



**Permanent Mission of Ukraine**  
to the International Organizations  
in Vienna

23 Naaffgasse,  
Wien, 1180  
Republic of Austria

(+431) 479 7172,  
pm\_io@mfa.gov.ua

№ 4131/33-124/1-24659

The Permanent Mission of Ukraine to the International Organizations in Vienna presents its compliments to the Permanent Missions and Delegations to the OSCE and to the Conflict Prevention Centre of the OSCE and has the honour to forward herewith, in accordance with Decision No. 2/09 of the Forum for Security Cooperation, the response of Ukraine to the Questionnaire on the OSCE Code of Conduct on Politico-Military Aspects of Security for the year 2020.

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 Conflict Prevention Centre of the OSCE the assurances of its highest consideration. *ya*



Vienna, 15 April 2021

**To all Permanent Missions and Delegations to the OSCE  
To the Conflict Prevention Centre of the OSCE**

**RESPONSE of Ukraine  
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?**

Currently, Ukraine is a party to a variety of international agreements in the field of legal support of combating terrorism. The list of these agreements is quite extensive, as the forms of committing terrorist acts, as well as the forms of leadership and abetting terrorist activities are quite diverse and, thus, require specific forms of counteraction and international legal cooperation in these issues.

The main international agreements in this domain include:

Council of Europe Convention on the Prevention of Terrorism, of May 16, 2005 (ratified by the Law of Ukraine No. 54, No.149-V of July 31, 2006 with reservations and statements);

Council of Europe Convention on the Prevention of Terrorism, of May 16, 2005 (ratified by the Law of Ukraine No. 54-No.149-V of July 31, 2006 with reservations and statements).

*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 as of 12/21/1987 No. 5049-XI);

Convention for the Suppression of Unlawful Seizure of Aircraft, as of December 16, 1970 (Ratified by Ukraine as of 02/21/1972);

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, as of September 23, 1971 (Ratified by Ukraine as of 01/26/1973);

Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation as of February 24, 1988 (Ratified by the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR as 03/14/1989 No. 7247-XI);

Convention on the Suppression of Unlawful Acts Relating to International Civil Aviation as of September 10, 2010;

Protocol Supplementary to the Convention for the Suppression of Unlawful Seizure of Aircraft as 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, as of December 14, 1973 (Ratified by Ukraine as of 01/20/1976).

*On Taking of Hostages*

International Convention against the Taking of Hostages, as of December 17, 1979 (Ratified by the Decree of the Presidium of the Supreme Soviet of the Ukrainian SSR as of 05/08/1987 No. 3954-XI).

*On Nuclear Materials*

Convention on Physical Protection of Nuclear Material and Nuclear Facilities as of October 26, 1979 (Ratified by the Resolution of the Verkhovna Rada of Ukraine as of 05/05/1993 No. 3182-XII);

Amendment to the Convention on the Physical Protection of Nuclear Material of 2005 (Ratified by the Law of Ukraine as of 09/03/ 2008 No. 356-VI).

*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 as of 12/17/1993 No. 3735-XII);

Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation of 2005 (Eng. 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation);

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 as of 12/17/1993 No. 3735-XII);

2005 Protocol to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located of the Continental Shelf (Eng. 2005 Protocol to the 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 as of 03/01/1991 (Ratified by the Law of Ukraine of 12/03/1997 No. 687/97-VR).

*On Terrorist Bombings*

International Convention for the Suppression of Terrorist Bombings, as of December 15, 1997 (Ratified by the Law of Ukraine as of 11/29/2001 No. 2855-III).

*On Financing of Terrorism*

International Convention for the Suppression of the Financing of Terrorism, as of December 09, 1999 (Ratified by the Law of Ukraine as of 09/12/2002 No. 149-IV).

Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, as of May 16, 2005 (Ratified by the Law of Ukraine No. 2698-VI as of 11/17/2010 with reservations and statements).

*On Nuclear Terrorism*

Convention on Physical Protection of Nuclear Material and Nuclear Facilities as of March 03, 1980 (Ratified by the Resolution of the Verkhovna Rada of Ukraine as of 05/05/1993 No. 3182-XII);

International Convention for the Suppression of Acts of Nuclear Terrorism as of September 14, 2005 (Ratified by the Law of Ukraine as of 03/15/2006 No. 3533-IV).

*Concerning the State Emergency Service of Ukraine (SESU)*

In accordance with the requirements of the Law of Ukraine “On Combating Terrorism”, the SESU, as the central executive body implementing state policy in the field of civil protection, is a subject of the fight against terrorism and is directly involved in counter-terrorism activities within its competence.

Territorial bodies and formations of central subordination of the SESU within the its powers and in accordance with the Plan of table-top and tactical-special exercises on anti-terroristic topics by coordination groups at the State Security Service regional bodies in 2019 have been involved in the table-top and tactical- special exercises on anti-terroristic topics.

The Department of State Emergency Service of Ukraine in Sumy oblast and Rapid Response Interregional Centre of SESU, in the framework of the international technical assistance project which is supported by the Ministry of Defence USA, Defence Threat Reduction Office (DTRO), within its powers have been involved in the tactical-special exercises on “Conducting anti-terroristic operation in complicated conditions resulting from the act of nuclear terrorism and illicit traffic of nuclear (radioactive) materials on the route of special railway train with nuclear fuel and elements of a counter-sabotage operation in Konotop, Sumy oblast ” (August 29-30, 2019).

In accordance with the requirements of the Law of Ukraine “On Features of State Policy for Ensuring State Sovereignty of Ukraine in Temporarily Occupied Territories in Donetsk and Luhansk oblasts,” the SESU engaged subordinate forces and means to accomplish within the powers of the mission (purpose) in the area of operation of the United forces in the Donetsk and Luhansk oblasts.

As part of the implementation of practical measures of international cooperation, the Anti-Terrorist Center of the Security Service of Ukraine with the involvement of relevant actors in the fight against terrorism during 2015-2020 organized and conducted:

*Concerning the Security Service of Ukraine were conducted:*

- 16 international tactical and special exercises: Ukrainian-Moldovan “Strongboarder-2017”; Ukrainian-Moldovan-Romanian “Bukovyna-2018”;
- 14 in conjunction with the US Defence Ministry Threat Reduction Agency “Comprehensive Exercise Preparedness and Training Project”;
- 8 anti-terrorist components during the multinational exercises “Sea Breeze” and “Rapid Trident”.

*Concerning the Ministry of Internal Affairs of Ukraine.*

The Ministry of Internal Affairs of Ukraine as well as the executive bodies coordinated through the Minister of Internal Affairs of Ukraine are engaged in implementing within the scope of their responsibilities the international

(intergovernmental and interagency) agreements, treaties and conventions on international cooperation in fighting organized crime, terrorism and other serious crimes. Based on this legal framework the law enforcement bodies of Ukraine cooperate with the competent bodies of other foreign states.

Besides, international treaties of Ukraine on border issues with neighbouring countries include provisions on joint counteraction to terrorist threats at the state border in accordance with the national law.

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

According to the Law of Ukraine<sup>1</sup> “On Fighting Terrorism” and the Resolution of the Cabinet of Ministers of Ukraine “On the Approval of the Terms of Reference on Unified State System of Prevention, Response and Termination of Terrorist Attacks, Minimizing their Consequences and Determining Levels of Terrorist Threats” the Ministry of Defence of Ukraine and the General Staff of the Armed Forces of Ukraine developed and enacted three departmental orders on the above issue.

In addition, the Joint Orders of the Ministry of Defence of Ukraine, the Ministry of Internal Affairs of Ukraine and the Security Service of Ukraine has been elaborated and enacted in pursuance of the above Law of Ukraine in 2019.

### ***The Laws of Ukraine:***

The Law of Ukraine No. 361-IX as of December 06, 2019 “On Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction” (effective of 04/28/2020).

### ***International Treaties of Ukraine***

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and the Financial Intelligence Unit of Kuwait on Cooperation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime and Terrorism Financing as of January 24, 2019;

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and the Financial Intelligence Unit of the Republic of Austria on Cooperation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction as of January 30, 2019;

### ***Concerning the State Emergency Service of Ukraine (SESU)***

According to the Law of Ukraine “On Combating Terrorism” and the Provision on the State Emergency Service of Ukraine, approved by the Decree of the Cabinet of Ministers of Ukraine №. 1052 dated December 16, 2015, the SESU is determined to implement measures to minimize and eliminate the consequences of emergencies during the conduct of anti-terrorist operations, as well as educational and practical-educational measures in order to prepare the people for actions in the conditions of a terrorist act.

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<sup>1</sup> No. 92 as of February 18, 2016

*Concerning the State Aviation Service of Ukraine*

Issues of aviation security of civil aviation that can be classified as measures to prevent terrorism are set out in the following legislative and regulatory acts of Ukraine:

the Laws of Ukraine:

the Air Code of Ukraine;

the Criminal Code of Ukraine;

the Code of Ukraine on Administrative Offenses;

the Law of Ukraine “On the State Program of Aviation Security of Civil Aviation”;

*Concerning the Security Service of Ukraine*

In accordance with part five of Article 27 of the Law of Ukraine “On National Security of Ukraine”, the Decision of the National Security and Defence Council of Ukraine "On the organization of planning in the security and defence sector of Ukraine" (enacted by Presidential Decree of 16 May 2019 №225 / 2019), the Procedure for Reviewing the National Counter-Terrorism System (approved by the Decree of the President of Ukraine of July 9, 2019 №506/2019), the Security Service of Ukraine through a duly established working group of the Anti-Terrorist Centre of the Security Service of Ukraine

In 2020 by the Security Service of Ukraine was prepared the report that based on the results of the review, taking into account existing and potential terrorist threats, financial and economic capabilities of the state using information materials provided by counter-terrorism entities and other government agencies, institutions, organizations and regional coordination groups of the Anti-Terrorist Centre of the Security Service of Ukraine, which contains:

- analyse is of the state and prospects of development of anti-terrorist security of the state and the national system of fight against terrorism;
- review of the capabilities of the subjects of the fight against terrorism; force, means and resource planning materials;
- proposals for the formation of a promising model of the national system of combating terrorism.

**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?**

Agents of the fight against terrorism organization of the fight against terrorism in Ukraine and the provision of the necessary forces, means and resources made by the Cabinet of Ministers of Ukraine within its competence.

Central executive bodies involved in combating terrorism within its competence as defined by the laws and issued on the basis of other regulations.

*Concerning the Security Service of Ukraine*

The Security Service of Ukraine, which is the main body of the national system to terrorist activities.

The coordination of actors involved in counter-terrorism exercises antiterrorist centre in the Security Service of Ukraine.

According to Article 5 of the Law of Ukraine “On Combating Terrorism” the Security Service of Ukraine:

- fights terrorism by conducting operative-search and counter-intelligence measures aimed at preventing, detecting and ending terrorist activities, including international ones; and

- collects information on the activities of foreign and international terrorist organizations;

- to carry out within the limits defined by the current legislation the powers solely for the purpose of obtaining pre-emptive information in case of threat of committing a terrorist act or during conducting anti-terrorist operation operative-technical search measures in systems and channels of telecommunications that can be used by terrorists.

*Concerning the Ministry of Internal Affairs of Ukraine (MIA)*

The Ministry of Internal Affairs of Ukraine, together with the National Police, organizes the fight against terrorism by preventing, detecting and stopping crimes committed for terrorist purposes, investigations of which are attributed to the competence of the National Police by the legislation of Ukraine; provides the Antiterrorist Centre with the necessary security forces and facilities at the Security Service of Ukraine; ensures their effective use during anti-terrorist operations.

MIA missions:

- create and implement national policy to protect basic rights and freedom;

- create state policy on migration (legal and illegal) and citizenship;

- maintain law and order;

- keep people safe;

- prevent, detect and investigate crime;

- protect public and private property;

- ensure 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.

*Concerning the National Police of Ukraine*

Is the central executive body that serves society by ensuring the protection of rights and freedoms, combating crime, maintaining public order and security. Also prevention, detection and suppression of crimes committed with a terrorist aim of which in accordance with the laws of Ukraine belongs to the competence of the National Police. Within the limits of the powers envisaged by law, takes part in the fight against terrorism, ensuring the effective use of forces and means during antiterrorist operations.

*The State Border Guard Service of Ukraine* shall take the following measures:

According to the Law of Ukraine "On Combating Terrorism", central executive body for the protection of state borders, territorial bodies specially authorized central executive body for state border protection and border authorities of the fight against terrorism through prevention, detection and

suppression of attempts by terrorists crossing the state border of Ukraine, through illegal state border of Ukraine of weapons, explosive, poisonous, radioactive substances and other items that can be used as a means of committing terrorist acts; ensure the safety of maritime navigation in territorial waters and exclusive (maritime) economic zone of Ukraine during counter-terrorist operations, provide antiterrorism centre when the Security Service of Ukraine necessary capabilities during antiterrorist operations.

*Concerning the National Guard of Ukraine*

Is a military formation with law enforcement functions, which is part of the Ministry of Internal Affairs of Ukraine and is designed 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 law 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. The units of the National Guard of Ukraine are involved in the CFO.

*Concerning the Foreign Intelligence Service of Ukraine (FISU)*

According to the current legislation, one of the FISU main tasks is a participation in antiterrorist actions (The law of Ukraine “About Foreign Intelligence Service”, Art. 3 Service participates in actions connected with prevention, identification and the termination of terrorist activity when needed, collects, analyses and provides, in accordance to established procedure, information about foreign and international terrorist organizations activity outside Ukraine. Conducts actions of direct counteraction to 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 antiterrorist operations outside Ukraine. Chief of the Service is a member of the Interdepartmental coordination commission of the Anti-terrorist centre at the SSU (The law of Ukraine “About fight against terrorism”, the Art. 4, 5, 7).

The draft of the law of Ukraine “About intelligence” (№ 1204, 05.09.2019) determines that “participation in antiterrorist actions” is one of the main functions of FISU (art. 6). At the same time, law provides an opportunity to intelligence officers to conduct special operations as part of terrorist organizations (art. 20) and to expand jurisdiction of intelligence bodies in a case of conducting the intelligence activity during antiterrorist operations (art. 27).

*Concerning the State Emergency Service of Ukraine (SESU)*

In order to implement the Plan for Main Civil Protection Measures 2019, approved by the Decree of the Cabinet of Ministers of Ukraine № 1076-r dated December 27, 2018, the SESU prepared and conducted tabletop exercises with management bodies and forces of territorial subsystems of the united civil protection system of Mykolaiv (March 19 - 21, 2019), Zaporizhzhya (May 21-23,



2019), Kherson (September 27-29, 2019) and Volyn (November 19-21, 2019) oblasts, during which have been taken measures concerning preparation of the management bodies and units of the Civil Protection Operational and Rescue Service for completing assigned tasks during minimization and the elimination of the consequences of emergencies, including those related to technological terrorist acts.

These tabletop exercises have involved more than 5,000 people and 615 vehicles from the management bodies and civil protection forces of the territorial subsystems of a unique civil protection system, including 700 people and 168 vehicles from the SESU.

According to the Law of Ukraine of 20 of March 2003 № 638-IV “On the fight against terrorism” the SESU as a central executive body that implements the state policy in the field of civil protection, is a subject which directly within its competence fights against terrorism. In accordance with the Mandate of the State Emergency service of Ukraine, approved by the Decree of the Cabinet of Ministers of Ukraine of December 16, 2015, № 1052, the SESU carries out measures for minimization and elimination of the consequences of emergencies during anti-terrorist operations, as well as awareness raising and practical training activities with the purpose of training the population for action in the context of a terrorist act.

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

In 2020, *the Security Service of Ukraine* prevented 7 terrorist acts on the territory of Ukraine:

- 2 terrorist acts were prevented by obtaining pre-emptive information about plans to mine the positions of the Armed Forces of Ukraine the loss of personnel was prevented;

- the terrorist act was prevented by detecting and seizing the means of destruction in the immediate vicinity of the oil depot in the Brovary district of Kyiv region, the detonation of which; could lead to numerous human casualties and economic losses;

- a terrorist act was prevented by detaining three malefactors, representatives of the neo-Nazi structure “Ethnic National Association” (ENO), who were involved in the arson of the cult building of the Muslim religious community of Odessa in July 2020;

- prevented the commission of a terrorist act by detaining two malefactors, previously involved in the commission of 4 terrorist acts in the city of Kyiv, who were preparing a more resonant terrorist act;

- a terrorist act was prevented in the city of Lutsk, Volyn region, by detaining a resident of the settlement who was involved in the seizure of a passenger bus with 24 hostages and threats to detonate explosive devices in crowded places in the cities of Kyiv and Lutsk;

- a terrorist attack in the city of Kyiv was prevented by detaining an Uzbek citizen who was involved in threats to detonate an explosive device in the premises of the Leonardo business centre.

Currently, within the framework of 6 joint operations with foreign partners, measures are being implemented aimed at identifying members of the international terrorist organizations Islamic State (hereinafter - IS), "Hezbollah", "Emirate of Caucasus", "PKK /Kongra in Ukraine-Gel" etc.

The Regulation on the Unified State System for Prevention, Response and Cessation of Terrorist Acts and Minimization of Their Consequences (Resolution of the Cabinet of Ministers of Ukraine of 18.02.2016 № 92) provides for the assessment of internal and external terrorist threats and the establishment of an appropriate level of terrorist threat at the national level.

The Anti-Terrorist Center of the Security Service of Ukraine as the coordinating body of the unified state system of prevention, response and cessation of terrorist acts and minimization of their consequences (hereinafter - the Unified State System) is responsible for monitoring threats of terrorist acts on the territory of Ukraine and abroad.

Unified state system:

1. It consists of territorial and functional subsystems that interact by:

- exchange of information on the threat of committing a terrorist act;
- conducting joint search and other activities;
- monitoring the state and trends of terrorism in Ukraine and abroad;
- organization and conduct of command-staff and tactical-special exercises and trainings with the use of forces and means of the subjects of the fight against terrorism.

2. Depending on the available information on the threat of committing or committing a terrorist act, establishes the following levels of terrorist threats:

"GRAY (possible threat)" - in the presence of factors (conditions) that contribute to the commission of a terrorist act;

"BLUE (potential threat)" - if you need the information you need confirmation of preparation for the commission of a terrorist act;

"YELLOW (probable threat)" - in the presence of reliable (confirmed) information about the preparation for a terrorist act;

"RED (real threat)" - in case of a terrorist act.

The level of terrorist threat is temporarily established for all or some subjects of fight against terrorism and operates on all territory of Ukraine, in its separate localities or on objects of possible terrorist encroachments.

The decision to establish, change, cancel the level of terrorist threat, the term and area of the level of terrorist threat is made by the head of the Anti-Terrorist Center with the written permission of the Chairman of the Security Service of Ukraine.

The head of the Anti-Terrorist Center shall immediately inform the President of Ukraine of the decision.

The decision to establish, change, cancel the level of terrorist threat, the term and scope of the level of terrorist threat shall be published through the media.

The level of a terrorist threat is abolished if a terrorist act is prevented or stopped and the threat to human life and health is eliminated.

In accordance with the established levels, the subjects of the fight against terrorism and the Anti-Terrorist Center take measures to prevent the commission of crimes for terrorist purposes.

*Concerning the State Border Guard Service of Ukraine*

According to the laws of Ukraine “On the State Border Guard Service of Ukraine”, “On Border Control” units of the State Border Guard Service of Ukraine at border crossing point (checkpoints) carry out state control, which includes a set of actions and a system of measures, with a view to establishing legal grounds for crossing the state border by persons, vehicles and moving goods across it. Border control is carried out in order to counteract the illegal movement of persons across the state border, illegal migration, human trafficking, as well as illegal movement of weapons, drugs, psychotropic substances and precursors, ammunition, explosives, materials and objects prohibited for movement across the state border. (part 2 article 2 of the Law "On Border Control"). During border control, documents are checked at persons crossing the state border, which allows to detect forged and invalid documents from citizens who use them for terrorist purposes. The instructions of the authorized state bodies are also carried out, which allows to identify persons involved in terrorist activities, including use of Interpol databases. Examination of persons, vehicles and cargo reveals objects and materials, weapons, drugs, psychotropic substances and precursors, ammunition, explosives, which can be further used to commit terrorist acts.

During the fulfillment of tasks, technical means of border control are used to check documents and inspect vehicles and cargo.

In the same aspect, the search for stolen vehicles is being carried out. From April 4, 2019, the State Border Guard Service of Ukraine is tasked with inspecting vehicles, cargo and other property at border crossing point (checkpoints) across the state border of Ukraine, in order to identify cases of exceeding the permissible level of ionizing radiation. In order to ensure Ukraine's implementation of UN Security Council resolutions on non-proliferation of mass destruction weapons and to prevent it use for terrorist purposes, the State Border Guard Service of Ukraine counteracts the illegal movement of nuclear and radioactive substances and materials across the state border at border crossing point using stationary systems and portable radiation reconnaissance devices. In 2021, personnel took participation in training and other activities within the joint project of the OSCE and the State Border Guard Service "Support of the State Border Guard Service of Ukraine in preventing and combating illicit trafficking of weapons, ammunition and explosives". It will allow, more effectively, countering attempts of transportation of these substances, their detection at border crossing point during the service at guard duties in order to prevent their further use for terrorist purposes.

#### **1.4.1 Financing of terrorism**

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" (hereinafter - the Law), which, in particular, is provided 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 the area of implementation of targeted financial sanctions has been changed, in particular, 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 consider applications from foreign countries for inclusion and exclusion of persons to 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 terrorist financing 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.

In 2019 the Security Service of Ukraine opened and terminated the activities of an international organized criminal group of citizens of Ukraine, Jordan and Iraq involved in the sale of narcotic drugs and psychotropic substances on the territory of Kyiv, Cherkasy and Kirovograd regions they directed the financing of Hamas (the Islamic Resistance Movement, recognized by the terrorist

organization Israel, Canada, SILA, Japan and the European Union). During the search, more than 65 kg of narcotic drugs and cannabis cultivation site were discovered and seized. Also, in the course of searches in the territory of Cherkasy and Kirovograd regions were detected and withdrawn from illicit trafficking from a firearm unit. AND

Also, in 2019, unlawful was found and terminated; the activities of a Syrian Arab citizen who was a cash handler and financial guarantor of the illegal transfer to the EU country of citizens from countries with high terrorist risks using the Khawal system of non-bank transfers.

#### **1.4.2 Border controls**

*The State Border Guard Service of Ukraine* 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.

Since the situation in Luhansk and Donetsk regions has escalated the Cabinet of Ministers of Ukraine terminated the traffic across the Ukrainian-Russian border in 22 crossing points, from which 14 are in Luhansk region, and 8 in Donetsk, and 3 of them are temporarily shut down according to the Resolution of the Cabinet of Ministers of Ukraine No. 50-r as of 05.21.2015.

Resolution of the Cabinet of Ministers of 17.07.2019 No. 815 had 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 in order to create a unified information database of people, who move from the temporary occupied territory and the territory of the Joint Forces Operation.

The certificate is issued for Ukrainian citizens, foreigners and people without citizenship, who live on the Ukrainian territory and move from the temporarily occupied territory of Ukraine and the Joint Forces Operation zone.

Moreover, according to the Article 7 of the Agreement between the Government of Ukraine and the Government of the Russian Federation on the Procedure of Crossing the Ukrainian-Russian Border for the residents of border regions of Ukraine and Russia temporary limitations for crossing the state border of Ukraine were introduced for the residents of the border regions of the Russian Federation as of May 16, 2015<sup>65</sup>. Residents of these border regions can enter Ukraine only through the checkpoints for interstate and international transportation links and only if having an (international) passport.

A few innovations are implemented to improve the reliability of the border control procedures and to identify wanted persons, offenders, persons involved in terrorist activities at checkpoints across the state border, namely:

an organized information exchange with the Interpol databases;

the staff started to use the systems that check the identity reading the biometric data from the passports with electronic media on the first control line, as well as systems that process biometric information on the second control line.

#### **1.4.3 Travel document security**

On December 6, 2012 entered into force the Law of Ukraine “On Unified State Demographic Register and Documents Proving Citizenship of Ukraine, Personal Identity or her/his Special Status” which envisages introduction of the passports of the citizens of Ukraine with contactless electronic media.

Pursuant to this Law Ukraine has started processing and issuance of passport of a citizen of Ukraine with contactless electronic media that contains biometric data of a holder.

Since January 2015 processing, issuance, exchange of passport of a citizen of Ukraine for travelling abroad has started pursuant to the Action Plan on introduction of documents proving citizenship of Ukraine, personal identity or her/his special status with contactless electronic media and on introduction of a national system of biometric verification and identification of citizens of Ukraine, foreigners and stateless persons for 2014-2017, adopted by the Resolution of the Cabinet of Ministers of Ukraine dated August 20, 2014 № 780-r.

The passports of citizens of Ukraine with contactless electronic media (in the form of ID card) containing in particular, biometric parameters of a person, place of residence and civil status with the means of the Unified State Demographic Register have been issued in Ukraine since 2016.

Moreover, according to the Article 15 of the Law of Ukraine “On Unified State Demographic Register and Documents Proving Citizenship of Ukraine, Personal Identity or her/his Special Status” (as revised by the Law of Ukraine of July 14, 2016 № 1474-VIII) forms of documents with contactless electronic media should be produced in accordance with the requirements of the State (national) and international standards and taking into account the recommendations of the International Civil Aviation Organization (ICAO), and should have a protection level that makes it impossible to forge them.

Forms of documents, unless otherwise specified in this Law, should be produced according to the single samples and technical descriptions which are approved by the Cabinet of Ministers of Ukraine.

In particular, the sample of the form, technical description and Procedure of processing, issuance, exchange, transfer, withdrawal, return to the state, invalidation and destruction of the passport of citizens of Ukraine was adopted by the Resolution of the Cabinet of Ministers of Ukraine of March 25, 2015 № 302.

The sample of the form, technical description and the Procedure of processing, issuance, exchange, transfer, withdrawal, return to the State, invalidation and destruction of the passport of citizens of Ukraine for traveling abroad was adopted by the Resolution of the Cabinet of Ministers of Ukraine of May 7, 2014 № 152.

According to the mentioned above regulatory legal acts the processing of passports of the citizens of Ukraine for traveling abroad and passports of the citizens of Ukraine (in the form of ID card) is carried out taking into account the requirements of the International Civil Aviation Organization (ICAO - Doc 9303).

According to the mentioned above the State Migration Service within its competence fulfills obligations on reliability of documents for entry and departure foreseen in the OSCE Code of Conduct at the national level.

To enhance border security and migration control there was implemented the Biometrics control in 157 international and interstate border crossing points and in 3 check-points on the administrative line with the Crimea.

Moreover, 157 international and interstate border crossing points and in 3 checkpoints on the administrative line with the Crimea are launched to the Interpol database.

Since 01.01.2020 State Border Service of Ukraine introduced new forms of border stamps on crossing that are as close as possible to the European standard and have a modern design and fundamentally new elements of protection, which, counterbalance the illegal channels of counterfeiting border stamps on crossing.

#### *Concerning the State Migration Service of Ukraine*

Pursuant to the Action Plan on introduction of documents proving *citizenship of Ukraine*, personal *identity* or *her/his special status* with contactless electronic media and on introduction of a national system of biometric verification and identification of citizens of Ukraine, foreigners and stateless persons for 2014-2017, adopted by the Ordinance of the Cabinet of Ministers of Ukraine of August 20, 2014 № 780-p, from January, 2015 processing, issuance, exchange of the passport of a citizen of Ukraine for travelling abroad has started.

Since 2016 issuance, with the means of the Unified State Demographic Register, of the passport of a citizen of Ukraine with contactless electronic media (in the form of ID card), which contains in particular, biometric parameters of a person, place of residence, and civil status was introduced in Ukraine.

Moreover, according to the Article 15 of the Law of Ukraine “On *Unified State Demographic Register* and *Documents Proving Citizenship of Ukraine*, Personal *Identity* or *her/his Special Status*” (as reworded by the Law of Ukraine of July 14, 2016 N 1474-VIII) forms of documents with contactless electronic media should be produced in accordance with the requirements of the State (national) and international standards and taking into account the recommendations of the International Civil Aviation Organization (ICAO), and should have a protection level that makes it impossible to forge them.

Forms of documents, unless otherwise specified in this Law, should be produced according to the single samples and technical descriptions, which are approved by the Cabinet of Ministers of Ukraine.

In particular, the sample of the form, technical description and Procedure of processing, issuance, exchange, transfer, withdrawal, return to the state, invalidation and destruction of the passport of a citizen of Ukraine was adopted by the Resolution of the Cabinet of Ministers of Ukraine of March 25, 2015 N 302.

By the Resolution of the Cabinet of Ministers of Ukraine of May 7, 2014 N 152, the sample of the form, technical description and the Procedure of processing, issuance, exchange, transfer, withdrawal, return to the State, invalidation and destruction of the passport of a citizen of Ukraine for traveling abroad was adopted.

According to the mentioned above regulatory legal acts of processing of the passport of a citizen of Ukraine for traveling abroad and a passport of a citizen of Ukraine (in the form of ID card) is carried out taking into account the requirements of the International Civil Aviation Organization (ICAO - Doc 9303).

According to the legislation of Ukraine on the legal status of foreigners and stateless persons in the presence of provided grounds, foreigners and stateless persons are issued permanent residence permits (documents that certify the identity of foreigners or stateless persons and confirming the right to permanent residence in Ukraine) and temporary residence permits in Ukraine (document that certify the identity of foreigners or stateless persons and confirming legal grounds for temporary residence in Ukraine).

As of September 2018, the SMS is in compliance with the requirements of the Law of Ukraine "On *Unified State Demographic Register and Documents Proving Citizenship of Ukraine, Personal Identity or her/his Special Status*" issuance of temporary residence permits in the form of a plastic card of type ID-1 with contactless electronic media has been introduced. Such permits to be exchanged after their expiry date. It should be noted that in order to fulfill the requirements of the said Law as of December 2018, the SMS has also started issuance a permanent residence permit in the form of a plastic ID-1 type card with a contactless electronic medium.

The contactless electronic media shall include the information stated on the front and back of the certificate, biometric data, person's parameters (digitized face image, digitized signature of the person), as well as data on protection of information entered into the contactless electronic media, in accordance with the requirements of the Law Of Ukraine "On *Unified State Demographic Register and Documents Proving Citizenship of Ukraine, Personal Identity or her/his Special Status*."

Temporary and permanent residence permits that are issued by means of the Unified State Demographic Register provide a more reliable degree of protection against unauthorized interference, damage or loss of information in comparison with paper documents.

According to the mentioned above, the SMS, within its competence, fulfills obligations on reliability of documents for entry and departure, foreseen in the OSCE Code of Conduct, at the national level.

#### **1.4.4 Container and supply chain security**

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**



Ionizing radiation sources (IRS) are used for the needs of the Armed Forces of Ukraine.

IRS are stored and exploited according to the Chief Public Health Physician of Ukraine – First Deputy Minister of Health of Ukraine Regulation<sup>2</sup> “On the Enactment of the State Health “Radiation Safety Standards of Ukraine” (RSSU-97) and the Order of the Ministry of Health of Ukraine<sup>3</sup> “Basic Sanitary Rules for Radiation Safety of Ukraine” (BSRRSU-2005).

IRS that are not used as intended in the military unit shall be stored in the dedicated depots (premises) of military units (institutions).

The Armed Forces of Ukraine also maintain radioactive waste disposal sites (burial mounds) formed as a result of implementation of military programs of the former USSR in Ukraine, located within the territory of military unit A0981 (Tsybuleve populated area of Kirovohrad Oblast), A1807 (Desiatyn urban-type village of Ivano-Frankivsk Oblast).

It is planned to dispose of the mentioned burial mounds according to the Law of Ukraine “On National Targeted Ecological Program for Radioactive Waste Management” by means of specialized integrated plants of the Ukrainian State Corporation “Radon”.

At the same time, according to the Implementation Agreement between the Cabinet of Ministers of Ukraine and the NATO Support Organisation (NSPO) on the re-containment of radioactive wastes formed as a result of the implementation of the military programs of the former USSR in Ukraine (ratified by the Law of Ukraine<sup>4</sup>), it is planned to dispose radioactive waste disposal sites of with financial support from NATO.

*Note.*

*Within the framework of the NATO-supported project on the elimination of radioactive waste disposal sites formed as a result of the implementation of the military programs of the former USSR in Ukraine, the State Agency of Ukraine on Exclusion Zone Management (SAUEZM) in cooperation with representatives of the NATO Support and Procurement Agency (NSPA) in Ukraine, has agreed with NATO on funding of activities of the Armed Forces of Ukraine related to the re-containment of radioactive wastes (elimination of burial mounds) located within the territory of military unit A0981 ( Tsybuleve urban-type village, Kirovograd region) under the Trust Fund for the Disposal of Radioactive Sources.*

*During the visit of the General Manager of the NATO Support and Procurement Agency (NSPA) the ceremony of signing contract documents under the project with “NT Engineering” Company PVT LTD was held on May 21, 2019.<sup>5</sup>*

*Implementation of the project provides for allocation of funds from the NATO Trust Fund. The cost is USD 1.5 million. As of May, 2019 the Trust Fund has*

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<sup>2</sup> No. 62 as of December 01, 1997.

<sup>3</sup> No. 54 as of February 02, 2005.

<sup>4</sup> No. 526-VIII as of June 17, 2015.

<sup>5</sup> Contract No. LB-UM/4500401331 of May 21, 2019.

amounted to USD 1.3 million allowing to launch the first stage of the project – radiation safety audit of the site.

According to the contract, it is planned to implement works in the following stages:

*I Stage. Drafting project documentation, obtaining permits, admission to the site, radiation safety audit of the site, conduct of radiological and environmental investigations. Scheduled time is May 21-August 19, 2019.*

*II Stage. Performance of the practical phase of the burial mounds elimination (drafting of technical solution, processing, extraction, conditioning and transportation to the radioactive waste disposal sites). Tentative scheduled time is May-August 2020.*

*III Stage. Reclamation and restoration of the site's territories. Tentative scheduled time is September 2020.*

*In the course of the project implementation, the Ministry of Defence of Ukraine was identified as the second beneficiary after the SAUEZM.*

IRS storage sites and radioactive waste disposal sites are equipped with alarm system and guarded by the military unit (facility) personnel.

IRS disposal and transportation apart from the product outside the military unit shall be performed using the resources of specialized integrated plants of the Radon Ukrainian State Corporation.

Radiation levels in IRS storage sites and radioactive waste disposal sites do not exceed natural background values and do not pose a threat to human health and the environment.

According to the Law of Ukraine “On the State Border Guard Service of Ukraine” the border agency provides checks at the border crossing points (checkpoints) across the State border of Ukraine of vehicles and rail transport entering Ukraine and cargoes imported into Ukraine by all means of transport, using stationary and/or portable radiation monitoring devices to detect cases of exceeding the acceptable level of ionizing radiation.

Also, the State Border Guard Service of Ukraine carries out:

equipping checkpoints (control points) across the State border of Ukraine, check-points of entry-exit check with complexes of automated control over the movement of radioactive substances and nuclear materials;

provision of portable radiation intelligence devices;

maintenance and repair of radiation intelligence devices;

training of the personnel of the State Border Guard bodies on the procedure of using the mentioned above equipment.

At checkpoints (control points) across the State border of Ukraine, check-points of entry-exit check of road and rail transport and cargoes imported by all means of transport, in order to detect cases of exceeding the permissible level of ionizing radiation, taking into account the recommendations of the Integrated Nuclear Security Support Plan (IAEA-TECDOC-1311/R, IAEA-TECDOC-1312/R, IAEA-TECDOC-1313/R).

Also, the State Border Service is the subject of the Integrated Nuclear Security Support Plan (INSSP), which provides assistance in the maintenance of

equipment, training of personnel on how to respond to the detection of radioactive substances and illicit trafficking and improper use of materials educational material base.

*Concerning the State Agency of Ukraine on Exclusion Zone*

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 INSP (International Nuclear Safety Program), participates in the meetings of the Non-Proliferation and Export Control Working Group and is the host organization of the ISI meetings (Information Sharing Initiative).

Within the framework of all the aforementioned programs and initiatives, a number of projects are being implemented in the SAUEZM on countering nuclear terrorism and preventing the proliferation of weapons of mass destruction, namely:

Amnesty program for abandoned sources of ionizing radiation;

the project Containers for transportation and storage of spent ionizing radiation sources within the VECTOR II project and specialized transport for special enterprises "Association "Radon" for transportation of SSIR;

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);

cooperation with NATO under the NATO Trust Fund, aimed at assisting Ukraine in the removal (re-disposal) of the SSIR created as a result of the implementation of the post-Soviet military programs.

A scientific article "Physical Features of pollutants spread in the air during the emergency at NNPs", prepared by the specialists of the Foreign Intelligence Service of Ukraine Academy, was published in professional edition which is the part of the Scopus database "Nuclear and radioactive security" (№ 4, 2019).

*Concerning to the Ministry of Energy of Ukraine*

Ukraine is a party of the Convention on the Physical Protection of Nuclear Material and Amendment to this Convention.

In accordance with Article 24 of the Law of Ukraine "On physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of

ionizing radiation” Ministry of Energy of Ukraine ensures the implementation of state policy on physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation within the scope of Ministry’s responsibility as well as its transportation and monitoring of its implementation.

In accordance with the requirements of Regulation on the implementation of the radioactive materials transportation through the territory of Ukraine approved by the Resolution of Cabinet of Ministers of Ukraine № 1373 dated 15.10.2004 transportation of special cargos, including nuclear materials (fuel) for nuclear power plants through the territory of Ukraine is under protection and defence of the National Guard of Ukraine. The list of these special goods is approved by the Resolution of Cabinet of Ministers of Ukraine № 338 dated 13.08.2014.

The system of physical protection of nuclear materials is created for specific transportation and basis on principle of deep defence, taking into account categories of nuclear materials, given the potential radiological consequences of the alleged commission of an act of nuclear terrorism and the potential consequences of unauthorized removal of nuclear material.

Handling of information concerning the physical protection of nuclear materials during their transportation, and protection carried out pursuant to current legislation.

*Concerning the State Nuclear Regulatory Inspectorate of Ukraine (SNRIU)*

SNRIU participates in permitting activities in the field of nuclear energy use in the production and use of ionizing radiation sources (IRS), carries out in the manner prescribed by law licensing of activities for the use and production of ionizing radiation sources, 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”. Also, carries out state 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 of November 13, 2013 № 824 “On approval of the Procedure for state supervision over compliance with nuclear requirements and radiation safety”. In 2020, state examinations on nuclear and radiation safety of project documentation will be conducted, namely: assessment and proposals for approval of 92 Conclusions of the state examination on radiation safety of IRS premises projects and 7 conclusions of examinations of projects on the site of the former VO “Prydniprovsky Chemical Plant”. In addition, state supervision over compliance with the requirements for accounting and control of IRS on the basis of the State Register of IRS (hereinafter - the Register). The Register is the only state system of accounting and control of IRS, the activity of which is not exempt from regulatory control and which are produced on the territory of Ukraine or imported or exported across the state border, as well as owners of these IRS, legal entities and individuals economic management or operational management or are in their possession and use on other grounds.

At the same time, the main components of nuclear protection according to the IAEA classification are the prevention, detection and response to the stay out

of regulatory control of radioactive materials that can hypothetically be used for malicious purposes, including in the commission of nuclear terrorism.

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

#### **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, not for terrorist purposes.

The Security Service of Ukraine within the 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.

In order 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.

Cooperation with academic, civil and private sector on cyber security

The scientists Academy of the Foreign Intelligence Service of Ukraine participated in a number of international and Ukrainian theoretical and practical conferences (6) and round tables devoted to cybersecurity.

Due to the active phase of large-scale cyber-attacks on official websites and information and telecommunication systems, government agencies, critical infrastructure and private sector institutions, to prevent leaks of proprietary information, prevent leaks of military information and protection of information a set of measures was held, 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 proprietary 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 network and monitoring for malware software.

#### **1.4.7 Legal cooperation including extradition**

According to the European Convention on Extradition<sup>6</sup>, Convention on the Transfer of Sentenced Persons<sup>7</sup>, the European Convention on the Transfer of Proceedings in Criminal Matters<sup>8</sup>, the European Convention on Mutual Assistance in Criminal Matters<sup>9</sup> and Article 44 of the Criminal Procedure Code 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.

At the same time, to implement UN Security Council Resolutions on combating international terrorism in the framework of international cooperation with special services and law enforcement agencies of foreign countries and international organizations (Interpol) since early 2019 3 persons were extradited to the countries of civilian origin (Kyrgyzstan, Tajikistan, Uzbekistan) in connection with the commission of terrorist offenses.

During 2020 due to activities of the Security Service of Ukraine 8 representatives of international terrorist organizations were identified and detained:

- a citizen of the Russian Federation, a native of the Republic of Dagestan (RF), who is a member of the Islamic State, participated in its activities in the Syrian Arab Republic, and was wanted by the General Secretariat of Interpol for detention and further extradition. The person was a member of an ethnic criminal group specializing in violent crimes;

- a citizen of the Russian Federation was identified and detained, who is a member of the MIT "Emirate of the Caucasus" and headed an ethnic criminal group operating in Kyiv. This person is part of an ethnic criminal group from the Chechen Republic, which specializes in crimes of a general criminal nature (robbery, extortion, threats of physical violence, etc.);

- a citizen of the Kyrgyz Republic was detained in the city of Zhytomyr, who was on the international wanted list at the initiative of Kyrgyz law enforcement agencies in connection with participation in the armed conflict on the territory of Syria as part of IS combat units;

- detained a citizen of the Russian Federation, "governor" ID for Ukraine and the Russian Federation;

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<sup>6</sup> of 12/13/1957

<sup>7</sup> of 03/21/1983

<sup>8</sup> of 12/29/1995

<sup>9</sup> of 04/20/1959

- a member of the Islamic State, a native and a citizen of the Republic of Uzbekistan, who has been declared internationally wanted in connection with the commission of terrorist crimes, has been identified and detained;

- a member of the international terrorist organization “Jabhatan-Nusra” (“Al-Qaeda in Syria”), a citizen of the Republic of Uzbekistan, who provided logistical, financial and logistical support for the activities of this terrorist organization, as well as recruiting and recruiting mercenaries in its interests on the territory of our state;

- a citizen of the Russian Federation who is a member of the IDF was searched for and detained;

- a citizen of the Russian Federation] who is a member of the MIT "Emirate of the Caucasus", namely his “Gimrin cell”, was identified and detained.

In the framework of international cooperation with special services and law enforcement agencies of foreign countries during 2020 to other countries, including to countries of civil origin, extradited 3 persons involved in the activities of the ID:

- extradition to the city of Tbilisi of a citizen of the Republic of Georgia, a well-known ex-Islamic State official nicknamed “Al-Baru Al Shchishani” (detained in November 2019), who is accused of committing a crime under Part 2 of Art. 327 (participation of a member of a terrorist organization in the activities of this organization or carrying out operations on behalf of the said organization, or in order to facilitate or encourage its activities) of the Criminal Code of Georgia;

- extradition to the Republic of Uzbekistan of a citizen of the country, a member of the IS, who ensured the functioning of the channel of transit through Ukraine to Syria of foreign militants-terrorists from Central Asia in order to further participate in hostilities on the side of the IS;

- extradition to the territory of the Republic of Moldova of a citizen of the Russian Federation who is a member of the Islamic State.

- 74 foreign nationals were forcibly returned outside Ukraine in connection with their involvement in the activities of international terrorist organizations, including:

- a citizen of the Republic of Kazakhstan who is involved in the activities of international terrorist organizations, in particular the Islamic State. Suspected by law enforcement agencies of the Republic of Kazakhstan in connection with terrorist militants in the Syrian-Iraqi conflict zone, their support;

- a citizen of the Russian Federation who is a member of the MTO “Emirate of the Caucasus”, namely its “Gimrin cell” in Ukraine;

- a citizen of the Russian Federation, who is a member of the MTO "Emirate of the Caucasus" and led an ethnic criminal group operating in the city of Kiev;

- three citizens of the Republic of Georgia who provided assistance in hiding on the territory of Ukraine to one of the heads of the Islamic State; j

- a citizen of the Republic of Uzbekistan, a supporter of the Islamic State, who spread the ideas of radical Islam and recruited recruits to the ranks of international terrorist organizations for: participation in hostilities in Syria and

Iraq, as well as established a channel for illegal transfer of foreign terrorist fighters to Syria combat zones and vice versa, transit through Ukraine;

- a citizen of the Republic of Uzbekistan, who under the influence of the leadership of MTO “Jabhatan-Nusra” provided logistical, financial and logistical support of the terrorist organization, as well as engaged in the selection and recruitment of mercenaries in its interests in our country;

- a citizen of the Republic of Uzbekistan, who is a member of the terrorist group “Tawhidva Zhihodkatibashi” (“Katibat Taukhidval-Jihad”, “Battalion of Monotheism and Jihad”), which was initially subordinated to “Al Qaeda in Iraq”, and later in Iraq;

- a citizen of the Russian Federation who is a member of the ID;

- a citizen of the Republic of Turkey who is a member of the terrorist organization “PKK / Kongra-Gel”.

The effectiveness of countering the activities of international terrorist organizations was facilitated by the established international cooperation with partner intelligence services in this area of work.

#### **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?)**

##### *Concerning the State Migration Service of Ukraine*

The granting of protection in Ukraine, as well as the process 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) and the Rules for Consideration of the Applications and issuance of necessary documents to resolve the issue of recognition of a refugee or person in need of subsidiary protection, loss and withdrawal of refugee status and subsidiary protection and cancellation of the decision on recognition of a person as a refugee or person in need subsidiary protection, approved by the order of Ministry of Internal Affairs of 07.09.2011№ 649 registered with the Ministry of Justice of Ukraine 05.10.2011 № 1146/19884 (hereinafter - the Rules).

Pursuant to Article 5 of the Law, a person who arrives to Ukraine with the intention to obtain protection must apply to the central executive body that is responsible for implementing of the state policy in the field of refugees and persons in need of subsidiary or temporary protection with an appropriate request.

According to Section II of the Rules, the decision on the issue of the application for recognition as a refugee or a person in need of subsidiary protection falls within the competence of the relevant territorial body of the SMS.

In accordance with paragraph 2.1. of the Regulations, a person who intends to obtain protection in Ukraine shall personally apply with a request for recognition as a refugee or person in need of subsidiary protection to the relevant territorial body of the SMS.



The criterion to obtain protection in Ukraine is the existence of reasonable fears in case of return to the country of civic identity, namely:

- to be victimized by persecution on one or more grounds (race, creed, nationality, citizenship, affiliation with a particular social group or political beliefs) as set out in the 1951 Convention Relating to the Status of Refugees and in Article 1, paragraph 1, of the Law of Ukraine “On Refugees and Persons in Need of Subsidiary or Temporary Protection”(condition for recognition as a refugee);

- to suffer serious damage related to the conditions set out in Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, EU Qualification Directive 2011/95 / EU, and Article 13, paragraph 1, of the Law of Ukraine “On Refugees and Persons in Need of Subsidiary or Temporary Protection”(condition for recognition of a person in need of additional protection).

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

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

- a person, who has committed a crime of a non-political nature outside Ukraine prior to his or her arrival to Ukraine with a view to being recognized as a refugee or a person in need of subsidiary protection, if such act in accordance with the Criminal Code of Ukraine is considered to be serious crime of particularly grave crime or particularly serious;

- a person, who is guilty of acts contrary to the purposes and principles of the United Nations;

- in regard of who it is established that the conditions provided for in paragraphs 1 or 13 of part 1 of Article 1 of this Law are absent;

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

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

In addition, according to Article 11, paragraph 5 of the Law, a person is deprived of refugee status or subsidiary protection if he or she engages in activities that threaten the national security, public order and health of the population of Ukraine. The reason for submitting to the central executive authority that is responsible for the implementation of the state policy in the field of refugees and persons in need of subsidiary or temporary protection may be the request of the unit of the Security Service of Ukraine, another state authority.

The Security Service of Ukraine has repeatedly recorded attempts by the international terrorist organizations "Islamic State of Iraq and the Levant (hereinafter referred to as “IDIL”)”, “Al-Qa'ida” and related groups and persons

to use the territory of our country to establish channels of transfer of foreign terrorist fighters from countries of Europe, the Caucasus and Central Asia to the war zones and backwards, ensuring their hiding from criminal responsibility, planning and preparing terrorist acts both in Ukraine and abroad. In addition, representatives of international terrorist organizations periodically use the territory of Ukraine to finance terrorist activities, mainly through the collection and transfer of funds using a non-bank money transfer system called "hiding".

Concerning to these persons and their relations, the Security Service of Ukraine conducts financial investigations with the involvement of financial intelligence units -; The State Financial Monitoring Service of Ukraine, the State Fiscal Service of Ukraine, as well as the tools of international cooperation.

*In the regard to the part "Refuges and shelters for terrorists and terrorist organizations".*

Priority activities and directions:

- Preventing attempts by international terrorist organizations to use illegal migration channels to in order to get members of such organizations into Ukraine or to ensure the transit transfer of these persons through Ukraine;
- overlapping of illegal migration channels;
- control over observance of rules of stay of foreigners and stateless persons in Ukraine;
- identification of illegal migrants.

Measures to implement the concept of counter-terrorism of the SMS and its territorial bodies and units are carried out on an ongoing basis.

Coordination meetings are held to identify and set common tasks, work out interactions, exchange information with the participation of the Ministry of Internal Affairs, Security Service of Ukraine, State Border Guard Service of Ukraine, Ministry of Education and Science of Ukraine, the State Labor Inspectorate of Ukraine and the invitation of judges, representatives of prosecuting authorities.

In order to prevent attempts by international terrorist organizations to use channels of illegal migration for penetration of members of such organizations into Ukraine or their transit movement through the territory of Ukraine and blocking of such channels, the department conducts a series of practical measures.

According to the information provided by the concerned law enforcement agencies, in order to prevent the illegal legalization of foreigners and stateless persons in the territory of Ukraine, the documents submitted by a foreigner or a stateless person, required for obtaining a Ukrainian citizenship, obtaining a permit for immigration or a refugee certificate, shall be checked.

In order to exclude the possibility of legalization in the territory of Ukraine of persons involved in international terrorist or religious-extremist organizations, inquiries are made with the Security Service of Ukraine regarding these persons and their lists are forwarded to the territorial units of the SMS.

To monitor compliance with the rules of stay in Ukraine, on a monthly basis, and if necessary - immediately, information is received from the State Border

Guard Service of Ukraine on persons who have not left Ukraine after the expiration of the visa or stay in Ukraine.

In order to prevent the organizers from using the channels of illegal migration of invitations to study at higher educational establishments for the unobstructed entry and legalization of foreigners in Ukraine, information on students who are expelled from universities is obtained on a monthly basis.

In order to identify illegal migrants who are employed, inspections are made of commodities and food markets, construction sites, restaurants, cafes, and other places where foreign labor is possible.

On a regular basis, information is received from law enforcement agencies regarding the list of persons on the international wanted list or concerning whom there is information about committing crimes in the territory of Ukraine, in order to exclude the possibility of entering into the territory of Ukraine and legalizing thieves in law, criminal authorities, touring criminals who are third-country nationals.

Special units of the Security Service of Ukraine take measures coordinated with other law enforcement agencies aimed at counteracting the activities of organized criminal groups, members of which are involved in the illegal circulation of the means of destruction.

## **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.

Currently, **337** members of the Armed Forces of Ukraine perform tasks in 9 international peacekeeping and security operations in **7** countries, including the Abyei Area.

The NATO-led Multi-National Forces "Kosovo Force" (KFOR) in Kosovo<sup>10</sup> – 40 soldiers; equipment - 17 pcs.

The United Nations Organization Stabilization Mission in the DR Congo<sup>11</sup> – 246 soldiers; equipment - 64 pcs., 8 helicopters (4 helicopters Mi-24 and 4 helicopters Mi-8).

NATO Training and Advisory Mission in Islamic Republic of Afghanistan - "Resolute Support"<sup>12</sup> – 10 soldiers.

The United Nations Organization Mission in Democratic Republic of the Congo - 12<sup>13</sup> soldiers.

<sup>10</sup> Agreement between Ukraine and NATO on the participation of Ukrainian contingent as part of KFOR and financial aspects of such participation as of 20.09.1999; the Law of Ukraine as of 16.07.1999 №1006-IV; Decree of the President of Ukraine as of 14.07.1999 №1605/1999; Order of the Cabinet of Ministers of Ukraine as of: 30.08.1999 №1605, as of 30.03.2006 №401.

<sup>11</sup> Grounds: Law of Ukraine as of 19.09.23013 №582-VII; Decree of the President of Ukraine as of 17.09.2013 15515/2013.

<sup>12</sup> Grounds: Decree of the President of Ukraine as of March 30, 2015 №185/2015.

<sup>13</sup> Grounds: Decree of the President of Ukraine as of 20.06.2000 №806/2000.

The Joint Peacekeeping Forces in Transdniestria region of Republic of Moldova<sup>14</sup> – 10 soldiers.

The United Nations Mission in Kosovo, the Republic of Serbia<sup>15</sup> – 2 soldiers.

The United Nations Mission in South Sudan<sup>16</sup> – 2 soldiers.

The United Nations Interim Security Force for Abyei<sup>17</sup> – 4 soldiers.

The United Nations Peacekeeping Force in Cyprus<sup>18</sup> – 1 soldier.

The United Nations Multidimensional Integrated Stabilization Mission in Mali<sup>19</sup> – 10 soldiers.

### **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**

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.

Ukraine, as an OSCE member, actively participated at events, directed towards the fulfilment of obligations in the sphere of the 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.

Ukraine ensures the full implementation of obligations in the framework of:

Treaty on Conventional Armed Forces in Europe<sup>20</sup>;

Vienna Document 2011 on Confidence and Security Building Measures signed on November 30, 2011 (Vienna Document 2011);

Open Skies Treaty<sup>21</sup>;

Convention on prohibition of the development, manufacture, stockpiling and use of chemical weapons as well as its destruction<sup>22</sup>;

<sup>14</sup> Grounds: Odessa agreements (as of March 20, 1998); Resolution of the Cabinet of Ministers of Ukraine as of October 23, 1998 №1685; Order of the Cabinet of Ministers of Ukraine of March 14, 1999 №419-p; Joint Order of the Ministry of Defence of Ukraine and the Ministry of Foreign Affairs of Ukraine as of 04.08.1999 №235/130.

<sup>15</sup> Grounds: Order of the Verkhovna Rada of Ukraine as of 19.11.1993 №3626-XII.

<sup>16</sup> Grounds: Decree of the President of Ukraine as of 13.07.2012 №446/2012.

<sup>17</sup> Grounds: Decree of the President of Ukraine as of 13.07.2012 №446/2012.

<sup>18</sup> Grounds: Decree of the President of Ukraine as of 01.02.2012 №48/2012.

<sup>19</sup> Grounds: Decree of the President of Ukraine as of 09.01.2019 №6/2019.

<sup>20</sup> Ratified by the Resolution of the Verkhovna Rada of Ukraine No 2526-XII as of July 01, 1992.

<sup>21</sup> Ratified by the Law of Ukraine No 1509-III as of March 02, 2000.

<sup>22</sup> Ratified by the Resolution of the Verkhovna Rada of Ukraine No 178-XIV as of October 16, 1998.

Bilateral intergovernmental agreements with neighbouring states on additional confidence and security building measures (with the Slovak Republic<sup>23</sup>, Hungary<sup>24</sup>, the Republic of Belarus<sup>25</sup>, the Republic of Poland<sup>26</sup>, and Romania<sup>27</sup>).

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.

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.

The subject of the aforementioned treaties and agreements include:

conduct of inspection activities in the framework of the Treaty on Conventional Armed Forces in Europe and the Vienna Document 2011;

provision of additional quotas for conducting assessment visits and inspections within the area of application of bilateral agreements;

reduction of threshold levels and a ban on the tactical level exercises near the state borders;

annual working meetings to assess the implementation of the aforementioned agreements.

Thus, being an important element of arms control and confidence-building measures, the aforementioned bilateral agreements promote the development of politico-military cooperation between participating states within the OSCE.

The implementation of the Treaty on Open Skies provides:

Ukraine's execution of observation flight missions over the territories of member-states and support for observation flight missions in Ukraine;

participation of Ukrainian delegations in scheduled meetings of the Advisory Commission on open skies, which address issues related to compliance with the provisions of the Treaty;

participation of Ukrainian representatives in bilateral negotiations with other member-states in order to harmonize bilateral cooperation aimed at the implementation of the Treaty;

providing Ukrainian surveillance aircraft for lease to other member-states that do not have a surveillance aircraft;

providing refuelling of observation aircraft of other member-states during transit flights over the territory of Ukraine.

Since the declaration of independence Ukraine strictly adheres to obligations under international treaties and agreements in the field of arms control, disarmament, confidence and security building.

In addition, Ukraine as an active member-state of international processes in strengthening the European security system will continue to fulfil indefinite

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<sup>23</sup> Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 237 as of March 14, 2001.

<sup>24</sup> Ratified by the Law of Ukraine No 2946-III as of January 10, 2002.

<sup>25</sup> Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 323 as of March 13, 2002.

<sup>26</sup> Ratified by the Resolution of the Cabinet of Ministers of Ukraine No 1171 as of September 08, 2004.

<sup>27</sup> Ratified by the Law of Ukraine No 303-IV as of April 08, 2015.

obligations under the aforementioned treaties and agreements to counter modern threats and challenges.

### **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.**

Ukraine actively applies mechanisms of supervisory measures abroad (inspections, visits, monitoring over the military activity, observation flight missions on territories of other member-states), which largely contributes to the confidence and security building as well as the execution of international obligations by member-states.

In 2020, verification activities were carried out only at the beginning of the year due to the COVID-19 pandemic and related quarantine measures. In particular, only 5 control measures on the territory of Ukraine and 6 control measures on the territory of the OSCE participating States were carried out in accordance with international treaties and agreements on conventional arms control.

In total, during 2019-2020, taking into account quarantine restrictions, 151 control measures were carried out on the territory of Ukraine and abroad.

Ukraine fully adheres to its international commitments to implement international treaties and agreements on conventional arms control, promotes relations with neighboring countries through bilateral intergovernmental agreements on additional confidence- and security-building measures, and strengthens regional security.

In addition, Ukraine continues to ensure the transparency of its military activities and demonstrates to OSCE participating States its commitment to a peaceful settlement of the ongoing crisis.

OSCE States and the international community have an opportunity to assure of the transparency of military activities and Ukraine's commitment to peaceful settlement of the ongoing conflict.

During 2020 *the State Service of Special Communications and Information Protection of Ukraine* conducted 3 inspections of the foreign inspection groups' equipment: one - within the Treaty on Conventional Armed Forces in Europe and two - within the Vienna Document 2011. Also the Service Staff took part in supervisory flight over the territory of Ukraine according to the Treaty on Open Skies.

## **SECTION II: INTRA-STATE ELEMENTS**

### **1. National planning and decision-making process**

#### **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 in Ukraine is legally defined by the Law of Ukraine

“On National Security of Ukraine” No. 2469-VIII as of June 21, 2018, and is implemented to apply a comprehensive approach to planning in the national security and defence ensuring democratic civilian control over the agencies and formations of the security and defence sector of the state.

The purpose of planning in the national security and defence sector is to ensure implementation of public policy in these areas through the development of strategies, concepts, programs, plans on the national security and defence sector development, resource management and their effective distribution.

National security and defence planning is carried out according to the following principles:

- implementation of national legislation and international obligations of Ukraine;

- democratic civilian control over the security and defence sector, the openness of information on national policy, strategic documents, goals, priorities and tasks related to planning, transparency and accountability of resources;

- integrity, coordination and systematic planning in the security and defence sector given the priorities and limitations imposed by government programs, plans and forecasting documents;

- timeliness and compliance with the decision made on the protection of Ukraine's national interests.

In the Armed Forces of Ukraine, defence planning is carried out to implement national defence policy by developing capabilities to meet the country's defence requirements, comply with strategies, concepts, programs and plans, and respond to real and potential military threats within the financial and economic capabilities of the State.

Defence planning is carried out in accordance with the processes of national security and defence planning by using the best practices of defence planning of the North Atlantic Treaty Organization (hereinafter - NATO), including:

- Compliance with national legislation and international obligations of Ukraine;

- Democratic civilian control, access to public policy information, strategic documents, goals, priorities and planning requirements, transparency and accountability in the use of resources;

- Integrity, coherence, systematic planning, including priorities and constraints set by State programs, plans and forecast documents;

- Timeliness and compliance with the decisions taken to protect the national interests of Ukraine;

- Sufficient level of flexibility to respond to rapidly changing circumstances.

The Ministry of Defence of Ukraine is the primary authority in the system of central executive authorities to ensure the development and implementation of national policies on national security in the military, defence and military construction in peacetime and emergencies.

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 components of

defence, 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 process of defence planning is regulated by an order of the Ministry of Defence of Ukraine and the relevant 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, and implementation of programs 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 includes the development of the State Targeted Defence Program, a set of programs (projects) for the development of the Armed Forces' capabilities, programs 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 involves the development of plans (indicative plans) for maintenance and development and the state defence order (defence procurement) in the short term.

By using approved Euro-Atlantic approaches to planning and resource management in the defence sector in 2020:

A draft Law of Ukraine “On Amendments to Certain Laws of Ukraine to Improve Defence Planning Procedures” has been developed to clarify the provisions of the laws of Ukraine “On National Security of Ukraine” and “On Defence of Ukraine” in terms of clarifying the procedure for conducting a defence review and formats of defence planning documents using best practices from NATO and EU Member States.

The order of the Ministry of Defence of Ukraine as of 22.12.2020 №484 “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” was developed to institutionalize defence planning processes, implement capability-based planning and threat-oriented planning.

Activities to implement the principles of internal control and risk management in the overall defence planning system continued. The order of the Ministry of Defence of Ukraine as of 25.06.2020 № 227 “On Amendments to the Procedure for Organization of Internal Control and Risk Management in the Ministry of Defence of Ukraine” was issued.

Euro-Atlantic principles and approaches to budget planning have been introduced into the budget policy for national defence.

The provisions on planning in the areas of national security and defence are defined by the Law of Ukraine on National Security of Ukraine.

In accordance with this Law, the amount of expenditures for financing the



security and defence sector should amount to not less than 5 % of the planned volume of gross domestic product, of which not less than 3% to finance 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 of Ukraine defines the main organizational and methodological principles for budget planning.

In accordance with Article 33 of the Budget Code of Ukraine, the Ministry of Finance of Ukraine together with other key spending units of the state budget each year, in accordance with the goals and priorities defined in the annual message of the President of Ukraine to the Verkhovna Rada of Ukraine on the internal and external situation of Ukraine, the Program of the Cabinet of Ministers of Ukraine, the forecast and program documents of economic and social development, 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 forms the basis for drafting the State Budget of Ukraine and forecasts of local budgets.

In addition, the Ministry of Finance of Ukraine, based on the main macroeconomic indicators for economic and social development of Ukraine in the medium term and analysis of budget execution in the previous and current budget periods, determines the indicative limits of the state budget expenditures for national security and defence in the medium-term.

The National Security and Defence Council of Ukraine, based on the amount of expenditures on national security and defence in the medium term, justified by the Ministry of Finance of Ukraine, prepares, taking into account the program documents in the field of national security and defence, and no later than April 15th of the year preceding the planned year, provides to the Ministry of Finance of Ukraine substantiated proposals on the distribution of this amount of funding among the main spending units of the state budget.

In accordance with Articles 36 and 37 of the Budget Code of Ukraine, the Ministry of Finance of Ukraine is preparing a draft law on the State Budget of Ukraine and submits it for consideration by the Cabinet of Ministers of Ukraine.

Prior to the approval of the draft law on the State Budget of Ukraine, the Cabinet of Ministers of Ukraine shall submit it to the National Security and Defence Council of Ukraine, in particular, articles related to ensuring national security and defence of Ukraine.

The consideration and approval of the State Budget of Ukraine takes place in the Verkhovna Rada of Ukraine, using a special procedure established by the Rules of Procedure of the Verkhovna Rada of Ukraine.

**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?**

Within the state budget of Ukraine, the relevant expenditures are made for the implementation by the Ministry of Defence and the Armed Forces of Ukraine of measures of international cooperation, peacekeeping and verification activities.

## **2 Existing structures and processes**

### **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?**

In 2020 the Ministry of Defence of Ukraine has issued the order № 393 dated 30.10.2020 “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 the official website of the National Security and Defence Council of Ukraine and via the 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.

In order 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 conduct 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 the plenary meeting of the Verkhovna Rada of Ukraine for hearing.

Control, exercised by the Cabinet of Ministers of Ukraine

1. According to Articles 113, 116, 117 of the Constitution and laws of Ukraine, the Cabinet of Ministers of Ukraine shall exercise oversight of compliance with legislation and implementation of the state policy in the area 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 general 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 laws 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 the mass media, on the implementation of tasks related to the national security and defence.

In order to fulfil 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 participate in exercising civilian control through participation in public organizations, local council deputies, or by personal appeal 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, it also helps to inform the public about the state of protection of national interests of Ukraine.

4. The security and defence sector agencies issue White Books or other analytical papers (reviews, national reports, etc.) on a regular basis at least every three years in order 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.

*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.

*Concerning the Security Service of Ukraine*

The Law of Ukraine "On National Security of Ukraine" dated June 21, 2018, No. 2469-VIII, which came into force on 08.07.2018, changed the legal status of the Security Service of Ukraine from a special law enforcement body to a special purpose state body with law enforcement functions that provides state security.

According to Article 19 of the above-mentioned Law, the activities of the

Security Council of Ukraine are focused on the following tasks:

- countering reconnaissance and subversion activities against Ukraine;
- the fight against terrorism;

- counter-intelligence protection of state sovereignty, constitutional order and territorial integrity, defence and scientific and technical potential, cybersecurity, economic and information security of the state, objects of critical infrastructure;
- protection of state secrets.

The Security Service of Ukraine is subordinate to the President of Ukraine and is under the control of the Verkhovna Rada of Ukraine.

The head of the Security Service of Ukraine annually submits to the Verkhovna Rada of Ukraine a report on the activities of the Security Service of Ukraine.

According to articles 106 and 107 of the Constitution of Ukraine, the President of Ukraine exercises control both directly and through the National Security and Defence Council of Ukraine headed by him and, if necessary, creates advisory, consultative and other subsidiary bodies and services.

The National Security and Defence Council of Ukraine exercises control on the basis of Article 107 of the Constitution of Ukraine in the order and within the competence defined by the Law of Ukraine "On the National Security and Defence Council of Ukraine".

The Verkhovna Rada of Ukraine, in accordance with Article 85 of the Constitution of Ukraine, exercises parliamentary control and passes laws of Ukraine that define and regulate the activities of the security and defence sector bodies and their powers, as well as approve respective budget allocations and make decisions on the report on their use.

Ensuring control functions of the Verkhovna Rada of Ukraine for the activities of the Security Service of Ukraine and other state special-purpose bodies with law enforcement functions, law enforcement agencies, law-enforcement agencies of special purpose and intelligence agencies is entrusted to the Verkhovna Rada of Ukraine Committee, whose creation, as well as its tasks and powers, will be determined by a separate law.

The Security Service of Ukraine informs about activities through the mass media, the official website, by providing answers to requests for access to public information and other forms provided by legislation.

The courts verify the validity and legitimacy of decisions made by the Security Service of Ukraine to temporarily restrict human rights and citizens in carrying out their tasks and authorize them to take appropriate action. In addition, decisions, actions or inactivity of the Security Service of Ukraine, its organs, subdivisions, employees may be appealed against in court.

In pursuance of Section 6 of Section VI of the Law of Ukraine on Security of Ukraine, a draft law on amendments to the Law of Ukraine "On the Security Service of Ukraine" was developed and submitted to the President of Ukraine, which provides for the implementation of the provisions of the Law of Ukraine "On National Security of Ukraine" regarding the system of democratic civil control over the activities of the Security Service of Ukraine.

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

According to the Law of Ukraine “On the National Security of Ukraine” the democratic civilian control system consists of the control exercised by the President of Ukraine; the control exercised by the Verkhovna Rada of Ukraine; the control exercised by the National Security and Defence Council of Ukraine; the control exercised by the Cabinet of Ministers of Ukraine, executive authorities and local self-government; judicial control; public control.

## **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 Law of Ukraine “On the Armed Forces of Ukraine” stipulates that the Armed Forces of Ukraine is a military formation, which, in accordance with the Constitution of Ukraine, carries out the defence of Ukraine, the protection of its sovereignty, territorial integrity and immunity.

The Armed Forces of Ukraine provide containment of armed aggression against Ukraine and rebuff it, protection of air space of the state and the underwater space within the Ukraine’s territorial sea; in cases specified by the law, participate in activities aimed at combating terrorism.

Military authorities provide the strict compliance with the Constitution of Ukraine with respect to the fact that the Armed Forces of Ukraine should not be used to restrict rights and freedoms of citizens or in order to ruin the constitutional order, compromise the state bodies or prevent their activities.

In accordance with the resolution of the Cabinet of Ministers of Ukraine № 671 dated 26.10.2014 “On the approval of the Terms of Reference for the Ministry of Defence of Ukraine” the Ministry of Defence 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, Verkhovna Rada of Ukraine, Cabinet of Ministers of Ukraine, National Security and Defence Council on the situation in the Armed Forces of Ukraine and State Special Transport Service;

providing the consideration of citizen appeals on matters related to the activities of the Ministry of Defence, Armed Forces, enterprises, agencies and organizations, which belong to the management sphere of the Ministry of Defence, as well as in relation to the acts that issued by them, provision of access to public information, administered by the Ministry of Defence, in the established manner;

publication of the “White Book” in order to inform the general public of 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 means and forces of law enforcement agencies which participate in fighting against mentioned illegal activities.

According to the legislation of Ukraine the servicemen of the National Guard of Ukraine can take part in international peacekeeping operations as a part of national contingent.

The Law of Ukraine “On National Security of Ukraine” of June 21, 2018 № 2469-VIII, which entered into force on July 8, 2018 (hereinafter 4- the Law), changed the legal status of the Security Service of Ukraine from a law enforcement body of special purpose to a state body of special purpose with law enforcement functions that ensures state security.

According to the Art. 19 of the Law, the activities of *the Security Service of Ukraine* 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.

Section III of the Law defines the concepts, principles, principles, subject and system of democratic civilian control over the activities and the security and defence sector of Ukraine, of which the Security Service of Ukraine is a part.

According to the provisions of the Law, the system of democratic civil control over the Security Service of Ukraine consists of:

- control exercised by the President of Ukraine;
- control exercised by the Verkhovna Rada of Ukraine;
- control exercised by the National Security and Defence Council Ukraine;
- judicial control;
- public control.

The Security Service of Ukraine reports to the President of Ukraine and is under the control of the Verkhovna Rada of Ukraine. The Head of the Security



Service of Ukraine annually submits to the Verkhovna Rada of Ukraine a report on the activities of the Security Service of Ukraine.

In accordance with Articles 106 and 107 of the Constitution of Ukraine, the President of Ukraine exercises control both directly and through the National Security and Defence Council of Ukraine headed by him and created by him; if necessary, advisory, consultative and other subsidiary bodies and services.

The National Security and Defence Council of Ukraine exercises control on the basis of Article 107 of the Constitution of Ukraine in the manner and within the competence defined by the Law of Ukraine “On the National Security and Defence Council of Ukraine”.

In accordance with Article 85 of the Constitution of Ukraine, the Verkhovna Rada of Ukraine exercises parliamentary control and adopts laws of Ukraine that define and regulate the activities of security and defence sector bodies and their powers,

Ensuring the control functions of the Verkhovna Rada of Ukraine over the activities of the Security Service of Ukraine and other state special purpose bodies with law enforcement functions, law enforcement and special purpose law enforcement agencies and intelligence agencies is entrusted to the Verkhovna Rada Committee, the establishment of which and its tasks and powers.

At the same time, if necessary, the Verkhovna Rada of Ukraine may formally invite or require attendance at the plenary session of the Parliament to hear officials or officials of the Security Service of Ukraine, hold parliamentary hearings on national security and defence - including in accordance with the competence of the Security Service of Ukraine public interest and in need of legislative regulation.

According to Article 101 of the Constitution of Ukraine, parliamentary control over the constitutional rights and freedoms is executed by the Commissioner of the Verkhovna Rada of Ukraine on Human Rights, whose powers are determined by law.

External financial control (audit) over the activities of the Security Service of Ukraine is carried out by the Accounting Chamber of Ukraine.

Citizens of Ukraine and their associations participate in the exercise of civil control over the Security Service of Ukraine in the manner prescribed by the Constitution of Ukraine, the Law of Ukraine “On National Security of Ukraine” and other laws of Ukraine.

The Security Service of Ukraine informs about its activities through the 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 decisions of the Security Service of Ukraine 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 Security Service of Ukraine, its bodies, divisions, and employees may be appealed in court.

The Law of Ukraine of December 3, 2020 № 1052-IX amended the second part of Article 31 of the Law of Ukraine “On the Security Service of Ukraine”.

From now on, the norms of the Law stipulate that the Chairman of the Security Service of Ukraine submits a report on the activities of the Security Service of Ukraine to the Verkhovna Rada of Ukraine by February 1 of every year.

*Concerning the Department of the State Protection of Ukraine*

Art12 of 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 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 criminal assassination attempts on the officials, their family members and objects of the Department protection, its detection and suspension;
- protecting of the objects determined by this law;
- providing safe exploitation of vehicles intended for persons determined by this law;
- taking part in the counter terrorism actions.

### **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?**

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 and decrees of the President of Ukraine and other relevant regulations adopted to ensure the defence of the State, performance of military duty, military service, service in the military reserve and status of uniformed personnel, as well as international agreements of Ukraine ratified by the Verkhovna Rada of Ukraine.

According to the Law of Ukraine “On Military Duty and Military Service” (the Law) the Armed Forces of Ukraine and other military formations shall be staffed through:

- conscription of citizens of Ukraine into the armed forces;
- recruiting citizens of Ukraine for military service under contract.

Organization of training and conscription of citizens of Ukraine shall be carried out by city (district) state administrations (executive authorities of city councils) in cooperation with the city (district) military enlistment offices (Territorial Recruiting and Social Support Centres).

The terms of conscription of citizens of Ukraine shall be determined by the Decree of the President of Ukraine.

The number of citizens who are subject to conscription and expenditures for the next conscription shall be determined by the Cabinet of Ministers of Ukraine.

The enlistment commissions shall be formed in the districts (cities) for the conscription of citizens for military service.

The personal composition of the district (city) conscription commission, the schedule of conscription commission meetings, the procedure for organizing and providing measures for organizing conscription of citizens of Ukraine shall be approved by the chairman of the district state administration (executive body of the city council).

The positions that are to be replaced by enlisted personnel and non-commissioned officers of the Armed Forces of Ukraine may be filled by foreigners and stateless persons by recruiting such persons for military service under contract (in cases provided for by the Law, foreigners and stateless persons who are legally residing on the territory of Ukraine, may voluntarily (under contract) pass military service in the Armed Forces of Ukraine).

The procedure for manning of the Armed Forces of Ukraine and other military formations shall be implemented by this law and corresponding normative and legal acts.

A routine military training shall be conducted and the required number of military-trained citizens shall stay in military reserve for additional manning of the Armed Forces of Ukraine and other military formations during the special period, and peacetime – if the relevant decision is made by the President under the procedure and in cases prescribed by the law.

Draft-age persons shall be called by military enlistment offices for conscription during mobilization during the special period. Commissioned officers shall be called for conscription by the personnel orders of the Minister of Defence of Ukraine.

Reserve officers who want to serve under the contract may do this voluntarily. The procedure for recruiting citizens of Ukraine for military service under contract for commissioned officers shall be determined by the Ministry of Defence of Ukraine.

The conscription of draft-age persons and reservists during mobilization shall be conducted according to the procedure established by this Law and the Law of Ukraine “On Mobilization Preparation and Mobilization”.

Citizens of Ukraine called up for military service, conscription during mobilization, during the special period, or recruited for military service under contract in the event of a crisis situation threatening national security, the announcement of a decision to mobilize and/or introduce the martial law, shall use the guarantees provided for in Sections 3 and 4 of the Article 119 of the Code of Laws on Labour of Ukraine, as well as Section 1 of Article 51, Section 5 of Article 53, Section 3 of Article 57, and Section 5 of Article 61 of the Law of Ukraine “On Education”.

Obligations of citizens regarding to 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*, approved by the order of the Ministry of Internal Affairs of Ukraine 10.06.2019 No. 473, registered at the Ministry of Justice of Ukraine 04.07.2019 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 has 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: selection of candidates;

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?**

Exemptions from military service are covered by:

the Article 18 of the Law of Ukraine “On Military Duty and Military Service” – the following citizens of Ukraine shall be exempt from military service in peacetime:

those recognized as unfit for military service in peacetime for health reasons;  
those who turn 27 years old on the day of conscription to regular military service;

those who performed their military duties in the reserve during the first and second terms of contracts;

those whose father, mother or (kin or not kin) siblings have perished, died or became invalid during the performance of military service or during training for persons liable to military service. Conscripts, who have the right to an exemption from conscription on these grounds, may renounce this right;

those who before becoming citizens of Ukraine carried out military service in other states;

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 graduation from higher education establishments have been conferred the military (special) rank of an officer (commanders).

The Resolution of the Cabinet of Ministers of Ukraine<sup>28</sup> (with amendments) “On Approval of the List of Family Circumstances and other Important Reasons which may be the Grounds for the Release from Military Service”.

Moreover, according to Article 26 of the Law of Ukraine “On Military Duty and Military Service” during special period (except for periods since the announcement of mobilization – during the term of its conduct, which is determined by the decision of the President of Ukraine, and since the introduction of martial law – before the announcement of demobilization) the listed below categories of service personnel are entitled to be discharged from military service:

1) The conscripts may be discharged from military service on the following grounds:

a) after the completion of the established term of service – within the terms specified by the Presidential Decree;

b) for health reasons – based on the conclusion (decision) of a Military Physician Board about the unfitness for military service;

c) for family reasons – in case of their right to deferment or exemption from military service due to changes in family circumstances. Members of the armed forces, who have the right to an exemption from conscription on these grounds, may renounce this right;

d) in connection with a court conviction which has entered into force and envisions a sentence in the form of restriction of liberty.

2) Officers, called up to military service from the reserve, shall be discharged from military service on the following grounds:

a) after the completion of the established term of service;

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<sup>28</sup> No. 413 as of June 12, 2013.

b) for health reasons – based on the conclusion (decision) of a Military Physician Board about the unfitness for military service;

c) For family reasons or for other valid reasons determined by the Cabinet of Ministers of Ukraine;

d) in connection with a court conviction which has entered into force and envisions a sentence in the form of deprivation or restriction of liberty, deprivation of a military rank;

In connection with the deprivation of military rank in the disciplinary procedure;

e) under the special period and because of the unwillingness of female military personnel having a child (children) under the age of 18, to continue military service;

f) Due to loss of citizenship of Ukraine.

3) Military personnel called up for military service during the mobilization for special period are entitled to be discharged from military service on the following grounds:

a) within the terms specified by the Presidential Decree;

b) for health reasons – based on the conclusion (decision) of a Military Physician Board about the unfitness for military service in peacetime or limited unfitness in wartime, except in the cases specified in provisions related to the performance of military service by the citizens of Ukraine;

c) due to age – after reaching the maximum age for military service;

d) for family reasons or for other valid reasons (if the service person has not expressed a desire to continue military service):

female military personnel having a child (children) under the age of 18;

an unmarried military mother (father) taking care of a child or several children under the age of 18, who lives with her (him) without a father (a mother);

service person supporting adult child under the age of 23 being disabled of Group I or II;

service person supporting disabled child who has any type of body dysfunctions entitled to degree III and IV of their manifestations and having limitations of vital activity in any category entitled to degree II and III of their manifestations in accordance with the criteria for the attribution of disability to children approved by the Cabinet of Ministers of Ukraine, or a disabled child having body dysfunctions and limitations of vital activity, which meet the criteria for assigning the disabled group I or II to an adult in accordance with the procedure approved by the Cabinet of Ministers of Ukraine;

the need for permanent third-party care for a sick wife (husband), child, as well as his or her parents or spouse, as evidenced by the relevant medical opinion of the medical and social expert commission for persons over 18 years of age or the medical advisory commission for persons under the age of 18;

service person having three or more children under the age of 18;

service person supporting disabled child of a Subgroup A under the age of 18;

e) due to incompetency;

f) in connection with a court conviction which has entered into force and envisions a sentence in the form of deprivation or restriction of liberty, deprivation of a military rank;

g) in connection with the deprivation of military rank in the disciplinary procedure.

4) The contract is terminated, and service personnel who serve under the contract, may be discharged from military service on the following grounds:

a) after the expiration of the contract's duration;

b) for health reasons – based on the conclusion (decision) of a Military Physician Board about the unfitness for military service in peacetime or limited unfitness in wartime, except in the cases specified in provisions related to the performance of military service by the citizens of Ukraine;

c) due to age – after reaching the maximum age for military service;

d) due to the reduction of personnel or change of organizational structure, if their further use in the military service is impossible;

e) for family reasons or for other valid reasons (if the service person has not expressed a desire to continue military service):

female military personnel having a child (children) under the age of 18;

an unmarried military mother (father) taking care of a child or several children under the age of 18, who lives with her (him) without a father (a mother);

service person supporting adult child under the age of 23 being disabled of Group I or II;

service person supporting disabled child who has any type of body dysfunctions entitled to degree III and IV of their manifestations and having limitations of vital activity in any category entitled to degree II and III of their manifestations in accordance with the criteria for the attribution of disability to children approved by the Cabinet of Ministers of Ukraine, or a disabled child having body dysfunctions and limitations of vital activity, which meet the criteria for assigning the disabled group I or II to an adult in accordance with the procedure approved by the Cabinet of Ministers of Ukraine;

the need for permanent third-party care for a sick wife (husband), child, as well as his or her parents or spouse, as evidenced by the relevant medical opinion of the medical and social expert commission for persons over 18 years of age or the medical advisory commission for persons under the age of 18;

service person having three or more children under the age of 18;

service person supporting disabled child of a Subgroup A under the age of 18;

f) due to incompetency;

g) in connection with a court conviction which has entered into force and envisions a sentence in the form of deprivation or restriction of liberty, deprivation of a military rank or of the right to occupy certain post;

h) in connection with the deprivation of military rank in the disciplinary procedure.

i) due to systematic non-fulfilment of contract terms by service personnel;



j) in connection with the enactment of a judgement by which a service person was brought to administrative liability for an administrative offence and imposed a penalty in the form of deprivation of the right to occupy certain positions or engage in certain activities related to the exercise of state or local government functions;

k) due to the impossibility of appointment to another position in case of direct submission to a close person;

l) due to the application of restrictions stipulated in Part 3 or 4 of the Article 1 of the Law of Ukraine “On Cleaning Power”;

m) Those persons who have not passed the established probationary period specified in Part 1 of the Article 21-2 of this Law;

n) persons who signed a contract for a term up to the end of a special period or before the announcement of the decision on demobilization and served at least 24 months under the contract if they did not express a desire to continue military service during a special period.

Service personnel entitled to be discharged from military service on this basis (at the request of a service person) may be discharged in terms specified by the central executive authorities, who according to the law are in charge of military formations, but not later than three months from the date of the acquisition of such right, and those who are entitled to be discharged from military service perform tasks in the interests of Ukraine's defence during special period, take direct part in military (combat) operations, including in the anti-terrorist operation area, as well as in the areas of ensuring national security and defence, repression and deterrence of armed aggression of the state, which formally or de facto is a participant in hostilities against Ukraine, within three months from the date of completion of such tasks;

o) service personnel who serve on contracts which are extended beyond the established time frame until the end of special period or demobilization announcement and who have served no less than 18 months from the date of the extension of the contract if they have not expressed a desire to continue military service during special period.

Service personnel who have the right to release from military service on this basis (at the request of a service person) may be discharged from military service within the terms specified in the paragraph 2 of the item “n” of this Part.

5) Active-duty service personnel shall be discharged from military service on the following grounds:

a) for health reasons – based on the conclusion (decision) of a Military Physician Board about the unfitness for military service in peacetime or limited unfitness in wartime;

b) due to age – after reaching the maximum age for military service;

c) due to the reduction of personnel or change of organizational structure, if their further use in the military service is impossible;

d) for family reasons or for other valid reasons (if the service person has not expressed a desire to continue military service):

female military personnel having a child (children) under the age of 18;

an unmarried military mother (father) taking care of a child or several children under the age of 18, who lives with her (him) without a father (a mother);

service person supporting adult child under the age of 23 being disabled of Group I or II;

service person supporting disabled child who has any type of body dysfunctions entitled to degree III and IV of their manifestations and having limitations of vital activity in any category entitled to degree II and III of their manifestations in accordance with the criteria for the attribution of disability to children approved by the Cabinet of Ministers of Ukraine, or a disabled child having body dysfunctions and limitations of vital activity, which meet the criteria for assigning the disabled group I or II to an adult in accordance with the procedure approved by the Cabinet of Ministers of Ukraine;

the need for permanent third-party care for a sick wife (husband), child, as well as his or her parents or spouse, as evidenced by the relevant medical opinion of the medical and social expert commission for persons over 18 years of age or the medical advisory commission for persons under the age of 18;

service person having three or more children under the age of 18;

service person supporting disabled child of a Subgroup A under the age of 18;

e) due to incompetency;

f) in connection with a court conviction which has entered into force and envisions a sentence in the form of deprivation or restriction of liberty, deprivation of a military rank or of the right to occupy certain post;

g) in connection with the deprivation of military rank in the disciplinary procedure;

h) in connection with the enactment of a judgement by which a service person was brought to administrative liability for an administrative offence and imposed a penalty in the form of deprivation of the right to occupy certain positions or engage in certain activities related to the exercise of state or local government functions;

i) due to the impossibility of appointment to another position in case of direct submission to a close person;

j) due to the application of restrictions stipulated in Part 3 or 4 of the Article 1 of the Law of Ukraine "On Cleaning Power".

The discharge of service personnel from military service is carried out in the manner stipulated by the provisions related to the performance of military service by the citizens of Ukraine.

If needed conscripts and officers called up to the military service from the reserve, who served the established terms of service, may be detained in the service for up to six months according to the Presidential Decree.

Conscripts discharged from military service to the reserve or retired shall be provided with appropriate uniforms according to the list approved by the Ministry of Defence of Ukraine, as well as with travel documents to the place of residence, meals while on the road, and cash aid in the amount established by the Cabinet of

Ministers of Ukraine. Conscripts can be discharged from military service in their own civilian clothes at will.

Service personnel who have acquired the right to retire for age reasons, as well as war veterans or participants of Chernobyl nuclear disaster elimination have five or less years remaining before the established age limit for military service, may, at their request, be dismissed from military service on the grounds provided for in subparagraph “c” paragraph 1, Parts 5 and 6 of this Article.

Service personnel discharged from military service are obliged within five days to arrive in the district (city) military enlistment offices (Territorial Recruitment and Social Support Centres) (persons liable for military service in the Security Service of Ukraine shall arrive in the Central Directorate or regional bodies of the Security Service of Ukraine) for military registration.

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

According to Article 1 of the Law of Ukraine “On Alternative (Non-Military) Service” an alternative service is a service that is introduced instead of conscription and is intended to fulfil the citizen's duty to the public.

Alternative service is one-and-a-half times the length of military service set for privates and sergeants who undergo military service in the Armed Forces of Ukraine and other military formations established according to the laws of Ukraine. For persons who have either the Diploma of Specialist or Master's Degree, the term of alternative service is one and a half times exceeds the term of military service which is set for persons who have the appropriate education qualification level.

According to the current legislation issues of alternative service are assigned to the relevant departments of local state administrations (Article 7 of the Law of Ukraine “On Alternative (Non-Military) Service”).

The alternative service is performed by citizens in state-owned or communal-owned enterprises, institutions and organizations whose activities are 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.

Citizens of Ukraine have the right to alternative service if the performance of military duty is contrary to their religious beliefs and if they belong to religious organizations operating under the law of Ukraine – if their beliefs are against the use of weapons. The list of such religious organizations shall be approved by the Cabinet of Ministers of Ukraine.

The list of religious organizations whose faith does not allow the use of weapons is approved by the Resolution of the Cabinet of Ministers of Ukraine<sup>29</sup> “On Approval of Regulatory Acts for the Application of the Law of Ukraine “On Alternative (Non-Military) Service”.

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<sup>29</sup> No. 2066 as of November 10, 1999.

The list of activities that can engage citizens passing alternative (non-military) services the following: Health care and social assistance, Collective, social and personal services, Building, Electricity, gas and water production, Agriculture, hunting and forestry, Fisheries, Mining industry, Manufacturing, Transport.

The list of religious organizations whose beliefs are against bearing arms: Adventist-reformist, Seventh-day Adventists, Evangelical Christians, Evangelical Christians-Baptists, Pokutnyky, Jehovah's Witnesses, Charismatic Christian Churches (and churches assimilated to them according to registered statutes), Evangelical Christians (and churches assimilated to them according to registered statutes), Christians of Evangelical Faith, Society for Krishna Consciousness.

### **3.3 What are the legal and administrative procedures to protect the rights of all forces personnel as well as conscripts?**

Service personnel enjoy all the rights and freedoms of man and citizen, the guarantees of these rights and freedoms enshrined in the Constitution of Ukraine and Laws of Ukraine, taking into account peculiarities established by the Law of Ukraine “On Social and Legal Protection of Service Personnel and their Families” and other laws.

Due to the specific nature of military service related to the defence of the Motherland, service personnel is entitled to privileges, guarantees and reimbursement defined by the law.

The service personnel is guaranteed the right to protection in the manner prescribed by the laws of Ukraine.

All judicial proceedings involving service personnel performing their military service in Ukraine are exercised according to the laws of Ukraine, and service personnel performing military service outside Ukraine – according to the international treaties ratified by the Verkhovna Rada of Ukraine.

Administrative and legal procedures for the protection of service personnel rights are enshrined in:

- the Constitution of Ukraine;
- the Law of Ukraine “On Military Duty and Military Service”;
- the Law of Ukraine “On Social and Legal Protection of Service Personnel and Members of Their Families”;
- the Law of Ukraine “On Mobilization Preparation and Mobilization”;
- the Code of Labour Laws of Ukraine;
- the Law of Ukraine “On Leaves”.

Citizens of Ukraine who enlist in the State Border Guard Service of Ukraine will receive:

1. Prestigious job with proper remuneration;
  - decent financial support starting from 10,000 UAH;
  - additional types of financial support, depending on the position and conditions of service;
  - one-time financial support of UAH 15,000 after signing the first contract;
  - annual financial support to solve social and household issues;

- annual health financial support;
- lifting financial support for servicemen and family members as they move to a new place of service in another locality.

2. Social guarantees, citizens will be entitled to different types of holidays:

- basic annual leave from 30 to 45 days, depending on years of service;
- annual additional leave (up to 7 calendar days) for servicemen who are serving in units that perform State border protection tasks (can not be granted during the special period);

- medical leave;

- leave for family reasons or for other valid reasons (up to 10 days);

- other types of leaves determined by the relevant laws of Ukraine (during the validity of a special period with the restrictions set out in clauses 17-18 of Article 10-1 of the Law of Ukraine "On social and legal protection of servicemen and their families");

- the provision of military personnel of rank, sergeant and officer personnel, who signed a contract, for lunch at the expense of the State or at their request monetary compensation;

- financial compensation for sublease (hiring) or rent living quarters on the grounds and within the rules as required by the legislation of Ukraine;

- priority provision of places in general and preschool educational institutions

- and children's health camps for children;

- depending on the positions held, conditions and place of service, preferential

- accounting of military service experience in the ratio of 1: 1,5, 1: 2, and 1: 3;

3. Food provision while carrying the border guard service;

4. The possibility of career advancement.

5. Free medical treatment;

6. Opportunity to get education.

#### **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?**

On April 26, 2017, Decree No.329 by the Cabinet of Ministers of Ukraine established an Interagency Commission on the Application and Implementation of the International Humanitarian Law in Ukraine with a view to ensuring the proper implementation of international humanitarian law in the territory of Ukraine, in particular the implementation of Ukraine's international legal obligations arising from the Geneva conventions for the protection of war victims of 12 August 1949, the Additional Protocols thereto and other international treaties on humanitarian law issues, taking into account the challenges posed by the armed conflict in eastern Ukraine, as well as ensuring the implementation of the one among the main tasks of the Ministry of Veterans' Affairs - ensuring the

formation and implementation of the state policy on the application of international humanitarian law in the territory of Ukraine.

The Interagency Commission is headed by a chairperson, who shall be the ex officio the Minister of Veterans' Affairs, Temporarily Occupied Territories and Internally Displaced Persons. The Interagency Commission shall consist of permanent members of the Commission, members of the Commission, who take part with the consent, as well as representatives of international humanitarian organizations, non-governmental organizations and scientific / research institutions.

The Interagency Commission acts as an advisory body of the Cabinet of Ministers of Ukraine in the area of promoting the implementation of Ukraine's international legal obligations in the field of international humanitarian law, and is a platform for:

- identification of basic practical problems in the field of humanitarian law;
- determination of the short- and long-term priorities;
- their further implementation by all responsible parties;
- monitoring of the problem settlement and evaluation of its effectiveness.

The long-term priorities of the Interagency Commission:

- dissemination of information on international agreements in the field of IHL not ratified by Ukraine;
- developing a mechanism for documenting war crimes and other violations of IHL;
- promotion of amendments to the Criminal Code of Ukraine on international crimes.

The International Committee of the Red Cross exercises its functions by promoting the integration of the rules of the law of armed conflicts into military guidelines, standards of military education as well as training and establishment of legal accountability to ensure such conduct of parties to the armed conflict that is consistent with international humanitarian law. The Ministry of Defence of Ukraine has issued the Order No.164 “On the Approval of Manual on the Application of the Rules of International Humanitarian Law in the Armed Forces of Ukraine” as of March 23, 2017.

International humanitarian law is considered at *the National Academy of the State Border Guard Service of Ukraine* in the work programs and teaching materials of the Department of Constitutional, Administrative and International Law.

These programs provide information on human rights and cultural rights, gender issues related to violence against women, sexual assault against officials involved in peacekeeping and police operations, and on the rules of war, including in the disciplines:

- International law;
- Constitutional law;
- Fundamentals of Human Rights;
- Migration law;
- Legal basis of Ukraine's national security in the border area;

International Law Enforcement Standards;  
International regulation of respect for human rights when crossing the State border;

Administrative and jurisdictional activities of the border units;

Legal enforcement of border protection.

In the *State Border Guard Service of Ukraine* acquaintance with the norms of international humanitarian law within the framework of military training programs and rules with personnel is carried out: within 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?**

Raising awareness among the Armed Forces of Ukraine personnel on the norms of international humanitarian law in the Armed Forces of Ukraine 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.

*Note. The outreach and awareness-raising system was introduced in the Armed Forces of Ukraine according to the Decree of the President of Ukraine of May 26, 2015 No. 287/2015 "On the Decision of the National Security and Defence Council of Ukraine of May 6, 2015" "On the National Security Strategy of Ukraine" (Order of the General Staff of the Armed Forces of Ukraine of January 04, 2017 No. 4 "On the Approval of the Instruction on Organization of Outreach and Awareness-Raising in the Armed Forces of Ukraine").*

During 2020 close planned cooperation between *the Ministry of defence of Ukraine and the International Committee of the Red Cross in Ukraine (ICRC)* has ensured:

work of four specialized classes on studying the norms of international humanitarian law in higher military educational institutions;

involvement of the ICRC in the development and publication of the Instruction on the Procedure for Implementing the Norms of International Humanitarian Law in the Armed Forces;

creation of the ICRC, together with the Armed Forces, a textbook on international humanitarian law "Decision-making process during hostilities";

holding 25 seminars and 23 webinars to deepen knowledge and gain practical skills in applying IHL standards, as well as a series of presentations on ICRC activities in Ukraine and abroad;

involvement of 2,287 servicemen of the Armed Forces in programs on dissemination of information on IHL within the framework of priority areas of cooperation between Ukraine and the ICRC.

#### **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?**

According to the Constitution of Ukraine:

Everyone has the right to freedom of personal philosophy and religion. This right includes the freedom to profess or not to profess any religion, to perform religious rites and ceremonial rituals, and to conduct religious activity. The exercise of this right may be restricted by law only in the interests of protecting public order, the health and morality of the population, or protecting the rights and freedoms of other persons;

the Church and religious organisations in Ukraine are separated from the State, and the school – from the Church. No religion shall be recognised by the State as mandatory.

No one shall be relieved of his or her duties before the State or refuse to perform the laws for reasons of religious beliefs. In the event that the performance of military duty is contrary to the religious beliefs of a citizen, the performance of this duty shall be replaced by alternative (non-military) service.

The Law of Ukraine “On the Armed Forces of Ukraine” No. 1934 of December 06, 1991 defines the concept and functions of the Armed Forces of Ukraine. According to the Law, the AFU provide deterrence and repel of the armed aggression against Ukraine. This Article restricts actions of commanders and commanding officers to issue orders or instructions presenting any unlawful act against the civilian population, its property and the environment.

According to the Law of Ukraine “On Freedom of Conscience and Religious Organizations” No. 987 of April 23, 1991 the citizen shall not be forced in determination of his/her attitude to religion, profess or refusal to profess religion, in participation or non-participation in divine service, devotions and religious ceremonies. Any limitation of rights and granting of any advantages to citizens based on their attitude to religion, or incitement to enmity in connection with religious beliefs entail the legal consequences established by law.

According to the Law of Ukraine “On National Minorities” No. 2494 of June 25, 1992, the state shall guarantee the right of national minorities to national cultural autonomy, in particular, the use of and the education in the native language, the development of national cultural traditions, the use of national symbols, the celebration of national holidays, the free confession of their religion. Expert Council on issues of ethnic policy operates in Ukraine since 2017 and monitors, analyses and evaluates the processes related to the implementation of the state policy in the field of inter-ethnic relations and the protection of the rights of national minorities. The Concept of Ethno-National Policy and the Concept of Broadcasting for National Minorities have been developed.

Article 161 of the Criminal Code of Ukraine criminalizes violation of citizens’ equality based on their race, nationality, political, religious and other convictions, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics.



Existing international treaties ratified by the Parliament, including ICCPR is part of the law of Ukraine and shall be faithfully implemented according to the principle *pacta sunt servanda*.

According to the Article 24 of the Law of Ukraine "On the National Guard of Ukraine" monitoring of the National Guard of Ukraine's activities as well as democratic civil monitoring of the National Guard of Ukraine shall be carried out in accordance with legislation.

Compliance supervision to ensure legitimacy of the National Guard of Ukraine's activities shall be carried out by the Prosecutor General of Ukraine and prosecutors subordinated thereto.

#### **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?**

According to the Law of Ukraine "On the Armed Forces of Ukraine" the military authorities ensure strict adherence to the Constitution of Ukraine requirements concerning the fact 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 obstruct their activity.

In addition, the Article 17 of the Law of Ukraine "On the Armed Forces of Ukraine" stipulates the restriction on the political activity in the Armed Forces of Ukraine.

Members of the armed forces suspend their membership in political parties and trade unions for the period of military service.

Military personnel can be members of public organizations (except for organizations whose statutory provisions contradict the principles of the Armed Forces of Ukraine activity), and may take part in the activities of these organizations when off-duty and considered to be free of service duties;

The military personnel and reservists are not allowed to organize or participate in the strikes in duty status in the military reserve.

The military personnel, reservists in duty status in the military reserve as well as civilian workers of the Armed Forces of Ukraine can be restricted in their movements, free choice of the living place and the right to freely leave the territory of Ukraine, as well as in the right of gathering, using and sharing information according to the Law;

The civilian workers suspend their membership in the political parties for the working period in the Armed Forces of Ukraine;

The functioning of the professional unions of the workers, who have signed the labour agreement with the Armed Forces of Ukraine, is regulated by the Law of Ukraine "On Professional Unions, Their Rights and Working Security";

The civilian workers of the Armed Forces of Ukraine are not allowed to organize and participate in strikes;

Each military servicemen and reservists has a right to exercise any religion or not to exercise any;

The military personnel and reservists are allowed to practice, individually or collectively, the religious cults and rites, conduct religious activity according to the Constitution of Ukraine and the law of Ukraine.

According to the *National Guard of Ukraine* commander's Directive No. 15 "on the organization of work with the NGU personnel" the individual work with the NGU personnel on the civil law is conducted individually during the daily activities, preparation to the service, work of the inspections and by providing the information on the informational boards in the barracks.

According to the National Guard of Ukraine commander's order No. 100 "On organization of work on the military discipline" to increase the level of legal knowledge of NGU personnel the briefings and meetings with civilian and military Lawyers are organized.

According to the Article 3 of the Law "On the National Guard of Ukraine" the National Guard of Ukraine shall, in its activities, be based on the principles of rule of law, enforcement of human and civil rights and freedoms, non-partisanship, continuity, legitimacy, openness for democratic civil control, transparency, accountability, centralized leadership and unity of command.

During the reporting period, appropriate organizational decisions were taken to secure the right to vote for the servicemen of the SBGS of Ukraine in 2019. Further, activities were undertaken to cooperate with NGOs, in particular the All-Ukrainian Border Veterans Organization.

#### **4.5 How does your State ensure that its policy and military doctrine are consistent with international law?**

The basic principles of the international law are enshrined in the UN Charter, namely: the sovereign equality of the states; non-use of force and threat of force; inviolability of state borders; territorial integrity of states; peaceful settlement of international disputes; non-interference in internal affairs; universal respect for human rights; self-determination of peoples and nations; cooperation; conscientious fulfillment of international obligations.

The stated principles of the international law are implemented in the national law. Thus, Paragraph 2, Article 2 of the Law of Ukraine "On the Fundamentals of the External and Internal Policy" defined the main principles of the external policy of Ukraine, namely:

- the sovereign equality of the states; non-use of force and threat of force; inviolability of state borders;

- territorial integrity of states; peaceful settlement of international disputes; non-interference in internal affairs;

- universal respect for human rights;

- self-determination of peoples and nations; cooperation; conscientious fulfillment of international obligations;

- the priority of universally recognized norms of international law over domestic legislation; the use of the Armed Forces of Ukraine only in cases of armed aggression against Ukraine, any other armed assault on its territorial integrity and inviolability of state borders, combating international terrorism and

piracy, or in other cases stipulated by international treaties ratified by the Verkhovna Rada of Ukraine;

application of international sanctions, counter-measures and measures of diplomatic protection under international law in cases of international illegal acts that are detrimental to Ukraine, its citizens and legal entities; timeliness and adequacy of measures to protect national interests against real and potential threats to Ukraine, its citizens and legal entities.

All the doctrinal documents in the defence sphere of Ukraine are developed in accordance with the above norms of international law.

In order to fulfil the requirements of the Law of Ukraine "On the National Security of Ukraine" and the Decision of the National Security and Defence Council of Ukraine as of 14.09.2020 "On the Strategy of the National Security of Ukraine", enacted by the Decree of the President of Ukraine as of 14.09.2020 #392, the draft Strategy of the Military Security of Ukraine has been prepared by the Ministry of Defence of Ukraine according to the results of the defence review.

The draft Strategy has been elaborated by the working group, which included representatives of the Ministry of Defence and the General Staff of the Armed Forces of Ukraine, the other elements of the defence forces, the Office of the President of Ukraine, National Security and Defence Council Office, Secretariat of the Cabinet of Ministers of Ukraine, Council for Reforms Implementation of the Ministry of Defence and the Public Council of the Ministry of Defence of Ukraine. The draft Strategy has also been developed by the foreign advisors.

The main objective of the Strategy is the elaborate and comprehensively supported complex defence of Ukraine on the grounds of deterrence, sustainability and interaction, sustaining military security, sovereignty and territorial integrity of the state, fostering integration of Ukraine into the Euro-Atlantic security space, as well as acquisition of the NATO membership, implying active participation in the international peacekeeping operations.

The complex defence of Ukraine corresponds to the sovereign inalienable right of each state for self-defence against aggression, enshrined in the UN Charter. During the complex defence of Ukraine the coordination of activities is envisaged, performed in the state in the course of preparation for the armed protection and protection in the case of the armed aggression, with the activities, taken by the institution of Europe, NATO and its member-states, the other state and international organizations to support Ukraine.

The draft Strategy of the Military Security of Ukraine, approved by the Cabinet of Ministers of Ukraine, is currently under review in the National Security and Defence Council.

### **SECTION III: PUBLIC ACCESS AND CONTACT INFORMATION**

#### **1. Public access**

##### **1.1 How is the public informed about the provisions of the Code of**

## **Conduct?**

Informing the public about the provisions of the OSCE Code of Conduct on Politico-Military Aspects of Security is carried out by posting it on the official website of the Verkhovna Rada of Ukraine at: [https://zakon.rada.gov.ua/laws/show/994\\_116](https://zakon.rada.gov.ua/laws/show/994_116).

The Ministry of Defence of Ukraine, within its competence, regularly informed the public on the provisions of the OSCE Code of Conduct through publications and materials on the held round tables, seminars and workshops.

The public is informed about the issues listed in the Code of Conduct under the competence of the State Border Guard Agency, on the official website of the State Border Guard Service of Ukraine ([www.dpsu.gov.ua](http://www.dpsu.gov.ua)), covering the main goals, structure and legal activity, procedures for recruitment, documents concerning the comprehensive review of the security and defence sector of Ukraine and other information (including in English).

**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?**

**1.3 How does your State ensure public access to information related to your State's armed forces?**

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

During 2020: 14 official messages were posted on the official website of the Ministry of Defence of Ukraine and 86 on the website of the Information Agency.

Departmental media prepared and released 38 TV stories, 4 TV movies and essays, 6 video clips, 4 TV projects, 22 oral presentations. The specialist of the *Foreign Intelligence Service of Ukraine (FISU)* took part in a number of international scientific and practical conferences (6) and round tables (2).

In order to keep the public informed on a regular basis, the sections "About the FISU", "News and Media", "Activity" have been created on the official website of the FISU.

The sections "Democratic Civilian Control", „Legal Basis", "Public Relations", "Contacts" contain materials and normative documents that regulate the activity of the FISU and ensure public access to public information. The list of restricted information in the Foreign Intelligence Service of Ukraine was also made public.

Announcements and the results of the procurement of housing for staff of the FISU, using budgetary funds, were published on the website of the FISU in the section "Public Procurement".

Following public events, press releases were regularly sent to the media and posted on the FISU's website.

There was photo and video recording of official events of the FISU with further publishing the materials on the website of the FISU.

Support was given to the work of media and civil society representatives at the Branch State Archive of the FISU.

Presentations, round tables, public hearings were organized on topical issues of the reform and work of the Intelligence: at the MFA Diplomatic Academy; during the meeting of the leadership of intelligence services of NATO member states and intelligence veterans on the occasion of the 100th anniversary of Ukraine's Foreign Intelligence; at the Museum of History of the Ukrainian Revolution of 1917-1921; at the meeting with representatives of the All-Ukrainian Society "Prosvita"; at the „Democratic Control of the Security and Defence Sector” seminar held by the NATO Liaison Office in Ukraine; at the Independent Analytical Centre for Geopolitical Studies “Borysfen Intel”.

Public access to information is ensured by the Law of Ukraine “On the access to public information”.

The Ministry of Internal Affairs of Ukraine fulfils obligations which provided under this Code and following basic norms, such as:

Support of military capabilities that meet the requirements for the individual and collective security of citizens;

Use of democratic procedures to identify the necessary military capabilities;  
Compliance with international agreements and legislation while deploying the armed forces on the territory of foreign states;

Legislative control over military expenditures;

Integration of the armed forces into civil society;

Political neutrality of the armed forces;

Respect for human rights and freedoms in the process of manning;

Legally established rights and freedoms of military personnel and their protection;

Personal responsibility of military personnel in accordance with national and international law.

*The Ministry of Internal Affairs of Ukraine* continues the process of implementation of the Code of Conduct norms at the national level.

*The Security Service of Ukraine* informs the public on activities, including measures to fulfil the obligations stipulated by the OSCE Code of Conduct on military-political aspects of security, disseminating "relevant information through the media, the departmental website, by responding to requests for access to public information and in other forms in the manner prescribed by law.

*Concerning the Department of the State Protection of Ukraine*

P. 7 of Art. 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 the Art.4 of Law of Ukraine “On combating terrorism” the Department of the State Protection of Ukraine is the subject providing counter terrorism activity within the boundaries of its competence.

Art.5 of the same Law sets out responsibilities of subject combating terrorism, of which the Department of the State Protection of Ukraine is assigned

to take part in: operations on suspension of terrorist acts against the authorities and objects of the Department protection.

## **2 Contact information**

### **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 1570, +38 (044) 238 1724

Fax: +38 (044) 238 1881

Email: 414@mfa.gov.ua

Mr. Illia OLIYNYK (illia.oliinyk@mfa.gov.ua)

Mr. Ihor LOHINOV (ihor.lohinov@mfa.gov.ua)

## **INDICATIVE LIST OF QUESTIONS REGARDING WOMEN, PEACE AND SECURITY SHOULD BE COVERED IN THE QUESTIONNAIRE OF OSCE CODE OF CONDUCT**

### **I. Prevention**

#### **1. Measures to ensure a better understanding of the special needs and contributions of women in the armed forces.**

– Inclusion of specific issues related to the protection of the rights of women and girls in the basic education program of the armed forces:

##### *Concerning the State Border Guard Service*

The National Academy of the State Border Guard Service includes gender issues in 41 disciplines, which are based on the formation of knowledge in the field of international standards for non-discrimination and ensuring equal rights for men and women. 15 training programs and manuals have been revised (expanded) based on the recommendations developed by the interdepartmental working group in the framework of a pilot project to improve the teaching of human rights and gender issues.

Distance learning courses “Fundamentals of human rights. International Humanitarian Law” and “Organizational and Legal Basis of Detention of Detainees in Places of Temporary Detention of State Border Guard Bodies (Units) of the State Border Guard Service”.

The discipline “Fundamentals of Human Rights” is developed and included in the training program for cadets in the specialties “Law” and “Law Enforcement”.

A training course for teachers of educational institutions of the State Border Guard Service of Ukraine: “Ensuring equal rights and opportunities for women and men” has been developed and included in the distance-learning program.

The Main Personnel Training Centre named after Major General Ihor Momot includes topics related to gender equality in the individual lists of issues for the training of junior permanent staff of the Main Personnel Training Centre.

The curricula was also analyzed: human rights issues, ensuring equal rights and opportunities for women and men and non-discrimination on any grounds.

These issues were included in training programs in the specialties "Junior Inspector of Category II", "District Inspector of Aircraft", "Junior Inspector of the Air Force is a new face of the border from among servicemen" and the mentioned issues are considered during the study of the following subjects: "Border Control", "Administrative Proceedings", "Fundamentals of Official Communication".

*Concerning the Armed Forces of Ukraine*

The gender aspects are considered:

in the military personnel training system - included to the studying curricula of the humanitarian disciplines of the higher military educational institutions;

in the qualification improvement system - included to the studying curricula, aimed at the development of the military career and professional pre-deployment training programs.

Subdivision of the Department the Institute of the Department of the State Protection of Ukraine Taras Shevchenko National University of Kyiv joined the implementation of UN Security Council Resolution № 1325 "Women, Peace, Security in the security and defence sector of Ukraine and the program of the Cabinet of Ministers of Ukraine about implementation of "Guidelines for integrating gender approaches into the training of security and defence sector into the educational process.

**– Availability of in-service training for servicemen on the protection of women's and girls' rights:**

*Concerning the State Border Guard Service*

In order to raise awareness of staff on gender issues, the NADPSU curriculum introduced a distance-learning course for staff of the department on the topic: "Fundamentals of gender equality and non-discrimination in the State Border Guard Service of Ukraine" and a separate training topic (topic № 6, module 6) to the program of professional training of personnel of the State Border Guard Service for 2020 (in 2020 364 servicemen were trained) and for teachers of educational institutions of the SBGS a course on distance learning on the topic: "Ensuring equal rights and opportunities for women and men" (in 2020 training passed 299 people);

In January-February 2020, informational and explanatory work on ensuring equal rights and opportunities for women and men was conducted with the staff of the Administration of State Border Guard Service and with the heads of regional departments and bodies of the SBGS.

In the period from April 23 to June 12, 2020, 36 online webinars were held for freelance assistants to the heads of the State Border Guard Service of Ukraine on gender issues on 9 topics on the basic principles of equal rights and opportunities for women and men in the department.

Between March 11 and May 8, 2020, 6 representatives of the State Border Service Administration took part in trainings on the application of a gender-oriented approach in the formation of budget program passports, organized by the Ministry of Internal Affairs of Ukraine together with the NIRAS SwedenAB

consortium. cooperation on the application of a gender-oriented approach in the budget process.

On 14.05.2020, Assistant to the Head of the State Border Guard Service of Ukraine for Gender Issues, Assistant Rector of the National Academy of the State Tax Service of Ukraine named after B. Khmelnytsky (for Gender Issues) and 6 representatives of the National Academy took part in an international cooperation event - online webinar security sector in a pandemic”, organized by the OSCE Secretariat in the framework of the Gender Equality Platform project.

On July 23 and 24, 2020, 9 representatives of ADPSU underwent online training on gender mainstreaming in the development of regulations, conducted by experts from the Ministry of Social Policy together with the National Agency of Ukraine for Civil Service Affairs. According to the results of the training, the representatives of ADPSU received certificates of advanced training;

in the period from October 15 to November 3, 2020, online trainings were organized and conducted on the development of leadership skills and communication skills for 13 female officers;

from October 20 to November 10, 2020, online webinars were organized and held for 10 freelance assistants to the heads of the State Border Guard Service on the basic principles of forming the principle of gender equality;

On December 15, 2020, a webinar was held online for the heads of structural units of regional directorates and bodies of the State Border Guard Service on the topic: "Basic principles of gender equality formation in the State Border Guard Service of Ukraine".

*Concerning the Ministry of Defence and Armed Forces of Ukraine*

Access has been given to the young women for studying in the military educational institution of all the levels, including military and military-naval lyceums.

Note. According to the results of 2020 accession program, the portion of women, who entered the military higher education institutions is 13%.

In 2020 66 young women entered the military lyceums, including 52 persons - to the Kyiv Ivan Bohun Military Lyceum, 14 - to the Military-Naval Lyceum (in 2019 it has been done for the first time - the military lyceums accepted 23 young women).

In the framework of Ukraine-NATO Partnership the Partnership Goal G0013 "Gender Perspectives" has been included, aimed at strengthening the gender factor in the activity of the Armed Forces, as well as participation of the national contingents in the NATO-led operations and missions;

the development of the infrastructure and material support has been ensured in order to create the necessary conditions for military service of women;

the systematic improvement of the gender competence has been ensured;

the network of advisors has been created and its development has been ensured;

*Note. General quantity - 61 persons. Advisors, assigned from:*

*the chiefs of the Ministry of Defence' units and units, directly subordinate to it;*



*the commanders of the armed services (branches) of the Armed Forces of Ukraine and the joint operational staffs;*

*the chiefs of the higher military educational institutions and cultural entities of the Ministry of Defence.*

*the interagency coordination has been ensured;*

*the cooperation with the international partners has been established (UN Women, OSCE, NATO) and national civil organizations in the sphere of gender equality.*

Information of the military personnel and public as for the gender equality implementation in the Armed Forces of Ukraine is realized by:

maintaining the page "Gender Aspects in the Security Sphere" in the official web-site (English version available);

publishing on the official social networks' profiles of the Ministry of Defence;

publishing on the military mass-media; in certain issues of the informational weekly journal "Pro Viisko"; radio programs "Army FM";

developing and issuing "White Book" of the Ministry of Defence and the General Staff (English version available).

Thus, the Ministry of Defence takes the appropriate measures, aimed at providing equal rights and opportunities for women and men, and, primarily, at giving women the perspective for career growth according to the education level, experience and performance.

The positive dynamics in achieving the results demonstrates, that the policy of implementing the gender aspect in the functioning and development of the Armed Forces of Ukraine is one of the priorities of the Ministry of Defence of Ukraine leadership.

In the military authorities of the Armed Forces of Ukraine 19 call-center are in operation, which provide assistance (consultations) to the servicewomen on gender issues, including psychological, social and legal assistance.

The activity for establishing the advisors' institute on gender issues in the Armed Forces of Ukraine is being carried out.

## **II. Participation**

### **1. Measures to increase the number of women, including in leadership positions, in the armed forces and the Ministry of Defence**

– Development of a policy to attract women candidates (targeted campaigns, review of entrance exams, etc.):

#### *Concerning the State Border Guard Service*

The State Border Guard Service takes measures to motivate women to build careers and change their attitude to the role of women in the security sector of Ukraine.

As of January 1, 2021, the registered number of staff of the State Border Guard Service is 43.8 thousand people, of whom 11.5 thousand are women, which is 27%.

In addition, one of the key ways to confirm the motivation of women to build a career is the implementation of pilot projects "New Face of the Border", "New Face of Management", implemented by the State Border Service with the support of the US Embassy in Ukraine and the International Organization for Migration in Ukraine.

Also in the period from October 15 to November 3, 2020, with the support of the public organization "Women's Information and Counseling Center", online trainings were organized and conducted on the development of leadership skills and communication skills for 13 female officers.

#### *Concerning the National Police of Ukraine*

The Law of Ukraine "On the National Police of Ukraine" defines the requirements for candidates for police service and the procedure for promotion and appointment of police officers to higher positions. There are no gender restrictions or prohibitions.

The National Police of Ukraine (further – NPU) has amended the provisions of all structural units to supplement the provisions on promoting the implementation of a unified state policy aimed at achieving equal rights and opportunities for women and men. Also, the relevant changes were made to the functional responsibilities of the management of the NPU and the persons responsible for the implementation of the gender approach in the structural units of the NPU were identified.

The structural unit responsible for the implementation of gender policy in the NPU is the Office for Human Rights.

#### *Women and peacekeeping:*

The NPU motivates women's leaders to involve them in peacekeeping activities and create favorable conditions for its passage.

The personnel are informed about changes and updates in the laws of Ukraine and Ukraine's orientation to peacekeeping, peace-building practices, reconciliation and women's participation in peacekeeping processes for women and men involved in direct measures to resolve conflict and crisis situations, participation in peacekeeping personnel and contingent, the negotiation process.

Before being sent to peacekeeping missions, all personnel are trained at the Special Peacekeeping Center of the National Academy of Internal Affairs, which has a UN Certificate of Compliance with Specialized Training Courses for Training International Police Officers to Participate in UN International Operations.

The topics for all peacekeeping contributors have been identified and approved by the UN Secretariat, including international law, human rights, protection of civilians, including women and children, gender equality in peacekeeping and sexual violence prevention, and personal safety and medicine.

The main tasks of women peacekeepers in international operations are to provide law enforcement advisory services, reform the local judicial and law enforcement system, monitor the observance of human rights and particularly vulnerable groups (women and children) in accordance with internationally

recognized norms, and perform the functions of to maintain law and order and fight crime.

Currently 23 people, including 2 women police officers, are serving in international peacekeeping and security operations with national staff from the National Police of Ukraine.

In the reserve of candidates for staff rotation, the National Academy of Internal Affairs commission recommended 82 candidates from the National Police of Ukraine to participate in the final selection.

*Concerning the Armed Forces of Ukraine*

Currently the percentage of the women, who serve and work in the Armed Forces is more than 22,8%.

Among them: military personnel - 15,5% (officers - 8,6%, sergeants - 12,6%, privates - 21,3%, cadets - 12,1%);  
civil workers - 8,4%.

**Concerning the Servicewomen Participation in the International Peacekeeping Operations**

Currently, the portion of the servicewomen, taking part in the international peacekeeping operations as a part of the national personnel is 8,3% of the general amount of the military personnel, taking part in operations.

The List of the Candidates for Appointment on the Positions to the National Personnel, Multinational Military Authorities and Foreign Diplomatic Bodies of Ukraine has 99 military personnel, including 3 women (3,03%).

3 servicewomen are studying abroad.

**III. Protection**

In order to prevent conflicts and violence the hot lines and call-centers system is created and operating. The contact information is available on the official Ministry of Defence of Ukraine website.

Jointly with the OSCE representatives the Recommendations to the Military Authorities, Bodies and Organizations Leadership has been developed as to prevent and counter home violence in the families of military personnel and persons, liable for military service. They have been distributed to forces (troops).

The Ministry of Defence has developed draft Law of Ukraine “On Amendments to Certain Legal Acts of Ukraine Relating to the Regulation, Prevention and Countering Discrimination and Sexual Harassment Among Military Personnel”.

The draft Law envisages amendments to the Internal Service

**IV. Other information**

**– Information on the development, implementation and evaluation of the National Action Plan for the Implementation of United Nations Security Council Resolution 1325:**

*Concerning the State Border Guard Service*

Representatives of the State Border Guard Service actively participate in events organized by state bodies, international organizations and non-

governmental organizations to discuss the implementation of the National Action Plan for the implementation of UN Security Council Resolution 1325 "Women, Peace, Security" and other state programs to ensure equal rights and opportunities for women and men (in 2020 participated in 5 coordination meetings of the Ministry of Social Policy and the Secretariat of the CMU, 2 round tables and a number of information events organized by the Government Commissioner for Gender Policy, the Ministry of Internal Affairs, international organizations, including the development, implementation and evaluation of the National Action Plan for the implementation of United Nations Security Council Resolution 1325).

- Information about best practices and lessons learned:
- in order to study best practices, international practices in the field of gender equality, consultations are held on ways to cooperate with international partners (European Union Advisory Mission, International Organization for Migration, Geneva Centre for the Democratic Control of Armed Forces)

*Concerning the National Police of Ukraine*

In the 2020 academic year, with the help of the information and telecommunication system "Information Portal of the National Police of Ukraine" in the system of in-service training, the police independently mastered teaching materials on "Principles of Gender Understanding and Gender Equality", "Legislation and International Gender Equality Standards", "Ensuring gender equality in the system Ministry of Internal Affairs and other central executive bodies".

These issues are included in the training plan of NPU employees for 2021 (as additional classes).

In order to strengthen the gender factor in the activities of the National Police of Ukraine in accordance with NATO recommendations and standards, representatives of individual NPU departments are included in the interagency working group of the Ministry of Internal Affairs on the implementation of the National Action Plan for UN Security Council Resolution 1325 "Women, Peace, Security" until 2020, approved by the order of the Cabinet of Ministers of Ukraine dated 24.02.2016 No 113.

Representatives of the NPU also joined the working group in the Cabinet of Ministers of Ukraine on the implementation of United Nations Security Council Resolution No. 1325 "Women, Peace, Security" in the security and defence sector of Ukraine.

*Concerning the State Emergency Service of Ukraine (the SES)*

To the Indicative List of Issues Concerning Women, Peace and Security to be Covered in the Questionnaire to the OSCE Code of Conduct.

The SES of Ukraine ensures the implementation of the measures envisaged by the National Action Plan for the Implementation of UN Security Council Resolution 1325 "Women, Peace, Security" in 2020.

The SES of Ukraine has introduced uniform, gender-non-discriminatory conditions for the recruitment and training of women, their service and dismissal from the SES of Ukraine.

The SES of Ukraine also provides equal opportunities for women and men to combine professional and family responsibilities, exercise the right to receive social leave, additional leave for children and leave without pay in the manner and on the grounds provided by current legislation of Ukraine.

The SES of Ukraine is constantly improving the need to provide material and technical conditions for women who serve, their material support. According to the analysis of infrastructural conditions, equipment and material support of the SES of Ukraine employees, the need to provide uniforms for women serving in the SES of Ukraine has been identified.

At the same time, the SES of Ukraine has implemented the software “Unified Authorized Personnel Accounting System of the SES of Ukraine”, incorporates for a gender analysis of personnel accounting, including career growth.

In the system of the SES of Ukraine there is a positive trend to increase the number of women in the service, including in management positions. Taking into account the requirements to the current legislation of Ukraine, the number of women in management positions in the SES of Ukraine system increases by 1.5 - 2% on average every year.

In addition, full-time positions of gender equality specialists with defined powers and approved job responsibilities have been introduced in civil protection educational institutions, and curricula have been developed to address gender specifics of forced resettlement, adaptation, resocialization, demobilization, and reintegration.

#### *Concerning the Department of the State Protection of Ukraine*

Subdivision of the Department the Institute of the Department of the State Protection of Ukraine Taras Shevchenko National University of Kyiv joined the implementation of UN Security Council Resolution № 1325 “Women, Peace, Security<sup>14</sup> in the security and defence sector of Ukraine and the program of the Cabinet of Ministers of Ukraine about implementation of “Guidelines for integrating gender approaches into the training of security and defence sector<sup>44</sup> into the educational process.

#### *Concerning the Armed Forces of Ukraine*

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 ATO/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.

In order to fulfill 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***

<b>Name of the treaty</b>	<b><i>Date of Ratification or accession</i></b>	<b><i>Date of entry into force for Ukraine</i></b>
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
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
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 Trafficking	18.04.1996	01.11.1996	01.04.1997
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 Civil Matters	27.11.2019	-	-
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);
- the Tunisian Republic on Legal Assistance in Civil and Criminal Matters (1984).