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The Permanent Mission of Ukraine to the International Organizations in Vienna presents its compliments to the Permanent Missions and Delegations to the Organization for Security and Co-operation in Europe and to the OSCE Conflict Prevention Centre and has the honour to convey herewith the response of Ukraine to the Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for the year 2022.

The Permanent Mission of Ukraine to the International Organizations in Vienna avails itself of this opportunity to renew to the Permanent Missions and Delegations to the OSCE and to the OSCE Conflict Prevention Centre the assurances of its highest consideration.

Enclosure: 90 pages



Vienna, 06 September 2023

Permanent Missions and Delegations to the OSCE
OSCE Conflict Prevention Centre
Vienna

R E S P O N S E
to the OSCE Questionnaire on the Code of Conduct
on Politico-Military Aspects of Security

SECTION I: INTER-STATE ELEMENTS

1. Account of measures to prevent and combat terrorism

1.1. To which agreements and arrangements (universal, regional, subregional and bilateral) related to preventing and combating terrorism is your State a party?

Ukraine is a party to a variety of international agreements related to preventing and combating terrorism, namely:

- European Convention on the Suppression of Terrorism (ETS No. 90), ratified by the Law of Ukraine No. 2990-III of January 17, 2002;
- Protocol amending the European Convention on the Suppression of Terrorism (ETS No. 190), ratified by the Law of Ukraine No. 167-V (167-16) of September 20, 2006, with a statement;
- Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime, ratified by the Law of Ukraine No. 738/97-VR of December 17, 1997, with reservations and statements;
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, ratified by the Law of Ukraine No. 2698-VI of November 17, 2010, with reservations and statements;
- Council of Europe Convention on the Prevention of Terrorism, ratified by the Law of Ukraine No. 54-V (54-16) of July 31, 2006, with reservations and statements;
- Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism (signed by Ukraine in 2015, but not ratified);
- International Convention for the Suppression of Terrorist Bombings (accession was made on the basis of the Law of Ukraine No. 2855-III of November 29, 2001, with reservations);
- International Convention for the Suppression of the Financing of Terrorism, ratified by the Law of Ukraine No. 149-IV of September 12, 2002 with a statement;
- International Convention for the Suppression of Acts of Nuclear Terrorism, ratified by the Law of Ukraine No. 3533-IV of March 15, 2006, etc.

On Civil Aviation Protection:

- Convention on Offences and Certain Other Acts Committed on Board Aircraft, as of September 14, 1963, ratified by the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR No. 5049-XI of December 21, 1987;
- Convention for the Suppression of Unlawful Seizure of Aircraft of December 16, 1970, ratified by Ukraine on February 21, 1972;

- Convention for the Suppression of Unlawful Acts against the Safety of Civil Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft of September 10, 2010;
- Protocol to Amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft 2014 Protocol to Amend the Convention on Offences and Certain Acts Committed of Board Aircraft.

On International Protection of Officials:

- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, of December 14, 1973, ratified by Ukraine on January 20, 1976.

On Taking of Hostages:

- International Convention against the Taking of Hostages of December 17, 1979, ratified by the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR No. 3954-XI of May 8, 1987.

On Nuclear Materials:

- Convention on Physical Protection of Nuclear Material and Nuclear Facilities of October 26, 1979, ratified by the Resolution of the Verkhovna Rada of Ukraine No. 3182-XII of May 5, 1993;
- Amendment to the Convention on the Physical Protection of Nuclear Material of 2005 (Ratified by the Law of Ukraine No. 356-VI of September 3, 2008).

On Maritime Navigation:

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, as of March 10, 1988, ratified by the Resolution of the Verkhovna Rada of Ukraine No. 3735-XII of December 17, 1993;
- Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 2005;
- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf as of March 10, 1988, ratified by the Resolution of the Verkhovna Rada of Ukraine No. 3735-XII of December 17, 1993;
- 2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located of the Continental Shelf.

On Explosives:

- Convention on the Marking of Plastic Explosives for the Purpose of Detection of January 3, 1991, ratified by the Law of Ukraine No. 687/97-VR of December 3, 1997.

On Terrorist Bombings:

- International Convention for the Suppression of Terrorist Bombings of December 15, 1997, ratified by the Law of Ukraine No. 2855-III of November 29, 2001.

On Financing of Terrorism:

- International Convention for the Suppression of the Financing of Terrorism of December 9, 1999, ratified by the Law of Ukraine No. 149-IV of September 12, 2002.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism of May 16, 2005, ratified by the Law of Ukraine No. 2698-VI of November 17, 2010, with reservations and statements.

On Nuclear Terrorism:

- Convention on Physical Protection of Nuclear Material and Nuclear Facilities of March 3, 1980, ratified by the Resolution of the Verkhovna Rada of Ukraine No. 3182-XII of May 5, 1993;
- International Convention for the Suppression of Acts of Nuclear Terrorism of September 14, 2005, ratified by the Law of Ukraine No. 3533-IV of March 15, 2006.

1.2. What national legislation has been adopted in your State to implement the above-mentioned agreements and arrangements?

The legal and organizational framework for combating terrorism, identifying and eliminating the causes and conditions that give rise to it is defined by the Law of Ukraine “On Combating Terrorism”.

In addition, national legislation related to combating and preventing terrorism includes the following laws:

- the Law of Ukraine “On Sanctions”;
- the Law of Ukraine “On the Basic Principles of Cybersecurity of Ukraine”;
- the Law of Ukraine “On Preventing and Countering Legalization (Laundering) of Proceeds from Crime, Financing of Terrorism and Financing of Proliferation of Weapons of Mass Destruction”.

Article 2 of the Law of Ukraine “On Combating Terrorism” provides that the legal basis for combating terrorism constitutes such documents as the Constitution of Ukraine, the Criminal Code of Ukraine, the Law itself, other laws of Ukraine, 1977 European Convention on the Suppression of Terrorism, 1997 International Convention for the Suppression of Terrorist Bombings, 1999 International Convention for the Suppression of the Financing of Terrorism, other international treaties of Ukraine, the binding consent of which was given by the Verkhovna Rada of Ukraine, decrees and orders of the President of Ukraine, resolutions and orders of the Cabinet of Ministers of Ukraine, as well as other regulatory and legal acts adopted pursuant to the laws of Ukraine.

Article 3 of the Law of Ukraine “On Combating Terrorism” provides that the fight against terrorism is based on the principles of cooperation with foreign countries, their law enforcement agencies, and special services, as well as with the international organizations that combat terrorism.

One of the directions for implementing the Concept of Combating Terrorism, approved by the Decree of the President of Ukraine No. 53/2019 of March 5, 2019, is the development of international cooperation in the field of combating terrorism, including:

- intensification of international cooperation with international organizations engaged in the fight against terrorism in order to attract their support to increase the effectiveness of combating terrorism in Ukraine;
- activation of international cooperation with international organizations;
- continuation of activities aimed at Ukraine's accession to international treaties in the field of combating terrorism, concluded within the framework of the UN and other international organizations, of which Ukraine is a member;
- coordination and improvement of interaction of Ukraine's counterterrorism authorities with law enforcement agencies and special services of foreign States, counterterrorism structures of the UN, OSCE, NATO, EU, other international organizations engaged in the fight against terrorism, on the basis of international treaties;
- conclusion of international treaties on cooperation in the field of combating terrorism between Ukraine's counterterrorism authorities and relevant authorities of foreign States;
- establishment of permanent exchange of experience with relevant bodies of foreign States and international organizations engaged in combating terrorism.

In accordance with the fifth part of Article 27 of the Law of Ukraine "On the National Security of Ukraine", the Decision of the National Security and Defense Council of Ukraine "On the organization of planning in the security and defense sector of Ukraine" (enacted by the Decree of the President of Ukraine No. 225/2019 of May 16, 2019), the procedure for conducting a review of the state-wide counterterrorism system (approved by the Decree of the President of Ukraine No. 506/2019 of July 9, 2019), the Security Service of Ukraine, through a working group formed in accordance with the established procedure by the Counterterrorism Centre under the Security Service of Ukraine, conducted a review of the state-wide system of combating terrorism.

Based on the results of the review, including the existing and potential terrorist threats, the financial and economic capabilities of the state, using information materials provided by the subjects of countering terrorism and other state bodies, institutions, organizations, and regional coordination groups of the aforesaid Counterterrorism Centre, the report was prepared, which contains:

- analysis of the state and prospects for the development of counterterrorism state security and the national system of combating terrorism;
- review of the capabilities of the subjects of combating terrorism;
- materials for planning forces, means and resource provision;
- proposals for the formation of a promising model of the national system of combating terrorism.

The report was adopted by the decision of the National Security and Defense Council of Ukraine of June 4, 2021 "On the report on the results of the review of the state-wide counterterrorism system", which was enacted by the Decree of the President of Ukraine No. 251/2021 of June 17, 2021.

1.3. What are the roles and missions of military, paramilitary and security forces and the police in preventing and combating terrorism in your State?

Security Service of Ukraine (SSU)

The Security Service of Ukraine is the main authority responsible for the preventing and combating terrorism. The Service is also responsible for the coordination of actions of all other state authorities involved in the counter-terrorism measures. According to Article 5 of the Law of Ukraine “On Combating Terrorism” the SSU, inter alia:

- combats terrorism by conducting operational search and counter-intelligence measures to prevent, detect and deter terrorist activities, including international ones;
- collects information about foreign and international terrorist organizations;
- exercises the powers within the limits defined by the current legislation solely for the purpose of obtaining pre-emptive information in case of threat of committing a terrorist act or during conducting counterterrorism operation the operative-technical search measures in systems and channels of telecommunications that can be used by terrorists, etc.

The Counterterrorism Centre (CTC) is permanently active body under the SSU, which carries out coordination activities of national entities fighting terrorism in prevention of terrorist acts against government officials, critical objects of life support of the population, objects of increased danger, acts that threaten the life and health of a significant number of people, and their termination. According to Article 7 of the Law of Ukraine “On Combating Terrorism” the CTC, inter alia:

- develops conceptual principles and programs for combating terrorism;
- collects, generalizes, analyzes, and evaluates status information and trends of the spread of terrorism in Ukraine and beyond;
- forms and maintains a list of terrorist organizations and groups;
- prepares, organizes, and conducts anti-terrorist operations and coordinates the activities of entities that fight terrorism, or which are involved in specific anti-terrorist operations, etc.

Armed Forces of Ukraine (AFU)

According to Article 3 of the Law of Ukraine “On the Military Law Enforcement Service in the Armed Forces of Ukraine”, one of the main tasks of the Service is to counter sabotage and terrorist acts at military facilities.

According to Article 5 of the Law of Ukraine “On Combating Terrorism”, the Ministry of Defence of Ukraine, military authorities, formations, elements, and military units of the Armed Forces of Ukraine are empowered to:

- provide protection from terrorist attacks facilities and property of the AFU, weapons of mass destruction, small arms and missiles, ammunition, explosives and hazardous substances located at military units or stored in designated places;

- organize training and use of capabilities of the Land Forces, Air Force, Naval Forces and Special Operations Forces of the AFU in case of a terrorist act in the airspace and territorial waters of Ukraine;
- engage in counterterrorism operations at military facilities and in case of terrorist threats to the security of the state from outside Ukraine;
- in case of engagement in the counterterrorism operation, fulfil the tasks to suppress the activities of illegal paramilitary or armed formations (groups), terrorist organizations, organized groups and criminal organizations using available capabilities;
- engage in the detention of persons, and in cases where their actions threaten the life and health of hostages, participants in the counterterrorism operation or other persons, neutralize them.

In addition, according to Article 13 of the above Law, by the decision of the Head of the Counterterrorism Centre under the Security Service of Ukraine or a person replacing him/her, the First Deputy or Deputy Head of the CTC, agreed with the leadership of the relevant counterterrorism actors, capabilities (personnel and individual specialists, weapons, military equipment, special means, vehicles, communications equipment and other materiel) of the AFU may be used in large-scale, complex counterterrorism operations in the area.

The Law of Ukraine “On the Armed Forces of Ukraine” contains provisions on the engagement of the AFU in counterterrorism and counterpiracy activities, as well as on ensuring the protection of military critical infrastructure of the AFU from terrorist threats.

According to Article 8, paragraph 2, subparagraph 4 of the Law of Ukraine “On the Basic Principles of Cybersecurity of Ukraine”, the Ministry of Defence of Ukraine and the General Staff of the Armed Forces of Ukraine within their competence:

- take measures to prepare the state to repel military aggression in cyberspace (cyber defense);
- engage in military cooperation with NATO and other defense entities to ensure the security of cyberspace and joint defense against cyber threats;
- implement measures to ensure cybersecurity of critical information infrastructure in a state of emergency and martial law.

Ministry of Defence of Ukraine (MoD)

According to the Laws of Ukraine “On the National Guard of Ukraine” and “On National Resistance”, as well as the Resolution of the Verkhovna Rada of Ukraine “On Adopting the Draft Law of Ukraine on Amendments to the Criminal and Criminal Procedure Code of Ukraine in connection with the Ratification of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism, as well as to Certain Legislative Acts of Ukraine on Combating Terrorism”, the Ministry of Defence of Ukraine, together with the National Guard of Ukraine, which during a special period is subordinated to the Ministry, are designated to be entities directly engaged in combating terrorism, participating in

special operations to neutralize armed criminals, counter aggressor (enemy) sabotage and reconnaissance forces, and suppress the activities of illegal paramilitary or armed formations (groups), organized groups and criminal organizations on the territory of Ukraine.

State Service of Special Communications and Information Protection of Ukraine (SSSCIP)

The powers of the State Service of Special Communications and Information Protection of Ukraine in the field of combating terrorism are defined by the Law of Ukraine “On Combating Terrorism” (Articles 4, 6, 7, 13) as following:

- in accordance with Article 4, the SSSCIP is involved in the implementation of measures related to the prevention, detection and termination of terrorist activities, if necessary;
- in accordance with Article 6, the SSSCIP, within its competence, takes measures to prevent, detect and suppress terrorist acts and criminal offenses of a terrorist nature;
- develops and implements preventive, regime, organizational, educational and other measures; provides conditions for conducting counterterrorism operations at the objects belonging to the sphere of management; provides the relevant units during such operations with logistical and financial means, means of transport and communications, medical equipment and medicines, other means, as well as the information necessary to carry out tasks to combat terrorism;
- in accordance with Article 7, the SSSCIP takes part in the work of the Interdepartmental Coordinating Commission of the above-mentioned Counterterrorism Centre, which includes the Deputy Chairman of the SSSCIP. Coordination groups under regional bodies of the SSU include heads of territorial bodies and territorial divisions of the SSSCIP;
- in accordance with Article 13, by decision of the head of the CTC under the CCU or his first deputy, deputy or acting head of the Centre, agreed with the leadership of the SSSCIP, large-scale, complex counterterrorism operations in the area where they are being carried out, involve and use forces and means of the SSSCIP (personnel and specialists of individual divisions, military units, weapons, special means and vehicles, communications means, other material and technical means of the SSSCIP).

In accordance with the Law of Ukraine “On Combating Terrorism” No. 638-IV of March 20, 2003, and the Regulation on the State Emergency Service of Ukraine issued by the Cabinet of Ministers of Ukraine Resolution No. 1052 of December 16, 2015, the SSSCIP is the central executive authority implementing the national policy of protection of citizens. The State Service is directly entrusted to fight terrorism, take measures with the view to minimizing and eliminating the emergency situation consequences during the counterterrorism operations, as well

as to provide educational and practical training activities for the purpose of raising the awareness of population about the terrorist act conditions.

National Guard of Ukraine (NGU)

The NGU is a military formation with law enforcement functions and a part of the Ministry of Internal Affairs of Ukraine. The NGU is designated to perform the tasks of security and protection of life, rights, freedoms, and legal interests of citizens, society and state from criminal and other illegal encroachments; to protect public order and security, as well as in cooperation with other law enforcement agencies - to ensure public safety and protection of state border, deter terrorist activity and illegal activities of paramilitary or armed formations (groups), terrorist organizations, organized groups and criminal organizations.

According to the legislation, the National Guard of Ukraine in cooperation with the Armed Forces of Ukraine takes part in eliminating armed aggression against Ukraine and liquidation of armed conflicts by conducting military (combat) actions and performs the tasks of territorial defence.

According to Article 2 of the Law of Ukraine “On the National Guard of Ukraine”, one of the Guard’s main functions is its participation in special operations to neutralize armed criminals, fight against sabotage and reconnaissance forces of the aggressor (enemy), termination of activities of illegal paramilitary or armed formations (groups), organized groups and criminal organizations on the territory of Ukraine, as well as in activities related to the cessation of terrorist activities. According to Article 12 of the said Law, the NGU is charged to take measures to stop the activities of illegal paramilitary or armed formations (groups), terrorist organizations, organized groups, and criminal organizations; participate in counterterrorism operations.

According to Article 13 of the Law of Ukraine “On Combating Terrorism”, the NGU is involved in counterterrorism operations as a force and special division of the Ministry of Internal Affairs of Ukraine.

Department of the State Protection of Ukraine (DSPU)

Article 12 of the Law of Ukraine “On State Protection of Public Authorities of Ukraine and Officials” stipulates that one of the tasks of the Department of the State Protection of Ukraine is to take part in the counter terrorism actions. According to Article 4 of Law of Ukraine “On Combating Terrorism”, the aforesaid Department is the body, which carries out counter terrorism activity within the scope of its competence. Article 5 of the same Law sets out responsibilities of national bodies combating terrorism, including the DSPU, which is assigned to take part in operations on prevention of terrorist acts against the authorities and objects under the Department’s protection.

Ministry of Internal Affairs of Ukraine (MIA)

The Ministry of Internal Affairs of Ukraine is responsible for elaborating and implementing a national policy to protect citizens’ basic rights and freedoms. The

MIA is also responsible for the national policy of migration (legal and illegal) and citizenship; maintaining law and order; keeping people safe; preventing, detecting and investigating crimes; protecting public and private property; ensuring traffic control and road safety; provision of police and administrative services; protection of the state border and protection of sovereign rights of Ukraine; civil defence organizations, prevention of emergencies and liquidation of their consequence.

National Police of Ukraine (NPU)

The National Police of Ukraine is the central executive body that serves the Ukraine's society by ensuring the protection of civilian rights and freedoms, combating crime, and maintaining public order and security. In accordance with the legislation of Ukraine, the NPU is also authorised to provide prevention, detection and suppression of crimes committed with a terrorist aim. Within the limits of its legal powers, the NPU takes part in the fight against terrorism, ensuring the effective use of forces and special means during counterterrorism operations.

State Border Guard Service of Ukraine (SBGSU)

According to the Law of Ukraine "On Combating Terrorism", the SBGSU is the central executive body that implements the national policy in the field of state border protection. The state border protection units fight terrorism by preventing, detecting, and suppressing attempts by terrorists to cross the state border of Ukraine, to fulfil the illegal traffic of weapons, explosives, poisonous, radioactive substances and other objects that can be used as means of committing terrorist acts.

The Service is entitled to carry out control and authorization procedures for the movement of goods (cargo) in counterterrorism operations; to ensure the safety of maritime navigation within the territorial waters and the exclusive (maritime) economic zone of Ukraine during counterterrorism operations; to interact with the Counterterrorism Center under the Security Service of Ukraine during counterterrorism operations.

Foreign Intelligence Service of Ukraine (FISU)

According to the Article 3 of the Law of Ukraine "On the Foreign Intelligence Service", one of the FISU main tasks is to participate in counterterrorism actions. The FISU is engaged in actions aimed at prevention, identification, and suppression of terrorist activity, if needed. The Service collects, analyses and provides, in accordance to the established procedure, the intelligence about foreign and international terrorist organizations activities outside Ukraine. It counters terrorist threats to life and health of Ukrainian citizens, institutions, and objects of state ownership of Ukraine in case of intelligence bodies involvement in participation in counterterrorism operations outside Ukraine. The Head of the Service is a member of the Interdepartmental Coordination Commission of the Counterterrorism Centre under the SSU (The Law of Ukraine "On Combating Terrorism", Articles 4, 5, 7).

The Law of Ukraine “On Intelligence” № 912-IX of September 17, 2020, stipulates that “the participation in counterterrorism actions” is one of the main functions of the FISU. At the same time, the above Law provides an opportunity to intelligence officers to conduct their special operations under the cover inside terrorist organizations (article 20) and to expand jurisdiction of intelligence bodies in case of conducting the intelligence activity during the counterterrorism operations (article 27).

State Emergency Service of Ukraine (SESU)

According to the Law of Ukraine “On Combating Terrorism” the SESU is a central executive body that implements the national policy in the field of civil protection. The Service is a national body which is directly involved in the combating terrorism. In accordance with the Mandate of the State Emergency Service of Ukraine, approved by the Decree of the Cabinet of Ministers of Ukraine № 1052 of December 16, 2015, the SESU carries out measures aimed at minimization and elimination of the consequences of emergencies during the counterterrorism operations, as well as public awareness raising and practical training activities of the civilian population in terrorist act conditions.

1.4. Provide any additional relevant information on national efforts to prevent and combat terrorism as regards, for example:

1.4.1. Financing of terrorism

The Order of the Ministry of Defence of Ukraine No. 300 “On the Organization and Implementation of Budget Programmes (Subprogrammes) in the System of the Ministry of Defence of Ukraine” (as amended) of October 1, 2021, does not provide for separate funding for counterintelligence protection, as well as counterterrorism and sabotage activities.

In order to meet the requirements of the Committee of Experts of the Council of Europe on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), set out in the Follow-up on the 5th round of Ukraine evaluation, on the improvement of legislation on the implementation of targeted financial sanctions on December 06, 2019, the Verkhovna Rada of Ukraine adopted the Law of Ukraine No. 361-IX “On prevention and counteraction to legalization (laundering) of proceeds from crime, financing terrorism and financing the proliferation of weapons of mass destruction”, which, in particular, provides for:

1. Extension of freezing requirements to all assets of persons included in the sanctions lists in accordance with the FATF 6 Recommendation.
2. The procedure for immediate perpetual freezing of persons’ assets that meet the criteria set out in the FATF 6 Recommendation.
3. The procedure for forming an internal list of persons related to terrorist activities or subject to international sanctions (hereinafter - the List) has been changed in accordance with UNSCR 1373.

4. Assets unfreezing procedures according to the claims of persons that have become subjects of unintentional freezing in accordance with the requirements of FATF 6 Recommendation.

5. Legislation on implementation of international cooperation in fulfilling the targeted financial sanctions has been changed the powers of the Security Service of Ukraine and the Ministry of Foreign Affairs to submit proposals to the relevant committees of the UN Security Council for inclusion and exclusion of persons in the sanction lists have been specified.

The Security Service of Ukraine is empowered to examine applications from foreign countries for inclusion and exclusion of persons to/from the List.

The Ministry of Foreign Affairs is empowered to develop procedures for applying for the exclusion of persons and organizations included in the relevant UN Security Council sanctions lists.

6. Amendments made to Article 285 of the Criminal Code of Ukraine, which extended the offense of “committing a terrorist act” and therefore the crime of “financing terrorism” to international organizations.

7. Amendments made to Article 258-5 of the Criminal Code of Ukraine and Article 1 of the Law of Ukraine “On Combating Terrorism”.

These changes stipulate that the crime of financing terrorism involves the provision or collection of any assets, directly or indirectly, for the purpose of using them or realizing that they may be used fully or partly for any terrorist activity, as well as attempts to commit such acts.

At the same time, the definition of “terrorist activity” in Article 1 of the Law of Ukraine “On Combating Terrorism”, as amended, encompasses the passage of terrorism training and departure from Ukraine and entry into Ukraine for terrorist purposes. Thus, the financing of travel for terrorist purposes in accordance with UNSCR 2178 is fully criminalized in Ukraine.

1.4.2. Border controls

In accordance with the Laws of Ukraine “On the State Border Guard Service of Ukraine” (SBGSU), “On Border Control”, units of the SBGSU carry out state control, which includes a complex of actions and a system of measures aimed at establishing legal grounds for passing through the state border of persons, means of transport and goods. Border control is carried out with the aim of countering the illegal movement of persons across the state border, illegal migration, human trafficking, as well as the illegal movement of weapons, narcotic drugs, psychotropic substances and precursors, ammunition, explosives, materials, and objects prohibited for movement across the state border (part 2 of Article 2 of the Law “On Border Control”).

At the border control, the documents of persons crossing the state border are checked, which allows the detection of forged and invalid documents of persons who use them for terrorist purposes, as well as the execution of mandates of authorized state bodies, which allows to detect the persons involved in terrorist activities including through making use of Interpol databases.

During the inspection of persons, vehicles and cargo, objects and materials,

weapons, narcotic drugs, psychotropic substances and precursors, ammunition, explosives, which can be used in the future to commit terrorist acts, are discovered.

During the execution of tasks, technical means of border control are used to check documents and inspect vehicles and cargo. To ensure Ukraine's implementation of the UN Security Council resolutions on the non-proliferation of weapons of mass destruction and preventing their use for terrorist purposes, the SBGSU counters the illegal movement of nuclear and radioactive substances and materials across the state border at checkpoints by using stationary systems and portable radiation detection devices.

The SBGSU manages and coordinates the activities of relevant law enforcement agencies, to provide protection for the state border of Ukraine and border crossing to and from the temporary occupied territories, as well as the activities of state bodies that exercise various types of control over crossing of Ukraine's state border and border crossing to or from the temporary occupied territories or participate in securing the state border, border regime and the regime at checkpoints across the state border of Ukraine and in the control of the entry-exit points.

Resolution of the Cabinet of Ministers No. 815 of July 17, 2019, approved the Procedure for entrance of persons, movements of goods to temporarily occupied territories in the Donetsk and Luhansk regions and departure of persons, movement of goods from such territories.

The Resolution "On Account of Persons who Move from the Temporarily Occupied Territory of Ukraine and the Joint Forces Operation Area" was adopted by the Cabinet of Ministers to create a unified information database of people, who move from the temporary occupied territory and the territory of the Joint Forces Operation.

1.4.3. Travel documents protection

Implementation of relevant international (e.g., ICAO/EU) standards in this field

The Unified State Demographic Register (USDR), the National System of Biometric Verification and Identification of Ukrainian Citizens, Foreigners and Stateless Persons, the Unified Information and Analytical System for the Management of Migration Processes were created by the State Migration Service (SMS) of Ukraine.

Since 2014, the processing of documents confirming the citizenship of Ukraine, certifying a person or his/her special status, including documents for entry and exit from Ukraine, which contain a contactless electronic medium and meet the requirements of ICAO, has been ensured using the means of the USDR.

The contactless electronic chip contains the biometric data of a person: digitized facial image, digitized fingerprints.

The State Enterprise "Polygraph Combine "Ukraine" for securities' production" ensured the participation of Ukraine in the Public Key Directory (DOC ICAO) regarding travel documents for entry and exit from Ukraine issued by means of the USDR.

Changes in institutional arrangements

On February 28, 2022, the Cabinet of Ministers of Ukraine adopted Resolution No. 170 “Some issues of entering information into the passport of a citizen of Ukraine for travelling abroad”, which approved the Temporary procedure for entering information into the passport of a citizen of Ukraine for travelling abroad, which provides for the possibility of extending the validity period of the passport of a citizen of Ukraine for travelling abroad by entering information about the extension of its validity, as well as entering information about the child in the passport for travelling abroad of the parents (one of the parents), another legal representative of the child. Documents for inclusion in the passport of a citizen of Ukraine for travelling abroad of the legal representative of information about the child are submitted by him/her to the territorial body/territorial unit of the SMS of Ukraine at the place of application.

According to the Resolution of the Cabinet of Ministers of Ukraine No. 248 of March 10, 2022, “Some issues of application of the eDocument during the period of martial law” in Ukraine, the eDocument was introduced. It is a document certifying an individual during the period of martial law, in the form of a display in electronic form of information that identifies a person and is contained in the passport of a citizen of Ukraine and/or in the passport of a citizen of Ukraine for travelling abroad, and/or in the driver’s license.

In 2021, the legislation of Ukraine underwent the changes regarding the procedure for issuance (including replacing a lost or stolen passport) and exchange of a passport of a citizen of Ukraine in the card form. Amended was the Resolution of the Cabinet of Ministers of Ukraine No. 302 of March 25, 2015, “On the approval of the sample form, technical description and procedures for issuance, exchanging, sending, withdrawal, return to the state, invalidation and destroy of the passport of a citizen of Ukraine”, which enables the following:

- to simplify the procedure for issuance a passport of a citizen of Ukraine and to provide an opportunity for citizens of Ukraine to obtain their passports in the card form at the place of application;

- to grant the right to receive the registration number of the taxpayer’s account card (hereinafter – RNTAC) for persons aged 14 to 18, simultaneously with the passport, for the first time, without the need to apply to the tax authority; to issue a passport and at the same time to be taken off the consular records in a foreign diplomatic institution, etc. When issuing a passport, instead of a document regarding RNTAC, a person can submit data about RNTAC, which are entered in the passport of a citizen of Ukraine or a birth certificate, including in electronic form (after the introduction of the technical possibility in the territorial body/territorial unit of the SMS to check the compliance of such data in the State Register of Individuals – Taxpayers);

- persons who apply for a passport for the first time after reaching the age of 18 and who do not have a birth certificate, may submit an extract from the State Register of Civil Status Acts of Citizens on the state registration of birth instead.

Besides, the Order of the Ministry of Internal Affairs of Ukraine No. 110 of February 9, 2022, “On the approval of the changes to the temporary procedures for the issuance of a passport of a citizen of Ukraine”, registered with the Ministry of Justice of Ukraine on February 11, 2022, under No. 191/37527, also introduced the “Changes to the temporary procedure for the registration and issuance of a passport of a citizen of Ukraine”, approved by the Order of the Ministry of Internal Affairs of Ukraine No. 456 of June 6, 2019, registered in the Ministry of Justice of Ukraine on June 14, 2019, under No. 620/33591, regarding the issuance of a passport of a citizen of Ukraine in the form of a booklet (Temporary Procedures). According to the Order, the documents for the issuance of a passport of a citizen of Ukraine of the 1994 model (including 3 photo cards for gluing) are submitted by the applicant to the territorial departments of the SMS of Ukraine at the place of application (paragraph 5 of Part I of the Temporary Procedures).

In addition, point 4 of Part V of the Temporary Procedures was supplemented by a new paragraph, according to which, in the case of a person’s submission a passport of a citizen of Ukraine, issued by a territorial body of the SMS of Ukraine), which has been ceased to operate or temporarily does not exercise its powers, the paper files of applications for the issuance of a passport of a citizen of Ukraine have not been preserved, and simultaneous submission by him/her of documents certifying identity and confirming citizenship of Ukraine, the registration of which was carried out using the means of the Unified State Demographic Register, or in relation to which the Departmental Information System of the SMS of Ukraine contains the information that allows identification of the person, pasting the photo card to the passport of a citizen of Ukraine is carried out by employees of the territorial department of the SMS of Ukraine on the day of application.

Following Part VIII, the Temporary Procedures were supplemented by a new Part IX regarding the peculiarities of entering information on the place of residence of persons in the temporarily occupied territories in the Donetsk and Luhansk regions, the Autonomous Republic of Crimea, and the city of Sevastopol.

In addition, the Procedures for the implementation of the experimental project regarding the simultaneous issuance (including replacing a lost or stolen one), exchange of a passport of a citizen of Ukraine and a passport of a citizen of Ukraine for travelling abroad, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 541 of May 7, 2022 (hereinafter – Procedures No. 541), the procedures for simultaneous issuance (including replacing a lost or stolen one), exchange of a passport of a citizen of Ukraine and a passport of a citizen of Ukraine for travelling abroad have been defined.

Documents for the simultaneous issuance of a passport of a citizen of Ukraine and a passport of a citizen of Ukraine for travelling abroad are submitted to the territorial department/territorial unit of the SMS of Ukraine, the centre for the provision of administrative services, the respective State Enterprise which is under authority of the SMS of Ukraine, or its separate division at the place of application (paragraph 3 of the Procedures No. 541).

In 2022, the Resolutions of the Cabinet of Ministers of Ukraine No. 228 of February 23, 2022, No. 411 of April 5, 2022, No. 456 of February 23, 2022, No. 1220 of October 28, 2022, introduced a number of amendments to the Resolution of the Cabinet of Ministers of Ukraine No. 152 of May 7, 2014, “On Approval of the Sample Form, Technical Description and Procedure for Issuing, Exchanging, Sending, Withdrawing, Returning to the State, Invalidating and Destroying a Passport of a Citizen of Ukraine for Travelling Abroad” (hereinafter - Procedure No. 152), which regulates:

- amendments to the passport form for travelling abroad were approved;
- the procedure for issuing a passport for travelling abroad when ensuring the organisation of sending persons from the defence and security forces affected by the military aggression of the Russian Federation against Ukraine for treatment abroad is determined;
- amendments were introduced following the adoption of the Law of Ukraine “On Electronic Communications”;
- the procedure to determine a territorial body/territorial subdivision of the SMS of Ukraine to which the application form and scanned documents (including biometric data, parameters) are transferred using the Register’s tools, other than the territorial body/territorial subdivision of the SMS of Ukraine serving the relevant authorised entity that receives documents from the applicant or directly received documents from the applicant, was regulated;
- regarding the designation of one of the parents (adoptive parents), guardians, trustees who submits documents for obtaining a passport for travelling abroad (except in the case of submission of documents by a representative of a childcare institution or a foster carer) in a written application of another person (another parent, guardian, trustee, adult son or daughter, siblings (full and half), brother, grandparents) for obtaining a passport for travelling abroad, in whose name it was issued;
- the procedure for sending a personalised passport form for travelling abroad to another territorial body/territorial subdivision of the SMS of Ukraine designated for organising its issuance, if the decision to issue a passport for travelling abroad was made by a territorial body/territorial subdivision of the SMS of Ukraine that has ceased to operate or temporarily does not exercise its powers, has been regulated, as well as sending a personalised passport form for travelling abroad if the decision to issue a passport for travelling abroad was made by a foreign diplomatic institution that has ceased to operate or temporarily does not exercise its powers, to another foreign diplomatic institution designated by the Ministry of Foreign Affairs for the purpose of issuing it;
- the issue of verification during the issuance procedure of a passport for travelling abroad to a person based on an application form submitted by him/her in person, in the absence of technical capability to conduct an automated comparison (by visual comparison of data (parameters), including biometric data, of a person with his/her identity documents or information contained in the Register) was regulated;

- a visit of an employee of a territorial body/territorial subdivision of the SMS, an authorised entity to organise the issuance of a passport for travelling abroad at the place of residence or undergoing treatment to a person who cannot move independently due to a long-term health disorder and who needs urgent treatment abroad, or a person for whom there is a conclusion on the need to send a person from the defence or security forces affected by the military aggression of the Russian Federation against Ukraine for treatment abroad.
- issuing a passport for travelling abroad to a person authorised by a legal representative, issued in the name of a person under the age of 12 and a person aged 12 to 16, on the basis of a power of attorney certified in accordance with the established procedure;
- the period of validity of a passport for travelling abroad is determined (two years from the date of its issuance, the period of martial law in Ukraine or quarantine established in Ukraine by the Cabinet of Ministers of Ukraine is not included in the mentioned period. At the written request of the applicant, the period of storage of a passport for travelling abroad may be extended up to three years from the date of its issuance);
- the peculiarities of issuing a passport for travelling abroad during martial law or quarantine (in particular, it provides for the possibility for an applicant to apply to a territorial body/territorial subdivision of the SMS of Ukraine, a foreign diplomatic mission or a separate subdivision (branch, representative office) of a state enterprise belonging to the SMS located outside Ukraine with a written application submitted in person in any form (including when submitting documents for issuing a passport for travelling abroad).

In addition, starting from March 1, 2022, the Temporary procedure for entering information into the passport of a citizen of Ukraine for travel abroad, which defines the procedure for entering information about the extension of its validity into the passport for travel abroad actions, as well as to the passport for traveling abroad of the parents (one of the parents), the other legal representative of the child, information about the child, has been put into effect. It was done in accordance with Article 64 of the Constitution of Ukraine, Articles 12-1, 20 of the Law of Ukraine “On the Legal Regime of Martial Law”, Decree of the President of Ukraine No. 64 of February 24, 2022, “On the Introduction of Martial Law in Ukraine”, the Resolution of the Cabinet of Ministers of Ukraine No. 170 of February 28, 2022, “Some issues of entering information into the passport of a citizen of Ukraine for travel abroad”.

**Introduction of electronic passport (ePassport)
and/or national ID card systems**

By signing the Association Agreement with the European Union and its Member States on March 21, 2014, Ukraine undertook obligations, among the others, to ensure the gradual adaptation of its legislation to the EU acquis in accordance with the directions defined in this Agreement and to ensure its effective implementation, to bring its legislation and practice closer to the principles of the EU acquis.

With the adoption of the Law of Ukraine No. 1474-VIII of July 14, 2016, “On amendments to certain legislative acts of Ukraine regarding documents confirming the citizenship of Ukraine, certifying a person or special status, aimed at the liberalization of the visa regime for Ukraine by the European Union” (effective October 1, 2016), which amended the Law of Ukraine “On the Unified State Demographic Register and documents confirming the citizenship of Ukraine, certifying a person or special status” (hereinafter – the Law No. 1474-VIII), the Verkhovna Rada of Ukraine settled the issue of types and forms of documents with implanted contactless electronic chip and without it, the procedures for registration and issuance of these documents, the procedures for identification and verification a person and maintenance of the USDR.

In accordance with Article 15 of the Law No. 1474-VIII, document forms containing contactless electronic chip are produced in accordance with the requirements of the ICAO and must have a degree of protection that makes it impossible to be forged.

In addition, according to paragraph 3 of the Procedures for obtaining, removing from the USDR, and destroying digitized fingerprints of a person, approved by Resolution of the Cabinet of Ministers of Ukraine No. 669 of November 26, 2014 (as amended by Resolution of the Cabinet of Ministers of Ukraine No. 628 of August 18, 2017), digitized fingerprints of a person’s index fingers are entered into the Register.

Digitized fingerprints of a person’s hands are not taken until he/she reaches the age of 12 and in case the person does not have all the fingers of his hands, which is indicated in the application-questionnaire for entering information into the Register.

Resolution of the Cabinet of Ministers of Ukraine No. 302 of March 25, 2015 (with amendments) approved a sample form, technical description, and Procedures for registration, issuance, exchange, sending, withdrawal, return to the state, invalidation and destroying a passport of a citizen of Ukraine.

Resolution of the Cabinet of Ministers of Ukraine No. 152 of May 7, 2014 (with amendments) approved a sample form, technical description, and procedures for registration, issuance, exchange, sending, withdrawal, returning to the state, invalidation and destroying a passport of a citizen of Ukraine for travelling abroad.

A new sample passport of a Ukrainian citizen for travelling abroad, which contains a contactless electronic information chip, has also been introduced as a part of the liberalization of the EU visa regime for Ukraine in 2015.

In accordance with the requirements of the current legislation, the documents of the previous types, which have been issued before the introduction of the passport of a citizen of Ukraine for travelling abroad with a contactless electronic chip, are valid during the whole validity term.

Given that the issuance of passports of Ukrainian citizens for travelling abroad that do not contain a contactless electronic chip has been suspended in Ukraine since November 2016, the expiration of all such passports will take place at the end of 2026.

After the passport of a citizen of Ukraine for travelling abroad is issued to a person, its previous passport for travelling abroad, the validity of which has expired, is withdrawn, cancelled, declared invalid and destroyed.

A passport of a citizen of Ukraine for travelling abroad is issued for four years to persons who have not reached the age of sixteen, and for 10 years to persons who have reached the age of sixteen and older.

In accordance with the mentioned legal acts, the passport of a citizen of Ukraine for travelling abroad and the passport of a citizen of Ukraine in the card form are issued given the requirements of the ICAO Doc 9303.

The passport of a citizen of Ukraine in the card form with a contactless electronic chip is recognized by many foreign countries. As fixed in the signed international treaties, such recognition allows the citizens of Ukraine to enter other countries without the additional presentation of a passport of a citizen of Ukraine for travelling abroad (e.g., Türkiye, Georgia).

Since 2018, in compliance with the requirements of the Law of Ukraine “On the Unified State Demographic Register and documents confirming citizenship of Ukraine, certifying person’s identity or special status” the SMS of Ukraine has been issuing the temporary residence permits and permanent residence permits in the form of a plastic ID-1 card with contactless electronic chip.

The information specified on the frontside and backside of the ID, biometric data, personal parameters (digitized facial image, digitized signature of the person) is downloaded to the contactless electronic chip, as well as data on ensuring the protection of the downloaded information according with the requirements of the Law of Ukraine “On the Unified State Demographic Register and documents confirming citizenship of Ukraine, certifying person’s identity or special status”.

Temporary and permanent residence permits issued by means of the Unified State Demographic Register provide a more reliable degree of protection against third-party interference, damage or loss of information compared to paper documents.

**Reporting of lost and stolen travel documents
to Interpol’s Database on Lost and Stolen Travel Documents (SLTD)**

In accordance with paragraph 90 of the Procedures on issuance, exchange, sending, withdrawal, return to the state, invalidation and destroy of a passport of a citizen of Ukraine for travelling abroad, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 152 of May 7, 2014, in case of recognition of the passport of a citizen of Ukraine for travelling abroad as invalid in accordance with paragraph 89 of this Procedures, the territorial department/territorial unit of the SMS of Ukraine, the foreign diplomatic institution, in accordance with the procedures established by law, reports about that the Working staff of Ukrburo Interpol within one day.

At the same time, paragraph 89 of the specified Procedures contains a complete list of circumstances under which the passport of a citizen of Ukraine for travelling abroad is recognized as invalid, must be withdrawn, cancelled, and destroyed.

Therefore, the provision of information to territorial departments/territorial units of the SMS by a foreign diplomatic institution is carried out exclusively in the event that the passport for travelling abroad is recognized as invalid in accordance with paragraph 89 of this Procedures (that is, when the passport for travelling abroad is declared as lost or stolen, as well as in the case of issuance of a passport for travelling abroad in violation of the requirements of the law).

International co-operation/technical assistance activities

On January 27, 2022, the representative of the SMS of Ukraine participated in the conference organized by the EMN of Estonia on the topic “Rethinking migration. Solving the need for innovations in the field of migration and asylum”. During the event the attendees were informed about the participation of the State Migration Service of Ukraine in important digital transformation projects related to the migration field.

On August 2, 2022, Administrative agreements on the establishment of administrative cooperation between the European Commission and the SMS of Ukraine in the EMN were signed while granting Ukraine the EMN observer status.

1.4.4. Container and supply chain security

Container transportation in the Armed Forces of Ukraine is organized given the measures related to preventing and combating terrorism in accordance with the Law of Ukraine “On Combating Terrorism” No. 638-IU of March 20, 2003, Decrees of the President of Ukraine “On the Concept of Combating Terrorism in Ukraine” No. 53/2019 of March 5, 2019, and “On Measures to Support Combating Terrorism in Ukraine” No. 388/2012 of May 25, 2012.

The border control of the containers is conducted by the State Border Guard Service of Ukraine in cooperation with the other controlling agencies using trained dogs and special equipment to detect weapons, explosives, materials, and items that are prohibited from being transported across the border.

1.4.5. Security of radioactive sources

Russia’s war of aggression against Ukraine constitutes a significant threat for nuclear objects in Ukraine. Ukraine is a country with a significant concentration of objects in the field of nuclear energy use: 15 nuclear power reactors and 2 research reactors, a large amount of fresh and spent nuclear fuel (13 reactors of VVER-1000, 2 reactors of VVER-440, the destroyed power unit 4 of the Chernobyl NPP, spent fuel of power units of the Chornobyl NPP, a large amount of radioactive waste generated as a result of the accident at unit 4 of the Chernobyl NPP, sources of ionizing radiation are used in industry, medicine, geological exploration and scientific research. The use of sources is also related to the generation of radioactive waste. Transit and interstate transportation of fresh and spent nuclear fuel are carried out on the territory of Ukraine.

State entities that manage and regulate the use of nuclear energy are: Ministry of Energy of Ukraine; State Inspection of Nuclear Regulation of Ukraine; National Academy of Sciences of Ukraine, State Environmental Inspection of Ukraine, State Emergency Service of Ukraine. State law enforcement bodies and special purpose bodies: Security Service of Ukraine, Ministry of Internal Affairs of Ukraine, State

Border Guard Service of Ukraine, State Customs Service of Ukraine, Foreign Intelligence Service of Ukraine; National Police and National Guard of Ukraine.

Operating organizations and other licensees: National Nuclear Power Generating Company “Energoatom”, Separate divisions “South Ukrainian NPP”, “Zaporizhzhia NPP”, “Khmelnitsky NPP”, “Rivne NPP”, State Specialized Enterprise “Chernobyl NPP”, Nuclear Research Institute of the National Academy of Sciences of Ukraine, National Scientific Centre “Kharkiv Physical and Technical Institute” of the National Academy of Sciences of Ukraine, State Concern “Nuclear Fuel”, State Specialized Enterprise “Radon Association” and its interregional branches: Dnipro, Kyiv, Lviv, Odesa, Kharkiv branch, State Specialized Enterprise “Complex”, Ukrainian State Production Enterprise “Izotop”, medical institutions using sources of ionizing radiation (up to 60 regional oncological institutions and centres of radiation medicine), objects of industry, construction, coal and uranium mines, etc.

In 2020, the Guideline on the Procedure for Organizing Radiation Safety in the Armed Forces of Ukraine (VKDP 10-153 (03).01) was developed, considering the principles and provisions of CBRN protection used in the Armed Forces of NATO Member States, and approved by the order of the Support Forces Commander of the Armed Forces of Ukraine of December 1, 2020. No changes were made in 2021-2023.

There are no nuclear, chemical, or biological weapons in service or storage in the Armed Forces of Ukraine.

At the same time, the special weapons and equipment of the Armed Forces of Ukraine include ionizing radiation sources (hereinafter referred to as IRS), the operation and storage of which is organized in accordance with the requirements of the Radiation Safety Standards of Ukraine (RSSU 6.6.1-6.5.001-97) and the State Sanitary Rules (SSR 6.074.120-05).

Besides, the Armed Forces of Ukraine maintain a radioactive waste disposal site (hereinafter referred to as the repository) located on the territory of A1807 military unit (Deliatyn urban-type settlement, Ivano-Frankivsk oblast).

The Ministry of Defence of Ukraine is tasked with ensuring safe operation and guaranteed physical protection of IRS and the repository.

The interaction with representatives of governmental and commercial organizations of partner countries to enhance the capabilities of the Armed Forces of Ukraine in terms of implementing CBR protection tasks and measures is going on. Measures are being taken to plan and conduct CBR specialists training outside Ukraine, including mastering of foreign weapons and CBR equipment that have already been received or will be received in the future by the CBR units of the Armed Forces of Ukraine as international technical assistance. Consultations with partners on the cooperation in the field of CBR protection are underway.

Strategy development

The State Agency of Ukraine on Exclusion Zone management on a regular basis participates in the meetings of the Working Group of the G7 Initiative

“Global Partnership against the Proliferation of Weapons of Mass Destruction”, is also an active participant in the International Nuclear Safety Program (INSP).

In the framework of mentioned programs and initiatives, several projects are being implemented in the SAUEZM on countering nuclear terrorism and preventing the proliferation of weapons of mass destruction, namely:

- the project on strengthening the physical protection of radioactive waste and other facilities, transportation management;
- development of the state system for radioactive waste management. Assistance to the European Commission on the development of a modern infrastructure for RW management (containers, storage facilities, radioactive waste processing facilities) and supporting the institutional development of organizations responsible for managing radioactive waste. Technical assistance is provided in accordance with the Annual Action Program of the European Commission in the framework of the Instrument for Nuclear Safety Cooperation. Except for the European Union, assistance in the development of the state system for radioactive waste management is provided by the International Atomic Energy Agency (IAEA).

State Nuclear Regulatory Inspectorate of Ukraine (SNRIU)

The SNRIU participates in permitting activities in the field of nuclear energy use in the production and use of ionizing radiation sources (IRS). It carries out its mandate in the manner prescribed by law licensing of activities for the use and production of ionizing radiation sources. The body conducts IRS safety assessment and state radiation safety examination IRS in accordance with the Law of Ukraine “On Permitting Activities in the Sphere of Nuclear Energy Use”. The SNRIU also carries out a national supervision over compliance with legislation, conditions of issued permits, norms and rules on nuclear and radiation safety on issues in accordance with the resolution of the Cabinet of Ministers of Ukraine “On approval of the Procedure for state supervision over compliance with nuclear requirements and radiation safety” № 824 of November 13, 2013.

In case of detection of illicit trafficking of radioactive materials, the SNRIU provides information and expert support to law enforcement agencies of Ukraine, reports to the IAEA under the ITDB program (IAEA Database on Incidents and Illicit Trafficking in Radioactive Materials).

1.4.6. Use of the Internet and other information networks for terrorist purposes

The use of the Internet and other information resources for terrorist purposes is a criminal offence (XVI Section of the Criminal Code of Ukraine “Crimes in the use of electronic computing machines (computers), systems, computer networks and telecommunication networks”). In the Armed Forces of Ukraine Internet and other information networks are used by relevant officials for service purposes.

The Security Service of Ukraine, within the scope of its competence, carries out a set of measures for detection and prevention of illegal activities aimed at the use of the national segment of the Internet and other information networks for

terrorist purposes. The practice of discontinuing web pages that contain terrorist calls is developing and improving.

To identify signs of terrorist activity using the Internet and other information resources, constant monitoring of the media space and informing of interested subjects is ensured.

The Administration of the State Service of Special Communications and Information Protection of Ukraine (SSSCIP) is mandated, inter alia, to ensure the implementation of an information security audit system at country's critical infrastructure facilities, the establishment of requirements for information security auditors, their certification (re-certification), etc.

To fulfil its tasks the Administration of the SSSCIP over the reported period elaborated the following regulatory document drafts:

- as Resolutions of the Cabinet of Ministers of Ukraine: "Some issues of conducting an independent audit of information security at critical infrastructure facilities"; "On approval of the Procedure for instrumental control of software and hardware for the presence of undocumented functions".
- as Orders of the Administration of the SSSCIP: "Requirements for Information Security Auditors of Critical Infrastructure Objects"; "Procedure for certification (re-certification) of Information Security Auditors of Critical Infrastructure Facilities".

Cooperation with academic, civil and private sector on cyber security

In 2022, the scientists of the Academy of the Foreign Intelligence Service of Ukraine participated in several international and Ukrainian theoretical and practical conferences and round tables devoted to cybersecurity.

Due to large-scale cyber-attacks on the official websites, information and telecommunication systems, governmental structures, critical infrastructure, and private sector in Ukraine in 2022, a set of measures were held to protect the confidential and military information database and to prevent its leaks, namely:

- workstations to access the Internet through a separate telecommunications network were installed in the structural units of the State Border Guard Service;
- the complex of technical and organizational measures is being implemented to prevent leakage of confidential information from departmental information and telecommunication networks;
- enhancing the control over compliance with security policies during the work with electronic mailboxes, periodic inspections of all workstations for malware software to block the work of undocumented flash media and portable personal computers;
- around the clock organized measures trying to identify cyber-attacks on departmental information and telecommunications networks and monitoring for malware software.

1.4.7. Legal cooperation including extradition

According to the European Convention on Extradition¹, Convention on the Transfer of Sentenced Persons², the European Convention on the Transfer of Proceedings in Criminal Matters³, the European Convention on Mutual Assistance in Criminal Matters⁴ and Article 44 of the Criminal Procedure Code (CPC) of Ukraine, the state provides judicial cooperation, in particular, extradition under international legal norms and national legislation aimed at the prevention and suppression of terrorism by investigating crimes committed in Ukraine.

According to Art. 574 of the CPC of Ukraine, the central body of Ukraine for extradition, unless otherwise provided by the international treaty of Ukraine, is the Prosecutor General's Office of Ukraine and the Ministry of Justice of Ukraine.

The Prosecutor General's Office of Ukraine is the central body for extraditing the person (extradition) of suspects charged with criminal proceedings during the pre-trial investigation. The Ministry of Justice of Ukraine is the central authority for extradition of persons (extradition) of defendants convicted in criminal proceedings during a court proceeding or sentence.

1.4.8. Safe havens and shelter to terrorists and terrorist organisations

Correlation of asylum and extradition in terrorism cases (is refugee status revoked when crimes, such as terrorism, committed by the refugee prior to asylum application, become known to the authorities?)

The provision of protection in Ukraine, as well as the order and procedure for consideration of applications for recognition as a refugee or a person in need of subsidiary protection, are regulated by the Law of Ukraine "On refugees and persons in need of subsidiary or temporary protection" (hereinafter – the Law on refugees) and the Rules of Application's Consideration and Processing documents necessary to resolve the issues of recognition as a refugee or a person in need of subsidiary protection, loss and deprivation of the status of a refugee and subsidiary protection and cancellation of the decision on recognition of a person as a refugee or a person in need of subsidiary protection, approved by the Order of the Ministry of Internal Affairs of Ukraine No. 649 of September 7, 2011, registered with the Ministry of Justice of Ukraine on October 5, 2011, under No. 1146/19884 (hereinafter – the Rules).

In accordance with Article 5 of the Law on refugees, a person who has arrived in Ukraine with the intention of obtaining protection must apply to the central executive authority that implements state policy in the field of refugees and persons in need of subsidiary or temporary protection with a corresponding application.

According to Part II of the Rules, the decision to accept an application for recognition as a refugee or a person in need of subsidiary protection is within the competence of the relevant territorial body of the SMS of Ukraine.

¹ of 12/13/1957

² of 03/21/1983

³ of 12/29/1995

⁴ of 04/20/1959

The criteria for obtaining protection in Ukraine are the presence of well-founded fears in the event of returning to the country of nationality, namely:

- to become a victim of persecution on one or more grounds (race, religion, nationality, citizenship (nationality), belonging to a certain social group or political beliefs) specified in the 1951 Convention Relating to the Status of Refugees and in paragraph 1 of the Part one of the Article 1 of the Law on Refugees (condition for recognition as a refugee);

- suffer serious damage related to the conditions specified in Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Directive 2011/95/EU and paragraph 13 of the first part of Article 1 of the Law on Refugees (a condition for recognition as a person in need of subsidiary protection).

At the same time, Article 6 of the Law on Refugees defines the conditions under which a person is not recognized as a refugee or a person in need of subsidiary protection:

- who committed a crime against peace, a war crime or a crime against humankind and humanity, as defined in international law;

- who committed a crime of a non-political nature outside of Ukraine before arriving in Ukraine in order to be recognized as a refugee or a person in need of subsidiary protection, if such an act, according to the Criminal Code of Ukraine, is a serious or particularly serious crime;

- who is guilty of committing actions that contradict the purpose and principles of the United Nations;

- in relation to which it was established that the conditions provided for in paragraph 1 or 13 of the Part one of the Article 1 of this Law on Refugees are absent;

- who, before arriving in Ukraine, was recognized in another country as a refugee or a person in need of subsidiary protection;

- who, before arriving in Ukraine with the intention of being recognized as a refugee or a person in need of subsidiary protection, was in a third safe country. This paragraph does not apply to children separated from their families, as well as to persons who were born or permanently resided on the territory of Ukraine, as well as their descendants (children, grandchildren).

In addition, according to paragraph 5 of Article 11 of the Law on Refugees, a person is deprived of refugee status or subsidiary protection if he/she is engaged in activities that pose a threat to national security, public order, and the health of the population of Ukraine. Petition of the Security Service of Ukraine or another state authority may be the basis for submitting a request to the central executive body that implements state policy in the field of refugees and persons in need of subsidiary or temporary protection to revoke the status of a refugee or additional protection.

Prevention of violent extremism and radicalization that lead to terrorism
Public-private partnerships (PPPs) in countering terrorism

The Law of Ukraine “On Combating Terrorism”:

Chapter II Organizational fundamentals of fighting terrorism.

Article 4. Other central and local bodies of executive power, local self-government bodies, enterprises, institutions, organizations, regardless of subordination and form of ownership, their officials may be involved in counterterrorism operations by decision of the management of the counterterrorism operation in compliance with the requirements of this Law, as well as citizens with their consent.

The Counterterrorism Centre under the Security Service of Ukraine (SSU) coordinates the activities of entities involved in the fight against terrorism.

The activities to fulfil the tasks assigned to the Counterterrorism Centre under the Security Service of Ukraine are organized by its headquarters.

Coordination groups at regional bodies of the SSU include heads of Service regional bodies, territorial bodies of the National Police, regional bodies and territorial divisions of the State Service for Special Communications and Information Protection of Ukraine, relevant bodies for emergency situations and civil protection of the population of the Autonomous Republic of Crimea, regional, Kyiv, Sevastopol city state administrations, in the regions where the state border protection bodies are stationed, units of the Department of the State Protection of Ukraine - their leaders, as well as representatives of other local executive bodies, enterprises, institutions, organizations.

Critical energy infrastructure protection from terrorist attack

By Resolution № 1109 of the Cabinet of Ministers of Ukraine dated October 9, 2020, “Some issues of critical infrastructure facilities”, the Ministry of Energy (MoE) of Ukraine is defined as the authorized body of state power responsible for the fuel and energy sector of critical infrastructure.

The Order of the MoE of Ukraine of September 7, 2022, adopted the List of critical infrastructure objects of the fuel and energy sector of critical infrastructure.

In its activities, the MoE of Ukraine actively cooperates with the SSU Cyber Security Situation Centre, the Department of Counterintelligence Protection of the State’s Interests in Information Security of the SSU, the National Coordination Centre for Cyber Security under the National Security and Defense Council of Ukraine, relevant units of the State Service of Special communication and information protection of Ukraine when solving issues of timely detection and response to facts or signs of illegal actions regarding information circulating in the MoE’s ICS, in accordance with the requirements of Ukrainian legislation in the field of information protection and cyber security.

To ensure the protection of information in the ICS and improve the efficiency of interaction, the MoE of Ukraine is connected to the system of data exchange about cyber-attacks based on the Malware Information Sharing Platform & Threat Sharing “Ukrainian Advantage” (MISP-UA) software platform of the Security Service of Ukraine. On June 7, 2021, the MoE of Ukraine signed an agreement with the State Centre for Cyber Protection of the State Service of Special Communications and Information Protection of Ukraine regarding the provision of cyber protection and response to cyber security incidents of electronic information

resources. On December 30, 2021, the MoE of Ukraine also signed with the private joint-stock company “National Energy Company “Ukrenergo” a Memorandum on interaction in the field of cyber security and cyber protection.

In 2022, the MoE of Ukraine developed draft orders “On Requirements for Cybersecurity of the Fuel and Energy Sector of Critical Infrastructure” and “On approval of the procedure for reviewing the state of cyber security of the fuel and energy sector of critical infrastructure” that are currently undergoing an internal approval procedure.

2. Stationing of armed forces on foreign territory

2.1. Provide information on stationing of your State’s armed forces on the territory of other participating States in accordance with freely negotiated agreements as well as in accordance with international law

Decision on sending troops of the Armed Forces of Ukraine to other States is taken by the President of Ukraine with simultaneous submission of the draft law on the approval of such decision to the Verkhovna Rada of Ukraine.

National Guard of Ukraine

In accordance with the Regulations on the main bodies of the military administration of the National Guard of Ukraine (NGU), approved by the Decree of the President of Ukraine No. 346/2014 of March 28, 2014, the Main Directorate of the NGU organizes and implements measures to participate in international operations to maintain peace and security on the virtue of international treaties ratified by the Verkhovna Rada of Ukraine.

In March 2022, 10 servicemen of the Armed Forces of Ukraine (military observers) were withdrawn from the Joint Peacekeeping Forces in the security zone of the Transnistrian region of the Republic of Moldova in accordance with the Decree of the President of Ukraine № 114/2022 of March 7, 2022, “On the withdrawal of national contingents and national personnel participating in international peace-keeping operations”.

As of April 2023, units (service members) of the Armed Forces of Ukraine are not stationed on the territory of other participating states.

3. Implementation of other international commitments related to the Code of Conduct

3.1. Provide information on how your State ensures that commitments in the field of arms control, disarmament, and confidence- and security-building as an element of indivisible security is implemented in good faith

Despite the conditions of martial law in Ukraine created by the Russia’s war of aggression against the country, Ukraine continues to participate in major activities aimed at fulfilling its arms control, disarmament and confidence and security building measures to the extent that the situation allows. Since the declaration of independence of Ukraine strictly adheres to all its obligations under international treaties and agreements in the field of arms control, disarmament, confidence and security building.

For example, to improve the logistics of international technical assistance to the Armed Forces of Ukraine, the NATO LOGFAS programme and Korovaj software have been introduced, which has significantly increased the awareness of partner countries about the real needs for weapons and military equipment, raised the level of openness and transparency of the Armed Forces of Ukraine to partners, as well as improved the monitoring system by donor states.

As an active participant of international processes aimed at strengthening the European security system, Ukraine will continue to fulfil its obligations under the said treaties and agreements to counter modern threats and challenges.

According to the National Security Strategy of Ukraine and the Military Doctrine of Ukraine, the priorities and directions of the national security policy under new conditions have been determined. One of the conditions of its implementation is the execution of international treaties of Ukraine in the field of arms control, disarmament and confidence and security building.

As an OSCE participating State, Ukraine is actively engaged in the Organization's major events in the sphere of armament, disarmament and confidence and security building. According to the Law of Ukraine "On the Defence of Ukraine" the Armed Forces of Ukraine are tasked to implement international treaties, agreements, and regulatory acts in the field of arms control, disarmament and confidence and security building.

Until the beginning of Russian Federation's large scale military aggression against Ukraine on February 24, 2022, Ukraine implemented in full and in good faith all its obligations in the framework of the following international instruments:

- Treaty on Conventional Armed Forces in Europe⁵;
- Vienna Document 2011 on Confidence and Security Building Measures signed on November 30, 2011 (Vienna Document 2011);
- Open Skies Treaty⁶;
- Convention on prohibition of the development, manufacture, stockpiling and use of chemical weapons as well as its destruction⁷;
- Bilateral intergovernmental agreements with neighbouring States on additional confidence and security building measures (with the Slovak Republic⁸, Hungary⁹, the Republic of Belarus¹⁰, the Republic of Poland¹¹, and Romania¹²).
- The Treaty on Conventional Forces in Europe and Vienna Document 2011 on Confidence and Security Building Measures is one of the most powerful tools for the conventional arms control at the regional and subregional levels.

⁵ Ratified by the Resolution of the Verkhovna Rada of Ukraine No 2526-XII as of July 01, 1992.

⁶ Ratified by the Law of Ukraine No 1509-III as of March 02, 2000.

⁷ Ratified by the Resolution of the Verkhovna Rada of Ukraine No 178-XIV as of October 16, 1998.

⁸ Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 237 as of March 14, 2001.

⁹ Ratified by the Law of Ukraine No 2946-III as of January 10, 2002.

¹⁰ Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 323 as of March 13, 2002.

¹¹ Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 1171 as of September 08, 2004.

¹² Ratified by the Law of Ukraine No 303-IV as of April 08, 2015.

- Bilateral intergovernmental agreements with neighbouring States on additional confidence and security building measures are important tools of confidence and security building in areas bordering on Ukraine.

3.2. Provide information on how your State pursues arms control, disarmament and confidence and security-building measures with a view to enhancing security and stability in the OSCE area.

In 2022, due to the Russia Federation's large scale military intervention against Ukraine, no control measures were taken in Ukraine or abroad.

Despite the invasion, Ukraine has not stopped fulfilling its obligations in the field of arms control, disarmament and confidence and security building, but has significantly limited its arms control activities.

Currently, given the active hostilities on the territory of Ukraine and the constant bombardment by the Russian Federation of not only military facilities, but also peaceful cities and civilian objects in Ukraine, our State is unable to ensure the safety of life and health of representatives of the states-parties to international treaties and agreements in the field of conventional arms control in the event of practical activities on the territory of Ukraine.

SECTION II: INTRA-STATE ELEMENTS

2.1. National planning and decision-making process

2.1.1. What is the national planning and decision-making process in determining/approving military posture and defence expenditures in your State?

The defence planning process in Ukraine is regulated by the Law of Ukraine "On National Security of Ukraine" and is implemented through a comprehensive approach to national security and defence planning with democratic civilian control over the components of the security and defence sector of the state.

The purpose of national security and defence planning is to ensure the implementation of public policy in this area by elaborating strategies, concepts, programmes and plans for the development of the national security and defence sector, management of resources and their effective distribution.

National security and defence planning is based on the best practices of NATO Member States and adheres to the following principles:

- fulfilment of the provisions of national legislation and international commitments of Ukraine;
- democratic civilian control over the security and defence sector, openness of information on national policy, strategic documents, goals, priorities and planning tasks, transparency and accountability of resources;
- integrity, coordination and systematic planning in the security and defence sector, given the priorities and limitations set by state programmes, plans and forecast documents;
- timeliness and compliance with the decision made on the protection of Ukraine's national interests;
- sufficient flexibility to respond to rapidly changing circumstances.

In the Ministry of Defence of Ukraine and the Armed Forces of Ukraine, defence planning is carried out in accordance with the processes related to the national security of the state to implement the national defence policy by developing capabilities to meet the country's defence requirements, comply with strategies, concepts, programmes and plans, and respond to real and potential military threats within the financial and economic capabilities of the state.

National security and defence planning is divided into long-term, medium-term and short-term.

Long-term planning documents include the National Security Strategy of Ukraine, the Military Security Strategy of Ukraine, the Public Security and Civil Protection Strategy of Ukraine, the Strategy for the Development of the Defence Industry of Ukraine, the Cyber Security Strategy of Ukraine, and the National Intelligence Programme.

Medium-term planning documents include other strategic documents, programmes for the development of the security and defence sector components, in particular provision with modern weapons and military equipment, creation of necessary material reserves and required capacities of the defence industry, as well as implementation of other measures to enhance national defence capacity.

Short-term planning involves the annual development of plans on sustainment and development (activities) of the security and defence sector components, key indicators for the procurement of defence goods, works and services under closed framework (for a three-year period), which define tasks for the implementation of long-term and medium-term planning documents.

The main long-term planning document defining the key areas of the public policy related to national security is the National Security Strategy of Ukraine.

The National Security Strategy of Ukraine is the basis for the preparation of all other national security and defence planning documents.

The National Security Strategy of Ukraine is implemented on the basis of the national defence, security, economic and intellectual potential, using public-private partnership mechanisms, as well as involving international advisory, financial, material and technical assistance.

According to the decision of the National Security and Defence Council of Ukraine, enacted by a decree of the President of Ukraine, a comprehensive review of the security and defence sector is conducted.

A comprehensive review of the security and defence sector includes: defence review, public security and civil protection review, defence industry review, Ukraine's intelligence agencies review, national counterterrorism system review, state information resources and critical information infrastructure cyber security review.

A comprehensive review of the security and defence sector is conducted in accordance with the National Security Strategy of Ukraine and other long-term planning documents.

After approval of the National Security Strategy of Ukraine and given the results of the defence review, the Ministry of Defence of Ukraine develops the

Military Security Strategy of Ukraine and a number of other sectoral strategies for the implementation of public policy on national security and defence, in accordance with the decision of the National Security and Defence Council of Ukraine, enacted by a decree of the President of Ukraine.

The Military Security Strategy of Ukraine is the basis for the development of the Strategic Defence Bulletin of Ukraine, programme documents on defence and defence forces development, development of weapons and military equipment, operational plans and plans for the use of defence capabilities.

The Ministry of Defence of Ukraine is the main body within the central executive authority's system ensuring the formation and implementation of public policy on national security in the military and defence development sectors both in peacetime and in times of emergency.

The General Staff of the Armed Forces of Ukraine is assigned to serve as the primary authority for military planning of national defence, strategic planning for the use of the Armed Forces of Ukraine and certain assets of other defence components, coordination and control over the implementation of defence requirements by executive authorities, local governments and defence forces within the laws of Ukraine and legal acts of the President of Ukraine and the Cabinet of Ministers of Ukraine.

In the Armed Forces of Ukraine, the defence planning process is regulated by the order of the Ministry of Defence of Ukraine No. 484 of December 22, 2020, "On Approval of the Procedure for Organizing and Conducting Defence Planning in the Ministry of Defence of Ukraine, the Armed Forces of Ukraine and Other Components of Defence" and supplement Doctrines and Standards.

Defence planning establishes a link between the processes of capability development of the Armed Forces of Ukraine and resource management through capability planning, capability development programming, budgeting and resource management, implementation of programmes and plans.

Capability planning is to determine the main directions of implementation of Ukraine's military policy, strategic development goals and the expected results of their achievement, including current military-political threats and challenges.

Capability development programming consists in detailing tasks and events aimed at achieving the goals and expected results of the development of the defence forces components and includes the development of the State Targeted Defence Programme, a set of programmes (projects) for the development of the Armed Forces' capabilities, programmes, and projects for the development of capabilities within Services, as well as individual components of the Armed Forces in the medium term.

Budgeting and resource management is aimed at ensuring the fulfilment of the tasks of implementing the state policy in the field of defence in the short term, considering the procedures and terms of the budget process in Ukraine and involves the development of plans (indicative plans) for maintenance and development and the state defence order (defence procurement) in the short term.

During 2022, measures were taken to implement the provisions of the

Procedure for the Organization and Implementation of Defence Planning in the Ministry of Defence of Ukraine, the Armed Forces of Ukraine and other components of the defence forces regarding the improvement of defence planning processes that were formed on the basis of the threat-oriented capability-based planning method and its further implementation in the vital activities of military authorities (troops (forces)). Activities to implement the principles of internal control and risk management in the overall defence planning system continued.

Euro-Atlantic principles and approaches to budget planning were introduced into the budget policy for national defence. In accordance with the provisions of the Law of Ukraine “On National Security of Ukraine”, the number of expenditures for financing the security and defence sector are meant to reach at least 5% of the planned volume of gross domestic product, of which at least 3% are planned for financing the Defence Forces.

The procedure for implementing budget planning is determined by the Budget Code of Ukraine. In accordance with Article 32 of the Budget Code of Ukraine, the Ministry of Finance (MoF) of Ukraine defines the main organizational and methodological principles for budget planning. In accordance with Article 33 of the Budget Code of Ukraine, the MoF of Ukraine together with other competent authorities involved compiles the Budget Declaration, a document of the medium-term budget planning that defines the principles of budget policy and indicators of the state budget for the medium-term and shapes the basis for drafting the State Budget of Ukraine and forecasts of local budgets.

The MoF and other competent authorities do this job every year in accordance with the goals and priorities defined in the annual address of the President of Ukraine to the Verkhovna Rada of Ukraine on the internal and external situation of Ukraine, the Programme of the Cabinet of Ministers of Ukraine, the forecast, and programme documents of economic and social development of the country.

Besides, proceeding from the main macroeconomic indicators for economic and social development of Ukraine in the medium term and analysis of budget execution in previous and current budget periods, the MoF of Ukraine determines the indicative limits of the state budget expenditures for national security and defence in the medium-term.

Meanwhile, guided by programme documents in the field of national security and defence, as well as the above-mentioned calculations prepared by the MoF of Ukraine, the National Security and Defence Council of Ukraine elaborates substantiated proposals on the distribution of planned funding among the main spending units of the state budget and no later than April 15th of the year preceding the planned year reports its conclusions to the MoF of Ukraine.

In accordance with Articles 36 and 37 of the Budget Code of Ukraine, the MoF of Ukraine prepares a draft law on the State Budget of Ukraine and submits it for consideration by the Cabinet of Ministers of Ukraine. Before the approval of the draft law on the State Budget of Ukraine, the Cabinet of Ministers of Ukraine submits it for consideration by the National Security and Defence Council of Ukraine, in particular the articles related to the provision of national security and

defence of Ukraine. The consideration and final adoption of the State Budget of Ukraine takes place in the Verkhovna Rada of Ukraine, based on a special procedure established by the Procedural Rules.

Under the martial law in Ukraine, the planning and implementation of the state budget is carried out in accordance with the requirements of the Budget Code of Ukraine with due regard being paid to:

1) paragraph 22 of Section VI. “Final and Transitional Provisions” of the Budget Code of Ukraine, in particular, the Cabinet of Ministers of Ukraine can make the following decisions:

- in agreement with the Supreme Commander-in-Chief of the Armed Forces of Ukraine regarding the reduction of expenditures and crediting of the state budget and their direction to the reserve fund of the state budget in order to be used for the needs of the Armed Forces of Ukraine, other military formations, law enforcement and other state bodies involved in the implementation of tasks related to repelling armed aggression, ensuring the inviolability of the state border and the defence of the state or for the implementation of general mobilization measures in accordance with the law (before the start of the work of the Verkhovna Rada of Ukraine);

- regarding the procedure for applying and the size of state social standards and guarantees, based on the available financial resources of state and local budgets and mandatory state social and pension insurance funds;

- regarding additional provisions regulating the state budget execution process;

2) Resolution of the Cabinet of Ministers of Ukraine “On Some issues of the implementation of the State Budget of Ukraine in 2023 under martial law” No. 14 of January 6, 2023, the implementation of which allows in 2023:

- not to make changes to budget programme passports, expenditures directed to national security and defence, as well as to postpone the submission of reports by security and defence sector bodies on the implementation of budget programmes passports for 2022;

- to carry out within the general scope of budgetary appointments of the budget main spending unit, which belongs to the security and defence sector, redistribution of expenses according to budget programmes, increase of development expenses according to the budget programme due to reduction of other expenses, as well as redistribution of budget allocations under the budget programme by decision of the Ministry of Finance of Ukraine;

- to register budgetary obligations/budgetary financial obligations and make payments of the Ministry of Defence containing information, the disclosure of which during the martial law poses a threat to national security (including information constituting a state secret), regardless of the amount of the one-time payment without submitting supporting documents.

Financing of security and defence expenditures is carried out on a priority basis according to a separate procedure approved by the Resolution of the Cabinet of Ministers of Ukraine “On Approval of the Procedure for Exercising Powers by

the State Treasury Service in a Special Regime under Martial Law” (as amended) No. 590 of June 9, 2021.

2.1.2. How does your State ensure that its military capabilities take into account the legitimate security concerns of other States as well as the need to contribute to international security and stability?

Ukraine cooperates with international organizations to strengthen international security and stability. Before the Russian Federation launched its large-scale armed aggression on February 24, 2022, Ukraine actively participated in peacekeeping missions and other international projects aimed at preserving peace and security in the world.

However, because of the ongoing large scale Russian armed aggression Ukraine had to suspend its participation in international peacekeeping operations. It was done pursuant to the Decree of the President of Ukraine No. 114 of March 7, 2022, “On the withdrawal of Ukrainian contingents that take part in international peacekeeping operations”.

In addition, Ukraine ensures transparency and openness regarding its military activities, which allows other states to be aware of its actions and plans. Ukraine also maintains dialogue with other states and military structures to increase the level of mutual understanding and cooperation.

At the same time, the resistance of Ukraine and its people, with the support of partner states, international organizations, and the progressive part of humanity, to the large-scale armed aggression of the Russian Federation is a struggle not only for the national interests of Ukraine, but also for the security of the European States and the entire democratic world.

Currently, our country concentrates its efforts on the implementation of the Peace Formula put forward by President of Ukraine Zelenskyy. This initiative provides our vision of necessary steps that will ensure comprehensive, just and lasting peace for Ukraine and security for the whole world.

2.2. Existing structures and processes

2.2.1. What are the constitutionally established procedures for ensuring democratic political control over the military, paramilitary and internal security forces, intelligence services and the police?

Article 8 of the Constitution of Ukraine defines that this Constitution has the highest legal power. Laws and regulations should be adopted on the basis of the Constitution of Ukraine and shall conform to it.

The Laws of Ukraine that regulate the activity of the Armed Forces of Ukraine and other security forces of Ukraine stipulate that the Armed Forces of Ukraine, other military formations, and law enforcement agencies of Ukraine are guided by the Constitution of Ukraine, laws of Ukraine and other normative legal acts of the state.

In order to ensure democratic and political control over the Armed Forces of Ukraine, the Constitution of Ukraine determines that the Armed Forces of Ukraine shall not be used by anyone to restrict the rights and freedoms of citizens or with the intent to overthrow the constitutional order, subvert the public authorities or

their activity, and also prohibits the creation and the use of any armed formations not provided by the law (Article 17).

Some enforcement powers of the constitutional authorities can be considered as constitutional procedures for civil and democratic control of the military and paramilitary forces, internal security forces, intelligence services and police in Ukraine, including:

- The powers of the Verkhovna Rada of Ukraine, as specified in paragraphs 9, 12, 121, 22, 31 of Article 85, paragraphs 17, 19 of Article 92 of the Constitution of Ukraine, Article 6 of the Law of Ukraine “On National Security of Ukraine”;
- The powers of the President of Ukraine, as specified in paragraphs 1, 10, 14, 17-20, 24 of Article 106 of the Constitution of Ukraine, and the provisions of the Part I of Article 5 of the Law of Ukraine “On National Security of Ukraine”;
- The powers of the Cabinet of Ministers of Ukraine, as specified in Article 114, paragraphs 7, 92 of Article 116 of the Constitution of Ukraine, Article 7 of the Law of Ukraine “On National Security of Ukraine”;
- The powers of the National Security and Defence Council, as specified in Article 107 of the Constitution of Ukraine, Part II and Part III of Article 5 of the Law of Ukraine “On National Security of Ukraine”;
- The powers of the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, local executive bodies and local self-government bodies, as specified in Article 8 of the Law of Ukraine “On National Security of Ukraine”;
- Judicial control, as specified in Article 9 of the Law of Ukraine “On National Security of Ukraine”;
- Public control, as specified in Article 10 of the Law of Ukraine “On National Security of Ukraine”.

According to the Law of Ukraine “On the National Security of Ukraine” within the limits of the powers granted in accordance with the Constitution of Ukraine, the security and defence sector is subject to democratic civilian control.

The system of national civil control consists of the control, exercised by the President of Ukraine; control carried out by the Verkhovna Rada of Ukraine; control carried out by the National Security and Defence Council of Ukraine; control carried out by the Cabinet of Ministers of Ukraine, executive bodies, and local self-government bodies; judicial control; public control.

This control is carried out according to the principles of the rule of law, legitimacy, accountability, transparency, efficiency, and effectiveness.

On October 30, 2020, the Ministry of Defence of Ukraine issued the order № 393 “On the approval of Instruction on the organization of preparation, publishing and distribution of the informational bulletin “White Book” according to which the activities for the development of the mentioned bulletin are implemented.

Control exercised by the President of Ukraine

1. According to Articles 106 and 107 of the Constitution of Ukraine, the

President of Ukraine exercises control over the security and defence sector either directly or through the National Security and Defence Council of Ukraine, headed by the President, and consultative, advisory, and other subsidiary bodies and services created by the President when required.

2. The National Security and Defence Council of Ukraine exercises control over the security and defence sector under Article 107 of the Constitution of Ukraine in the manner and within authority, stipulated by the Law of Ukraine “On the National Security and Defence Council of Ukraine”.

Control over the implementation of the resolutions of the National Security and Defence Council of Ukraine is exercised by the Secretary of the National Security and Defence Council of Ukraine.

3. The National Security and Defence Council of Ukraine informs the public about its activity via its official website and mass media.

Control exercised by the Verkhovna Rada of Ukraine

1. According to Article 85 of the Constitution of Ukraine, the Verkhovna Rada of Ukraine exercises parliamentary control and adopts laws of Ukraine defining and regulating activities of the security and defence sector authorities and their powers, as well as approves respective budget allocations and adopts decisions on reporting concerning their execution.

2. According to Article 89 of the Constitution of Ukraine, the Verkhovna Rada of Ukraine establishes Committees of the Verkhovna Rada of Ukraine with mandates to ensure control over the activities of the security and defence sector.

To guarantee the absolute and ultimate compliance with the provisions of the Constitution of Ukraine on the provision of the national security by the state special purpose agencies with law enforcement functions, special purpose law enforcement agencies and intelligence agencies, a Committee of the Verkhovna Rada of Ukraine is formed, which incorporates the authorities to provide controlling functions of the Verkhovna Rada of Ukraine over these agencies. Tasks and authorities of this Committee of the Verkhovna Rada of Ukraine are determined by the law.

3. The Verkhovna Rada of Ukraine, within the limits of its powers, may establish ad hoc Special Commissions for the study, preparation, and preliminary consideration of specific issues in the area of national security and defence, as well as ad hoc Commissions of Inquiry to investigate issues of public interest pursuant to the procedure established by law.

4. According to Article 101 of the Constitution of Ukraine, parliamentary oversight of the observance of human and citizen constitutional rights and freedoms shall be conducted by the Ukrainian Parliament Commissioner for Human Rights, whose powers shall be determined by the law.

5. The Cabinet of Ministers of Ukraine, the Security Service of Ukraine, and the Department of the State Guard of Ukraine submit annual written reports to the Verkhovna Rada of Ukraine on the activities of the security and defence sector components.

6. If required, the Verkhovna Rada of Ukraine, in accordance with the Rules

of Procedure of the Verkhovna Rada of Ukraine, approved by the Law of Ukraine “On the Rules of Procedure of the Verkhovna Rada of Ukraine”, may hold the parliamentary hearings on the national security and defence matters constituting public interest and requiring the legal action.

7. In accordance with the Rules of Procedure of the Verkhovna Rada of Ukraine, approved by the Law of Ukraine “On the Rules of Procedure of the Verkhovna Rada of Ukraine”, the Verkhovna Rada of Ukraine may officially invite or demand the presence of civil servants and officials of the security and defence agencies at its plenary meeting for hearing.

Control exercised by the Cabinet of Ministers of Ukraine

1. According to Articles 113, 116, 117 of the Constitution and the laws of Ukraine, the Cabinet of Ministers of Ukraine shall exercise oversight of compliance with legislation and implementation of the state policy in the field of national security and defence, and report thereon to the President of Ukraine and the Verkhovna Rada of Ukraine.

2. The Cabinet of Ministers of Ukraine provides civilian control over the activities of the Armed Forces of Ukraine, the State Special Transport Service, the National Police of Ukraine, the National Guard of Ukraine, the State Border Guard Service of Ukraine, the State Emergency Service of Ukraine, the State Migration Service of Ukraine, the State Special Communications and Information Protection Service of Ukraine, other executive authorities that are part of the security and defence sector of Ukraine.

3. Central executive authorities, having the authority over military formations, intelligence, and law enforcement agencies, established under the laws of Ukraine, shall:

- 1) ensure civilian control within the limits of their powers;
- 2) create the necessary conditions for other civilian control actors to fulfil their authorities according to laws;
- 3) provide accurate and timely reporting on the activities of the subordinate bodies of the security and defence sector to the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, the National Security and Defence Council of Ukraine;
- 4) keep the public informed on the issues mentioned above in accordance with the law.

Control by the Verkhovna Rada of the Autonomous Republic of Crimea, the Council of Ministers of the Autonomous Republic of Crimea, local executive bodies and local self-governing authorities

1. The Verkhovna Rada of the Autonomous Republic of Crimea and the Council of Ministers of the Autonomous Republic of Crimea within the territory of the Autonomous Republic of Crimea ensure the implementation of civil control over the compliance of enterprises, institutions and organizations of all ownership types, civil servants (officials) and citizens with the rest of Ukraine, other regulations on national security and defence, inform the general public on these matters according to the procedure, specified by this and other laws of Ukraine.

2. Local executive authorities and local self-governments within the powers defined by the Constitution and laws of Ukraine shall:

1) if necessary, hear reports of the law enforcement agencies' officials located on the respective territory, about the compliance with the requirements of the legislation with respect to ensuring public safety and public order;

2) monitor conditions of press service training and the selection of citizens for military service, legal and social protection of citizens who are to be called up for military service, serve in the military, released from active duty or retired, combatants and members of their families;

3) interact with the military authorities in the course of planning and conduct (in the presence of the civilian population) of potentially hazardous activities engaging members of the Armed Forces of Ukraine, other military formations and law enforcement agencies, established under the laws of Ukraine, using weapons and military equipment to prevent and avoid emergency situations, as well as to eliminate their consequences;

4) keep the general public informed, in particular through mass media, on the implementation of tasks related to the national security and defence.

To fulfil epy tasks of civilian control, local self-governments may form commissions of deputies, and local executive authorities in turn may establish necessary departments.

Judicial control

1. Decisions, actions or omissions of public authorities, civil servants and officials may be appealed against in court.

2. Courts should monitor compliance with judicial decisions.

Public supervision

1. Citizens of Ukraine exercise their civilian control through participation in public organizations, local council deputies, or by personal appeals to the Ukrainian Parliament Commissioner for Human Rights or to government authorities pursuant to the procedure established by the Constitution of Ukraine, the Law of Ukraine "On Public Organizations" and other laws of Ukraine. The scope of public control may be restricted solely in accordance with the Law of Ukraine "On state secrets".

2. Civil organizations, registered in accordance with the legislation, have the following rights under the Constitution and Laws of Ukraine, and statutory provisions:

1) to receive information from the public authorities, in particular from senior officials of the security and defence sector components, in accordance with the established procedure, relating to the activities of the security and defence sector components, except for restricted information;

2) to conduct research on national security and defence issues, present the results thereof to the public, establish civil funds, centres and expert groups for this common purpose;

3) to conduct public expertise of draft laws, resolutions, programs, forward its findings and proposals for consideration to the respective public authorities;

4) to participate in public discussions and open parliamentary hearings on issues of the security and defence sector activities and development, legal and social protection of military personnel and employees of the intelligence and law enforcement agencies, in particular those released from active duty or retired, combatants and members of their families;

3. As the mass media provide coverage on the national security and defence issues, they also help inform the public about the state of protection of national interests of Ukraine.

Liability for violating the legislation on the national security of Ukraine

1. Officials, who are guilty of non-compliance with or violation of the legislation on the national security of Ukraine, shall be liable in accordance with the law.

2. Citizens, who suspect that their rights, freedoms, or legal interests have been violated by resolutions, actions, omission of the security and defence sector components or their officials, shall have the right to apply to the court, Ukrainian Parliament Commissioner for Human Rights, utilize any other mechanisms for protecting rights and freedoms provided for by the legislation of Ukraine.

3. Control over the compliance with the legislation during the public supervision is exercised in the manner prescribed by the Constitution and laws of Ukraine.

2.2.2. How is the fulfilment of these procedures ensured, and which constitutionally established authorities/institutions are responsible for exercising these procedures?

The implementation of democratic and political control is ensured in accordance with Section III of the Law of Ukraine “On National Security of Ukraine” as a complex of legal, organizational, informational, personnel and other measures implemented in accordance with the Constitution and laws of Ukraine to ensure the rule of law, legality, accountability, transparency of security and defence agencies and other bodies whose activity is related to the restriction of human rights and freedoms in cases specified by the law, promotion of their effective activity and fulfilment of their roles, strengthening of national security of Ukraine.

The system of democratic civilian control in accordance with the Law of Ukraine “On National Security of Ukraine” consists of the control exercised by the President of Ukraine; control exercised by the Verkhovna Rada of Ukraine; control exercised by the National Security and Defence Council of Ukraine; control exercised by the Cabinet of Ministers of Ukraine, executive bodies, and local self-government bodies; judicial control; public supervision.

The security and defence sector agencies issue White Books or other analytical papers on a regular basis at least every three years to systematically inform the public on the activities of the security and defence sector of Ukraine, ensure the validity of decisions made by public authorities on national security and defence, on the status of implementation of activities of the security and defence sector development.

In 2022, an information bulletin “White Book 2021. Defence Policy of Ukraine” was prepared. Due to the martial law, the bulletin was not issued in print, it was posted on the official website of the Ministry of Defence of Ukraine on the Internet (including the English version).

In order to ensure democratic and political control over the Armed Forces of Ukraine, only the Verkhovna Rada of Ukraine, acting on behalf of the Ukrainian people, is authorized to declare a state of war and peace following the submission of the President of Ukraine, approval of the decision of the President of Ukraine on the use of the Armed Forces of Ukraine and other military formations in case of armed aggression against Ukraine; approval of the general structure, size, and roles of the Armed Forces of Ukraine (Article 85 of the Constitution of Ukraine).

In addition, the President of Ukraine, who is the Head of State, the Supreme Commander-in-Chief of the Armed Forces of Ukraine, has the authority to appoint and dismiss senior command of the Armed Forces of Ukraine and other military formations; to exercise leadership in the areas of national security and defence of the state; to submit to the Verkhovna Rada of Ukraine a statement on the declaration of a state of war; in the event of armed aggression against Ukraine, to decide on the use of the Armed Forces of Ukraine (Article 106 of the Constitution of Ukraine).

2.2.3. What are the roles and missions of military, paramilitary and security forces of Ukraine and how does your state control that such forces act solely within the constitutional framework?

The functions of the Defence and Security Forces of Ukraine are defined by the Constitution of Ukraine and laws of Ukraine. In particular, the Defence Forces must protect the territorial integrity and independence of the state, as well as ensure the security of national interests during armed aggression. The security forces are responsible for ensuring internal security and fighting crime. The state controls the activities of the security and defence forces by adopting laws and regulations that determine their powers and limitations. In addition, there is a system of control and supervision of the activities of these forces, which includes state bodies, parliament, and public organizations.

In Ukraine, the issue of ensuring the observance of the rights and freedoms of citizens in wartime, as well as the procedures of military supervision and control, are regulated by the Constitution of Ukraine and the Laws “On the Armed Forces of Ukraine”, “On National Security of Ukraine”, “On the Defence of Ukraine” and “On the Legal Regime of Martial Law”.

The mentioned laws regulate the implementation of military supervision and control procedures, ensuring compliance with the rights and freedoms of citizens in wartime, determining the rights and obligations of military personnel, as well as citizens who are under the influence of war or a state of emergency.

In accordance with the main limitations defined by the Constitution of Ukraine and the laws of Ukraine, the defence forces:

- do not have the right to interfere in political activity and carry out any actions aimed at changing the constitutional order;

- must act within the framework of the law and international treaties;
- do not have the right to use weapons and other means of military equipment in peacetime, except in cases provided by the law;
- must act in accordance with the principles of international humanitarian law, protect the rights and freedoms of citizens;
- do not have the right to carry out any activity that contradicts universal moral and ethical standards.

Military formations and units of the Armed Forces of Ukraine under the law may be involved in the implementation of measures of the legal regime of martial law and state of emergency, organization and support of the resistance movement, military informational and psychological operations, the fight against terrorism and piracy, operations for the protection of life, health of citizens and objects of state property outside of Ukraine, ensuring their safety and evacuation (return), strengthening of the protection of the state border, protection of the sovereign rights of Ukraine in its exclusive (marine) economic zone and on the continental shelf and their legal registration, ensuring the safety of Ukraine's national maritime navigation on the high seas or anywhere outside the jurisdiction of any state, measures to prevent the proliferation of weapons of mass destruction, to counter the trafficking of weapons and narcotic drugs, psychotropic substances, their analogues or precursors on the high seas, disaster relief, military assistance to other states, and participation in international military cooperation, international counterterrorism, counter-piracy and other international peacekeeping operations on the basis of international treaties signed by Ukraine and in accordance with the procedure and on conditions determined by the legislation of Ukraine.

The Armed Forces of Ukraine in the field of critical infrastructure protection ensure the organization of military critical infrastructure facilities protection from terrorist threats, preparation for troops (forces) employment in the event of a terrorist act in the airspace or territorial waters of Ukraine, carrying out measures to increase the level of protection, eliminate risks and threats to arms depots, bases and storages explosion or fire safety, performing tasks on air defence of important state facilities (critical infrastructure), the list of which is determined by the Cabinet of Ministers of Ukraine.

Article 12 of the Law of Ukraine "On State Protection of Public Authorities of Ukraine and Officials" determines tasks of the Department of the State Protection of Ukraine:

- Performing the state protection of public authorities of Ukraine;
- Providing security of the officials, determined by this law, due to the place of their residence either on Ukraine territory or abroad;
- Providing security of the official's family members, determined by this law, residing or being in attendance with them;
- Preventing the criminal assassination attempts on the officials, their family members and objects of the Department protection, its detection and suspension;
- Protecting the objects determined by this law;

- Providing the safe exploitation of vehicles intended for persons determined by this law;
- Taking part in the counter terrorism actions.

In accordance with the resolution of the Cabinet of Ministers of Ukraine № 671 of October 26, 2014, “On the approval of the Terms of Reference for the Ministry of Defence of Ukraine”, the Ministry of Defence (MoD) of Ukraine is assigned with the following tasks:

- within authorities, stipulated by the law, to ensure the democratic civilian control over the activities of the Armed Forces and State Special Transport Service;
- creating the required conditions for other entities of the democratic civilian control to exercise authorities, provided for by the law, and informing the general public and mass media on these matters;
- providing the reliable and timely information update of the President of Ukraine, the Verkhovna Rada of Ukraine, the Cabinet of Ministers of Ukraine, the National Security and Defence Council on the situation in the Armed Forces of Ukraine and the State Special Transport Service;
- providing the consideration of citizen appeals on matters related to the activities of the MoD, the Armed Forces, enterprises, agencies and organizations, which belong to the management sphere of the MoD, as well as in relation to the acts that issued by them, provision of access to public information, administered by the MoD, in the established manner;
- publication of the White Book in order to inform the general public on the activities of the Armed Forces;
- carrying out the internal audit in accordance with the established procedure.
- the National Guard of Ukraine is the main subject to fight against public disorders. During the fight against the public disorders the National Guard of Ukraine coordinates the means and forces of law enforcement agencies which participate in fighting against mentioned illegal activities.

According to the Article 19 of the Law, the activities of the Security Service of Ukraine (SSU) focus on the following tasks:

- counteraction to reconnaissance and subversive activities against Ukraine;
- fight against terrorism;
- counterintelligence protection of state sovereignty, constitutional order and territorial integrity, defence and scientific and technical capacity, cybersecurity, economic and information security states, critical infrastructure facilities;
- protection of state secrets.

The SSU reports to the President of Ukraine. The Law of Ukraine “On the Security Service of Ukraine”, as amended on December 3, 2020, stipulates that the Head of the SSU submits a report on the activities of the Service to the Verkhovna Rada of Ukraine by February 1 of every year.

The SSU informs about its activities through mass media, its official website, by providing answers to requests for access to public information and in other forms provided by law.

The courts check the validity and legality of the SSU's decisions on the temporary restriction of human and civil rights during the performance of their tasks and issue permits for appropriate action. In addition, decisions, actions, or omissions of the SSU, its bodies, divisions, and employees may be appealed in court.

3. Procedures related to different forces personnel

3.1. What kind of procedures for recruitment and call-up of personnel for service in your military, paramilitary and internal security forces does your State have?

Regarding military duty and military service

The legal basis for military duty and military service is the Constitution of Ukraine, the Laws of Ukraine "On Military Duty and Military Service", "On Defence of Ukraine", "On the Armed Forces of Ukraine", "On Mobilization Preparation and Mobilization", other laws of Ukraine, decrees of the President of Ukraine adopted in accordance with them, legal acts on ensuring national defence capacity, fulfilment of military duty, performance of military service, service in the military reserve and the status of service members, as well as international treaties of Ukraine ratified by the Verkhovna Rada of Ukraine.

Article 65 of the Constitution of Ukraine stipulates that homeland defence, protection of independence and territorial integrity of Ukraine, as well as honouring its national symbols is the duty of Ukrainian citizens. Citizens perform military service in accordance with the law.

The Law of Ukraine "On Military Duty and Military Service" (the "Law") defines the general principles of military service in Ukraine and regulates relations between the state and citizens of Ukraine in connection with their constitutional duty for homeland defence, protection of independence and territorial integrity of Ukraine.

According to the Law, military duty is established to prepare citizens of Ukraine for homeland defence, provide personnel for the Armed Forces of Ukraine, other military formations established in accordance with the laws of Ukraine, as well as special purpose law enforcement agencies (hereinafter referred to as the Armed Forces of Ukraine and other military formations), the positions in which are filled by service members.

Military duty provides for:

- preparation of citizens for military service;
- assignment to enlistment offices;
- voluntary enlistment (under a contract) and conscription for military service;
- performance of military service;
- fulfilment of military duty in the reserve;
- performance of service in the military reserve;

- compliance with the rules of military registration.

Citizens of Ukraine have the right to replace the performance of military duty with alternative (non-military) service in accordance with the Constitution of Ukraine and the Law of Ukraine “On Alternative (Non-Military) Service”.

Military duty does not apply to foreigners and stateless persons residing in Ukraine.

Registered women can be called up for military service or engaged in the national defense activities in wartime. In peacetime, women can be enlisted for military service and service in the military reserve only on a voluntary basis (under a contract).

Women perform military duty on an equal footing with men (except in cases stipulated by the legislation on maternity and childhood protection and the prohibition of sex discrimination), which includes voluntary enlistment (under a contract) and conscription for military service, performance of military service, service in the military reserve, fulfilment of military duty in the reserve and compliance with the rules of military registration.

Military service is a special kind of public service, related to the defence of Ukraine, its independence and territorial integrity, which provides for professional activity of citizens of Ukraine (except in cases specified by the law), foreigners and stateless persons who are fit for it by health and age. The period of military service is included in the insurance period, length of work, work experience in the specialty, and public service experience of Ukrainian citizens.

The following categories are eligible for military service:

- citizens of Ukraine – on a voluntary basis (under a contract) or by conscription;
- foreigners and stateless persons – on a voluntary basis (under a contract) in positions to be filled by enlisted and non-commissioned personnel of the Armed Forces of Ukraine, the State Special Transport Service, and the National Guard of Ukraine.

Procedure for performance of military service, the rights and obligations of military personnel are determined by this and other laws, relevant regulations on military service approved by the President of Ukraine, and other laws and regulations. The main ones are:

Regulations on military service in the Armed Forces of Ukraine by citizens of Ukraine, approved by Decree of the President of Ukraine No. 1153/2008 (as amended) of December 10, 2008. This Regulation also applies to military personnel of the National Guard of Ukraine and the State Special Transport Service;

Regulations on military service by citizens of Ukraine under a contract in the Department of the State Protection of Ukraine, approved by Decree of the President of Ukraine No. 33/2022 of January 26, 2022;

Regulations on military service by citizens of Ukraine in the State Border Guard Service of Ukraine, approved by Decree of the President of Ukraine No. 1115/2009 (as amended) of December 29, 2009;

Regulations on military service (training) by military personnel of the State Special Communications and Information Protection Service of Ukraine, approved by Decree of the President of Ukraine No. 463/2015 (as amended) of July 31, 2015;

Regulations on military service by citizens of Ukraine in the Foreign Intelligence Service of Ukraine, approved by Decree of the President of Ukraine No. 690/2021 (as amended) of December 30, 2021;

Regulations on military service in the Armed Forces of Ukraine by foreigners and stateless persons, approved by Decree of the President of Ukraine No. 248/2016 (as amended) of June 10, 2016;

Instructions on the organization of the implementation of the Regulations on military service in the Armed Forces of Ukraine by citizens of Ukraine is approved by the Order of the Minister of Defence of Ukraine No. 170 (as amended) of March 10, 2009.

Types of Military Service:

- conscripted military service;
- military conscription during mobilization in times of crisis;
- military service under a contract for enlisted personnel;
- military service under a contract for non-commissioned officers;
- military service (training) of cadets of higher military educational institutions, as well as higher educational institutions that have military institutes, military training faculties, military training departments, military training divisions (hereinafter referred to as higher military educational institutions and military training units of higher educational institutions);
- military service under a contract for officers;
- military service by conscription for officers;
- military service by conscription for persons from among the reservists during a special period.

The age limit for military service is established:

1) for enlisted personnel and junior non-commissioned officers who are serving under a contract – up to 45 years;

2) for senior non-commissioned officers who are serving under a contract – up to 50 years;

3) for higher non-commissioned officers who are serving under a contract – up to 55 years;

4) for junior-ranking officers – up to 45 years;

5) for senior-ranking officers: majors (captains of the 3rd rank), lieutenant colonels (captains of the 2nd rank) – up to 50 years; colonels (captains of the 1st rank) – up to 55 years;

6) for high-ranking officers – up to 60 years;

7) for personnel serving during a special period, from among the following persons:

- enlisted personnel, non-commissioned officers, junior-ranking and senior-ranking officers – up to 60 years;

- high-ranking officers – up to 65 years.

Service members of the Armed Forces of Ukraine and other military formations who have high professional training, work experience in their position, recognized by the military medical commission as fit in terms of health for military service, may, at their request, be left on military service over the age limit for a period of up to 5 years in accordance with the procedure established by the regulations on military service by citizens of Ukraine.

Citizens of Ukraine may serve in the military reserve of the Armed Forces of Ukraine or other military formations.

Service in the military reserve is introduced for the purpose of systematic training of reservists for manning the Armed Forces of Ukraine and other military formations in peacetime and in a special period by acquiring and maintaining skills and abilities in the military specialty at the proper level.

The age limit for being in the reserve of the second category is the age limit for being in the reserve and in the military reserve, namely:

- 1) For persons obliged to serve in the reserve and holding the ranks of enlisted personnel and non-commissioned officers – up to 60 years;
- 2) For persons obliged to serve in the reserve and holding the ranks of:
 - junior-ranking and senior-ranking officers – up to 60 years;
 - high-ranking officers – up to 65 years.

The procedure of selection and admission to service in the military reserve, terms, conditions, and procedure for its performance, as well as the grounds and procedure for dismissal from service are determined by this Law, relevant regulations on the performance of service in the military reserve by citizens of Ukraine approved by the President of Ukraine and other normative legal acts, namely:

- Regulations on military service in the reserve by citizens of Ukraine of the Armed Forces of Ukraine, approved by Decree of the President of Ukraine No. 618/2012 (as amended) of October 29, 2012. This provision also applies to citizens of Ukraine serving in the military reserve of the State Special Transport Service;
- Regulations on military service in the reserve by citizens of Ukraine of the State Border Guard Service of Ukraine, approved by Decree of the President of Ukraine No. 775/2019 of October 25, 2019;
- Regulations on military service in the reserve by citizens of Ukraine of the National Guard of Ukraine, approved by Decree of the President of Ukraine No. 470/2012 of August 10, 2012.

Regarding military service during mobilization

According to Article 4 of the Law of Ukraine “On Defence of Ukraine”, in the event of armed aggression against Ukraine or a threat of attack on Ukraine the President of Ukraine makes a decision (issues a decree) on general or partial mobilization, imposition of martial law in Ukraine or its separate localities, use of the Armed Forces of Ukraine, other military formations established in accordance with the laws of Ukraine, submits it to the Verkhovna Rada of Ukraine for

approval and submits a proposal to the Verkhovna Rada of Ukraine to declare a state of war.

According to Article 4 of the Law of Ukraine “Mobilization Preparation and Mobilization” general mobilization is carried out simultaneously throughout Ukraine and concerns the national economy, public authorities, other state bodies, local governments, the Armed Forces of Ukraine, other military formations, the civil defence rescue service, enterprises, institutions and organizations.

The type, scope, order, and term of the mobilization are determined by the President of Ukraine in the decision on its implementation.

From the moment of mobilization (except for targeted mobilization) is declared or the martial law is introduced in Ukraine or in certain areas of Ukraine, a special period of functioning of the national economy, public authorities, other state bodies, local self-government bodies, the Armed Forces of Ukraine, other military formations, civil defence forces, enterprises, institutions and organizations begins.

During mobilization citizens are obliged to come to military units or to assembly points of the territorial recruitment and social support centre within the time limits specified in the documents they receive (mobilization orders, summonses of heads of territorial recruitment and social support centres) or within the time limits specified by commanders of military units (persons liable for military service, reservists of the Security Service of Ukraine – at the call of the heads of the bodies in which they are registered, persons liable for military service, reservists of the Foreign Intelligence Service of Ukraine – at the call of the heads of the relevant units of the Foreign Intelligence Service of Ukraine, persons liable for military service in the civil protection service – at the call of the heads of the relevant management bodies of the central executive body that ensures the formation and implementation of the state policy in the field of civil protection).

In accordance with the Article 39¹ of the Law of Ukraine “On Military Duty and Military Service” for the operational manning of the Armed Forces of Ukraine and other military formations during a special period the Supreme Commander-in-Chief of the Armed Forces of Ukraine upon submission of the Commander-in-Chief of the Armed Forces of Ukraine makes a decision (issues an order) on the call-up of citizens of Ukraine enrolled in the military operational reserve for military service by conscription of persons from among the reservists during a special period.

The tasks, scope, terms, and procedure for conscription for military service based on the conscription of reservists in a special period are determined by the Supreme Commander-in-Chief of the Armed Forces of Ukraine in the decision on its implementation.

Citizens of Ukraine are called up for military service upon conscription of persons from among the reservists during a special period and are notified by commanders of military units in respect of citizens of Ukraine who are serving in the military reserve under a contract and/or enrolled during such service in the military operational reserve and by heads of territorial recruitment and social

support centres in respect of citizens of Ukraine who after their discharge from military service are enrolled in the military operational reserve.

The procedure for selecting candidates for military service under a contract in the State Border Guard Service of Ukraine includes the following measures: submission of an application (report); conducting thematic informational interviews; study of personal qualities of the candidate; carrying out professional and psychological selection; referral of the candidate for a medical examination by the military medical commission; drawing up a conclusion on enlistment for military service in the State Border Guard Service of Ukraine; preparation of personal file materials.

Candidates for military service under a contract in the State Border Guard Service of Ukraine submit applications (reports) and written consent to the processing of their personal data, conducting a special check, to the recruitment units and/or personnel units of the State Border Guard Service of Ukraine.

In the event that a candidate submits an application (report) about his acceptance into military service under a contract in the State Border Service of Ukraine, officials of the recruitment unit and/or personnel unit of the State Border Service of Ukraine conduct the following measures: an informational interview on military service (training) contract, clarification of the legal grounds of service, material, financial support, social protection, etc.; informing the candidate about the availability of vacant positions in the divisions of the State Border Service of Ukraine; determination of the unit and position in which the candidate wishes to perform military service under the contract; acquaintance of the candidate with the content of the selection measures; providing a candidate for military service under a contract with a list of documents for forming the candidate's personal file.

Preliminary examination of the candidate's personal qualities includes: examination of documents confirming information about the person (documents on citizenship, education, work, scientific and sports achievements, etc.); study of military accounting documents; study of medical documents; familiarization with the information received from the workplace (study, residence); conducting individual interviews with family members, representatives of the administration of the enterprise, institution, organization, educational institution where the candidate works or studies. In the event of establishing the fact of providing false information or information that confirms the existence of prohibitions for military service, defined by the legislation of Ukraine, which makes it impossible to accept military service under a contract in the State Border Guard Service of Ukraine, the study of the candidate's personal qualities is terminated and he/she is removed from the lists of candidates for military service under a contract.

After a preliminary study of personal qualities, the candidate is sent for a professional and psychological selection, which is conducted by psychologists of recruitment units or bodies of the State Border Guard Service of Ukraine.

The selection procedure for military service under a contract in the State Border Guard Service of Ukraine is carried out within one month, it can be extended if additional information about the candidate is needed.

The decision to refuse accepting a candidate for military service under a contract in the State Border Guard Service of Ukraine shall be brought to his/her attention by an official of the staffing unit and/or personnel unit of the State Border Guard Service of Ukraine in writing with the reasons for the refusal and an explanation of the procedure for appealing the decision.

A candidate who has not passed the stages of selection is informed in writing about the reasons for refusal to accept military service under the contract and the procedure for appealing the decision.

After the selection of candidates who meet the requirements for military service under the contract in the State Border Guard Service of Ukraine is completed, an official of the staffing unit and/or personnel unit of the State Border Guard Service of Ukraine draws up a conclusion on enlistment for military service in the State Border Guard Service of Ukraine.

Candidates for enlistment, non-commissioned officer, and non-commissioned officer positions, who have successfully passed the selection process, are sent to the State Border Guard Service of Ukraine, in which the candidate expressed a desire to perform contract military service, for acceptance into military service under a contract.

Obligations of citizens regarding mobilization preparation and mobilization (the Article 22 of the Law of Ukraine “On Mobilization Preparation and Mobilization”).

The citizens are obliged to:

- appear when called up to the military enlistment offices (Territorial Recruitment and Social Support Centres) (persons liable for call-up of the Security Service of Ukraine – when called by the Central Directorate or regional office of the Security Service of Ukraine, persons liable for call-up of the Foreign Intelligence Service of Ukraine – when called by the Foreign Intelligence Service of Ukraine) to update military records of the Military Physician Board and define the assignment for a wartime;
- provide facilities, structures, vehicles, and other property they own to the Armed Forces of Ukraine, other military formations, the Operational and Rescue Service of Civil Protection, according to the established procedure, during the mobilization with the subsequent compensation by the state of their value according to national procedure.

Citizens who are in reserve and not called up for military service or not engaged in duties related to mobilization on positions provided by the war establishment, during mobilization, may be involved in the execution of works of defensive nature according to the law.

Citizens engaged in entrepreneurial activity perform mobilization tasks (orders) according to the signed contracts.

During mobilization and transition of the Armed Forces of Ukraine, other military formations, the Operational and Rescue Service of Civil Protection to war establishment, citizens (other than those who serve in the military reserve) are obliged to appear in military units or at the assembly stations of military enlistment

offices (Territorial Recruitment and Social Support Centres) at the time specified in documents they received (mobilization orders, call-up papers or orders of chief enlistment officers (persons liable for call-up of the Security Service of Ukraine when called up by heads of offices where they are in military registration; persons liable for call-up of the Foreign Intelligence Service of Ukraine when called up by the Foreign Intelligence Service of Ukraine, persons liable for call-up of the Operational and Rescue Service of Civil Protection when called up by the heads of relevant control agencies of central executive authority in charge of the formation and implementation of the state policy in the area of civil protection)). Reservists are obliged to appear in military units at the time specified by the commanders of military units where they perform service in military reserve.

Citizens who are in reserve shall be assigned to military units at a reasonable time to perform military service in wartime or to other units or formations to perform duties on positions provided by the war establishment.

Conscription of citizens (other than those serving in the military reserve) during their mobilization or involvement to the performance of duties according to their positions under the war establishment shall be exercised by local executive authorities through the military enlistment offices (Territorial Recruitment and Social Support Centres) (persons liable for military service in the Security Service of Ukraine shall be called up by the Central Directorate of the Security Service of Ukraine or regional bodies of the Security Service of Ukraine; persons liable for military service in the Foreign Intelligence Service of Ukraine shall be called up by the Foreign Intelligence Service of Ukraine; and persons liable for military service in the Operational and Rescue Service of Civil Protection shall be called up by the relevant control agencies of the central executive authority responsible for the formation and implementation of state policy in the field of civil protection). During the mobilization all reservists shall be called up for military service by the commanders of military units in which they are serving in the military reserve.

Persons liable for call-up and reservists who are at the assembly stations, in case of mobilization shall state at assembly stations. In case of need these persons are called up to military service by the commanders of the respective military units at the direction of the General Staff of the Armed Forces of Ukraine.

The peculiarities of medical examination by persons liable for call-up and reservists during mobilization shall be determined by the Ministry of Defence of Ukraine together with the Ministry of Health of Ukraine for a special period.

Citizens who are in military registration since the announcement of mobilization are forbidden to change their place of residence without the permission of an official identified in Part 3 of this Article.

The order of selection and admission of citizens of Ukraine to military service in the State Border Guard Service of Ukraine is approved by the order of the Ministry of Internal Affairs of Ukraine No. 473 of June 10, 2019, registered at the Ministry of Justice of Ukraine of July 4, 2019, under No. 743/33705.

In 2015, together with the US State Department and the International Organization for Migration in Ukraine, the State Border Guard Service of Ukraine launched and successfully implemented the New Face of the Border project.

The main objective of the project is to create border units with professional, motivated, principled staff who will effectively perform the functions of the state at the border, to establish high standards of activity that meet European standards, as well as to improve the system of completing the State Border Guard Service of Ukraine.

The procedure for selection of candidates begins with the submission of an electronic questionnaire, which is accepted and processed by the System of registration of questionnaires and testing of candidates without any intervention of officials of the State Border Guard Service of Ukraine.

The implementation of the project conventionally comprises two parts, specifically: selection of candidates and training of persons from civilian youth and certification training of acting military personnel who have successfully passed competitive selection. Selection of candidates includes automated testing for general abilities, foreign language, psychological tests, medical examination, internal examination, physical fitness test, qualifying interview, and, if necessary, polygraph testing.

3.2. What kind of exemptions or alternatives to military service does your State have?

Regarding exemptions from compulsory military service

The Laws of Ukraine “On Military Duty and Military Service” and “On Mobilization Training and Mobilization” define the categories of citizens and the grounds on which they are granted deferment and exemption from conscription for compulsory military service, and deferment from conscription for military service during mobilization.

Regarding deferment from conscription for compulsory military service

In accordance with the Law of Ukraine “On Military Duty and Military Service” deferment from conscription for conscripted military service is granted to conscripts by decision of the district (city) draft commission in accordance with this Law based on family reasons, health status, for obtaining education and continuing professional activity.

Deferment from conscription for military service due to family reasons at their will is given to conscripts who have:

1) disabled father and mother or single disabled father (single disabled mother) or disabled persons under the area, custody or support of the conscript, or persons over whom the conscript exercises care or custody, if they have no other able-bodied persons – citizens of Ukraine, obliged by the law to take care of them. The incapacity for work of the specified persons is determined in accordance with the procedure established by the law;

2) minor relatives (consanguineous or non-consanguineous) brothers and sisters or disabled relatives (consanguineous or non-consanguineous) brothers and

sisters, regardless of their age, if they do not have other able-bodied persons, except the conscript, who are obliged by the law to take care of them;

- 3) a child (children) under the age of 18 who are being raised independently;
- 4) a child under the age of three;
- 5) two or more children.
- 6) pregnant wife.

A deferment from conscription for compulsory military service due to family reasons at their will may be granted to a conscript who is a person from among orphans and children deprived of parental care.

If several sons are subject to conscription for military service at the same time, a deferment may be granted to one of them at their will, considering the proposal of the parents for the time of the brothers' military service, until the release of one of them to the reserve.

The district (city) draft commission may decide to grant a conscript a deferment from conscription for military service due to family reasons, despite the conscript's reluctance to use it because his conscription may significantly worsen the financial situation of persons who, in accordance with the law, he must take care of.

A deferment from conscription for compulsory military service due to the health status for a period of up to one year is granted to conscripts who are recognized during a medical examination as temporarily unfit for military service.

A deferment from conscription for military service for the purpose of obtaining an education for the entire period of study is granted to citizens of draft age who are studying:

- in institutions of general secondary education of the III degree and professional (vocational and technical) education with a full-time form of education. In the event that such conscripts reach the age of 21, the deferment becomes invalid;
- in institutions of professional preliminary higher education with a full-time form of education, including during the acquisition of the initial level (short cycle) and the first (bachelor) level of higher education according to the programmes of the degree education system;
- in institutions of professional preliminary higher and/or higher education with a full-time form of education, including during the acquisition of the next degree of education;
- in institutions of secondary or higher spiritual education with a full-time form of education;
- in an internship, postgraduate or doctoral studies with or without a break from work.

A deferment from conscription for compulsory military service is also granted to citizens of Ukraine who undergo military training under the reserve officer training programme at higher military educational institutions and military educational units of higher education institutions. Such deferment is granted for the entire period of military training and for the period lasting from the completion of

such training to the assignment of the primary military rank of an officer to a citizen of Ukraine, but no longer than until the end of the current year after the completion of training.

Citizens of Ukraine who, within the framework of international agreements of Ukraine, are studying in educational institutions of other states also have the right to deferment from conscription for military service for the purpose of obtaining an education.

Citizens of draft age who interrupted their studies in connection with receiving an academic leave exercise the right to academic mobility, and those who have been reinstated in a higher education institution do not lose the right to deferment from conscription for military service.

In case of transfer of conscripts who are studying in institutions of higher or vocational preliminary higher education with a full-time form of education, to study in another institution of higher or vocational preliminary higher education with the specified form of education, the right to deferment from conscription for military service is not lost.

Deferment from conscription for military service to continue professional activity is granted to the following citizens of draft age:

- for faculty members who have obtained a higher education, whose main place of work is general secondary education institutions, under the condition of full workload in the position they hold – for the entire period of their work in their specialty;
- for medical workers, under the condition of full workload in their position – for the entire period of their work by profession in rural areas;
- for clerics who have graduated from institutions of higher or secondary spiritual education and hold a position in religious organizations operating on the basis of a statute (regulation) registered in the prescribed manner – for the time of performing the duties of a cleric;
- for village, settlement, and city heads – for the period of their performance of these powers; for persons who have the degree of Doctor of Philosophy (Candidate of Science)/Doctor of Arts or Doctor of Science and work in specialized positions in accordance with the group of specialties in the fields of knowledge (science)/arts for which the scientific/educational-creative degree was awarded – for the entire period their work in this specialty;
- for reservists – for the entire period of service in the military reserve;
- for policemen, members of state civil defence service and employees of the State Bureau of Investigation – for the entire period of their service;
- for employees of the Court Security Service – for the entire period of their service.

A deferment from conscription for military service is also granted to conscripts who have been notified of a suspicion of committing a criminal offence or in respect of whom a criminal case is under consideration by a court – until the relevant decision is made.

In cases not provided for by this Law, a deferment from conscription for military service may be granted to conscripts in accordance with the decisions of the draft commission of the Autonomous Republic of Crimea, regional and Kyiv city draft commissions at the request of district (city) draft commissions.

Conscripts who have been granted a deferral of conscription for military service are obliged to submit documents confirming their right to a deferment to the relevant district (city) territorial recruitment and social support centres every year by October 1.

Regarding exemption from conscription for compulsory military service

The following citizens of Ukraine are exempt from conscription for compulsory military service in peacetime:

- those who are recognized as persons with disabilities or unfit for military service in peacetime due to health conditions;
- those who have reached the age of 27 before the day of sending to military service;
- those who fulfilled their duties in the military reserve during the terms of the first and second contracts;
- those whose father or mother, biological (consanguineous, non-consanguineous) brother or sister died, passed away or became disabled during military service or meetings for training of conscripts. Conscripts who have the right to exemption from conscription on this basis may not use it;
- those who raise a child with a disability under the age of 18;
- those who are raising a child with severe perinatal damage to the nervous system, severe congenital malformations, rare orphan diseases, oncological, nonhematological diseases, cerebral palsy, severe mental disorders, diabetes mellitus type I (insulin-dependent), acute or chronic kidney diseases of the IV degree, a child who received a serious injury, needs an organ transplant, needs palliative care which is confirmed by a document issued by the medical advisory commission of a health care institution in the order and in the form established by the central executive body, which ensures the formation and implements state policy in the field of health care, but which does not have a disability;
- those who are engaged in permanent care for a sick spouse, child, as well as their parents or their spouse's, who, according to the opinion of the medical and social expert commission or the medical and advisory commission of the health care institution, need constant care;
- those who have a spouse from among persons with disabilities and/or one of their parents or parents of a spouse from among persons with disabilities group I or II;
- those who take care of a person with a disability recognized by the court as incapable; engaged in permanent care of a person with a disability of group I; engaged in permanent care of a person with a disability of group II or of a person who, according to the opinion of the medical and social expert

commission or the medical and advisory commission of a health care institution, needs permanent care, in the absence of other persons who can provide such care;

- those who completed military service in other states before acquiring Ukrainian citizenship;
- those who were previously sentenced for committing a crime to a deprivation of liberty, a restriction of liberty, an arrest or correctional labour, including liberation from serving the sentence;
- those who, after graduating from institutions of higher education, were promoted to military (special) officer ranks.

Regarding deferment from conscription for military service during mobilization

In accordance with Article 23 of the Law of Ukraine “On Mobilization Preparation and Mobilization”:

Conscripts are not subject to conscription for military service during mobilization:

1) booked for the period of mobilization and wartime by state authorities, other state bodies, local self-government bodies, as well as by enterprises, institutions and organizations in accordance with the procedure established by the Cabinet of Ministers of Ukraine;

2) recognized in accordance with the established procedure as persons with disabilities or, according to the conclusion of the military medical commission, temporarily unfit for military service due to their health for a period of up to six months (with subsequent passing of the military medical commission);

3) women and men with three or more dependent children under the age of 18;

4) women and men who independently raise a child (children) under the age of 18;

5) women and men, guardians, custodians, adoptive parents, foster parents who raise a child with a disability under the age of 18;

6) women and men, guardians, custodians, adoptive parents, foster parents who raise a child with severe perinatal damage to the nervous system, severe congenital malformations, rare orphan diseases, oncological, nonhematological diseases, cerebral palsy, severe mental disorders, diabetes mellitus type I (insulin-dependent), acute or chronic kidney diseases of the IV degree, a child who received a serious injury, needs an organ transplant, needs palliative care, which is confirmed by a document issued by the medical advisory committee of a health care institution in order and according to in the form established by the central body of executive power, which ensures the formation and implementation of state policy in the field of health care, but which has not been diagnosed with a disability;

7) women and men with a dependent adult child who is a person with a disability of group I or II;

8) adoptive parents, guardians, custodians, foster parents with dependent on orphans or children deprived of parental care under the age of 18;

9) engaged in permanent care for a sick spouse, child, as well as their parents or their spouse's, who, according to the opinion of the medical and social expert commission or the medical and advisory commission of the health care institution, need constant care;

10) those who have a spouse from among persons with disabilities and/or one of their parents or parents of a spouse from among persons with disabilities of group I or II;

11) those who take care of a person with a disability recognized by the court as incapable; engaged in permanent care of a person with a disability of group I; engaged in constant care for a person with a disability of group II or for a person who, according to the opinion of the medical and social expert commission or the medical and advisory commission of a health care institution, needs constant care, in the absence of other persons who can provide such care;

12) women and men who have a minor child (children) and a spouse who is undergoing military service under one of the types of military service defined by Article 2 of the Law of Ukraine "On Military Duty and Military Service";

13) people's deputies of Ukraine, deputies of the Verkhovna Rada of the Autonomous Republic of Crimea;

14) employees of military management bodies (management bodies), military units (elements), enterprises, institutions and organizations of the Ministry of Defence of Ukraine, the Armed Forces of Ukraine, the State Special Communication and Information Protection Service of Ukraine, the Security Service of Ukraine, the Foreign Intelligence Service of Ukraine, the National Guard of Ukraine, the State Border Guard Service of Ukraine, the National Police of Ukraine, the Bureau of Economic Security, the National Anti-Corruption Bureau of Ukraine, the State Bureau of Investigation, the Department of the State Protection of Ukraine;

15) other conscripts or certain categories of citizens in cases provided by the law.

Persons with disabilities, as well as persons specified in subparagraphs 3-11 during mobilization, may be called up for military service with their consent and only at their place of residence.

Conscription for military service during mobilization, for a special period is also not subject to:

1) students of professional (vocational and technical), professional preliminary and higher education, trainee assistants, graduate students and doctoral students studying under full-time or dual forms of education;

2) research fellows and faculty members of institutions of higher and professional preliminary education, research institutions and organizations who have an academic title and/or a scientific degree, and pedagogical employees of professional (vocational-technical) education institutions, general secondary education institutions, provided that they work, respectively, in institutions of

higher or professional advanced education, scientific institutions and organizations, institutions of professional (vocational-technical) or general secondary education at the main place of work at least by 0.75 rates;

3) women and men whose close relatives (spouse, son, daughter, father, mother, grandfather, grandmother or biological (consanguineous, non-consanguineous) brother or sister) died or went missing during the counterterrorism operation from among:

- service members or employees of military formations established in accordance with the Law of Ukraine, who protected the independence, sovereignty and territorial integrity of Ukraine, who died or went missing during direct engagement in the counterterrorism operation, ensuring its conduct, being directly in the areas of the operation during its conduct;
- employees of enterprises, institutions, and organizations who were engaged in the conduct of the counterterrorism operation and died or went missing while ensuring the conduct of the operation directly in the districts and during its conduct;
- persons who died or went missing during direct engagement in the counterterrorism operation, ensuring its conduct, being directly in the areas of the operation during its conduct as part of voluntary formations that were formed or self-organized to protect independence, sovereignty and territorial integrity of Ukraine, provided that in the future such voluntary formations were included in the military formations established in accordance with the Law of Ukraine and law enforcement bodies;
- those who died or went missing during direct participation in the counterterrorism operation, ensuring its conduct, being directly in the areas of its conduct as part of voluntary formations that were formed or self-organized to protect independence, sovereignty and territorial integrity of Ukraine, but in the future such volunteer formations were not included in the military formations and law enforcement bodies established in accordance with the Law of Ukraine, and performed the tasks of the counterterrorism operation in cooperation with military formations and law enforcement bodies established in accordance with the Law of Ukraine.

4) women and men whose close relatives (spouse, son, daughter, father, mother, grandfather, grandmother or biological (consanguineous, non-consanguineous) brother or sister) died or went missing during the implementation of measures to ensure national security and defence, repelling and deterring the armed aggression of the Russian Federation in the Donetsk and Luhansk regions, as well as during the provision of national security and defence, repelling and deterring armed aggression against Ukraine during martial law;

Persons specified in subparagraphs 3, 4 of Article 23 of the above Law during mobilization may be called up for military service with their consent.

Conscripts from among citizens who served in military service by conscription during mobilization and were released from reserve service (except military personnel, enlisted for service in the military operational reserve of the

first line) are not subject to conscription for military service during partial mobilization within six months from the day of release from military service. During the specified period, such persons may be drafted for military service upon their consent.

Regarding alternative (non-military) service

According to the Law of Ukraine “On Alternative (Non-Military) Service” an alternative service is a service that is introduced instead of a conscription and is intended to fulfil the citizen’s duty to the public.

The Law defines the organizational and legal principles of alternative (non-military) service, which, according to the Constitution of Ukraine, must replace the fulfilment of military duty, if it contradicts the religious beliefs of a citizen.

Citizens who are subject to conscription for military service and who have personally declared the impossibility of its performance as being contrary to their religious beliefs, have documented or otherwise confirmed the truth of their beliefs, and in respect of whom appropriate decisions have been made, are sent to alternative service.

During the martial law or a state of emergency, separate restrictions on the right of citizens to undergo alternative service may be established, indicating the period of validity of these restrictions.

The following citizens are not eligible for alternative service:

- those who are exempted in accordance with the law from conscription for compulsory military service;
- those who, in accordance with the law, have been granted a deferment from conscription for compulsory military service (for the duration of the deferment).

Citizens fulfil alternative service in state-owned or communal-owned enterprises, institutions, and organizations, or in those organizations in which the predominant share in the statutory fund belongs to the state or communal property, and whose activities are primarily related to social protection of the population, health care, environmental protection, construction, housing and communal services and agriculture, as well as in the patronage service of the Ukrainian Red Cross Society.

Alternative service is one-and-a-half times the length of the military service set for soldiers and sergeants who undergo military service in the Armed Forces Ukraine and other military formations established in accordance with the laws of Ukraine.

For persons who have a higher education at the educational and qualification level of a specialist or master’s degree, the term of alternative service is one-and-a-half times longer than the term of the military service set for persons who have the appropriate educational and qualification level.

3.3. What are the legal and administrative procedures to protect the rights of all force’s personnel as well as conscripts?

General rights and obligations of service members of the Armed Forces of Ukraine and their mutual relations, duties of key officials, rules of internal order in the military elements and military units are determined by the Internal Service Regulations of the Armed Forces of Ukraine, approved by the Law of Ukraine No. 548-XIV of March 24, 1999.

The Law of Ukraine “On Social and Legal Protection of Service Members and Their Families” defines the main principles of state policy in the field of social protection of service members and their families, establishes a unified system of their social and legal protection, guarantees service members and their families in economic, social, political spheres have favourable conditions for the realization of their constitutional duty to protect the Motherland, and relations in this sphere have been settled.

However, in connection with the large-scale armed aggression of the Russian Federation against Ukraine, the Decree of the President of Ukraine No. 64/2022 of February 24, 2022 “On the Introduction of the Martial Law in Ukraine” provides for the possibility of restricting the constitutional rights and freedoms of man and citizen provided for in Articles 30-34, 38, 39, 41-44, 53 of the Constitution of Ukraine, and also introduces temporary restrictions on the rights and legitimate interests of legal entities within the limits and to the extent necessary to ensure the possibility of introducing and implementing measures of the legal regime of martial law provided for in part one of Article 8.

For social protection of service members, the Cabinet of Ministers of Ukraine by its Resolution No. 168 of February 28, 2022, “Issues of Certain Payments to Service Members, Ranks and Commanders, Police Officers and Their Families During Martial Law” introduced additional remuneration for service personnel and a one-time financial assistance to the families of fallen servicemen in the amount of UAH 15,000,000.

State Service of Special Communications and Information Protection of Ukraine
Rights of military and security forces personnel

The rights of military personnel, civil servants, and other employees of the Service are established by the Constitution of Ukraine, the Law of Ukraine “On the State Service of Special Communications and Information Protection of Ukraine” (SSSCIP), the Law of Ukraine “On Public Service”, the Labor Code of Ukraine, and other legislative and regulatory legal acts.

The personnel of the SSSCIP of Ukraine, when performing their duties, acts on the basis, within their powers and in the manner prescribed by the Constitution and laws of Ukraine. No one else, except for authorized officials of state bodies in cases provided for by the laws of Ukraine, has the right to interfere in the lawful activities of personnel.

Limitation and/or restrictions on rights

Restrictions on military personnel, civil servants, and other employees of the SSSCIP are established by the Law of Ukraine “On the State Service of Special Communications and Information Protection of Ukraine”:

- suspension of membership in political parties (part one of Article 12 of the Law);
- participation of military personnel in their free time from military service duties, when they are considered not performing military service duties, in the work of public organizations, with the exception of organizations whose statutory provisions contradict the principles of the SSSCIP (part two of Article 12 of the Law);
- prohibition of participation in strikes (part three of Article 12 of the Law);
- impossibility to directly subordinate or be directly subordinate to persons close to them in connection with the exercise of powers (part four of Article 12 of the Law).

Restrictions on the rights of civil servants are established by the Law of Ukraine “On Public Service”.

Social protection, benefits, and/or pay package

The legislation on the social and legal protection of military personnel and members of their families is based on the Constitution of Ukraine and consists of the Law of Ukraine “On the Social and Legal Protection of Military Personnel and Members of Their Families”, other legal acts regulating issues in the field of social and legal protection of military personnel and members their families.

Features of the rights protection of civil servants are determined by the Law of Ukraine “On Public Service”.

The legal basis and guarantees to exercise the right to dispose of abilities for productive and creative work by military personnel, civil servants, and other employees of the SSSCIP as citizens of Ukraine are determined by the Labor Code of Ukraine.

The procedure for paying military personnel, civil servants and other employees of the SSSCIP of material assistance and allowances for length of service/ work is determined by legislative and other regulatory legal acts that are regulating issues in this area (the Law of Ukraine “On Public Service”; the Resolution of the Cabinet of Ministers of Ukraine No. 500 of August 08, 2016, “On approval of the procedure for providing civil servants with material assistance to solve social and domestic issues” (as amended); the order of the Administration of the SSSCIP No. 151 of March 13, 2018, “On approval of the Instruction on monetary support and compensation payments to military personnel of the State Service of Special Communications and Information Protection of Ukraine” (as amended).

Military personnel of the SSSCIP who are involved in combat missions are paid an additional remuneration, the amount of which is established in accordance with the Resolution of the Cabinet of Ministers of Ukraine No. 168 of February 28, 2022, “Issues of certain payments to military personnel, enlisted and commanding personnel, police officers and their families under martial law” (as amended).

Department of the State Protection of Ukraine **Legal and administrative procedures protecting those rights**

Guaranties of legal and social protection of Ukraine citizens serving on a contract basis at the Department of the State Protection of Ukraine (DSPU) are provided by the Laws of Ukraine, such as “State Protection of Public Authorities of Ukraine and Officials”, “On Social and Legal Protection of Servicemen and Their Family Members”, “On Pensions of Persons Discharged from Service and Some Others”, “On the Status of Military Service Veterans, Veterans of Internal Affairs and Certain Other Persons and Their Social Protection”.

Social protection of civil staff of the DSPU is provided on the general grounds in accordance with labour legislation if another is not specified by their employment agreements (contracts).

All servicemen of the Department, as citizens of Ukraine, have a right to send a written appeal or address to the military administration officials, who provide pre-trial investigation in case of unjust decision, activity (inactivity) of commanders towards them, infringement of their rights, legitimate interests and liberties, illegal charging with duties or illegal penalty.

Procedures and practice of realization of rights to appeal and litigate the actions of the officials are strictly arranged by legislation in force, such as Law of Ukraine “On Appeals of Citizens”, Army regulations, civil procedure legislation.

The Department’s Training Institute at the Taras Shevchenko National University of Kyiv joined the implementation of UN Security Council Resolution №1325 “Women, Peace and Security” and the special program of the Cabinet of Ministers of Ukraine on implementation of “Guidelines for integrating gender approaches into the training of security and defense sector into the educational process”.

National Guard of Ukraine

Adopting strategies to prevent and combat cases of sexual harassment and sexual discrimination against military personnel

The Main Directorate of the National Guard of Ukraine (NGU), within its competence, examines regulatory legal acts, orders, and requests, etc. from other ministries and departments of Ukraine. If necessary, appropriate suggestions are provided. Representatives of the gender integration service of the Personnel Department of the NGU Main Directorate also join the working group of the Ministry of Internal Affairs on improving the legislation of Ukraine on ensuring equal rights and opportunities for women and men (including the investigation of cases of sexual violence related to the conflict).

The NGU has developed and implemented issues of response, prevention and counteraction to discrimination and sexual harassment in the workplace among servicemen, namely:

- Instruction on control measures for citizens’ appeals, which contains information on discrimination on the basis of sex and sexual harassment in the NGU (in accordance with the order of the Commander of the National Guard of Ukraine No. 911 of December 27, 2017);
- The procedure for conducting official investigations in the NGU stipulates that on the facts of discrimination on the basis of race, colour, political,

religious and other beliefs, gender, age, ethnic and social origin, citizenship, family and property status, place of residence, language or other signs of sexual harassment, official investigations are carried out with the involvement of specialists on gender integration of military authorities (order of the Ministry of Internal Affairs No. 347 of April 21, 2020, registered with the Ministry of Justice of Ukraine on May 28, 2020, under No. 473/34756);

Professional working conditions and gender specificity

To implement a system of monitoring, evaluation and reporting on the impact of gender integration on the effectiveness of the NGU, the NGU Action Plan to implement UN Security Council Resolution 1325 “Women, Peace, Security” for the period till 2025 (order of the NGU Commander No 157 of April 15, 2021) was issued. The Action Plan is based on the requirements of international and national regulations (plans and programs) and has the main directions:

- institutional capacity (planning at all stages of activity);
- improvement of the regulatory framework and gender-legal expertise;
- training of personnel in the formation of gender competence;
- institutional culture (prevention and response to cases of gender discrimination and sexual harassment);
- introduction of a gender approach in personnel policy;
- improvement of infrastructure conditions and logistics;
- implementation of a system of monitoring, analysis, evaluation and reporting;
- informing the public;
- civil-military cooperation, peacekeeping and peacekeeping activities;
- introduction of gender-oriented budgeting, etc.

The Action Plan stipulates that the responsible executors should ensure equal access of women and men to educational institutions of all levels of the Security and Defense Sector and include the gender component in the educational process by ensuring the infrastructural and logistical conditions of the National Academy of the National Guard of Ukraine, the Kyiv Institute of the National Guard of Ukraine, the NGU Training Centre, the International Interdepartmental Multidisciplinary unit training centre.

At the same time, gender integration measures are carried out in full compliance with the order of the Commander of the NGU No 657 of December 23, 2021, “On the organization of measures to ensure gender equality in the National Guard of Ukraine”. The Order, in particular, entrusts the heads of higher military educational institutions, training military units (centres) of the NGU to appoint advisers (freelance) on ensuring equal rights and opportunities for women and men; improved and supplemented with additional indicators in accordance with the needs, given the gender of servicemen, employees and their age, monitoring cards of quantitative and qualitative indicators of gender statistics of the NGU (2 times per year the respective data are collected and analysed to improve further activities of the NGU to that end).

Social protection, payments or allowances

On issues of social protection of servicemen, the NGU is guided by the Law of Ukraine “On Social and Legal Protection of Servicemen and Members of Their Families”; the Law of Ukraine “On the status of war veterans, guarantees of their social protection”; Resolution of the Cabinet of Ministers of Ukraine No 1122 of December 11, 2019, “On certain issues of social and legal protection of persons deprived of freedom as a result of armed aggression against Ukraine, after their release”; Order of the Ministry of Defense of Ukraine No 27 of January 19, 2016, “On approval of the Instruction on the organization in the Armed Forces of Ukraine of social and legal protection of servicemen, conscripts and reservists called up for training (or verification) and special meetings, and members of their families, employees of the Armed Forces of Ukraine”, registered in the Ministry of Justice of Ukraine on March 30, 2016, as № 478/28608.

Specific disciplinary problems and the duty to obey

To maintain the proper state of military discipline, the NGU has developed an Instruction on the organization of the activities of management bodies and officials to strengthen military discipline and prevent offenses, approved by the Order of the NGU Commander No 150 of April 14, 2021, “On the organization of work to ensure the proper state of military discipline among the personnel of the National Guard of Ukraine”.

4. Implementation of other political norms, principles, decisions, and international humanitarian law

4.1. How does your State ensure that international humanitarian law and law of war are made widely available, e.g., through military training programmes and regulations?

Having ratified the respective international conventions, Ukraine has undertaken to disseminate among its military personnel the knowledge of international humanitarian law (IHL) applicable in armed conflicts, as well as warnings of individual responsibility, including criminal responsibility, for violations thereof.

Article 15 of the Internal Service Regulations of the Armed Forces of Ukraine, approved by the Law of Ukraine No. 548-XIV of March 24, 1999, establishes the obligation of military personnel to know and strictly observe the norms of international humanitarian law.

To ensure the implementation and observance of the IHL in the Armed Forces of Ukraine, the Ministry of Defence of Ukraine developed and issued the Instruction on the Procedure for the Implementation of International Humanitarian Law in the Armed Forces of Ukraine by Order No. 164 of March 23, 2017 (Order registered with the Ministry of Justice of Ukraine No. 704/30572 of June 9, 2017).

Topics related to the observance of the IHL in armed conflicts are included in the system of individual basic military training of the Armed Forces of Ukraine.

In order to implement the IHL, the Ministry of Defence of Ukraine and the Armed Forces of Ukraine have developed a number of organizational and

educational materials, which are being used in the educational process of the personnel of the Armed Forces of Ukraine, namely: the Code of Conduct for the Armed Forces of Ukraine, the reference publication “Decision-making process during combat operations”, a memo to the military personnel of the Armed Forces of Ukraine, informational videos on compliance with the IHL “The Right to Know” are posted on YouTube, a video course on compliance with the IHL is available on the website of the Ministry of Defence of Ukraine, etc.

Besides, the Ministry of Defence is implementing several types of activities to disseminate knowledge about IHL, including Additional Protocol I.

Thus, the Ministry of Defence summarizes the experience of the international armed conflict provoked by the armed aggression of the Russian Federation, based on which it develops and distributes information materials among military personnel that are practical tools for applying the IHL at the tactical level.

Among these materials are the following:

- A serviceman’s memo in the performance of military service and special (combat) tasks in Ukrainian and English: (https://www.mil.gov.ua/content/pdf/Memorandum_of_a_serviceman_of_the_Armed_Forces_of_Ukraine.pdf);
- Memo for military personnel on interaction with civilian victims of conflict-related sexual violence in Ukrainian: (<https://www.mil.gov.ua/content/pdf/PROTECT-memo-UK.pdf>) and in English: (<https://www.mil.gov.ua/content/pdf/PROTECT-memo-EN.pdf>).

Both memos are available in English for distribution to foreigners serving in the Armed Forces of Ukraine.

In addition, in the framework of their cooperation with international and national organizations, the Armed Forces of Ukraine systematically conduct courses and trainings on the study and observance of the IHL with the involvement of various categories of Ukrainian military personnel.

In accordance with Resolution of the Cabinet of Ministers of Ukraine No. 329 of April 26, 2017, “On the Interagency Commission for the Application and Implementation of International Humanitarian Law in Ukraine”, an Interagency Commission for the Application and Implementation of International Humanitarian Law in Ukraine was established. The Commission is an advisory body, which acts under the Cabinet of Ministers of Ukraine to ensure the implementation of international legal obligations of Ukraine in the field of the IHL.

The aforesaid Commission includes the Deputy Minister of Defence of Ukraine, the Deputy Chief of the General Staff of the Armed Forces, the Head of the Civil-Military Cooperation Department of the Armed Forces of Ukraine.

The IHL is studied at the Ivan Cherniakhovskyi National Defence University of Ukraine by all officers (students) of the national defence forces undergoing training:

- at the strategic level of training for all specialties (specializations), the IHL norms are covered in the “Military Law and International Law” discipline (8 hrs., 4 hrs. of lecture sessions, 4 hrs. of seminars);

- at the operational level of training for all specialties (specializations), except for the specialty “Law”, the IHL norms are covered in the “Military Legislation and International Humanitarian Law” discipline (8 hrs., including 2 hrs. of lecture sessions, 6 hrs. of seminars);
- at the operational level of training for the specialty “Law”, the IHL norms are covered in the “International Law in Armed Conflicts” discipline (66 hrs., including: 18 hrs. of lecture sessions, 36 hrs. of seminars, 8 hrs. of practical classes, 4 hrs. group exercise).

As part of curricula at the tactical level of training in all higher military educational institutions, military educational units of higher education institutions and institutions of professional higher education, cadets (students) are familiarized with the IHL norms through the study of the following disciplines: “Law of Armed Conflict”, “International Security Law”, and “Military Aspects of International Law”.

At the same time, the legal support departments conduct advanced training courses for specialists of the legal services of military units of the Armed Forces of Ukraine on the law of armed conflict. Officers (civil servants) majoring in 081 “Law” who are enrolled in the personnel reserve for appointment to higher positions in the relevant specialty in the legal departments of military administration and military command of the Armed Forces of Ukraine are invited to these courses.

In the State Border Guard Service of Ukraine, familiarization with the IHL norms during military training programs and personnel rules is carried out: in the framework of the Joint Multinational Training Group - Ukraine (JMTG-U) and the Temporary Program of Combat Training of Personnel of the State Border Guard Service of Ukraine (Chapter 16. “International Humanitarian Law”).

In addition, the provision of Additional Protocol I regarding the duty of the legal advisor responsible for training the personnel of the unit is implemented in the national legislation of Ukraine. Thus, the Internal Service Regulations of the Armed Forces of Ukraine specifies that a legal adviser during an armed conflict, among other things, provides consultations on training personnel on the implementation of IHL. Within the scope of this duty, in accordance with the Code of Conduct for the Armed Forces of Ukraine, the legal adviser coordinates the study of IHL norms and prescriptions in his unit and conducts classes on the IHL with various categories of servicemen.

All three components of the training system of the Armed Forces of Ukraine (combat, operational, personnel training) include a component on the study of IHL. As part of the training of the personnel of the Armed Forces of Ukraine, the IHL classes are part of training programs for all categories of servicemen: private, sergeant (petty officer) and officer.

At the same time, the scope and content of IHL study course depends on the functional duties of a serviceman and is carried out according to the accumulative principle (from the basic knowledge of IHL among rank-and-file members to an in-depth understanding of IHL by officials of the legal service of the Ministry of

Defense of Ukraine. Thus, every serviceman in the Armed Forces of Ukraine has the necessary basic level of knowledge of the IHL, as well as the ability to apply it during direct contact with the enemy.

National Guard of Ukraine
Changing strategic environment and possible challenges
to the implementation and application of IHL

At the Kyiv Institute of the National Guard of Ukraine (NGU) and the NGU National Academy, the curricula provide a course of lectures for cadets and students in the following disciplines: “Military Legislation and International Humanitarian Law” (90 hours); “International Law and European Union Law” (120 hours); “Fundamentals of International Humanitarian Law” (120 hours).

Collaboration with civil society in the promotion and training of IHL

The NGU in cooperation on IHL issues interacts with the following organizations:

- Ukrainian Red Cross Society;
- International Committee of the Red Cross;
- Centre for the Protection of Civilians in Conflict (CIVIC);
- International non-governmental organization “Geneva Call”.

Special and refresher training, including on human and cultural rights and gender issues on violence against women, counselling in trauma situation, in particular relating to sexual violence for personnel deployed in peace and constabulary missions

Training to increase the gender awareness of various categories of the NGU personnel is carried out in accordance with paragraph 5 “Gender competence” of Annex 8 of the directive of the NGU Commander No D-25 of December 7, 2021, “On the organization of training of the National Guard of Ukraine in 2022, 2023”, in the following format:

- training module on improving the gender competence of personnel - in the general system of training camps with certain categories;
- training module on improving the gender competence of servicemen - in all programs of the NGU Training Centre;
- training module on improving gender competence of cadets and students of the NGU National Academy and the Kyiv Institute of NGU;
- thematic informing of personnel of all categories on issues of gender integration.

The NGU National Academy assessed the needs to heed the gender component in the system of training specialists for the security and defense sector of Ukraine to further use the results of the assessment of higher education institutions of the Security and Defense Sector of Ukraine (including the NGU) in the development of a Strategy for integrating a gender perspective into the educational process.

Thanks to the efforts of the joint working group of the NGU and the Canadian Armed Forces servicemen, the training program was elaborated and tested at the NGU Training Centre – the Middle Leadership Course of the NGU Personnel

Training Program (Third Period of Development in the Qualification Standard System), which provides for a 6-hour gender module “Possessing gender equality values, understanding one’s own responsibility for promoting gender equality in Ukrainian society”.

To inform the public about the implementation of the principles of ensuring equal rights and opportunities for women and men in the NGU, the respective information messages were published in the thematic sections “Gender Integration” and “Combating discrimination and sexual harassment” on the NGU official website in the reporting period.

State Border Guard Service of Ukraine

Acquaintance with the IHL norms during military training programs and rules with personnel is carried out in the framework of the Joint Multinational Training Group - Ukraine (JMTG-U) and the Provisional Combat Training Program for personnel of the State Border Guard Service of Ukraine (article 16. “International Humanitarian Law”).

4.2. What has been done to ensure that armed forces personnel are aware of being individually accountable under national and international law for their actions?

The explanatory work among the personnel of the Armed Forces of Ukraine on legal responsibility for violations is organized in the system of individual training, as well as through respective classes, conversations, briefings, information, etc.

Article 26 of the Internal Service Regulations of the Armed Forces of Ukraine stipulates that service members, depending on the nature of the offence committed and the guilt, bear disciplinary, administrative, material, civil and criminal liability in accordance with the law, considering the combat immunity defined by the Law of Ukraine “On Defence of Ukraine”.

When entering the military service, everyone must sign the document of familiarization with his responsibility for committed offences, in particular, crimes against the established order of military service (military crimes) specified in the Criminal Code of Ukraine.

In addition, familiarization of individual responsibility is carried out during the commander’s briefings in accordance with the Instruction on Information and Advocacy in the Armed Forces of Ukraine, approved by the order of the General Staff of the Armed Forces of Ukraine No. 4 of January 4, 2017.

Every year, in accordance with the procedure established by the Cabinet of Ministers of Ukraine, the All-Ukrainian Week of Law is held in the Armed Forces of Ukraine.

At the strategic level of training, the juridical responsibility of service personnel is covered as part of academic “Military Legislation and International Law” discipline for all specialties (8 hrs., including 4 hrs. of lecture sessions, 4 hrs. of seminars).

At the operational level of training for all specialties, except for the specialty “Law”, the responsibility of service members is covered in the “Military Law and International Humanitarian Law” discipline (12 hrs., including 6 hrs. of lecture sessions, 2 hrs. of seminars).

At the operational level of training for the specialty “Law”, the responsibility of service members under national legislation and international law is covered in the following disciplines: “International Law in the Period of Armed Conflicts” (20 hrs., includes 6 hrs. of lecture sessions, 10 hrs. of seminars, 4 hrs. of practical classes), “Legal Support of the Armed Forces of Ukraine” (4 hrs., includes 2 hrs. of lectures, 2 hrs. of seminars), “Law Enforcement in the Armed Forces of Ukraine” (32 hrs., includes 12 hrs. lectures, 12 hrs. seminars, 8 hrs. of practical classes).

Familiarization of the Armed Forces of Ukraine personnel with individual responsibility for their actions according to the national legislation and international law is provided during the study of academic disciplines “Military Aspects of International Law” and “Law of Armed Conflicts” with topics that reveal the specifics of individual responsibility of individual persons for violations of international humanitarian law norms. All cadets of higher military educational institutions military training units of higher education institutions attend classes on legal education that include topics related to individual responsibility of individual persons for violations of international humanitarian law norms.

**Regarding the list of international humanitarian legislation acts
and international law studied by military personnel**

In the course of the above-mentioned disciplines, students (cadets) of higher military educational institutions and military educational units of higher education institutions of strategic, operational and tactical levels of training study the following international legislative acts on humanitarian international law and the law of war:

- Geneva Convention of August 12, 1949, for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field;
- Geneva Convention of August 12, 1949, for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea;
- Geneva Convention of August 12, 1949, relative to the Treatment of Prisoners of War;
- Geneva Convention of August 12, 1949, relative to the Protection of Civilian Persons in Time of War;
- Additional Protocol I to the Geneva Conventions of 1949 relative to the Protection of War Victims of June 8, 1977;
- Additional Protocol II to the Geneva Conventions of August 12, 1949, and Relating to The Protection of Victims of Non-International Armed Conflicts of June 8, 1977;

- Convention of October 10, 1980, on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects;
- Protocol on Non-Detectable Fragments of the UN Convention on Prohibitions on the Use of the Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects of 1980;
- Protocol on Prohibition or Restrictions on the Use of Mines, booby-traps and Other Devices as amended on May 3, 1996, annexes to the Convention on Prohibitions or Restrictions on the Use on the Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects;
- Protocol on Prohibition or Restrictions on the Use of Incendiary weapons of the UN Convention on Prohibitions or Restrictions on the Use of the Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects of 1980;
- Protocol of Blinding Laser Weapons to the Convention as of October 10, 1980, on Prohibitions or Restrictions on the Use of the Certain Conventional Weapons Which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects;
- San Remo Manual on International Law Applicable to Armed Conflicts at Sea of 12 June 1994;
- Agreement relating to the implementation of Part XI of the United Nations Convention on the Law of the Sea of December 10, 1982;
- European Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1950;
- Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocol of May 14, 1954;
- International Covenant on Civil and Political Rights as of December 16, 1966;
- Convention Concerning the Protection of the World Cultural and Natural Heritage of November 16, 1972;
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction of November 16, 1972;
- International Convention on the Suppression and Punishment of the Crime of Apartheid of November 30, 1973;
- Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of December 14, 1973;
- Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques of December 12, 1976;

- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, of January 13, 1993;
- Convention on the Safety of United Nations and Associated Personnel of December 9, 1994;
- European Convention on Mutual Assistance in Criminal Matters of April 20, 1959;
- Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grammes Weight, Saint Petersburg, of November 29, 1868.

Also studied are:

- Declaration concerning the Prohibition of the Use of Bullets which can Expand or Flatten Easily in the Human Body, Hague, of July 29, 1899;
- Hague Convention respecting the Laws and Customs of War on Land of October 18, 1907;
- Hague Convention relative to the Opening of Hostilities of October 18, 1907;
- Hague Convention relating to the Status of Enemy Merchant Ships at the Outbreak of Hostilities of October 18, 1907;
- Hague Convention Relating to the Conversion of Merchant Ships into War-Ships of October 18, 1907.

At the Military Institute of Taras Shevchenko National University of Kyiv (tactical level of training), international acts of international humanitarian law are studied, the main ones are:

- Resolution of the Geneva International Conference. Geneva, October 29, 1836;
- Convention on amelioration of the treatment of the wounded and sick in the Armed Forces. Geneva, August 22, 1864;
- Additional rules to improve the fate of the wounded in the active army. Geneva, October 20, 1868;
- Declaration on the prohibition of explosive and incendiary bullets weighing less than 400 grammes. Saint Petersburg, November 29, 1868;
- The laws of land warfare. Oxford, September 9, 1880;
- Final Act of the International Peace Conference. The Hague, July 19, 1899;
- Convention (I) on the Peaceful Settlement of International Disputes. The Hague, July 29, 1899;
- Convention (II) on the Laws and Customs of War on Land. The Hague, July 19, 1899;
- Convention (III) on the Extension of the Provisions of the Geneva Convention to Naval Warfare as of 1864. The Hague, July 19, 1899;
- Declaration on the prohibition of balloon bombings or other similar new methods. The Hague, July 19, 1899;
- Declaration Prohibiting the Use of Bullets Which Easily Expand or Flatten in the Human Body (dumdum bullets). The Hague, July 19, 1899;

- Declaration of the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare. The Hague, July 19, 1899;
- Declaration on the non-use of bullets that can be easily deployed and flattened. The Hague, July 19, 1899;
- Convention Relating to the Exemption of Sanitary Vessels in Time of War from Taxes, Duties and Other Obligatory Payments. The Hague, December 21, 1904;
- Convention on amelioration of the treatment of the wounded and sick in the Armed Forces. Geneva, July 07, 1906;
- Final Act of the 2nd International Peace Conference. The Hague, November 18, 1907;
- Convention (I) on the Peaceful Settlement of International Disputes. The Hague, November 18, 1907;
- Convention (II) on the Limitation of the Use of Force in the Recovery of Debts under Contracts. The Hague, November 18, 1907;
- Convention (III) on the outbreak of hostilities. The Hague, November 18, 1907;
- Convention (IV) relative to the Laws and Customs of War on Land, with an annex: Regulations concerning the Laws and Customs of War on Land. The Hague, November 18, 1907;
- Convention (V) relative to the Rights of Neutral States and Persons in the Event of Land Warfare. The Hague, November 18, 1907;
- Convention (VI) on the Status of Merchant Marine Vessels of the Enemy in the Event of War. The Hague, November 18, 1907;
- Convention (VII) on the conversion of merchant ships into warships. The Hague, November 18, 1907;
- Convention (VIII) on the Laying of Underwater Mines that Explode Automatically on Contact. The Hague, November 18, 1907;
- Convention (IX) concerning Bombardment by Naval Forces in Time of War. The Hague, November 18, 1907;
- Convention (X) on the Extension of the Provisions of the Geneva Convention to Naval Warfare as of 1864. The Hague, November 18, 1907;
- Convention (XI) on Certain Limitations on the Exercise of the Right of Capture in Naval Warfare. The Hague, November 18, 1907;
- Convention (XII) on the Establishment of an International Court of Arbitration. The Hague, November 18, 1907;
- Convention (XIII) on the Rights and Duties of Neutral Powers in Naval Warfare. The Hague, November 18, 1907;
- Declaration on the Laws of Naval Warfare. London, February 29, 1909;
- Additional protocol to the Convention establishing the Permanent Court of Arbitration. The Hague, September 19, 1910;
- Instruction on the principles of warfare at sea. Oxford, August 9, 1913;

- Treaty on the use of submarines and noxious gases in war. Washington, February 6, 1922;
- The Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare. Geneva, June 17, 1925;
- Convention on Neutrality during Naval Warfare. Havana, February 20, 1928;
- The final act of the Diplomatic Conference. Geneva, July 27, 1928;
- Convention on amelioration of the treatment of the wounded and sick in the Armed Forces. Geneva, July 27, 1929;
- Convention on the Treatment of Prisoners of War. Geneva, July 9, 1929;
- Treaty on the Renunciation of War as a Means of National Policy (Kellogg-Briand Pact). Washington, 1928;
- Treaty on the Limitation and Reduction of Naval Forces. London, April 22, 1930;
- Treaty on the Protection of Artistic and Scientific Institutions and Historic Monuments (Roerich Pact). Washington, April 15, 1935;
- Rules of Submarine Warfare. London, November 06, 1936;
- The Treaty on the Prosecution and Punishment of War Criminals and the Charter of the International Military Tribunal. London, August 8, 1945;
- On the extension of the principles of international law to the Charter of the International Military Tribunal. Resolution of the General Assembly of the UN. New York, December 11, 1946;
- American Treaty on Peaceful Settlement (Baghdad Pact), 1948;
- International Convention on the Prevention and Punishment of the Crime of Genocide. New York, December 9, 1948;
- Universal Declaration of Human Rights. Resolution of the General Assembly of the UN. New York, December 10, 1948;
- The final act of the Diplomatic Conference. Geneva, August 12, 1948;
- Convention on amelioration of the treatment of the wounded and sick in the Armed Forces. Geneva, August 12, 1949;
- Convention (II) for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea. Geneva, August 12, 1949;
- Convention (III) on the Treatment of Prisoners of War. Geneva, August 12, 1949;
- Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, August 12, 1949;
- Resolution of the Diplomatic Conference. Geneva, August 12, 1949;
- Principles of international law recognized by the Charter of the Nuremberg trials. New York, July 29, 1950;
- Final Act of the Intergovernmental Conference on the Protection of Cultural Property in Time of War. The Hague, May 14, 1954;

- Convention for the Protection of Cultural Property in Time of War. The Hague, May 14, 1954;
- Protocol for the Protection of Cultural Property in Time of War. The Hague, May 14, 1954;
- Resolution of the Intergovernmental Conference on the Protection of Cultural Property in Time of War. The Hague, May 14, 1954;
- Rules on limiting the dangers to which civilians may be exposed in time of war. Geneva, September 1956;
- Human rights during armed conflicts. Resolution of the XXIII International Conference on Human Rights. Tehran, May 12, 1968;
- Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction. New York, April 10, 1972;
- Agreement on the Non-Applicability of Limitation Periods to Crimes Against Humanity and War Crimes. Strasbourg, January 25, 1974;
- Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques. New York, December 10, 1976;
- The final act of the Diplomatic Conference of 1974-1977. Geneva, July 10, 1977;
- Protocol additional I to the Geneva Conventions as of August 12, 1949, and relating to the protection of victims of international armed conflicts. Geneva, June 8, 1977;
- Annex 1 to Additional Protocol I. Geneva, June 8, 1977;
- Annex 2 to Additional Protocol I. Geneva, June 8, 1977;
- Protocol additional II to the Geneva Conventions as of August 12, 1949, and relating to the protection of victims of non-international armed conflicts. Geneva, June 8, 1977;
- Resolution of the Diplomatic Conference of 1974-1977. Geneva, June 8, 1977;
- Decision on small-calibre weapons systems. Geneva, September 28, 1979;
- Final Act of the UN Conference on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. Geneva, October 10, 1980;
- Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects. Geneva, October 10, 1980;
- Protocol on Non-Detectable Fragments to the 1980 UN Convention. (Protocol I). Geneva, October 10, 1980;
- Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices to the United Nations Convention of 1980. (Protocol II). Geneva, October 10, 1980 (as amended on May 3, 1996);
- Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons to the UN Convention of 1980. (Protocol III). Geneva, October 10, 1980;

- Charter of the International Red Cross and Red Crescent Movement. Geneva, October 1, 1986;
- International Convention against the Recruitment, Use, Financing and Training of Mercenaries. New York, December 4, 1989;
- Document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Co-operation in Europe (1990).
- Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction. Paris, January 13, 1993;
- Protocol on Blinding Laser Weapons to the UN Convention of 1980. (Protocol IV). New York, October 13, 1995;
- The Convention on the Prohibition of the Use, Stockpiling, Production and Destruction of Anti-Personnel Mines and on Their Destruction. Oslo, September 18, 1997;
- Rome Statute of the International Criminal Court. Rome, July 17, 1997;
- Charter of the International Committee of the Red Cross. Geneva, June 24, 1998;
- Protocol II to the Convention for the Protection of Cultural Property in Time of War. The Hague, March 26, 1999;
- Treaty on Conventional Armed Forces in Europe. Paris, November 19, 1999;
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. New York, May 25, 2000.

Specific reference to individual legal liability, including as applicable to superior and subordinate personnel, and relevant provisions under international penal law

According to Article 9, Section 1 “Duties, Rights and Responsibilities of Servicemen” of Part I “Servicemen and relations between them” of the Charter of the Internal Service of the Armed Forces of Ukraine (hereinafter - the Charter), servicemen of the Armed Forces of Ukraine have rights and freedoms, given the peculiarities determined by the Constitution of Ukraine, laws of Ukraine on military issues, statutes of the Armed Forces of Ukraine and other normative legal acts. The Charter imposes on servicemen the relevant duties to fulfil the tasks of the defense of Ukraine, protect its sovereignty, territorial integrity, and inviolability, as well as tasks determined by Ukraine’s international obligations.

At the same time, in accordance with the Instruction on the organization of the activities of management bodies and officials to strengthen military discipline and prevent offenses, approved by the Order of the Commander of the National Guard of Ukraine No. 150 of April 14, 2021, “On the organization of work to ensure the proper state of military discipline among the personnel of the National Guard of Ukraine”, for visual registration of legal information in units of military units, guard rooms, places of performance of official (combat) tasks, including temporary ones, are equipped with corners of legal knowledge, which contain:

- extract from the Constitution of Ukraine (articles regulating military service by citizens of Ukraine);
- extracts from the Laws of Ukraine “On Military Duty and Military Service”, “On Social and Legal Protection of Servicemen and Members of Their Families”, “On the National Guard of Ukraine”, “On Prevention of Corruption” (provisions of articles regulating military service and determining responsibility for violation of legislative acts during its passage);
- extracts from the decrees of the President of Ukraine, resolutions of the Verkhovna Rada of Ukraine and the Cabinet of Ministers of Ukraine, which regulate the service of servicemen of the NGU;
- extracts from the Criminal Code of Ukraine on criminal liability of servicemen (Articles 111, 286-1, Section XIX) and extracts from the Code of Ukraine on Administrative Offenses (Articles 44, 173, 173-1, 178, 185, 172-10 – 172-20);
- information on bringing servicemen to criminal liability for offenses committed (using information material developed in the Main Directorate of the NGU).

Every year in January and July (for higher military educational institutions - in January and September) the requirements of the Criminal Code of Ukraine are signed by all categories of servicemen:

- to persons of officers, servicemen of privates, sergeants and sergeants who perform military service under the contract – the requirements of Articles 191, 364, 364-1, 365-2, 368 - 369-2, Section XIX of the Criminal Code of Ukraine and Articles 44, 130 and Sections 13-A, 13-B of the Code of Ukraine on Administrative Offenses;
- for conscripts – requirements of Articles 401-421 (except articles 417 and 419) of the Criminal Code of Ukraine and Articles 44, 130, 172-10 – 172-20 (except for Article 172-18) of the Code of Ukraine on Administrative Offenses.

The lists are kept in the relevant body of documentary support and control of military units.

In departments, departments (services) and groups for working with personnel of military units, records are kept of servicemen who have committed criminal, administrative offenses, emergencies or systematically violate military discipline, indicating the preventive measures taken with them.

General information on international humanitarian as well as international human rights and penal law (beyond 4.1).

To assist officials of the territorial departments of the National Guard of Ukraine (NGU), formations, military units (units), higher military educational institutions, training military units (centres), bases of the NGU (hereinafter - military units) in ensuring compliance with the principles and norms of international humanitarian law by servicemen during their tasks to ensure national security and defense, repulse and deter armed aggression of the Russian Federation

and use in training of all categories of servicemen in accordance with the requirements of Article 2 of the Law of Ukraine “On the Defense of Ukraine” and the Instruction on the procedure for the implementation of international humanitarian law in the Armed Forces of Ukraine, approved by the Order of the Ministry of Defense of Ukraine No. 164 of March 23, 2017, registered with the Ministry of Justice of Ukraine on June 9, 2017, under No. 704/30572, the NGU Main Directorate developed the Methodological Recommendations on the procedure for implementing the IHL norms in the NGU.

Raising awareness of the Armed Forces of Ukraine personnel on the norms of international humanitarian law is organized through the established and tested internal communications system of the Armed Forces of Ukraine leadership, commanders, and commanding offices with the personnel of the command-and-control authorities, military units by commander’s (combat) briefings, national patriotic training, after-action reviews.

4.3 How does your State ensure that armed forces are not used to limit the peaceful and lawful exercise of human and civil rights by persons as individuals or as representatives of groups nor to deprive them of national, religious, cultural, linguistic, or ethnic identity?

This provision is set forth in paragraph six of the Article 1 of the Law of Ukraine “On the Armed Forces of Ukraine”.

The Article 4 of the Law of Ukraine “On National Security of Ukraine” sets forth that within the powers under the Constitution of Ukraine, the security and defence sector shall be subject to democratic civilian control. The subject of civilian control is ensured through the compliance with the Constitution and laws of Ukraine in the activities of the security and defence sector, prevention of their use for usurpation of power, violation of human and civil rights and freedoms.

The procedure for the protection of human rights and freedoms in the temporarily occupied territories is regulated by the Law of Ukraine “On Ensuring the Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory of Ukraine”.

4.4. What has been done to provide for the individual service member’s exercise of his or her civil rights and how does your State ensure that the country’s armed forces are politically neutral?

Service members when performing their service are protected by the State and enjoy all the rights and freedoms of Ukrainian citizens, including those specified in the Constitution of Ukraine, the military laws of Ukraine, the Regulations of the Armed Forces of Ukraine, and other legal acts.

Article 1 of the Law of Ukraine “On Social and Legal Protection of Service Members and Their Families” (hereinafter referred to as the Law) defines the guarantees of social and legal protection of service members and their families.

Service members have all the rights and freedoms of human and citizen, the guarantees of these rights and freedoms enshrined in the Constitution of Ukraine and Laws of Ukraine, considering features established by this and other laws.

Because of the special character of military service related to the homeland defence, service members are entitled to privileges, guarantees and indemnifications established in the law.

Paragraph 5 of Article 5 of the Law provides that military members have the right to create their own public associations in accordance with the legislation of Ukraine. Service members of the armed forces are not allowed to be members of any political parties or organizations and groups. Service members of the armed forces are not allowed to organize and take part in strikes.

The personal (civil) rights of servicemen envisaged by the Constitution of Ukraine include the inalienable right to life (Article 27), the right to respect for human dignity (Article 28), the right to liberty and personal integrity (Article 29), the right to privacy (Article 30), the right to the confidentiality of correspondence, telephone conversations, telegraph and other correspondence (Article 31), the right to non-interference in private and family life (Article 32), the right to freedom of movement, free choice of place of residence, the right to freely leave the territory of Ukraine (Article 33), the right to freedom of thought and speech, the free expression of views and beliefs (Article 34), the right to freedom of opinion and religion (Article 35), the right to participate in the management of state affairs, in All-Ukrainian and local referendums, to freely elect and be elected to bodies of state power and local self-government (Article 38), the right to labour and wages in a fee (Article 43).

Implementation of these rights of servicemen is carried out in accordance with the laws of Ukraine “On the Armed Forces of Ukraine”, “On military duty and military service”, “On social and legal protection of servicemen and members of their families”, “On pensions for persons dismissed from military service, and some other persons”, “On state guarantees of social protection of servicemen who are dismissed from service in connection with the reform of the Armed Forces of Ukraine, and members of their families”, “On national security of Ukraine”, “On social and legal protection of persons with regard to whom the fact of deprivation of personal liberty as a result of armed aggression against Ukraine and members of their families has been established” and other laws of Ukraine.

National Guard of Ukraine

Rights and freedoms of service personnel to participate in lawful demonstrations and other political gatherings

In order to implement measures to improve the regulatory and legal support, the Regulations on the organization of work with personnel in the National Guard of Ukraine, approved by the Order of the Commander of the National Guard of Ukraine No. 515 of November 5, 2021, provides for a component – information work, which is carried out for the purpose of information impact on personnel, strengthening its moral and psychological state, the formation of public consciousness, ideological beliefs and national values, sustainable motivation and readiness for armed protection of state sovereignty, territorial integrity of Ukraine, understanding by servicemen of the military-political and socio-political situation.

4.5. How does your State ensure that its policy and military doctrine

are consistent with international law?

The Law of Ukraine “On National Security of Ukraine” provides, in particular, that:

- the legal basis of the state policy in the areas of national security and defence is the Constitution of Ukraine, this and other laws of Ukraine, international treaties ratified by the Verkhovna Rada of Ukraine, as well as other regulatory legal acts issued pursuant to the Constitution and laws of Ukraine;
- the main principles determining the procedure for the formation of state policy in the areas of national security and defence are:
 - 1) rule of law, accountability, legitimacy, transparency and respect for the principles of democratic civilian control over the functioning of the security and defence sector and the use of force;
 - 2) compliance with international law, participation in the national interests of Ukraine in international efforts to maintain peace and security, interstate systems and mechanisms of international collective security.

To ensure the formation and implementation of an effective state policy in the military sphere, defence and military construction, the Ministry of Defence of Ukraine has developed the main planning documents in the areas of national security and defence, as provided for by the Laws of Ukraine “On National Security of Ukraine” and “On Defence of Ukraine” and relevant decrees of the President of Ukraine.

This made it possible to form a system of strategic planning, which combines planning of state defence, strategic planning of the use of defence forces and defence planning.

The National Security Strategy of Ukraine was adopted in accordance with paragraph 3 of the Decree of the President of Ukraine No. 392/2020 of September 14, 2020, “On the Decision of the National Security and Defence Council of Ukraine” of September 14, 2020, “On the National Security Strategy of Ukraine”.

Thus, paragraph 5 of Section I of this document determines that the priorities of Ukraine’s national interests and national security are:

- protecting independence and state sovereignty;
- restoration of territorial integrity within the internationally recognized state border of Ukraine;
- social development, especially the development of human capital;
- protecting the rights, freedoms and legitimate interests of Ukrainian citizens;
- European and Euro-Atlantic integration.

Based on the National Security Strategy of Ukraine, the Military Security Strategy of Ukraine was first developed and adopted by Decree of the President of Ukraine No. 121 of March 25, 2021. The document clearly identified the Russian Federation as a military enemy of Ukraine.

The Military Security Strategy of Ukraine introduced a comprehensive approach to the state defence based on the principles of deterrence, resilience and

cooperation and provided for the involvement of the entire potential of the state and society, throughout the territory using all available forces and means.

The correctness of this approach was confirmed while repulsing the large-scale armed aggression launched by the Russian Federation on February 24, 2022.

The implementation of the principles of Ukraine's comprehensive defence was facilitated by the adoption of the Law of Ukraine "On the Principles of National Resistance", which ensured the organization and management of territorial defence, the resistance movement, and the preparation of the population for the defence of the state.

In addition, the first National Defence Plan of Ukraine was developed on the basis of the Military Security Strategy of Ukraine (approved by the Decree of the President of Ukraine of November 5, 2021).

4.6 How is gender equality implemented in the Armed Forces, including the implementation of UN Security Council Resolution 1325?

To implement the policy of gender equality in the Armed Forces of Ukraine, including the implementation of UN Security Council Resolution 1325 "Women, Peace, Security" for the period up to 2025, the Ministry of Defence of Ukraine has organized and ensured that:

- an institutional mechanism has been created;
- a departmental plan for the implementation of the National Action Plan for the implementation of the UN Security Council Resolution 1325 "Women, Peace, Security" for the period up to 2025, approved by the Minister of Defence of Ukraine on January 14, 2021, included Partnership Objective G0013 "Women, Peace, Security" in the process of planning and assessing forces within the NATO-Ukraine partnership has been developed.
- amendments to laws and regulations to enshrine the principle of women's military service on an equal footing with men (equal access to positions and military ranks and equal responsibility in the performance of military service duties) have been made;
- women have been given access to military education at all levels;
- a gender component in strategic and planning documents has been included;
- gender aspects in the systems of military personnel training and advanced training of personnel have been taken into account;
- infrastructure and technical conditions for military service have been improved;
- the system of collecting personnel statistics on personnel disaggregated by gender has been improved;
- the gender aspect has been taken into account in the development of laws and regulations;
- the gender aspect has been integrated into inspection activities, scheduled (unscheduled) inspections of military units;
- a gender audit of the Ministry of Defence of Ukraine has been conducted;

- measures to regulate the issues of prevention of discrimination and sexual violence during military service have been implemented;
- surveys among personnel have been conducted;
- international experience in responding to, preventing and counteracting discrimination and sexual harassment among members of the armed forces of NATO member states has been studied;
- methodological recommendations, guidelines, and memos in the area of gender equality and combating gender discrimination have been developed;
- activities to improve the gender competence of personnel (seminars, trainings) have been conducted;
- information on the implementation of the equal rights policy and opportunities for women and men in the Armed Forces of Ukraine in all available media resources of the Ministry of Defence and the Armed Forces of Ukraine has been covered.

SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION

3.1. Public access

3.1.1. How is the public informed about the provisions of the Code of Conduct?

The text of the OSCE Code of Conduct on Military-Political Aspects of Security in Ukrainian is publicly available on the website of the Verkhovna Rada of Ukraine at the following link: https://zakon.rada.gov.ua/laws/show/994_116#Text.

Information on the implementation of the OSCE Code of Conduct in the part that concerns the Ministry of Defence and the Armed Forces of Ukraine is included in the Information Bulletin “White Book – 2019-2020. Armed Forces of Ukraine, State Special Transport Service” at the following link: https://www.mil.gov.ua/content/files/whitebook/WB_2020_FINAL.pdf.

3.1.2. What additional information related to the Code of Conduct, e.g., replies to the Questionnaire on the Code of Conduct, is made publicly available in your State?

In 2022, media products devoted to topics related to the content and provisions of the Code of Conduct were regularly distributed by mass media of state and private forms of ownership.

3.1.3. How does your State ensure public access to information related to your State’s armed forces?

The Armed Forces of Ukraine ensure public access to information on the armed forces through public communication and coverage of information in official information sources of the Armed Forces of Ukraine, which include official websites and official pages in social networks, official printed publications of military authorities, military units, institutions and organizations in accordance with the Doctrine of Public Communication approved by the Commander-in-Chief of the Armed Forces of Ukraine as of September 19, 2020, and the Order of the Commander-in-Chief of the Armed Forces of Ukraine No. 73 (as amended) as of March 3, 2022, and provide information at the request

of citizens in accordance with the Law of Ukraine “On Access to Public Information”.

The public is informed about the Armed Forces of Ukraine through the publication of information on the official website of the Ministry of Defence of Ukraine, on the pages of the Ministry of Defence in social networks, broadcasting of relevant information on television and radio and posting of relevant content on military media channels on YouTube.

In 2022, the official website of the Ministry of Defence of Ukraine published 65 relevant information messages. 78 messages were posted on the website of the Information Agency of the Ministry of Defence of Ukraine. 51 media events were held with the participation of the leadership of the Ministry of Defence, the General Staff of the Armed Forces of Ukraine and representatives of the Security and Defence Forces of Ukraine at the Military Media Centre in the format of online broadcast.

Special provisions on secrecy and classification of security and defense related data, data protection and information security

Public relations related to the classification of information as a state secret, classification, declassification of its material carriers and protection of state secrets to protect the national security of Ukraine are determined by the Law of Ukraine “On State Secrets”.

Special provisions regulating to the protection of privacy

Specifics of information confidentiality protection (information protection from unauthorized access) are determined by:

- the Laws of Ukraine: “On Information”, “On Information Protection in Information and Communication Systems”, “On Protection of Personal Data”;
- the Regulation on the technical protection of information in Ukraine, approved by the Decree of the President of Ukraine No. 1229 of September 27, 1999 (as amended);
- Rules for ensuring the information protection in information, electronic communication and information and communication systems, approved by the Resolution of the Cabinet of Ministers of Ukraine No. 373 of March 29, 2006 (as amended);
- other regulatory legal acts and regulatory documents on information security and information protection, regulating the features of information confidentiality protection.

Specifics of the implementation of state control over information protection are determined by regulatory legal acts, regulatory and governing documents of the Administration of the SSSCIP.

3.2. Contact information

3.2.1. Provide information on the National Point of Contact for the implementation of this Code of Conduct.

Ministry of Foreign Affairs of Ukraine

Directorate General for International Security

1, Mykhailivska Square, Kyiv, 01018
Phone: +38 (044) 238 1724, Fax: +38 (044) 238 1881
Email: 414@mfa.gov.ua
Mr. Vsevolod SOBKO (vsevolod.sobko@mfa.gov.ua)

SECTION IV: ADDITIONAL INFORMATION ON THE IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION 1325 ON WOMEN, PEACE, SECURITY

Ukraine became the first UN member state to adopt the National Action Plan “Women, Peace, Security” (WPS) in times of conflict. The first such plan was adopted in 2016. In 2020, the second national action plan for the period until 2025 was introduced.

In August 2022, Ukraine adopted the State Strategy for ensuring equal rights and opportunities for women and men for the period until 2030. This comprehensive strategic document identified the priority areas of consolidated actions of central and local executive bodies, local self-government bodies, civil society institutions, and business entities to reduce gender inequality in all spheres of society's life.

In December 2022, against the background of destruction of civilian infrastructure by Russia and war crimes committed by Russian servicemen against women, including the use of sexual violence as a weapon, Ukraine's second national action plan was updated. It is aimed at expanding the participation of women in the process of responding to armed aggression and post-war reconstruction, helping victims of sexual violence related to armed conflict, providing support to people living in temporarily occupied territories and in areas of hostilities, to those who are in captivity, forcibly deported to the Russian Federation or forced to go abroad.

Ukraine became the first country to create a comprehensive coordination mechanism to combat conflict-related sexual violence, by signing a Framework Agreement on cooperation with the UN Special Representative on these issues in 2022. This mechanism covers 5 main areas: access to justice and accountability, comprehensive assistance to victims, strengthening the security and defence sector to prevent violence, combating human trafficking, and reparations and compensation.

Despite the ongoing full-scale war of aggression waged by the Russian Federation, the Government of Ukraine continues to take all necessary measures to ensure proper implementation of the WPS in Ukraine.

On March 28, 2023, the Government Commissioner for Gender Policy, together with the Office of the Vice-Prime Minister for European and Euro-Atlantic Integration, the Ministry of Social Policy, the Ukrainian Women's Fund International Fund, held a working meeting: “National action plan for the implementation of the Security Council resolution UN 1325 “Women, peace, security” for the period up to 2025: localization at the sectoral, regional and local levels”.

The plan outlines specific measures to ensure that women are included in

decision-making processes related to peace and security, such as promoting women's participation in political and public life, ensuring women's representation in peace negotiations, and strengthening women's leadership in conflict prevention, resolution, and post-conflict reconstruction.

The plan also emphasizes the importance of protecting women and girls from gender-based violence during conflict and post-conflict periods. It calls for measures such as providing services and support to survivors of gender-based violence, strengthening laws and policies related to gender-based violence, and promoting gender-sensitive training for security forces and personnel.

The plan focuses on several key areas, including increasing women's participation in decision-making processes related to peace and security, preventing, and responding to gender-based violence, promoting women's access to justice and security, and mainstreaming gender perspectives in all policies and programs related to peace and security.

In the Ministry of Defence of Ukraine, the implementation of the policy for equal rights and opportunities for women and men in the Armed Forces of Ukraine activity, including the implementation of the UN SC Resolution 1325 "Women, Peace, Security", is implemented by the following directions:

- improving the legal basis;
- implementing the military personnel policy with consideration of the equal rights and opportunities (access to the positions, participation in CTO/JFO, personnel training (education, qualification improvement));
- women participation in the peacekeeping activities;
- preventing conflicts and violence;
- improving the conditions of the military service;
- peaceful population protection measures;
- improving the gender competence of the personnel;
- public information.

To fulfil the decisions of the state leadership and the Government as for the gender policy implementation, the following has been accomplished:

- the institutional mechanism has been created to implement the gender aspect in the Armed Forces of Ukraine;
- the measures have been taken to improve the legal and normative basis;

The amendments made to the legal and normative acts provide:

- strengthening of the principle of equal military service for women and men, namely, equal access to the positions and military ranks, and equal scope of responsibility in the military duties;
- military service for women on the equal with men grounds, including officers' position (except for those with legal restrictions related to the possible health risks, including the reproductive one);
- access of the servicewomen to all the military occupational specialties for the privates and NCOs, including the combat ones;
- the equal scope of responsibility during the military service; equal access to the military ranks and military career opportunities.

The information of the public on the activity of the Armed Forces of Ukraine is realized by:

- preparation of the briefings and publishing them on the official web-sites of the Armed Forces of Ukraine and the Ministry of Defence of Ukraine, available pages in social networks;
- conduct of the media-events (press-tours, conferences, round tables, etc.) for the mass-media representatives;
- participation in TV and radio programs of the military personnel of the Armed Forces, providing information to mass-media;
- fulfilling the mass-media' requests as for the Armed Forces' activity;
- responding (rebutting) to the distorted, false information as for the Armed Forces' activity.

**Multilateral international treaties in the field
of international legal cooperation in criminal matters**

Name of the treaty	<i>Date of Ratification or accession</i>	<i>Date of entry into force for Ukraine</i>
Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk Convention)	10.11.1994	14.04.1995
Protocol to the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters	03.03.1998	17.09.1999
Convention on the Transfer of Sentenced Persons CETS No: 112	22.09.1995	01.01.1996
Additional Protocol to the Convention on the Transfer of Sentenced Persons	03.04.2003	01.11.2003
Protocol Amending the Additional Protocol to the Convention on the Transfer of Sentenced Persons	12.04.2018	
European Convention on the Transfer of Proceedings in Criminal Matters (1972) CETS No: 073	22.09.1995	29.12.1995
European Convention on the Supervision of Conditionally Sentenced or Conditionally Released Offenders CETS No: 051	22.09.1995	29.12.1995
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (1990) CETS No: 141	17.12.1997	01.05.1998
European Convention on Extradition (1957) CETS No: 024	16.01.1998	09.06.1998
Additional Protocol to the European Convention on Extradition (1975) CETS No: 086	16.01.1998	09.06.1998
Second Additional Protocol to the European Convention on Extradition (1978) CETS No: 098	16.01.1998	09.06.1998
Third Additional Protocol to the European Convention on Extradition (1978) CETS No: 098	07.06.2017	-
Fourth Additional Protocol to the European Convention on Extradition (1978) CETS No: 098	07.06.2017	-
European Convention on Mutual Legal Assistance in Criminal Matters (1959) CETS No: 030	16.01.1998	09.06.1998

Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (1978) CETS No: 099	16.01.1998	09.06.1998
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Second Additional Protocol to the European Convention on Mutual Legal Assistance in Criminal Matters (2001) CETS No: 182	01.06.2011	01.01.2012
European Convention on the Suppression of Terrorism (1977) CETS No: 090	17.01.2002	14.06.2002
Protocol amending the European Convention on the Suppression of Terrorism (2003) CETS No: 190	20.09.2006	-
European Convention on the International Validity of Criminal Judgments CETS No: 070	26.09.2002	12.06.2003
Convention on Cybercrime (2001) CETS No: 185	07.09.2005	01.07.2006
Additional Protocol to the Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin CETS No: 186	21.07.2006	01.04.2007
Council of Europe Convention on the Prevention of Terrorism (2005) CETS No: 196	31.07.2006	01.06.2007
Additional Protocol (2015) to the Council of Europe Convention on the Prevention of Terrorism CETS No. 217	20.09.2022	20.09.2022
Council of Europe Convention on Action against Trafficking in Human Beings CETS No: 197	21.09.2010	01.03.2011
Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005) CETS No: 198	17.11.2010	01.06.2011
European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes CETS No: 082	06.03.2008	30.10.2008
Criminal Law Convention on Corruption CETS No: 173	18.10.2006	01.03.2010
Additional Protocol to the Criminal Law Convention on Corruption CETS No. 191	18.10.2006	01.03.2010
Agreement on the Privileges and Immunities of the International Criminal Court	18.10.2006	28.02.2007
The United Nations Convention Against Transnational Organized Crime (2000)	04.02.2004	20.06.2004
Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children to the United Nations Convention Against Transnational Organized Crime	04.02.2004	20.06.2004
Protocol against the Smuggling of Migrants by Land, Sea and Air to the United Nations Convention Against Transnational Organized Crime	04.02.2004	20.06.2004

International Convention for the Suppression of the Financing of Terrorism (1999)	12.09.2002	05.01.2003
International Convention for the Suppression of Acts of Nuclear Terrorism (2005)	15.03.2006	25.10.2007
International Convention for the Suppression of Terrorist Bombings (1997)	29.11.2001	25.04.2002
United Nations Convention against Corruption (2003)	18.10.2006	01.01.2010

Bilateral international treaties in the field of international legal cooperation in criminal matters

<i>Name of the treaty</i>	<i>Signature date</i>	<i>Ratification date</i>	<i>Date of entry into force</i>
Treaty between Ukraine and People's Republic of China on Legal Assistance in Civil, Family and Criminal Matters	31.10.1992	05.02.1993	19.01.1994
Treaty between Ukraine and the Republic of Poland on Legal Assistance and Legal Relations in Civil and Criminal Matters	24.05.1993	04.02.1994	14.08.1994
Agreement on Cooperation between the Ministry of Justice of Ukraine and the Ministry of Justice of the Republic of Poland for the implementation of Article 3, paragraph 3 of the Treaty between Ukraine and the Republic of Poland on Legal Assistance and Legal Relations in Civil and Criminal Matters	10.01.2011	-	08.02.2011
Treaty between Ukraine and the Republic of Lithuania on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters	07.07.1993	17.12.1993	20.11.1994
Treaty between Ukraine and the Republic of Moldova on Legal Assistance and Legal Relations in Civil and Criminal Matters	13.12.1993	10.11.1994	24.05.1995
Treaty between Ukraine and the Republic of Estonia on Legal Assistance and Legal Relations in Civil and Criminal Matters	15.02.1995	22.11.1995	17.05.1996
Treaty between Ukraine and the Republic of Georgia on Legal Assistance and Legal Relations in Civil and Criminal Matters	09.01.1995	22.11.1995	06.12.1996
Treaty between Ukraine and the Republic of Latvia on Legal Assistance and Legal Relations in Civil, Family, Labor and Criminal Matters	23.05.1995	22.11.1995	12.07.1996
Treaty between Ukraine and Mongolia on Legal Assistance in Civil and Criminal Matters	27.06.1995	01.11.1996	01.08.2002
Treaty between Ukraine and Canada on mutual assistance in criminal matters	23.09.1996	17.12.1997	01.03.1999
Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ukraine Concerning the Restraint and Confiscation of the Proceeds and Instruments of Criminal Activity other than Drug	18.04.1996	01.11.1996	01.04.1997

Trafficking			
Agreement Between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of Ukraine Concerning Mutual Assistance on Relation to Drug Trafficking	18.04.1996	01.11.1996	01.04.1997
Treaty between Ukraine and Georgia on the transfer of persons sentenced to imprisonment for further serving of sentence	14.02.1997	21.11.1997	10.05.1998
Treaty between Ukraine and the Republic of Azerbaijan on the transfer of persons sentenced to imprisonment for further serving of sentence	24.03.1997	21.11.1997	27.04.1998
Treaty between Ukraine and the Republic of Uzbekistan on the transfer of persons sentenced to imprisonment for further serving of sentence	19.02.1998	19.03.1999	20.06.1999
Treaty between Ukraine and the United States of America on Mutual Legal Assistance in Criminal Matters	22.07.1998	10.02.2000	27.02.2001
Treaty between Ukraine and the People's Republic of China on extradition	10.12.1998	21.10.1999	13.07.2000
Treaty between Ukraine and the Republic of Kazakhstan on the transfer of persons sentenced to imprisonment for further serving of sentence	17.09.1999	18.05.2000	22.07.2000
Treaty between Ukraine and the Socialist Republic of Vietnam on Legal Assistance and Legal Relations in Civil and Criminal Matters	06.04.2000	02.11.2000	18.08.2002
Treaty between Ukraine and the Republic of Armenia on the transfer of persons sentenced to imprisonment for further sentence	01.03.2001	15.11.2001	01.09.2002
Treaty between Ukraine and the Czech Republic on Legal Assistance and Legal Relations in Civil Matters	28.05.2001	10.01.2002	08.11.2002
Treaty between the Republic of Ukraine and the People's Republic of China on Transfer of Sentenced Persons for Serving their Sentence	21.07.2001	07.03.2002	12.10.2002
Treaty between Ukraine and the Federal Republic of Brazil on Mutual Legal Assistance in Criminal Matters	16.01.2002	06.03.2003	24.10.2006
Treaty between Ukraine and the Republic of India on Extradition of offenders	03.10.2002	06.03.2003	18.01.2007
Treaty between Ukraine and the Republic of India on Mutual Legal Assistance in Criminal Matters	03.10.2002	06.03.2003	12.09.2003
Agreement between Ukraine and Hong Kong, the Special Administrative Region of the People's Republic of China on Mutual Legal Assistance in Criminal Matters	02.04.2003	20.11.2003	19.01.2004
Treaty between Ukraine and the Democratic People's Republic of Korea on Legal Assistance in Civil and Criminal Matters	13.10.2003	04.06.2004	17.12.2004

Treaty between Ukraine and the Federal Republic of Brazil on the Extradition of Offenders	21.10.2003	01.07.2004	27.08.2006
Treaty between Ukraine and the Republic of Panama on Extradition of Offenders	04.11.2003	12.05.2004	28.08.2004
Treaty between Ukraine and the Republic of Panama on Mutual Legal Assistance in Criminal Matters	04.11.2003	12.05.2004	28.08.2004
Treaty between Ukraine and the Republic of Tajikistan on the Transfer of Persons Sentenced to Imprisonment for Further Serving of Sentence	02.04.2004	22.09.2005	06.04.2008
Treaty between Ukraine and the Islamic Republic of Iran on the extradition of offenders	11.05.2004	06.07.2005	17.07.2008
Treaty between Ukraine and the Islamic Republic of Iran on the transfer of sentenced persons	11.05.2004	06.07.2005	11.01.2008
Treaty between Ukraine and the Islamic Republic of Iran on Legal Relations and Legal Assistance in Civil and Criminal Matters	11.05.2004	07.09.2005	31.08.2007
Treaty between Ukraine and the Arab Republic of Egypt on Mutual Legal Assistance in Criminal Matters	10.10.2004	22.06.2005	19.01.2006
Treaty between Ukraine and the Arab Republic of Egypt on extradition	10.10.2004	22.06.2005	19.01.2006
Treaty between the Republic of Ukraine and the Democratic People's Republic of Korea on the transfer of persons sentenced to imprisonment for further serving of sentence	12.11.2004	22.06.2005	22.12.2006
Treaty between Ukraine and Turkmenistan on the transfer of persons sentenced to imprisonment for further serving of sentence	23.03.2005	05.10.2005	23.06.2006
Agreement between Ukraine and the United Nations on the Enforcement of Sentences of the International Criminal Tribunal for the Former Yugoslavia	07.08.2007	16.05.2012	19.11.2012
Agreement between Ukraine and the Great Socialist People's Libyan Arab Jamahiriya on Legal Assistance in Civil and Criminal Matters	08.04.2008	10.06.2009	01.01.2010
Agreement between Ukraine and the Great Socialist People's Libyan Arab Jamahiriya on the transfer of sentenced persons	08.04.2008	10.06.2009	01.01.2010
Treaty between Ukraine and the Syrian Arab Republic on Legal Relations and Mutual Legal Assistance in Civil and Criminal Matters	09.10.2008	18.11.2009	30.01.2011
Treaty between Ukraine and the Republic of Belarus on the transfer of persons sentenced to imprisonment for further serving of sentence	12.06.2009	17.02.2010	15.01.2012
Treaty between Ukraine and the Federal Republic of Brazil on the transfer of sentenced persons	02.12.2009	21.09.2010	28.09.2014
Treaty between Ukraine and the United Arab Emirates on mutual legal assistance in criminal matters	26.11.2012	19.06.2013	20.02.2014

Treaty between Ukraine and the United Arab Emirates on extradition of offenders	26.11.2012	05.06.2013	20.02.2014
Treaty between Ukraine and the Republic of Senegal on Legal Assistance in Civil and Criminal Matters	17.06.2013	02.09.2015	-
Treaty between Ukraine and the Republic of Senegal on extradition of offenders	17.06.2013	02.09.2015	-
Treaty between Ukraine and the Republic of Senegal on the transfer of sentenced persons	17.06.2013	02.09.2015	-
Treaty between Ukraine and the Democratic Socialist Republic of Sri Lanka on the extradition of offenders	25.06.2016	16.11.2016	-
Treaty between Ukraine and the Democratic Socialist Republic of Sri Lanka on mutual legal assistance in criminal matters	25.06.2016	16.11.2016	20.12.2017
Treaty between Ukraine and the Democratic Socialist Republic of Sri Lanka on the transfer of sentenced persons	25.06.2016	16.11.2016	20.12.2017
Treaty between Ukraine and the Government of Malaysia on Mutual Legal Assistance in Criminal Matters	04.08.2016	22.02.2017	06.08.2017
Treaty between Ukraine and the Government of Malaysia on Extradition of offenders	04.08.2016	22.02.2017	05.10.2017
Treaty between Ukraine and the Kingdom of Thailand on Mutual Legal Assistance in Criminal Matters	05.06.2017	08.02.2018	09.08.2019
Agreement on Cooperation between Ukraine and the Eurojust	27.06.2016	08.02.2017	02.09.2017
Agreement between Ukraine and the Kingdom of the Netherlands on international legal cooperation regarding crimes connected with the downing of Malaysia Airlines flight MH17 on 17 July 2014	07.07.2017	12.07.2018	28.08.2018
Treaty between Ukraine and the Argentine Republic on Mutual Legal Assistance in Criminal Matters	06.08.2018	-	-
Treaty between Ukraine and the Argentine Republic on the Extradition of Offenders	06.08.2018	-	-
Treaty between Ukraine and the Argentine Republic on the transfer of sentenced persons	06.08.2018	-	-
Treaty between Ukraine and the Republic of Kazakhstan on legal assistance in criminal matters	29.10.2018	-	-
Treaty between Ukraine and the Republic of Kazakhstan on extradition	29.10.2018	-	-
Treaty between Ukraine and the Kingdom of Morocco on Legal Assistance in Criminal Matters and Extradition	22.10.2019	-	-
Treaty between Ukraine and the Kingdom of Morocco on the transfer of sentenced persons	22.10.2019	-	-
Treaty between Ukraine and the Hashemite Kingdom of Jordan on Mutual Legal Assistance in	27.11.2019	-	-

Civil Matters			
Treaty between Ukraine and the Hashemite Kingdom of Jordan on Mutual Legal Assistance in Criminal Matters	27.11.2019	-	-
Treaty between Ukraine and the Hashemite Kingdom of Jordan on the transfer of sentenced persons	27.11.2019	-	-

Bilateral international treaties of the former USSR applicable in the succession procedure

According to the Law of Ukraine “On the succession of Ukraine, 1991” and the provisions of the Vienna Convention on the Succession of States to the Treaties, 1978, the following bilateral international treaties of the former USSR apply in the succession procedure:

- Treaty between the USSR and the Republic of Finland on the Legal Protection and Legal Assistance in Civil, Family and Criminal Matters (1978);
- Treaty between the USSR and the Algerian People's Democratic Republic on Mutual Legal Assistance (1982);
- Treaty between the USSR and the People's Democratic Republic of Yemen on Legal Assistance in Civil and Criminal Matters (1986);
- Treaty between the USSR and the Federal People's Republic of Yugoslavia on Legal Assistance in Civil, Family and Criminal Matters (1962) (in relations with Serbia, Montenegro, Bosnia and Herzegovina).

There are also no objections to the implementation of the following treaties:

- Treaty between the USSR and the People's Republic of Albania on the provision of legal assistance in civil, matrimonial and criminal matters (1958);
- Treaty on Mutual Legal Assistance between the USSR and the Iraqi Republic (1973).;
- Treaty on Mutual Legal Assistance between the USSR and the Tunisian Republic on Legal Assistance in Civil and Criminal Matters (1984).

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