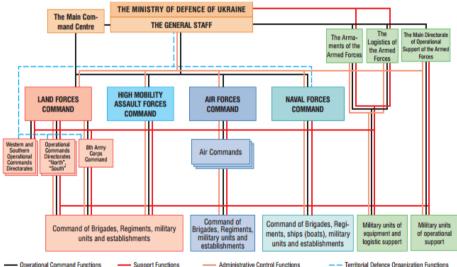
Table 1: Structure of Command and Control Bodies of the Armed Forces of Ukraine

Source: White Book 2014, p.17.

---

5 Volunteer Battalions

With the deficiencies of the Ukrainian Armed Forces exposed following the annexation of Crimea, the 2014 Presidential Decree on Mobilisation was issued in an effort to improve the situation. In addition to general mobilisation, volunteer battalions also began emerging during the spring of 2014. Starting in April 2014, oblast governments were given the right to form territorial defence battalions that were then incorporated into either the Armed Forces or the police. Other volunteer groupings were incorporated into the National Guard reserves.

Although the composition of battalion membership varies between groups, the majority of fighters are former Euromaidan activists. However, their background is diverse and they include students, former police and army personnel, but also criminals. The vast majority tend to be Ukrainian, but there are reports of Georgians, Chechens, Crimean Tatars, Russians and other Europeans also participating. The size of the combat-ready force of the volunteer battalions is about 6,000 troops.[46]

As noted above, volunteer battalions came to add much needed capacity to Ukraine's initial fighting capability.[47] As of October 2015, the majority of volunteer battalions have been incorporated into the National Guard (under the MoIA). According to the MoD, two battalions have also been incorporated into the Armed Forces, but fighters from these have not been dispersed into different battalions and remain as intact units.[48] As discussed further in chapter seven, with reference to democratic control of the defence sector, this is problematic.

Currently, only one volunteer battalion, the Volunteer Ukrainian Corps (*Dobrovolchyi Ukraiinskyi Korpus*, DUK), which is the paramilitary wing of the nationalist party Right Sector (*Pravyi Sektor*), remains independent. Although the government claims that its military strength is actually quite limited,[49] it constitutes an armed non-state group and therefore challenges the state's monopoly on the use of armed force, thus introducing a major impediment to ensuring democratic control over the defence sector, as expanded on below.[50]

---

[46]Puglisi, p. 8.
[47]Klein.
[48]Interview with MoD officials, Kyiv, September 2015.
[49]Puglisi, p. 10, p. 13.
[50]Klein.

6 Assessing the Ukrainian Defence Sector from a SSR perspective

A defence sector that is in line with the overarching SSR ideals outlined above should have a capacity and management system that allows it to fulfil its tasks efficiently and professionally, while at the same time being respectful of human rights, accountable and under the political control of democratic government representatives. In order to best uphold respect for *human security*[51], and earn the trust of the populace, the armed forces should strive to be representative of society at large.

6.1 The Current State of Overall Reform in the Ukrainian Defence Sector

The Ukrainian Armed Forces have been undergoing reform since independence. Historically, the focus has been on reducing troop numbers, which decreased from roughly 780,000 in 1992 to 130,000 in 2014.[52] The most recent conflict has reversed the reform process, at least in terms of the downsizing of the army. For example, due to intensive mobilisation efforts following the most recent conflict, as noted above, the Armed Forces are in the process of expanding to a total of 250,000 troops. If the December 2015 deadline for achieving this objective is met, the Armed Forces will have almost doubled in size from 2014 to 2015. Needless to say, this rapid growth in the Armed Forces will have serious repercussions for the Ukrainian defence sector, influencing a number of issues, not least from the perspective of financial sustainability.

Recent and future reforms centre round addressing Ukraine's primary security threat, namely Russian aggression and the conflict in Crimea and Eastern Ukraine. The Military Doctrine, National Security Strategy and Concept of Development for the Security and Defence Sector have all been revised to take into account the new security situation.[53]

---

[51]The concept of human security was formally introduced in the UN's Human Development Report 1994.[51] Human security is people-centered rather than state-centered, and central to human security is the belief that the security of the individual is best ensured if the state respects basic human rights.

[52]Military Balance, p. 200.

[53]Ministry of Defence of Ukraine (2015) План заходів Міністерства оборони України з виконання Програми діяльності Кабінету Міністрів України та Стратегії сталого розвитку "Україна – 2020" у 2015 році станом на 1 липня 2015 року [Action plan of the Ministry of Defence of Ukraine to implement the Programme of the Cabinet of Ministers of Ukraine Strategy and Sustainable Development "Ukraine - 2020" in 2015, as of July 1, 2015], http://www.mil.gov.ua/content/oboron_plans/plan_ukraine_2020_01072015.pdf]

There also seems to be strong political willingness by the president to proceed with substantial reform of the defence sector at large. This is most clearly demonstrated by the presidential administration having hired the American defence research firm RAND Corporation to conduct a structural overview of the Ukrainian defence sector with the purpose of identifying deficiencies and proposing new structures that seek to address these in order to be more comparable to NATO and Western standards. Although the RAND report[54] has been completed, its recommendations have yet to be implemented. The reasons for this appear to have more to do with the president needing time to prepare politically (something that includes countering resistance from the MoD and the General Staff of the Armed Forces) for this next stage of reform, rather than disagreement over the findings and suggestions proposed in the report. Hence, when suggesting reform assistance aid, it is important to note that the Ukrainian defence system is likely to be facing substantial restructuring in the years to come. The RAND analysis focuses on suggesting organisational goals with the primary objective of optimising warfighting capability, resource efficiency and Euro-Atlantic standards, as opposed to achieving an ideal defence sector from an SSR perspective. Having said that, there are of course important overlaps between the two.

---

[54]Oliker, Olga et al. (2015) "Ukraine Ministry of Defence and General Staff Reform: Final Report," RAND Corporation.

7 Democratic Control of the Armed Forces

Although the legal framework establishing democratic control of the defence sector in Ukraine is essentially in place, both legal and practical shortcomings remain. Despite the president having significant powers over the Armed Forces, parliamentary control is quite weak, and the MoD is dominated by staff who are either current or former military personnel. The following chapter first discusses the institutional framework that is intended to ensure democratic control of the defence sector. It then turns to discussing the issue of the volunteer battalions from the perspective of democratic control.

7.1 Presidential and Parliamentary Power over the Armed Forces

The president is the Commander-in-Chief of the Ukrainian Armed Forces. He has the power to appoint and dismiss the high command of the Armed Forces, as well as other military formations. The president also administers the defence and national security of the state and decides whether to mobilise troops, the latter pending parliamentary approval.[55]

The 2003 law "On Democratic Civilian Control of State Military Organisation and Law Enforcement Bodies" is intended to "consolidate and strengthen constitutional grounds for democratic civil-military relations."[56] Parliament is in charge of internal and foreign policy, as well as the fundamentals of national security. It decides on issues relating to national security legislation, states of emergency, martial law and the size and composition of the armed forces.[57] Parliament also has the final say regarding decisions to provide military assistance or troops to foreign states, including to peacekeeping operations.[58]

The National Security and Defence Council (NSDC) of Ukraine coordinates national security matters between the president and parliament, and submits proposals for changes to the National Security and Military Strategy to the president.[59] The president is head of the NSDC.[60]

---

[55]Fluri, Philipp et al. (2013) "The Security Sector Legislation of Ukraine", DCAF, p. 30, p. 94.
[56] Ibid., p.87.
[57] Ibid., p.57.
[58] Ibid., p.87.
[59] Ibid., p.58.
[60] Ibid., p.57.

7.2 Ministry of Defence

Although Western standards calls for the minister of defence be a civilian in order to ensure solid democratic control,[61] this is not mandated in Ukraine. The current Minister of Defence, Colonel General Stepan Poltorak, was previously a commander of the National Guard, which although organised under the MoIA has partly a military function. In October 2015 he was promoted to army general. With regard to operational command, the powers of the minister of defence risks undermining the appointed chief of the General Staff. This is since the latter reports directly to the president, thus bypassing the minister of defence, and also has the ability to make policy-level decisions without consulting the minister of defence.[62]

In addition, the majority of MoD staff are either current or former military personnel. A leading expert on the Ukrainian defence sector and former deputy minister of defence argues that the skewed civilian to (ex)military ratio within the MoD is unlikely to change unless MoD staff salaries are raised.[63] The absence of a civilian cadre within the MoD staff is highly problematic from the perspective of democratic control of the defence sector, since in theory it makes the MoD more likely to take a military approach to problem solving involving security matters than a political approach.[64] At present, retired military personnel already receiving a pension can survive on MoD wages. Having said that, there has been a recent addition of civilian staff within the MoD as a result of the president having hand-picked individuals from the former volunteer battalions and appointing them to leading MoD positions, for example the current head of the MoD Reform Office. Although these individuals may currently be willing to work for below market salary for patriotic reasons,[65] it is doubtful whether they will be willing to remain in these positions for an extended period of time without an increase in wages.

7.3 Democratic Control and Volunteer Battalions

As noted above, the majority of volunteer battalions have been incorporated into either the Ukrainian Armed Forces or National Guard reserves. Yet, important exceptions remain, and one influential volunteer battalion, DUK, the Right Sector's paramilitary wing, remains independent and hence technically illegal. In addition, volunteer battalions that have been incorporated into the government

---

[61]Oliker et al, p. 7.
[62] Ibid., p.18.
[63]Interview, Kyiv, September 2015.
[64]Oliker et al., p.18. The report discusses a number of additional problems with the overall structure of the MoD and GS, including overlapping authorities, which compromises command and control.
[65]Interview with military expert, Kyiv, September 2015.

forces have historically had an adversarial relationship and questionable loyalty to the government and military leadership. For example, the commanders of Donbas and Right Sector have on numerous occasions made veiled threats to overturn the current military leadership if their demands are not met. Some are also openly critical of the Minsk protocol, thus posing a serious risk of becoming spoilers to the ceasefire. Furthermore, some of these battalions receive funds (extra pay and equipment) from external sources, including oligarchs. This means they could potentially evolve into private armies, rather than constituting part of government forces.[66]

The risks inherent in the lack of control of the volunteer battalions were demonstrated by an incident in the western Ukrainian town of Mukacheve in July 2015, when some 20 members of the Right Sector opened fire on local police. Three people died in the gunfight, which was reported to have been a conflict over income from cigarette smuggling to the EU.[67] Another serious incident involving supposed members of a volunteer battalion happened in September 2015, when some 200 activists who claimed to be members of the Azov battalion stormed City Hall in Kharkiv.[68]

An additional complication to ensuring democratic control of the defence sector[69] is the extent to which these volunteer battalions are politicised. As of April 2015, six commanders of volunteer battalions had become elected deputies of the Ukrainian parliament, hence mixing military might and political power in a way that is inherently counter to Western ideals of civil-military relations.[70]

Although Ukrainians are no doubt grateful for the military contribution that volunteer battalions have made in the conflict against pro-Russian separatist and Russian forces, there are also signs that the populace is growing increasingly worried about these groupings. A March 2015 poll indicated that only 2.2% "fully trust" militias, 22.4% "rather trust" them, 37.6% "rather distrust" them and 31.6% "fully distrust" them (6.1% responded that it was "difficult to say").[71]

In addition to the still independent armed group, there is also the remaining problem of the two volunteer battalions that have technically been incorporated into the MoD. As mentioned above, these factions appear to have been

---

[66]Klein.

[67]Stern, David "Ukraine clashes raise questions over Right Sector militia," *BBC*, 15 July, 2015, http://www.bbc.com/news/world-europe-33523869

[68]Hromadske TV,"Прорив до Кернеса. Невідомі влаштували бійку у Харківській міськраді" [Break-in to Kernes. Unknown staged a fight in the Kharkiv City Council], *Hromadske TV*, 29 September 2015, http://www.hromadske.tv/politics/proriv-do-kernesa-nevidomi-vlashtuvali-biiku-u-kha/

[69]Yurii Beryoza from the Dnipro 1 battalion and Andrii Teteryuk from the Mirotvorcheskii, Semen Semenchenko from the Donbas, Dmytro Yarosh from the Right Sector, Andrii Biletsky from Azov, and Serhiy Mel'nychuk from Aidar. Puglisi, p. 8.

[70]Klein.

[71]Razumkov Center.

incorporated into the existing military structure more *de jure* than *de facto*. Rather than incorporating fighters from the battalion into different military units, the battalions remain intact. As such, it is difficult to assess the extent they have truly given up their military autonomy and are willing to obey orders from established military commanders going forward. Given that these battalions are also among those with the worst human rights record, this remains a serious cause for concern.

7.3.1 Local Ownership

As noted above, the RAND report, proposing reform of the MoD and General Staff, is believed to have broad political support from the president. Although the same may not be the case for the MoD and General Staff themselves, the president's backing is likely to go a long way towards achieving these reforms. Having said that, it is unclear what the timeframe is for these reforms, including when they are supposed to start being implemented.

With regard to the remaining problems with the volunteer battalions, there appears to be scant interest in doing anything more substantial about these issues for now. Indeed, the decision to incorporate these into existing structures appears to have more to do with technically abiding by the Minsk II agreement, at least until now. Representatives from the MoD told us there are currently no plans to fragment troops from the two volunteer battalions incorporated into the Ukrainian Armed Forces, but that this does not preclude this from happening in the future.[72]

7.3.2 Ongoing Related Reform Projects

A priority of NATO's defence reform assistance is to enhance democratic control of the Ukrainian defence sector. Thus, in 2005 the Joint Working Group on Defence Reform (JWGDR) launched a Professional Development Programme for civilians working within the defence and security sector that aims at doing so. This work remains ongoing, with the budget for the programme doubling in 2014. Another initiative intended to strengthen democratic control is the Partnership Network for Civil Society Expertise Development, which since 2006 has focused on "the sharing of experience on the role of civil society in defence and security affairs among civil society groups and security practitioners" in Ukraine as well as NATO member countries.[73]

Apart from the NATO programmes, there appear to be no other reform programmes focusing on democratic control of defence sector or integration of volunteer battalions into the Armed Forces. It is currently unclear when the

---

[72]Interview, Kyiv, September 2015.
[73]NATO.

structural reform of the MoD and General Staff proposed by the RAND report will commence, and whether this process will require international assistance.

8 Accountability

Corruption is a serious problem in Ukraine, with Transparency International ranking the country as one of the 40 most corrupt in the world in 2014.[74] The defence sector is believed to be heavily affected by this scourge, something that not only compromises its capacity to perform its national security tasks effectively, but also undermines popular trust in the military as an institution. Corruption is believed to be endemic in all parts of the defence sector, including procurement, housing, conscription and military assignments.[75]

Recent reform efforts have made some progress in fighting corruption, at least in the legal sense, thereby replacing the earlier institution set up under Yanukovych. In October 2014, the Ukrainian Parliament adopted new legislation on the National Anti-Corruption Bureau (NABU), the National Agency for the Prevention of Corruption (NAPC) and an Anti-Corruption Strategy for 2014-2017. The NABU will specialise in investigating corruption in high profile officials, including ministers, MPs, high-ranking civil servants, judges, prosecutors at the prosecutor general's office and regional prosecutor offices, high officers, directors of state enterprises etc. It will be accountable to the public council and parliament and will also be externally audited. The NAPC will be a preventive state body aimed at monitoring civil servant income and expenditure, creating a unified register for civil servants' declarations and monitoring conflict of interests and ethical standards.[76]

Despite these positive steps, there are signs that enough is not being done. Establishment of both the NABU and NAPC has been seriously delayed. Further, Transparency International claims that the institutional set-up of the anti-corruption bureau will leave it "disabled and ineffective". A lustration law came into force in October 2015 seeking to make it easier to remove corrupt public officials, but has been criticised for potentially being arbitrary and thus liable to be used unevenly and unfairly. The law is currently being challenged in court.[77] Finally, oligarchs giving substantial contributions to political parties and either being elected to parliament themselves or acting through their representatives are also believed to have too much influence on politicians, including the president and the Yatsenyuk government.[78] Tellingly, a saying that was repeated numerous

---

[74]Transparency International (n.d.) "Corruption by country/territory", https://www.transparency.org/country/#UKR

[75]Interview with military expert, Kyiv, September 2015.

[76]ERCAS (2015) "Building an anticorruption system in Ukraine – current status and challenges. An outside perspective", European Research Centre for Anti-Corruption and State Building, http://www.againstcorruption.eu/wp-content/uploads/2015/05/Abstract_Hertie-School2.pdf.

[77]Freedom House.

[78]Freedom House.

times during our interviews in Kyiv was "It is not that the system is corrupt. Corruption *is* the system."[79]

8.1 Local Ownership

Although various actors within the defence sector benefit from corruption, there appears to be at least verbal support for anti-corruption measures among government officials, as several of those interviewed explicitly mentioned corruption as a serious problem. Hopefully, this rhetoric is not just talk, but actually based on a deeper realisation that in order for Ukraine to protect its territorial integrity militarily, the defence sector needs to be optimised for effective warfighting, something that is currently jeopardised by corruption. In addition, Ukrainian government officials are aware of the fact that international donors, which the country desperately depends upon for funding, require Ukraine to take active steps to counter corruption as part of their assistance agreement.

8.2 Ongoing Related Reform Projects

NATO's Building Integrity Programme seeks to "strengthen integrity, transparency and accountability in the defence and security sector and reduce the risk of corruption" and has been active in Ukraine since 2007. During 2014, three times as many Ukrainian military officers and civil servants were involved in education and training activities as in previous years. During 2015-2017, the programme will focus on "raising awareness of corruption as a security threat and on strengthening the management of financial and human resources".[80] Norway, which has a NATO centre of excellence in anti-corruption (The Centre for Integrity in the Defence Sector (CIDS)), is one of the nations that has taken the lead with this programme in Ukraine.[81]

Norway is also aiding Ukraine with anti-corruption in a bilateral capacity through a project in the MoD called "Reducing the Corruption Risks in the [Human Resources Management] System." The programme, which will run for the period 2015-2018, will be carried out by CIDS and aims to increase the quality of

---

[79]Interviews, Kyiv, September 2015.
[80]NATO's Practical Support to Ukraine, Fact Sheet, June 2015,
   http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2015_05/20150508_1505-
   Factsheet_PracticalSupportUkraine_en.pdf.
[81]Ibid.

management in the Human Resources Management System, thereby hopefully decreasing corruption in this sphere.[82]

Although no project exists at this time, officials from the NATO Liaison Office also mentioned that an additional potential way to help counter corruption in Ukraine in general would be to sponsor NABU to set up a secure computer network. NABU is in charge of conducting an overarching assessment on government institution vulnerability to corruption and has received training from both the United States (US) and EU, but is unable to get to work because it does not have a secure computer system. The NATO Liaison Office has offered to put partners wanting to provide NABU with this type of assistance in touch with the appropriate people at NABU.[83]

---

[82]Center for Integrity in the Defence Sector (n.d.) "Ukraine: The project on reducing the corruption risks on Human Resources management (HRM) system in the Ministry of defence (MoD) of Ukraine", http://cids.no/?page_id=5106
[83]Interview, Kyiv, September 2015.

9 Human Rights

According to Ukrainian press[84] and Amnesty International, both sides of the conflict committed war crimes during fighting in Eastern Ukraine.[85] One pro-government militia group in particular has been cited by Amnesty International for perpetrating war crimes. According to that human rights watchdog, the DUK, the volunteer battalion mentioned above that remains independent, has held and tortured dozens of civilians in *ad hoc* jails and used them to extort money from their families. According to Amnesty International, the Ukrainian government has failed to prosecute those responsible for these crimes, despite being provided with evidence by that organisation.[86] The group has urged Ukraine to bring the volunteer battalions under effective lines of command and control, promptly investigate all allegations of abuses and hold those responsible to account.[87]

Reports suggest that the primary perpetrators on the Ukrainian government side are forces organised under the MoIA, within which the majority of the pro-government militias have also been incorporated.[88] Volunteer battalions that have been incorporated into or contracted by the MoD and MoIA are legally bound by the same provisions and disciplinary regulations as regular forces.

While volunteer battalions have been directly accused of war crimes, it is unclear to what extent Ukrainian Armed Forces have perpetrated such offences.[89] An official from the presidential administration noted that the extensive and rapid mobilisation effort that began almost immediately following the conflict was conducted without the ability to properly vet recruits and that consequently there had been problems with recruits perpetrating offences. According to the same official, Ukraine is currently trying to deal with this problem by strengthening the capacity of the military police to investigate alleged crimes.[90]

There are no indications that sexual violence against women and girls has been used as a deliberate strategy in this conflict, or indeed that women and girls have been frequent victims of sexual violence.[91]

According to the UN Human Rights Monitoring Mission, the Ukrainian government appears to be committed to investigating allegations of human rights

---

[84]Puglisi, p. 11.

[85]Ibid.

[86]Amnesty International "Ukraine: Breaking Bodies: Torture and Summary Killings in Eastern Ukraine," 22 May, 2015, http://www.amnestyusa.org/research/reports/breaking-bodies-torture-and-summary-killings-in-eastern-ukraine

[87]Puglisi, p. 11.

[88]Ibid.

[89]As far as we could discern, there are no publicly available data disaggregating victims of human rights abuses committed during the conflict across gender.

[90]Interview, Kyiv, September 2015.

[91]Interview with UN Women representative, Kyiv, September 2015.

abuses, as exemplified by the newly restored military prosecutor's office looking into allegations against several battalions. In addition, although it has not ratified the Rome Statute of the International Criminal Court (ICC), on 8 September 2015 Ukraine nevertheless submitted documentation that gives the ICC extended retroactive jurisdiction (extending to early 2014 to prosecute crimes against humanity).[92] Giving retroactive jurisdiction to the ICC of course also makes it possible for the court's prosecutors to bring charges against pro-Russian militia members, a fact that is likely to have influenced the Ukrainian decision.

With regard to the human rights of armed forces personnel, physical hazing and violence within the Armed Forces has been a problem for several years. These offences appear to be typically handled by the state judicial administration or the prosecutor general's office. Although data on offences are available by year, they are not broken down by service and include the National Guard, which is part of the Ministry of the Interior.[93] It is therefore difficult to assess to what extent hazing is more common within particular services.

A law allowing commanding officers to use physical force against, amongst others, army defectors, was passed in February 2015, authorising commanding officers to "use physical force, special means, and weapons when in combat" against soldiers who commit "criminal acts."[94] Such measures are unlikely to be in compliance with human rights standards.

9.1 Local Ownership

Despite some efforts by the government to try to deal with the issue of holding armed forces personnel accountable for human rights abuses, this area does not appear to be a high priority for reform in Ukraine. It is unclear whether this is due to a tendency to disregard human rights at a time when the country is engaged in armed conflict, or merely a reflection of human rights offences conducted by the armed forces not being frequent. Most likely it is a combination of both. The relatively recent passing of the law allowing officers to use physical force against potential deserters seem to signal that the state is willing to compromise human rights standards for short-term military efficacy. Over the long term, however, such a policy is likely to have a demoralising effect on troops, thus contributing to a decline in military effectiveness as a result of declining *esprit de corps*.

---

[92]"Ukraine: International Court's Jurisdiction is Accepted", *New York Times*, 9 September,2015, http://www.nytimes.com/2015/09/09/world/europe/ukraine-international-courts-jurisdiction-is-accepted.html?ref=topics&_r=0

[93]Bureau of Democracy, Human Rights and Labor, United States Department of State, "Country Reports on Human Rights Practices," 2014, 2013, 2012, 2011. http://www.state.gov/j/drl/rls/hrrpt/

[94] Global Security.

9.2 Ongoing Related Reform Projects

The Swedish Armed Forces have been providing training about UNSCR 1325 to MoD and Armed forces personnel in Ukraine,[95] which among other things aims to increase awareness about the need for "parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict"[96]

---

[95]Ibid.
[96]United Nations Security Council Resolution 1325, article 10.

10 Societal Representativeness

As mentioned above, it is believed that in order to best uphold respect for human security and in order to earn the trust of the populace, the armed forces should strive to be as representative as possible of society at large. This is why it is important that the armed forces are comprised of members of varying social class, ethnic affiliation and gender.

Unfortunately, there are no publicly available statistics as to the social class, ethnic and gender distribution of Ukrainian Armed Forces personnel. Our official request for this information from the MoD was not answered. Hence, it is not possible to speak in depth about the state of societal representativeness in the Armed Forces.

However, given the level of corruption in the defence sector, it is nevertheless possible to make some extrapolations about the overall level of social class representation in the Armed Forces, at least at the level of conscripts. As mentioned above, Ukraine is currently in its sixth wave of mobilisation and has broadened the age pool of men who can be conscripted. If corruption is truly as rampant as we are led to believe, this also means that eligible conscripts and reserves with political connections and/or financial means can buy themselves out of being drafted.[97] Consequently, the remaining force will include mostly poor young men without the type of connections that allow them to escape serving, rather than a national army that is representative across the social strata. Although this may be a social representation common to many armed forces, including Western forces, the problem is likely to be more severe within a country such as Ukraine given the level of corruption in the defence sector and the fact that Ukraine does not have an all-out volunteer force.

Having said that, given that former volunteers, some with a Western education and from a wider stratum of society, have been incorporated into positions within the MoD, there appears to be at least some partial diversification in social class within this ministry. However, as referred to above, it is unclear how long these well-educated civilians will be willing to work for below market salaries in the MoD.[98] Hence, we may merely be seeing a temporary social class diversification within the MoD.

Despite the lack of exact data on female representation in the armed forces, some statements can nevertheless be made. Ukraine does not allow women to serve in combat roles in the military, meaning that all women in the Ukrainian Armed Forces serve in medical or administrative positions. According to the Head of the Reform Office in the MoD, many of the women who volunteered in pro-government battalions have been incorporated into the MoD or Armed Forces in

---

[97]Oliker et al., p.20.
[98]Interview Ukrainian expert on defence sector, Kyiv, October 2015.

supporting functions. The same official also pointed out that the within the Reform Office, half the project managers were women.[99] Without access to official data, however, it is hard to verify these claims.

The law prohibiting female soldiers is problematic for women fighters who served in volunteer battalions, since it means that the government cannot recognise them as such. This in turn means they have not had the same opportunities to become incorporated into the armed forces in a fighting capacity as their brothers-in-arms. It also means that women volunteer fighters who were injured while fighting are not eligible to receive benefits.[100]

10.1 Local Ownership

With regard to social representation in the armed forces, it is possible that reforms suggested by the RAND Corporation may help alleviate some of these problems once implemented. Amongst other things, RAND suggests that Ukraine adopt an all-volunteer force instead of conscription, and also that the compensation system in the MoD be overhauled in order to retain civilian expertise.[101] Although these reforms are primarily advocated for purposes relating to military effectiveness rather than for furthering SSR ideals, they are nevertheless likely to have the effect of furthering social diversification in the armed forces, if implemented.

The supposed influx of women that used to serve in a supporting function in former volunteer battalions into administrative positions in the Ukrainian Armed Forces may suggest that there is some momentum that can be exploited to promote further reform, at least with regard to gender diversification. Unfortunately, the representative from UN Women we spoke to about the matter believes this not to be the case. The main problem, she asserted, is that the ministry responsible for implementation and oversight of UN Security Council Resolution (UNSCR) 1325, the Ministry of Social Policy, is underfunded, has low capacity and is struggling to fulfil its mandate. Subsequently, gender is not an issue that is being prioritised.[102] This is despite the fact that Ukraine has taken upon itself to implement UNSCR 1325, which among other things urges states to "ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict."[103]

---

[99]Interview, Kyiv, September 2015.
[100]Interview with representative of UN Women, Kyiv, September 2015.
[101]Oliker et al. p.20.
[102]Interview with representative of UN Women, Kyiv, September 2015.
[103]UNSCR 1325, article 1.

10.2   Ongoing Related Reform Projects

Efforts to promote female Ukrainian leaders in security and defence are an objective of a NATO Smart Defence project.[104] According to officials in the MoD, the Norwegian Human Resources policy initiative mentioned above, which primarily addresses corruption, may also take into consideration the gender component when trying to reform MoD hiring practices.[105] Finally, the Swedish Armed Forces have been providing training about UNSCR 1325 to personnel in the defence sector,[106] something that may work towards increasing awareness of the benefits of more gender diversity within the MoD and armed forces.

---

[104]NATO.

[105]Interview, Kyiv, September 2015.

[106]Ibid.

11 Capacity and Management

Given the Russian annexation of Crimea and the ongoing conflict in the East, there are numerous aspects related to capacity building and management that are believed to be central to building up a Ukrainian defence sector that is more capable of fulfilling its task of ensuring territorial integrity. These include: Combat training, professional development, technical military cooperation, logistics, procurement, and military medicine. Each of these is discussed in turn below.

11.1   Combat Training

The annexation of Crimea showed that the Ukrainian Armed Forces were poorly trained and lacked the motivation to meet the challenge. Although highly motivated and sometimes skilled fighters from pro-government volunteer battalions have now been incorporated into the official military structure, the vast majority of the rapidly expanding Ukrainian Armed Forces need additional training to better handle safeguarding territorial borders against what some refer to as "hybrid warfare" waged by pro-Russian separatists.

11.1.1 Local Ownership

When asked about the reform efforts within the defence sector that Ukraine deems most important and that it needs most help with, a common response by government officials, members of parliament and segments of the NGO community was "training." The presidential administration in particular stressed the need to build a new army, which it intends to do through training. The extensive and massive mobilisation of new conscripts and poorly trained reserves undertaken to expand the Ukrainian military from a force of 130,000 in 2014 to 250,000 in 2015 means that the majority of these forces have not been able to receive more than very basic training before they are deployed.[107] According to a Ukrainian military expert, the lack of such training (in addition to a poorly functioning medical aid system, more on this below) resulted in heavy losses on the battlefield that could have been largely avoided.[108] Hence, the need for assistance with training is currently critical, according to Ukraine. However, the RAND report lists training as being only in moderate need of reform, a consequence of the already significant improvements in training since the conflict began.[109]

With regard to specific assistance from Sweden in this respect, representatives from the presidential administration mentioned the possibility of having joint

---

[107]Ibid.
[108]Ibid.
[109]Oliker et al., p.21.

training that could function as a means of information exchange, where Sweden provides theoretical knowledge and best practices and Ukraine provides insights into practical lessons learned while fighting against an enemy using hybrid tactics.[110]

11.1.2 Ongoing Related Reform Projects

NATO is the primary partner assisting Ukraine in overall defence reform. The collaboration with NATO through the Partnership for Peace (PfP) Planning and Review Process (PARP) and the Joint Working Group on Defence Reform (JWGDR) has resulted in the organisation providing significant assistance with the reform effort. The primary objective of this reform has been to achieve interoperability with NATO forces, as well as meeting Western military standards. This has entailed joint military exercises through the PfP. More recently, the Partnership Interoperability Initiative programmes have been central with regard to Ukrainian Armed Forces developing interoperability.[111]

As regards practical training of Ukrainian Armed Forces following the conflict, however, the primary work is being conducted through Canadian, American and British bilateral programmes with Ukraine. The common platform for training Ukrainian forces, the Multinational Joint Committee, involves all these parties, including Lithuania. Poland is potentially also joining this platform, which will technically be open to any country wishing to assist Ukraine in training its armed forces. [112]

11.2   Professional Development

Professional development of the armed forces is a rather broad field, but should be regarded as including military education that does not entail combat training. For example, one type of professional development is preparing military personnel wishing to return to civilian life with the skills to handle this type of transition, while another type is advancing knowledge about UNSCR 1325.

11.2.1 Local Ownership

Since professional development is an area that does not produce immediate payoffs in terms of military capability on the battlefield, it is not a high priority area of reform for Ukraine in the sense that Ukraine currently prefers other types of assistance. This was especially evident in a meeting with the NSDC, where one of the officials made this explicitly clear by saying that "Norway wants to support

---

[110]Interview, Kyiv, September 2015.
[111]NATO's practical.
[112]Interview with representative of the EU Delegation, Kyiv, October 2015.

de-militarisation and integration of veterans, but is this really important? We are at war."[113] The official was referring to a NATO programme in which Norway is the lead country (more on this below). This example goes to illustrate that Ukraine appears to be more concerned with problems that are current priorities, like improving military capability, than problems that are more or less inevitably going to pose an issue later on, like disarmament, demobilization, and reintegration (DDR). Having said that, it is evident that Ukraine is grateful for assistance in any form it can get, as there are various aspects of the defence sector that are in need of reform and development.

11.2.2 Ongoing Related Reform Projects

As mentioned briefly above, NATO's Military Career Management Trust fund, where Norway is the lead country, is aimed at assisting the MoD to develop a programme that allows veterans to transition to a civilian career. Other NATO programmes include improving and restructuring professional development and military education. NATO developed the Defence Education Enhancement Programme (DEEP) in 2012 at the request of the Ukrainian defence minister at the time. Programme aims include developing teaching methods and a curriculum, as well as advising the MoD in its efforts to reform the military education system. In addition, senior Ukrainian military officers have been given the opportunity to participate in NATO Defence College and NATO School courses. Contacts with these institutions have been important in establishing a more international Ukrainian Defence Academy faculty. The Ukrainian NATO DEEP programme is the largest of all such NATO programmes.[114] A representative of the MoD also mentioned that Ukraine has a bilateral programme with the UK to set up a study programme intended to function as an alternative to the national academy and which will provide post-graduate degrees. One of the objectives of that programme is to provide information about how modern militaries are organised.[115] As mentioned above, the Swedish Armed Forces have also been providing training about UNSCR 1325 to personnel in the defence sector,[116]another type of professional development training.

11.3 Technical Military Cooperation

Technical military cooperation centres round creating favourable conditions for the development of mutually beneficial cooperation between countries with regard to defence technology. Prior to the conflict, Ukraine cooperated with Russia in this

---

[113]Interview, Kyiv, September 2015.
[114]Ibid.
[115]Ibid.
[116]Ibid.

sphere, something that is no longer possible given that Russia now poses Ukraine's main national security threat.

11.3.1 Local Ownership

Technical military cooperation was explicitly mentioned in our meeting with the NSDC as an area where Ukraine would appreciate assistance. According to a NSDC official, Ukraine can predict what equipment it will need in the next year, but does not have a long-term strategy. The same official also mentioned that Ukraine needs a new partner to cooperate with on military aircraft, since cooperating with Russia is no longer an option.[117]

11.3.2 Ongoing Related Reform Projects

NATO has numerous assistance programmes in which it is working with Ukraine on various aspects of technical military cooperation. The Command, Control, Communications and Computer (C4) Trust Fund seeks to modernise Ukraine's C4 structures and capabilities, while also facilitating interoperability with NATO. This includes assessing the current system, as well as introducing and implementing a modern C4 architectural network that can assist Ukraine in providing for its own security. NATO also has a Cyber Defence Trust Fund whose objective is to help Ukraine develop the technical capability needed to better counter cyber threats. The NATO Science for Peace and Security Programme in turn works with Ukraine on a number of projects related to advancing the defence against chemical, biological, radiological, and nuclear (CBRN) weapons. This programme is the largest of all the equivalent NATO Trust Fund country programmes. A final NATO programme related to military cooperation is the Air Situation Data Exchange, which seeks to reduce airspace conflicts by minimising cross-border incidents and also by preparing responses to potential terrorist attacks using civilian airplanes.[118]

The RAND report also notes that equipment for training remains insufficient, and currently tends to differ from equipment used in the field. For training to be effective preparation for combat, troops must train using the same equipment as they are expected to use on the battlefield.

11.4 Logistics

During the beginning of the conflict, it became painfully evident that Ukraine's military logistics system was in very poor shape. Had it not been for volunteers

---

[117]Ibid.
[118]NATO practical.

providing supplies, many troops would have not had their food and equipment needs fully met. Hence, it is no surprise that the RAND report identifies logistics as one of the areas of the defence sector most in need of reform. The current system is from the Soviet era and not structured according to the modern system employed in most NATO countries.

The RAND report describes the old Soviet system as follows: "The General Staff and unit structures are organized into Rear and Armaments staffs and units, responsible for supplies and armaments respectively. The elements of the logistics organization were restructured over the last decade, eliminating supply units and contracting sustainment responsibilities to outside organizations. The underlying assumption of these reforms was that Ukraine did not face an immediate threat, and that the logistics system did not need to supply units in combat. Since the beginning of the war, the supply units and other elements of the system have been partially rebuilt, but the old Soviet system remains, with significant limitations."[119]

In addition, the process of administering logistics is cumbersome and needlessly centralised. For example, in order for changes in requirements to be made, the cabinet of ministers must give its approval, a lengthy process that undermines the ability to respond quickly to troop needs in the field.

Finally, the current system lacks a computerised inventory control system for logistics, which makes it inherently difficult to keep an up-to-date inventory on supplies and how supplies are used. The old paper-based system is not only cumbersome to manage and maintain, but is also easy to manipulate for corrupt practices. The new reformed system is therefore expected to decrease the current level of corruption associated with logistics in the defence sector.[120]

11.4.1 Local Ownership

Logistics is definitely a high priority area of reform, not only for Ukrainian officials in the defence sector but also at the level of the president. The fact that the president views this as a priority is made clear by the fact that the need for a new logistics system is mentioned specifically in the new military doctrine[121] and that the work has already started in some capacity through the Reform Office in the MoD. Indeed, in our meeting with the MoD, the Head of the Reform Office claimed that the new plan for logistics would be ready before the end of October 2015.[122] The political will to reform the logistics chain into an electronic system is no doubt also partly driven by demands from international donors to have a system of accountability in place for tracking donations.

---

[119]Oliker et al., p.35.
[120]Ibid.,p. 36.
[121]Interview with MoD official, Kyiv, October 2015.
[122]Ibid.

11.4.2 Ongoing Related Reform Projects

Ukraine's greatest partner in reforming its logistics system is NATO, which is providing assistance through the Logistics and Standardization Trust Fund. The programme aims to assist in transforming Ukraine's current Soviet system to one that is not only more interoperable with NATO, but that also abides by NATO standards for tracking and management of supplies and equipment.[123] Lithuania is also helping the MoD develop its logistical capacity in a bilateral programme.[124]

11.5 Procurement

The majority of weapons and equipment needed for military purposes are procured from state-owned enterprises, many of which are controlled by the state conglomerate *Ukroboronprom.* Arms and equipment are purchased from the classified State Defence Order, which the Cabinet of Ministers approves yearly. Because of this set-up, the MoD has limited ability to purchase less expensive, foreign equipment, and there is a general lack of transparency with regard to quality, prices or indeed the entire sales process. Hence, the current procurement system often invites corrupt practices. The RAND report concluded that since the current system results in Ukraine not only paying more than necessary while also most probably receiving lower-quality products, an open procurement system which introduces more transparency and competition would greatly benefit the overall capacity of the defence sector.[125]

11.5.1 Local Ownership

Given its centrality to the war effort, procurement is considered a high priority reform area by government officials. Indeed, an electronic procurement system is already in the process of being introduced, according to the Head of the Reforms Office in the MoD. Ernst & Young is assisting Ukraine in this effort. According to the same official, the food provision system is currently being reformed. The MoD wants to delay expanding the new system to include armaments until they have worked out all the glitches.[126]

---

[123]NATO's Practical.
[124]Minister of National Defence of Lithuania (2015), "J. Olekas confirmed Lithuania's readiness to increase support to Ukraine's security and defence reforms",
http://www.kam.lt/en/news_1098/current_issues/j._olekas_reiterated-
_lithuanias_readiness_to_increase_support_to_ukraines_security_and_defence_reforms.html
[125]Oliker et al. p. 32.
[126]Interview with MoD official, Kyiv, October 2015.

11.5.2 Ongoing Related Reform Projects

It is unclear which international partners, if any, are assisting Ukraine with reform of the procurement system or if Ernst & Young is getting paid for its services. Given the classified nature of weapons purchases, it is doubtful that the new e-procurement system *Prozorro* for the public sector that the government launched relatively recently in cooperation with Transparency International is the same one being implemented in the defence sector.[127] According to the head of the Reform Office in the MoD, international aid for reform of the procurement system is welcome.[128]

11.6   Military Medicine

Military medicine refers to the medical activities that surround military operations during times of armed conflict, with particular focus on the medical treatment of troops injured in combat.

11.6.1 Local Ownership

Given that up until 15 August this year, close to 8,000 people had died and 17,800 had been wounded (on both sides) in the conflict, according to the UN, medical aid assistance is clearly a priority. This is verified by the fact that the MoD is already seeking to reform military medicine into a system that is more in line with the NATO framework. Reforms include setting up an electronic system that allows data on wounded soldiers to be transferred faster to medical centres, in contrast to the current system where information is often lost or arrives too late. The head of the Reforms Office described this as a "huge undertaking", given that most of the current system is paper-based. The MoD believes that this type of reform will result in "more lives saved straight away."[129] According to one military expert, this type of medical support reform has already proven itself successful.[130]

11.6.2 Ongoing Related Reform Projects

There are various ongoing reform projects related to medical medicine. In addition to two separate NATO programmes relating to medical rehabilitation, there are

---

[127]Cohen, Josh "Ukraine Must Finish Reforming Public Procurement Practices as Part of Anti-Corruption Drive," Atlantic Council, 17 August, 2015, http://www.atlanticcouncil.org/blogs/new-atlanticist/ukraine-must-finish-reforming-public-procurement-practices-as-part-of-anti-corruption-drive
[128]Interview, Kyiv, September 2015.
[129]Ibid.
[130]Ibid.

also British[131] and Swedish[132] bilateral programs. These programmes focus on providing training in medical support, while the NATO programmes revolve around ensuring that medical centres are properly equipped and that the injured have access to rehabilitation services, including psychological support for veterans.[133]

---

[131]Wintour, Patrick "Britain to Send Military Advisers to Ukraine, Announces Cameron," *The Guardian*, 24 February, 2015, http://www.theguardian.com/uk-news/2015/feb/24/britain-to-send-military-advisers-to-ukraine-cameron

[132]De La Ruguera, Erik, "Försvaret ska utbilda ukrainsk militär i första hjälpen", *Dagens Nyheter*, 7 July, 2015, http://www.dn.se/nyheter/sverige/forsvaret-ska-utbilda-ukrainsk-militar-i-forsta-hjalpen/

[133]NATO's practical.

12 Defence Sector Reform Needs in Ukraine: A Summary

This report analyses the Ukrainian defence sector in order to identify reform needs for the purposes of long-term, needs-based, locally owned SSR and capacity building objectives. In previous chapters we discuss five broad issues recognised as being central to the development of a defence sector that upholds SSR ideals, namely democratic, civilian control of the armed forces, accountability, human rights, societal representativeness, and capacity and management.

We find that the legal framework establishing *democratic, civilian control* of the Ukrainian Armed Forces is essentially in place, but that some potentially serious problems remain to be addressed. The most urgent problem identified in this report is the continued independence on the DUK volunteer battalion. The fact that the two volunteer battalions now incorporated under the MoD still remain intact is also problematic, since it raises questions regarding whether these battalions are more under *de jure* than *de facto* democratic, civilian control. Finally, the fact that the current Minister of Defence is a representative of the military and that the MoD largely lacks a civilian cadre without previous military affiliations are other issues believed to undermine democratic, civilian control of the Ukrainian Armed Forces.

With regard to *accountability*, corruption in the defence sector remains perhaps the greatest reform challenge. Despite recent legal reforms, a new national anti-corruption strategy, the establishment of two new institutions focusing on preventing and investigating corruption and international partners assisting in anti-corruption, this issue is likely to continue to be a major problem for the foreseeable future.

The Ukrainian government has yet to investigate allegations of *human rights* abuses by troops in former pro-government volunteer battalions during fighting in the East. Having said that, it has given retroactive jurisdiction to the ICC to hold troops accountable for human rights and war crimes abuses.

Given that there are no statistics on the breakdown of the Ukrainian Armed Forces according to social class, ethnic affiliation and gender, assessing *societal representativeness* in the armed services is difficult. With regard to adopting a *gender* perspective in the defence sector, however, there appears to be very weak local ownership, at least within the government, for this type of reform.

The overall capacity of the Armed Forces of Ukraine proved very poor during the annexation of Crimea and in the early phase of the anti-terror operation (ATO) in Eastern Ukraine and also exposed serious weaknesses in logistics and military medicine. Given the centrality of *capacity and management* to military effectiveness – a priority for Ukraine given the current security situation – President Poroshenko has pushed forcefully for reform in these areas. In addition

to national reform efforts seeking to restructure the logistics, procurement and military medicine systems, Ukraine has received substantial assistance through various NATO and bilateral programmes for a broad range of capacity- and management-related sectors.

13 Conclusions

As discussed in this report, there is a substantial need for reform within the Ukrainian defence sector from an SSR perspective. The annexation of Crimea and the current rather volatile security situation have resulted in the Ukrainian government, and especially President Poroshenko, pushing for vast reforms within the defence sector. However, the overall objective of these reforms is to increase military effectiveness, rather than to develop a defence sector more in line with SSR ideals.

The rapid expansion of the Ukrainian Armed Forces – the goal is to have a force of 250,000 by the end of 2015 compared with 130,000 in 2014 – means there is an almost unlimited need for international assistance to help finance current reform efforts seeking to revamp capacity- and management-related systems, such as training, logistics, procurement and military medicine.

As indicated by the RAND report, we are also likely to see far-reaching structural reformation of the MoD and General Staff being proposed by the president within the foreseeable future. Despite the focus being on reforms that increase military effectiveness, some of the recommendations in the RAND report will nevertheless also prove beneficial to making the Ukrainian defence sector more comparable to Western defence sectors, since they emphasise the importance of democratic, civilian, control of the armed forces, which tends to be more in line with SSR ideals. Although support from the president with regard to the reforms proposed by the RAND report appears to be strong, it nevertheless remains to be seen whether he will prevail over conservative groups within the defence establishment wishing to maintain a *status quo* which is more favourable for their purposes.

To conclude, international partners wishing to assist Ukraine in developing a defence sector more in line with SSR ideals have various avenues of doing so. Ukraine is currently in a dire economic situation, which means that any assistance offered is likely to be gladly accepted. However, given the intense focus on the Russian national security threat, reform assistance for projects that help Ukraine increase its military effectiveness will, by default, have more local ownership than those which do not.

Since we know that local ownership of the reform process is critical to SSR success, this naturally poses a challenge for international donors seeking to further the development of the Ukrainian defence sector in a way that is more in line with SSR ideals. To solve this conundrum, international donors must seek to identify reform needs that are not only deemed a priority by the Ukrainian government (which is the primary agent in charge of implementing reform), but that also allow the developing Ukrainian defence sector to adopt SSR ideals.

This could potentially be done in three different ways.

First, international donors could provide support for the upcoming reforms seeking to restructure the MoD and General Staff proposed in the RAND report. These reforms have strong presidential support because they are believed to heighten military capability, but are also likely to result in increased democratic control of the defence sector.

A second reform area is anti-corruption, which can have *dual use capability* in that it is likely to improve military capability, but also make the defence sector more accountable and transparent. International support for anti-corruption reform projects is hence an alternative means of providing support that will not only have local ownership, but also bring the Ukrainian defence sector more into line with SSR ideals.

The third alternative is for individual international donors to give reform support in the shape of a bundle or package, where some aid is given to projects for which there is strong local ownership, such as combat training, and some to projects that are believed to be central to developing certain characteristics of the defence sector viewed as especially important from an SSR ideal, such as taking a gender perspective. When doing so, donors must make clear that bundled aid is contingent on all projects receiving some sort of government support on implementation. While this is a less than ideal way of promoting SSR, it would allow donors who believe for example that gender equality is a crucial component of a defence sector to ensure that this aspect of defence reform is not completely abandoned, which would be the case in Ukraine if defence sector reform assistance was only given to projects for which there is local ownership on government level.

14 Sources

Bureau of Democracy, Human Rights and Labor, United States Department of State, "Country Reports on Human Rights Practices," 2014, 2013, 2012, 2011. http://www.state.gov/j/drl/rls/hrrpt/

Center for Integrity in the Defence Sector (CIDS) "Ukraine: The project on reducing the corruption risks on the Human Resources Management (HRM) system in the Ministry of Defence (MoD) of Ukraine", http://cids.no/?page_id=5106

C.I.A. World Factbook (2015), https://www.cia.gov/library/publications/the-world-factbook/

Cohen, Josh, "Ukraine Must Finish Reforming Public Procurement Practices as Part of Anti-Corruption Drive," Atlantic Council, 17 August, 2015, http://www.atlanticcouncil.org/blogs/new-atlanticist/ukraine-must-finish-reforming-public-procurement-practices-as-part-of-anti-corruption-drive

Cumming-Bruce, Nick "Nearly 8,000 Killed in Ukraine Conflict, U.N. Says", *New York Times*, 8 September, 2015, http://www.nytimes.com/2015/09/09/world/-europe/nearly-8000-killed-in-ukraine-conflict-un-says.html?ref=topics

Czuperski, Maksymilian et.al. (2015) "Hiding in Plain Sight: Putin's War in Ukraine", Atlantic Council, http://www.atlanticcouncil.org/en/publications-/reports/hiding-in-plain-sight-putin-s-war-in-ukraine-and-boris-nemtsov-s-putin-war.

De La Ruguera, Erik "Försvaret ska utbilda ukrainsk militär i första hjälpen", *Dagens Nyheter*, 7 July, 2015, http://www.dn.se/nyheter/sverige/forsvaret-ska-utbilda-ukrainsk-militar-i-forsta-hjalpen/

EEAS (2012) "A look at the EU-Ukraine Association Agreement", European Union Action Service, http://www.eeas.europa.eu/top_stories/2012/140912_ukraine_en.htm

ERCAS (n.d.) "Building an anticorruption system in Ukraine – current status and challenges. An outside perspective", European Research Centre for Anti-Corruption and State Building, http://www.againstcorruption.eu/wp-content/uploads/2015/05/-Abstract_Hertie-School2.pdf

Folke Bernadotte Academy, (n.d.) "Security Sector Reform Assessment Framework, https://fba.se/contentassets/bf97e14d2341492cafaed1dfede54a7d/ssr-assessment-framework.pdf

Fluri, Philipp et al. (2013) "The Security Sector Legislation of Ukraine", DCAF.

Freedom House, "Freedom in the World 2015", https://freedomhouse.org/-report/freedom-world/freedom-world-2015.

Global Security (n.d.) "Military Personnel", http://www.globalsecurity.org/-military/world/ukraine/personnel.htm

Hedenskog, Jakob (2014)"Ukraine – A Background" in Granholm Niklas et al. , (eds) "A Rude Awakening: Ramifications of Russian Aggression Towards Ukrain"e, FOI-R—3892—SE, June.

Hedenskog, Jakob (2015) "Utvecklingen i EU:s östra närområde" [The Development in the EU's Eastern Neighbourhood], FOI-R—4132—SE, October.

Hromadske TV Прорив до Кернеса. Невідомі влаштували бійку у Харківській міськраді [Break-in to Kernes. Unknown staged a fight in the Kharkiv City Council], *Hromadske TV*, 29 September, 2015, http://www.hromadske.tv/politics/proriv-do-kernesa-nevidomi-vlashtuvali-biiku-u-kha/

Klein, Margarete, "Ukraine's Volunteer Battalions - Advantages and Challenges", RUFS Briefing, No 27, FOI Memo 5312, April 2015.

Konunczuk, Wojciech "Reform #1. Why Ukraine has to reform its gas sector", OSW Commentary, 2 September, 2015, http://www.osw.waw.pl/en/publikacje/osw-commentary/2015-09-02/reform-1-why-ukraine-has-to-reform-its-gas-sector.

Kramer, Andrew, "Ukraine Agrees on Plan to Restructure $18 Billion of Foreign Debt," *New York Times*, 27 August, 2015, http://www.nytimes.com/-2015/08/28/business/international/ukraine-debt-restructuring.html

Kyiv Post, "Defence ministers of Ukraine, Lithuania, Poland to sign technical agreement on joint brigade on July 24", *Kyiv Post*, 20 July 2015, http://www.kyivpost.com/content/ukraine/defence-ministers-of-ukraine-lithuania-poland-to-sign-technical-agreement-on-joint-brigade-on-july-24-393858.html

Marcus, Jonathan "Ukraine army to be trained by UK troops – Cameron," *BBC*, 24 February, 2015, http://www.bbc.com/news/world-europe-31610026

Mayeda, Andrew "IMF Approves Ukraine Aid Package of About $17.5 Billion", *BloombergBusiness*, 11 March, 2015, http://www.bloomberg.com/news/articles/-2015-03-11/ukraine-wins-imf-approval-for-17-5-billion-to-rescue-economy

Military Balance, (2015),"Chapter Five: Russia and Eurasia," 115:1, 159-206.

Ministry of Defence of Ukraine (2015) План заходів Міністерства оборони України з виконання Програми діяльності Кабінету Міністрів України та Стратегії сталого розвитку "Україна – 2020" у 2015 році станом на 1 липня 2015 року [Action plan of the Ministry of Defence of Ukraine to implement the Programme of the Cabinet of Ministers of Ukraine Strategy and Sustainable Development "Ukraine - 2020" in 2015, as of July 1, 2015], http://www.mil.gov.ua/-content/oboron_plans/plan_ukraine_2020_01072015.pdf

Ministry of National Defence of Lithuania (2015), "J. Olekas confirmed Lithuania's readiness to increase support to Ukraine's security and defence reforms", http://www.kam.lt/en/news_1098/current-_issues/j._olekas_reiterated_lithuanias_-readiness_to_increase_support_to_ukraines_security_and_defence_reforms.html

NATO (2015) "NATO's Practical Support to Ukraine", June 2015, http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2015_05/20150508_1505-Factsheet_PracticalSupportUkraine_en.pdf.

NATO (2015), "NATO's relations with Ukraine", http://www.nato.int-/cps/en/natohq/topics_37750.htm

OECD DAC (2007) "OECD DAC Handbook on Security Sector Reform: supporting security and justice", http://www.poa-iss.org/RegionalOrganizations/OECD/-Instruments/OECD%20SSR%20Handbook.pdf.

Oliker, Olga et al. (2015) "Ukraine Ministry of Defence and General Staff Reform: Final Report," RAND Corporation.

"Poroshenko: Army budget amounts to about 45 bln. this year", *Ukrinform*, 22 August,2015, http://www.ukrinform.ua/eng/news/poroshenko_army_budget-_amounts_to_about-_45_bln_this_year_333793.

"Poroshenko signs bill to hike defence spending by UAH 5.3 billion in 2015", *Ukrinform*, 12 August, 2015, http://www.ukrinform.ua/eng/news/poroshenko-_signs_bill_to_hike_defence-_spending_by_uah_53_billion_in_2015_333559

Puglisi, Rosaria, "Heroes or Villains? Volunteer Battalions in Post-Maidan Ukraine", IAI working paper, Instituti Affari Internazionale, March, 2015, http://www.iai.it-/sites/default/files/iaiwp1508.pdf

RAND Corporation (2010) "Defence Sector Assessment Rating Tool (DSART)", http://www.rand.org/content/dam/rand/pubs/technical_reports/2010/RAND_TR864.dsart.pdf

Razumkov Centre (2015)"How much do you trust the following social institutes?", Sociological poll, http://www.uceps.org/eng/poll.php?poll_id=1030

RT, "Enemy №1: Ukraine's president signs new military doctrine, Russia named biggest threat", *RT*, 25 September, 2015, https://www.rt.com/news/316448-ukraine-doctrine-russia-threat/

Sadowski, Rafal "Ukraine on the financial front – the problem of Ukraine's foreign public debt", OSW Commentary, 5 August, 2015, http://www.osw.waw.pl/en/-publikacje/osw-commentary/2015-08-05/ukraine-financial-front-problem-ukraines-foreign-public-debt

State Statistics Service of Ukraine (2001), "All-Ukrainian Population Census," http://www.ukrcensus.gov.ua/eng/

Stern, David, "Ukraine clashes raise questions over Right Sector militia", *BBC*, 15 July 15, 2015, http://www.bbc.com/news/world-europe-33523869

Svensk inriktning avseende säkerhetssektorreform (SSR) Promemoria, 2007-12-17.

Transparency International (n.d.) "Corruption by country/territory", https://www.transparency.org/country/#UKR

Tsentr voennykh politiki i politiki bezopasnosti [Centre for Military and Security Policy], Informatsionno-analiticheskii obzor voennykh novostey [Information-Analytical Overview over Military News], No 44/2015.

"Ukraine: Breaking Bodies: Torture and Summary Killings in Eastern Ukraine," Amnesty International, 22 May, 2015.

"Ukraine: International Court's Jurisdiction is Accepted", *New York Times*, 8 September, http://www.nytimes.com/2015/09/09/world/europe/ukraine-international-courts-jurisdiction¬-is¬-accepted.html?ref=topics&_r=0

United Nations Security Council Resolution 1325 (S/RES/1325 (2000)), http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/-N0072018.pdf?OpenElement

White Book 2014: The Armed Forces of Ukraine, Ministry of Defence of Ukraine, 2015, http://www.mil.gov.ua/content/files/whitebook/WB_2014_eng.pdf

Wintour, Patrick, "Britain to Send Military Advisers to Ukraine, Announces Cameron", The Guardian, 24 February, 2015, http://www.theguardian.com/uk-news/2015/feb/24/britain-to-send-military-advisers-to-ukraine-cameron

Interviews (carried out 28 September- 2 October 2015 in Kyiv, Ukraine)

Ministry of Defence, Project Reform Office

National Reform Council

National Security and Defence Council

NATO Liaison Office

New Ukraine

Presidential Administration

Razumkov Centre

Reanimation Package of Reform

Swedish Embassy in Ukraine

Two members of parliament

UN Women

This report analyses the Ukrainian defence sector in order to identify reform needs for the purposes of long-term, needs-based, locally owned security sector reform (SSR) and capacity building objectives. It identifies five broad issues recognized as being central to the development of a defence sector that upholds SSR ideals, namely democratic control of the armed forces, accountability, human rights, societal representativeness, and capacity and management.

The findings in the report are intended to serve as a resource for Sweden to consult when seeking to identify and assess the potential for future long-term, needs-based and locally owned SSR objectives, including capacity building, in the Ukrainian defence sector, and also as a resource that Ukraine and its international partners can use for the same purposes.