



Permanent Mission of Ukraine
to the International Organizations in Vienna

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The Permanent Mission of Ukraine to the International Organizations in Vienna presents its compliments to all OSCE Delegations and Missions of the Participating States, as well as to the Conflict Prevention Centre and has the honour to provide, in accordance with the FSC Decision 2/09, Ukraine's annual response to the OSCE Questionnaire on the Code of Conduct on Politico-Military Aspects of Security for 2016.

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

Attachment: on 51 pages.



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

VIENNA

RESPONSE
to the OSCE Questionnaire on the Code of Conduct on Politico-Military
Aspects of Security

I. Inter-State elements

1. Account of measures to prevent and combat terrorism

As a member of international community, Ukraine participates in combating terrorism, countering propaganda of terrorist ideology and use of terrorist methods for criminal purposes. Combating terrorism is a top-priority task of the state policy.

Since February 2014, Ukraine is facing undeclared aggression of the Russian Federation (RF), which should have been the guarantor of independence and territorial integrity of Ukraine in accordance with the concluded and undertaken international obligations. At that time, Russia had annexed the territory of the Autonomous Republic of Crimea and for over two years has been supporting criminal quasi-state formations in the East of Ukraine. The RF Armed Forces (RFAF) directly participates in warfare there.

Despite the efforts undertaken by Ukraine to resolve the situation in the East, it remains difficult and tends to further aggravation. The RF continues to violate the Minsk agreements by transferring the RFAF personnel and resources into the territory of Ukraine and by supplying illegal armed formations (IAF) with weapons and military equipment.

The warfare conducted by the RFAF and IAF has led to humanitarian catastrophe in the East of Ukraine.

Infrastructure of settlements has been destroyed; hundreds of thousands of citizens of Ukraine have been left without shelter. About 1 million people were forced to become refugees.

By violating the state border of Ukraine, the RF continues to supply weapons, military equipment and logistics to IAF. Recruitment and training of IAF members is carried out on the territory of the RF. The RFAF continue to remain in the occupied territory of Ukraine.

Since February 2014, over 3,000 citizens of Ukraine have been held in captivity in the RF and occupied territories of Ukraine. About 130 citizens of Ukraine are still kept in captivity as of March 01, 2016.

The RF has actually violated the right to life of Ukrainians living in the Eastern Ukraine as a result of the illegal actions of terrorist organizations "Donetsk People's Republic" (DPR) and "Luhansk People's Republic" (LPR) as well as the aggression of the RF.

The Decision of the National Security and Defense Council of Ukraine "On emergency measures to counteract the Russian threat and manifestations of terrorism" was promulgated by the Decree of the President of Ukraine on February 14, 2015¹ in order to prevent loss of civilian life, servicemen and law enforcement officers of Ukraine as well as to prevent the spread of crisis to other areas of Ukraine.

National Human Rights Strategy of Ukraine was approved on August 25, 2015 by the President of Ukraine to protect citizens of Ukraine², with the strategic objective to guarantee the protection of the right to life.

The Cabinet of Ministers of Ukraine approved the Decree "On unified state system of prevention, response and termination of terrorist attacks and minimizing their

¹ Decree of the President of Ukraine # 85/2015 as of February 14, 2015.

² Decree of the President of Ukraine # 501/2015 as of August 25, 2015.

consequences" in order to prevent and minimize the effects of terrorist activities³.

The Antiterrorist Centre of the Security Service of Ukraine (ATC SSU) is a coordinating authority of the unified state system of combating terrorism and the Interagency Coordinating Committee of the ATC exercises control over the actors fighting against terrorism.

The terrorist threat level is set for all actors fighting against terrorism and covers the whole territory of Ukraine.

The decision on the establishment, change and abolition of the terrorist threat level, duration and area will be taken by the Head of the ATC with the written permission of the Security Service of Ukraine (SSU) Chairman.

The Head of the ATC SSU informs the President of Ukraine on the decision taken.

The decision on the establishment, change and abolition of the terrorist threat level, duration and area should be made public through the media of Ukraine. The following threat levels were set for Ukraine⁴:

- "Grey (possible threat)"- in the event of establishing facts of possible terrorist threat;

- "Blue (potential threat)"- if there is information which requires verification of preparation to commit a terrorist act;

- "Yellow (credible threat)" - if there is reliable information regarding preparation to commit a terrorist act;

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

The ATC SSU is obliged to provide the analysis of causes and conditions, which lead to emergence and spread of terrorism; to provide assistance to the actors fighting against terrorism to identify causes and conditions of terrorism; to coordinate activities of the actors fighting against terrorism; to maintain contacts with the law enforcement agencies and special forces of foreign states, counter-terrorism structures of the UN, OSCE, NATO, EU, and other international organizations engaged in the fight against terrorism.

At the current stage, the dynamics of terrorism manifestations is affected by both internal factors, including political, ethnic, religious preconditions, criminalization of the society, problems of illicit trafficking of arms and explosives, etc., as well as external factors, first of all the activity in the East of Ukraine of the armed reconnaissance, sabotage and terrorist groups, organized and financed by the RF, the presence of a large number of mercenaries in Ukraine including those from among the EU citizens, supporters of international terrorist and religious extremist organizations from the Middle East, Central and Southeast Asia, whose activities threaten national security interests of Ukraine.

Currently, significant increase terrorist threat level for Ukraine is caused by appearance of large amounts of weapons, explosives and ammunition within illicit traffic across the country due to the openness of a large territory of the state border with the RF (over 400 km), uncontrolled export of weaponry from the area of anti-terrorist operation, intensification of military intervention of the Russian aggressor, as well as the activity of DPR/LPR armed separatists and their supporters in the Southern and Eastern regions of Ukraine.

Establishment of powerful conspiratorial links between terrorist organizations abroad with the purpose of commitment of terrorist acts in different parts of the world,

³ Resolution of the Cabinet of Ministers of Ukraine # 92 as of February 18, 2015.

⁴ Resolution of the Cabinet of Ministers of Ukraine # 92 as of February 18, 2015.

first of all in the countries that are actively participating in international anti-terrorist operations, constitutes considerable threat to Ukraine as well.

This threat is fueled and updated through the escalation of conflict in the Middle East against the backdrop of the attempts to expand limits of “the Islamic State” (hereinafter - ISIS).

A new addition to the situation in this realm is identification of transnational network led by ISIS leadership. Its main objectives include searching, recruiting, training and smuggling fighters from among the natives of the Caucasus, Central Asia and Europe through Ukraine and Turkey to Syria and Iraq to take part in combat operations on the part of the mentioned terrorist organization. The SSU is taking countermeasures in cooperation with foreign partners to block this activity.

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

Based on the decisions of the 2001 Warsaw Convention, UN Security Council Resolution on Counter Terrorism No.1373 as of January 28, 2001, Ukraine is involved in the activities of counter-terrorism structures, developing cooperation with the special services of other states.

Ukraine is also guided by international documents of advisory nature (declarations, resolutions, statements and decisions of international organizations, agreements of law enforcement services and security services of states).

Ukraine is a party to the following international agreements on combating terrorism:

European Convention on Mutual Assistance in Criminal Matters as of April 20, 1959⁵;

Convention on Offences and Certain Other Acts Committed on Board Aircraft, as of September 14, 1963⁶;

Convention for the Suppression of Unlawful Seizure of Aircraft, as of December 16, 1970⁷;

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, as of September 23 1971⁸;

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, as of April 10, 1972⁹;

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, as of 14 December 1973¹⁰;

European Convention on the Suppression of Terrorism (ETS # 90), as of January 27, 1977¹¹;

Convention for the Suppression of Unlawful Seizure of Aircraft, as of December 16, 1977¹²;

⁵ Ratified (with declarations and reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 01/16/1998 # 44/98-VR.

⁶ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 12/21/1998 # 5049-XI.

⁷ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 12/27/1971 # 352-VIII.

⁸ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 01/16/1973 # 1352-III.

⁹ Ratified by USSR. Convention entered into force on 26 March 1975.

¹⁰ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 12/26/1975 # 2727-IX.

¹¹ Ratified by the Law of Ukraine # 2990-III as of 01/17/2002.

¹² Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 12/27/1971 # 352-

International Convention against the Taking of Hostages, as of December 17, 1979¹³;

Convention on the Physical Protection of Nuclear Material, as of March 3, 1980¹⁴;

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, 1988¹⁵;

Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf as of March 10, 1988¹⁶;

Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, as of March 10, 1988¹⁷;

Convention on Marking of Plastic Explosives for the Purpose of Detection as of March 01, 1991¹⁸;

Convention on Nuclear Safety, as of September 20, 1994¹⁹;

International Convention for the Suppression of Terrorist Bombings, as of December 15, 1997²⁰;

International Convention for the Suppression of Terrorist Bombings, as of December 16, 1997²¹;

International Convention for the Suppression of the Financing of Terrorism, as of December 09, 1999²²;

Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Latvia on Cooperation in Combating Terrorism, Illicit Drugs, Psychotropic Substances and Precursors and Organized Crime, signed on February 24, 2000²³;

Agreement between the Cabinet of Ministers of Ukraine and the Government of the Hellenic Republic on Combating Terrorism, Illicit Drug Trafficking, Organized and Other Forms of Crime, signed on February 24, 2001²⁴;

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects as amended by Article 1, as of December 21, 2001²⁵;

Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters as of November 08, 2001²⁶;

Protocol to the Agreement on Cooperation among the Governments of GUUAM Participating States in the Field of Combat against Terrorism, Organized Crime and Other Dangerous Types of Crimes of the 20 July 2002²⁷;

Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on

VIII.

¹³ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 05/08/1987 # 3954-IX.

¹⁴ Ratified by the Law of Ukraine # 318-XII as of 05/05/1993.

¹⁵ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR as of 03/14/1989 # 7247-IX.

¹⁶ Ratified by the Resolution of the Verkhovna Rada of Ukraine as of 12/17/1993 # 3735-XII.

¹⁷ Ratified by the Resolution of the Verkhovna Rada of Ukraine as of 12/17/1993 # 3735-XII.

¹⁸ Ratified by the Law of Ukraine # 687/97-VR as of 12/03/1997.

¹⁹ Ratified by the Law of Ukraine # 736/97-VR as of 12/17/1997.

²⁰ Ratified by the Law of Ukraine # 2855-III as of 11/29/2001.

²¹ Ratified (with reservations) by the Law of Ukraine # 2855-III as of 11/29/2001.

²² Ratified (with declarations) by the Law of Ukraine # 149-IV as of 12/09/2002.

²³ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1389 as of 12/05/2007.

²⁴ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1012 as of 11/19/2008.

²⁵ Amendment ratified by the Law of Ukraine # 1775-IV as of 06/15/2004.

²⁶ Ratified by the Verkhovna Rada of Ukraine (with declarations and reservations) the Law of Ukraine # 3449-VI as of 06/01/2011.

²⁷ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1572 as of 10/24/2002.

Cooperation in the Fight against Crime, Particularly Organized, as of December 03, 2004²⁸;

International Convention for the Suppression of Acts of Nuclear Terrorism as of April 13, 2005²⁹;

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, 2005³⁰;

Council of Europe Convention on the Prevention of Terrorism, as of May 16, 2005³¹;

Protocol amending the European Convention on the Suppression of Terrorism (ETS No. 90), as of May 15, 2005³²;

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, signed on behalf of Ukraine on February 24, 1999³³;

Agreement between the Cabinet of Ministers of Ukraine and the Government of the Federal Republic of Germany on Cooperation in Combating Organized Crime, Terrorism and Other Crimes of Medium Gravity, Grave or Especially Grave Crimes, as of August 30, 2010³⁴;

Agreement by exchange of letters between Ukraine and North Atlantic Treaty Organization on Ukraine's Participation in the Operation "Ocean Shield" as of February 23, 2013³⁵;

Agreement between the Cabinet of Ministers of Ukraine and the Government of the Federal Republic of Germany on Cooperation in Combating Organized Crime, Terrorism and Other Crimes of Medium Gravity, Grave or Especially Grave Crimes³⁶;

Agreement on Cooperation between the General Prosecutor's Office of Ukraine and the Federal Prosecutor's Office of Belgium in the Fight Against Cybercrime, Organized Crime, Corruption and Terrorism, as of October 15, 2015.

The Security Service of Ukraine (SSU) as the main body of the national system to counter the terrorist threat cooperates with more than 100 special services and law enforcement agencies of 59 countries and international organizations that deal with security issues. SSU signed about 80 inter-agency agreements and 90 protocols thereto, in which priority attention is focused on issues of combating international terrorism. An ongoing exchange of information on international terrorist organizations and groups, forms and methods of their activity, specific persons involved in terrorist activities is conducted within the framework of bilateral and multilateral agreements on cooperation with foreign counterparts. The representative of the SSU is involved in the activities of the Committee of Experts on Terrorism (CODEXTER) of the Council of Europe.

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

Ukraine has adopted (issued) the following legislation to fulfill undertaken

²⁸ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1091 as of 12/17/2008.

²⁹ Ratified by the Law of Ukraine # 3533-IV as of 03/15/2006.

³⁰ Ratified (with declarations and reservations) by the Law of Ukraine # 2698-VI as of 11/17/2010.

³¹ Ratified (with declarations and reservations) by the Law of Ukraine # 54-V as of 07/31/2006.

³² Ratified by the Law of Ukraine # 167-V as of 09/20/2006.

³³ Ratified by the Law of Ukraine # 2566-IV as of 05/18/2005.

³⁴ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 427 as of 04/20/2011.

³⁵ Ratified by the Verkhovna Rada of Ukraine the Law of Ukraine # 580-VII as of 09/19/2013.

³⁶ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1648-r as of 08/25/2010.

international obligations concerning combating terrorism:

1.2.1. Laws of Ukraine as of:

12/01/2005 # 3163-VI "On Amendments to Some Laws of Ukraine on Improvement of Legal Regulation of International Cooperation in the Sphere of Suppression of Terrorism Financing" as amended # 1702-VII as of 10/14/2014;

04/21/2011 # 3266-VI "On Amendments to Certain Legislative Acts on the Seizure of Assets Related to Terrorism Financing and Financial Transactions Suspended Pursuant to the Decisions Taken on the Basis of the UN Security Council Resolutions and Establishing a Procedure for the Access to Such Assets";

09/19/2013 # 580-VII "On Ratification of the Agreement by exchange of letters between Ukraine and North Atlantic Treaty Organization on Ukraine's Participation in the Operation "Ocean Shield";

04/15/2014 # 1207-VII "On the Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory of Ukraine";

09/02/2014 # 1669-"On Temporary Measures for the Period of the Anti-Terrorist Operation";

10/14/2014 # 1700-VII "On Prevention of Corruption"³⁷;

10/14/2014 # 1702-VII "On Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction"³⁸;

02/04/2015 # 142-VIII "On Ratification of Agreement between Ukraine and the European Union on the Status of the European Union Advisory Mission for Civilian Security Sector Reform in Ukraine (EUAM in Ukraine)";

05/12/2015 # 378-VIII "On Amendments to the Law of Ukraine" On Fighting Terrorism";

05/12/2015 # 389-VIII "On Legal Regime of Martial Law"³⁹;

06/17/2015 # 526-VIII "On Ratification of the Implementation Agreement between the Cabinet of Ministers of Ukraine and NATO Support Agency (NSPA) on the Reburial of Radioactive Waste as a Result of Implementation of Military Programs of Former Soviet Union in Ukraine";

09/02/2015 # 661-VIII "On Ratification of the Agreement between Ukraine and the Republic of Senegal on Legal Assistance in Civil and Criminal Matters";

09/02/2015 # 662-VIII "On Ratification of the Agreement between Ukraine and the Republic of Senegal on the Transfer of Sentenced Persons";

10/11/2015 "On the National Agency of Ukraine for Detection, Search and Management of Assets from Corruption and Other Crimes";

11/12/2015 # 794-VIII "On the State Bureau of Investigation".

1.2.2. Regulations of the Verkhovna Rada of Ukraine as of:

02/22/2014 # 756-VII "On Preventing Manifestations of Separatism and Other Encroachments on National Security of Ukraine";

02/28/2014 # 831-VI "On Appeal of the Verkhovna Rada of Ukraine to States-Guarantors under the Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons";

³⁷ As amended in accordance with the Laws of Ukraine as of: 12/28/2014 # 77-VIII; 02/12/2015 # 198-VIII; 07/02/2015 # 576-VIII; 07/14/2015 # 597-VIII; 07/16/2015 # 631-VIII; 09/15/2015 # 679-VIII; 10/08/2015 # 731-VIII; 11/10/2015 # 766-VIII; 12/25/2015 # 928-VIII.

³⁸ As amended in accordance with the Laws of Ukraine as of: 12/28/2014 # 78-VIII; as of 02/12/2015 # 198-VIII, 03/02/2015 # 222-VIII; 07/16/2015 # 630-VIII; 07/17/2015 # 652-VIII.

³⁹ As amended in accordance with the Law of Ukraine # 766-VIII as of 11/10/2015.

04/01/2014 # 831- VII "On Immediate Disarmament of Illegal Armed Groups in Ukraine";

07/22/2014 #1596-VII"On Statement of the Verkhovna Rada of Ukraine "On Tragic Death of People as a Result of a Terrorist Act over the Territory of Ukraine";

07/22/2014 #1597-VII "On Statement of the Verkhovna Rada of Ukraine" On Combating the Spread of the Russian Federation-Supported International Terrorism";

01/14/2015 # 106-VIII "On Appeal to the European Parliament, the Parliamentary Assembly of the Council of Europe, national parliaments of the EU member countries, USA, Canada, Japan and Australia On the Mass Execution of People under Volnovakha in Ukraine";

01/29/2015 # 129-VIII "On the Appeal of the Verkhovna Rada of Ukraine to the United Nations, European Parliament, Parliamentary Assembly of the Council of Europe, NATO Parliamentary Assembly, OSCE Parliamentary Assembly, GUAM Parliamentary Assembly and National Parliaments of the Countries of the World on the Recognition of the Russian Federation as an Aggressor State".

1.2.3. Decrees of the President of Ukraine as of:

02/14/2015 # 85/2015 "On the Decision of the National Security and Defense Council of Ukraine as of January 25, 2015 "On Emergency Measures of Countering Russian Threat and Manifestations of Terrorism Supported by the Russian Federation";

03/02/2015 # 116/2015 "On the Decision of the National Security and Defense Council of Ukraine as of February 18, 2015 "On Appeal to the United Nations and the European Union on the Deployment of International Organization Maintaining Peace and Security in Ukraine";

04/21/2015 # 230/2015 "On Delegation of Ukraine to the 2015 Non-Proliferation Treaty Review Conference";

05/18/2015 # 274/2015 "On Delegation of Ukraine to Participate in the Plenary Meeting of Participating States of the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies";

06/16/2015 # 341/2015 "On the Decision of the National Security and Defense Council of Ukraine as of May 6, 2015 "On Measures to Strengthen the Fight against Crime in Ukraine";

06/16/2015 # 341/2015 "On the Decision of the National Security and Defense Council of Ukraine as of May 6, 2015 "On Measures to Strengthen the Fight against Crime in Ukraine";

08/13/2015 # 472/2015 "On Establishment of Civil-Military Administrations⁴⁰";

09/16/2015 # 549/2015 "On the Decision of the National Security and Defense Council of Ukraine as of September 2, 2015 "On Imposition of Personal Special Economic and Other Restrictive Measures (Sanctions)";

09/18/2015 # 550/2015 "On the Decision of the National Security and Defense Council of Ukraine as of September 17, 2015 "On Amendments to the Annex 1 of the Decision of the National Security and Defense Council of Ukraine as of September 2, 2015 "On Imposition of Personal Special Economic and Other Restrictive Measures (Sanctions)";

10/15/2015 # 744/2015 "On authorizing Mr. M. Tochytskyi to sign the Additional Protocol to the Council of Europe Convention on the Suppression of Terrorism";

11/05/2015 # 624/2015 "On Delegation of Ukraine to Participate in the Annual Meeting of the High Contracting Parties to the Convention on Prohibitions or

⁴⁰ As amended in accordance with the Decree of the President # 719/2015 as of 12/24/2015.

Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and the Annual Meeting of Contracting Parties to Protocol V and amended version of Protocol II to the Convention";

11/16/2015 # 642/2015 "On Delegation of Ukraine to the XX Session of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction";

11/06/2015 # 626/2015 "On the Admission of the Armed Forces of Other States to Ukraine for Participation in Multinational Exercises";

11/16/2015 # 642/2015 "On Delegation of Ukraine to the XX Session of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction";

11/16/2015 # 643/2015 "On Delegation of Ukraine to Participate in the 14th Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction";

12/01/2015 # 668/2015 "On Delegation of Ukraine to Participate in the Annual Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction";

12/24/2015 # 721/2015 "On the Plan of Holding Multinational Trainings with Participation of the Armed Forces of Ukraine Units in the Territory of Ukraine and their Participation in Trainings Abroad for 2016, as well as the Access to the Territory of Ukraine for the Units of the Armed Forces of Other States to Participate in Multinational Trainings in 2016".

1.2.4. Orders of the President of Ukraine as of:

02/17/2015 # 209/2015 "On Changes in the Interdepartmental Group of Ukraine in GUAM Virtual Centre on Combating Terrorism, Organized Crime, Drug Trafficking and Other Forms of Dangerous Crimes".

1.2.5. Regulations of the Cabinet of Ministers of Ukraine as of:

07/23/2014 # 278 "On Establishment of the Committee to Impose Sanctions against Persons that Support and Finance Terrorism in Ukraine";

01/30/2015 # 38 "Some Issues of the National Security of Ukraine Upgrade";

02/04/2015 # 37 "On Amendments to the Paragraph 3 of the Regulation on the Procedure of Inspection Activities under the Convention on the Prohibition of the Development, Production and Use of Chemical Weapons and on Their Destruction";

02/04/2015 # 44 "On the Withdrawal from the Agreement on the Information Exchange in the Fight Against Crime";

03/04/2015 # 79 "Some Issues of Registration and Issuance of Certificate on Registration of Internally Displaced Persons from the Temporarily Occupied Territory of Ukraine";

03/04/2015 # 86 "Some Issues of Crossing of the State Border of Ukraine";

05/14/2015 # 299 "Some Issues of the Unified State Information System in the Area of Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) or Financing of Proliferation of Weapons of Mass Destruction";

07/17/2015 # 510 "On Procedure of Determination of Countries (Territories) that do not Address or Improperly Address Recommendations of International, Intergovernmental Organizations in the Area of Anti-Money Laundering and Combating

the Financing of Terrorism (AML/CFT) or Financing of Proliferation of Weapons of Mass Destruction";

09/16/2015 # 717 "On Approval of the Procedure for National Risk Assessment in the Area of Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) and Publication of its Results";

11/25/2015 # 966 "On Approval of the Procedure for Drawing a List of Persons Related to Terrorist Activity or for Whom International Sanctions are Applied".

1.2.6. Regulations of the Cabinet of Ministers of Ukraine as of:

06/30/2005 # 226 "On Signing the Additional Protocol on Combating Terrorism to the Agreement among the Governments of the Black Sea Economic Cooperation (BSEC) Participating States on Cooperation in the Fight against Crime, Particularly Organized";

12/24/2005 # 568-r "On Approval of the National Action Plan on Implementing the Project on Trade and Transport Facilitation of the GUAM-USA Framework Program on Trade and Transport Facilitation, Ensuring Border and Customs Control, Combating Terrorism, Organized Crime and Drug Trafficking";

02/04/2015 # 73 "On Signing the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on Amendments and Additions to the Agreement between the Government of Ukraine and the Government of the Slovak Republic on Railway Transport Across the State Border as of June 15, 1995";

02/04/2015 # 91 "On Signing the Protocol between the Cabinet of Ministers of Ukraine and the Government of the Slovak Republic on Amendments and Additions to the Agreement between the Government of Ukraine and the Government of the Slovak Republic on Common Border Checkpoint";

02/18/2015 # 107 "On the Establishment of the Restructuring Committee on the State Drug Control Service";

02/18/2015 # 110 "On the Approval of the State Nuclear Regulatory Inspectorate Implementation Plans for Some EU Legislation Acts";

12/30/2015 # 1407-r "On the Approval of the Development Strategy for the System of Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction for the period up to 2020.

1.2.7. Resolutions of the Cabinet of Ministers of Ukraine and the National Bank of Ukraine as of:

10/14/2014 # 99-VII "On Approval of the 2015 Action Plan on Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction";

09/16/2015 # 717 "On Approval of the Procedure for National Risk Assessment in the Area of Anti-Money Laundering and Combating the Financing of Terrorism (AML/CFT) and Publication of its Results".

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?

The powers of actors involved in fighting terrorism are prescribed by Article 5 of the Law of Ukraine "On Fighting Terrorism"⁴¹.

⁴¹ The Law of Ukraine # 638-VI as of 03/20/2003. As amended in accordance with the Laws of Ukraine as of: 05/31/2005 # 2600-IV; 12/15/2005; 04/14/2009# 1254-VI; 02/16/2010 # 1900-VI; 05/18/2010 # 2258-VI; 10/07/2010 # 2592-VI; 04/21/2011 # 3266-VI; 10/16/2012 # 5461-VI; 11/20/2012 # 5502-VI; 07/04/2013 # 406-

Moreover, due to the aggression of the Russian Federation the Article 9 of the Law of Ukraine "On Defense" was amended⁴² and the Main Situational Center of Ukraine was established⁴³.

Civil-military administrations were established to ensure security and normalize life of the population in the area of anti-terrorist operation that is not intended to change or abolish the right of local self-government⁴⁴.

The following regulations were adopted (existing regulations have been amended) due to the aggression of the Russian Federation in 2015 and the engagement of its Armed Forces on the territory of Ukraine, as well as provision of financial and material support to IAF, namely:

1.3.1. Laws of Ukraine as of:

03/20/2003 # 638-IV "On Fighting Terrorism"⁴⁵;

06/05/2014 # 1313-VII "On Amendments to the Laws of Ukraine" On Fighting Terrorism";

06/19/2014 # 1533-VII "On Amendments to the Criminal Code of Ukraine on Criminal Responsibility for Financing Separatism";

08/12/2014 # 1630-VII "On Amendments to the Law of Ukraine" On Fighting Terrorism" On Preventive Detention of Persons Involved in Terrorist Activities in the Area of Anti-Terrorist Operation for the period over 72 hours";

10/14/2014 # 1702-VII "On Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction";

01/15/2015 # 119-VIII "On Amendments to Some Legislative Acts of Ukraine On Inevitability of Punishment of Persons Hiding out in Temporarily Occupied Territory of Ukraine or in the Area of Anti-Terrorist Operation".

1.3.2. Regulations of the Verkhovna Rada of Ukraine as of:

02/22/2014 # 756-VII "On Preventing Manifestations of Separatism and Other Encroachments on National Security of Ukraine";

01/14/2015 # 106-VIII "On Appeal to the European Parliament, the Parliamentary Assembly of the Council of Europe, national parliaments of the EU member countries, USA, Canada, Japan and Australia On the Mass Execution of People under Volnovakha in Ukraine";

01/15/2015 # 119-VIII "On Amendments to Some Legislative Acts of Ukraine On Inevitability of Punishment of Persons Hiding out in Temporarily Occupied Territory of Ukraine or in the Area of Anti-Terrorist Operation";

01/29/2015 # 129-VIII "On the Appeal of the Verkhovna Rada of Ukraine to the United Nations, European Parliament, Parliamentary Assembly of the Council of Europe, NATO Parliamentary Assembly, OSCE Parliamentary Assembly, GUAM Parliamentary

VII; 03/13/2014 # 877-VII; 06/05/2014 # 1313-VII; 08/12/2014 # 1630-VII; 10/14/2014 # 1702-VII; 02/03/2015 # 141-VIII; 05/12/2015 # 378-VIII; 07/17/2015 # 649-VIII; 12/23/2015 # 901-VIII. On the loss of the Law Ukraine # 2592-VI as of 10/07/2010 (see further the Law of Ukraine # 763-VII as of 02/23/2014).

⁴² The Law of Ukraine # 133-VIII as of 02/03/2015.

⁴³ The Decree of the President of Ukraine # 115/2015 as of 02/28/2015.

⁴⁴ The Law of Ukraine # 650-VIII as of 07/17/2015.

⁴⁵ As amended in accordance with the Laws of Ukraine as of: 05/31/2005 # 2600-IV; 12/15/2005; 04/14/2009 # 1254-VI; 02/16/2010 # 1900-VI; 05/18/2010 # 2258-VI; 10/07/2010 # 2592-VI; 04/21/2011 # 3266-VI; 10/16/2012 # 5461-VI; 11/20/2012 # 5502-VI; 07/04/2013 # 406-VII; 03/13/2014 # 877-VII; 06/05/2014 # 1313-VII; 08/12/2014 # 1630-VII; 10/14/2014 # 1702-VII; 02/03/2015 # 141-VIII; 05/12/2015 # 378-VIII; 07/17/2015 # 649-VIII; 12/23/2015 # 901-VIII. On the loss of the Law Ukraine # 2592-VI as of 10/07/2010 (see further the Law of Ukraine # 763-VII as of 02/23/2014).

Assembly and National Parliaments of the Countries of the World on the Recognition of the Russian Federation as an Aggressor State";

01/27/2015 # 131-VIII "On Taking as a Basis the Draft Law of Ukraine on Amendments to Some Legislative Acts of Ukraine On Recognition of Organizations as Terrorist";

02/12/2015 # 186-VIII "On Amendments to Some Legislative Acts of Ukraine";

06/05/2014 # 650-VII "On Amendments to Some Laws of Ukraine on Arranging the Activity of Civil-Military Administrations";

12/24/2015 # 920-VIII "On Amendments to the Law of Ukraine on the National Guard of Ukraine"

1.3.3. Decrees of the President of Ukraine as of:

12/31/2014 # 970/2014 "On Participation of the Ukraine's Delegation in Negotiations with the Russian Federation concerning Russia's Violations of its Obligations under International Treaties of Ukraine";

03/20/2015 # 156/2015 "On Appointment of A. Ustymenko as the Commanding Officer of the Counter-Terrorism and Special Operations Centre for Protection of Participants of Criminal Justice and SBU Law Enforcement Personnel";

06/16/2015 # 341/2015 "On the Decision of the National Security and Defense Council of Ukraine as of May 6, 2015 "On Measures to Strengthen the Fight against Crime in Ukraine";

1.4.3. Orders of the President of Ukraine as of:

02/17/2015 # 209/2015 "On Changes in the Interdepartmental Group of Ukraine in GUAM Virtual Centre on Combating Terrorism, Organized Crime, Drug Trafficking and Other Forms of Dangerous Crimes".

1.3.5. Regulations of the Cabinet of Ministers of Ukraine as of:

07/23/2014 # 278 "On Establishment of the Committee to Impose Sanctions against Persons that Support and Finance Terrorism in Ukraine";

01/30/2015 # 38 "Some Issues of the National Security of Ukraine Upgrade";

11/10/2015 # 769-VIII "On Amendments to the Criminal Procedural Code of Ukraine regarding certain Issues of Seizure of Property Aimed at Eliminating of Corruption Risks in the Process of Application of it".

1.3.6. Regulations of the Cabinet of Ministers of Ukraine as of:

01/21/2015 # 50 "On Temporary Closing of Checkpoints across the State Border and Control Points".

1.3.7. Resolutions of the National Bank of Ukraine as of:

07/31/2015 # 499 "On Amendments to the Regulation on the Procedure for Organizing and Conducting Inspections in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing";

12/23/2015 # 920 "On Amendments to the Regulation on the Procedure for Organizing and Conducting Inspections in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons".

1.3.8. Order of the Ministry of Internal Affairs of Ukraine, the Prosecutor General of Ukraine, the Security Service of Ukraine "On Approval of Instruction on Preventive Detention of Persons Involved in Terrorist Activities in the Anti-Terrorist Operation Area, and Special Regime of Pre-Trial Investigation under Martial Law, in State of Emergency or in the Anti-Terrorist Operation Area" # 872/88/537 as of August 26, 2014.

1.3.9. Orders of the Ministry of Finance of Ukraine:

On Approval of the Procedure for Exchange of Information between the State Financial Monitoring Service of Ukraine and the Ministry of Finance of Ukraine to Improve Supervision of Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 361 as of March 26, 2015;

Regulation on the State Financial Monitoring Service of Ukraine on Applying Sanctions for Violations of the Law of Ukraine “On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” and/or of Regulations Governing Activities in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 366 as of March 27, 2015;

On Approval of the Procedure for Exchange of Information between the State Financial Monitoring Service of Ukraine and the Securities and Stock Market State Commission for the State Regulation of Financial Services Markets to Improve Supervision of Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 402 as of April 07, 2015;

On Approval of the Procedure for Exchange of Information between the State Financial Monitoring Service of Ukraine and the Securities and Stock Market State Commission for the State Regulation of Financial Services Markets to Improve Supervision of Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 407 as of April 09, 2015;

On Approval of the Procedure for Providing Information to the National Bank of Ukraine by the State Financial Monitoring Service of Ukraine to Improve Supervision of Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 691 as of August 03, 2015;

On Approval of the Procedure for the Application of Preventive Measures against Countries that do not Implement or Implement Improperly the Recommendations of International Intergovernmental Organizations Involved in Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 950 as of October 27, 2015;

On Approval of the Procedure for Consideration of Cases on Violation of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons and concerning the Implementation of Sanctions” # 810/5 as of May 28, 2015.

1.3.10. Order of the Ministry of Finance of Ukraine and the Ministry of Economic Development and Trade of Ukraine “On Approval of the Procedure for Exchange of Information between the State Financial Monitoring Service of Ukraine and the Ministry of Economic Development and Trade of Ukraine to Improve Supervision of

Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 575/625 as of June 19, 2015.

1.3.11. Order of the Ministry of Finance of Ukraine and the Ministry of Infrastructure of Ukraine

On Approval of the Procedure for Exchange of Information between the State Financial Monitoring Service of Ukraine and the Ministry of Infrastructure of Ukraine to Improve Supervision of Compliance Reporting Entities Requirements of the Legislation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 458/148 as of April 23, 2015;

1.3.12. Orders of the Ministry of Infrastructure of Ukraine:

On Approval of the Procedure for the Application of Preventive Measures against Countries that do not Implement or Implement Improperly the Recommendations of International Intergovernmental Organizations Involved in Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 295 as of July 30, 2015;

On Approval of Regulation on the Commission of the Ministry of Infrastructure of Ukraine on Applying Sanctions for Violations of the Law of Ukraine “On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” and/or of Regulations Governing Activities in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 307 as of August 11, 2015;

On Approval of the Risk Evaluation Criteria for Reporting Entities that are Subject to State Regulation and Supervision Conducted by the Ministry of Infrastructure of Ukraine, to be Used for Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 437 as of November 02, 2015.

1.3.13. Orders of the Ministry of Justice of Ukraine:

On approval of Regulation on the Commission of the Ministry of Justice of Ukraine on Applying Sanctions for Violations of the Law of Ukraine “On Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 811/5 as of May 28, 2015;

On Approval of the Procedure for the Application of Preventive Measures against Countries that do not Implement or Implement Improperly the Recommendations of International Intergovernmental Organizations Involved in Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing and the Financing of Proliferation of Mass Destruction Weapons” # 2011/5 as of October 16, 2015.

1.3.14. According to the normative and legal framework, the actors fighting against terrorism shall be responsible for:

The Security Service of Ukraine⁴⁶:

Fights against terrorism by carrying out investigative activities directed toward the prevention, disclosure and suppression of terrorist activity, including international

⁴⁶ *The Law of Ukraine # 638-IV as of 03/25/1992.*

activity;

Collects information on the activity of foreign and international terrorist organizations;

Conducts, within the limits of its authority determined by present legislation, exclusively with the purpose of receiving anticipated information in case of the threat of commitment of the acts of terrorism or at carrying out of anti-terrorist operation, conducting the detective-technical search activities on systems and channels of telecommunications, which can be used by terrorists;

Provides, through the Anti-Terrorist Centre operating under the Security Service of Ukraine, the organization and carrying out of anti-terrorist activities, coordination of the activity of entities engaged in the fight against terrorism according to their competence defined by the legislation of Ukraine;

Carries out pre-judicial inquiry of cases of the crimes connected with terrorist activity;

Initiates seizure of assets related to terrorist financing and related financial transactions that may be shut-down in accordance with the decision taken on the basis of UN Security Council resolutions as well as provides access to them in accordance with the request of the person who can confirm the need to cover the basic and extraordinary expenses;

Ensures security against terrorist attacks on Ukrainian establishments, their employees and members of their families abroad.

The Anti-Terrorist Center of the Security Service of Ukraine:⁴⁷

Develops conceptual framework and programs on fight against terrorism, recommendations for improving the effectiveness of measures to identify and eliminate the causes and conditions contributing to terrorist acts and other crimes committed with a terrorist purpose;

Collects, summarizes, analyses and evaluates information on the status and trends toward proliferation of terrorism in Ukraine and abroad;

Ensures organization and conduct of anti-terrorist operations as well as coordinates the activity of entities engaged in the fight against terrorism;

Ensures preparation and conduct of command post and special tactical exercises and training; participation in drafting international agreements of Ukraine, preparation and submission of proposals on improvement of legislation of Ukraine on the fight against terrorism, and the implementation of measures to prevent, detect and deter terrorist activity;

Interacts with foreign special services and law enforcement agencies and international organizations fighting against terrorism.

Intelligence agencies of Ukraine:⁴⁸

Obtaining, analytical processing and providing in the established order of intelligence information on the activities of foreign and international terrorist organizations outside Ukraine;

Implementation of measures countering terrorist threats to life and health of citizens of Ukraine, institutions, and state property of Ukraine in case of involvement of intelligence agencies of Ukraine to participate in anti-terrorist operations outside Ukraine.

The Ministry of Internal Affairs of Ukraine (MIA Ukraine):⁴⁹

⁴⁷ The Law of Ukraine # 638-IV as of 03/20/2003.

⁴⁸ The Law of Ukraine # 638-IV as of 03/20/2003.

⁴⁹ The Law of Ukraine # 638-IV as of 03/20/2003.

Prevention, detection and suppression of crimes committed with a terrorist aim, investigation of which in accordance with the laws of Ukraine belongs to the competence of the National Police;

Provides the Anti-Terrorist Centre operating under the Security Service of Ukraine with necessary forces and means;

Ensures their effective use during anti-terrorist operations.

The National Guard of Ukraine (NGU):⁵⁰

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 defense.

The units of the National Guard of Ukraine are involved in the anti-terrorist operation.

The National Police of Ukraine:⁵¹

Is the structure of the central executive body that serves society by ensuring the protection of rights and freedoms, combating crime, maintaining public security and order.

The Ministry of Defense Ukraine (MOD):

Military command and control bodies, components and military units of the Armed Forces of Ukraine shall⁵²:

Protect against terrorist attacks on facilities and property of the Armed Forces of Ukraine, weapons of mass destruction, missiles and firearms, ammunition, and explosive and toxic substances possessed by military units or stored in designated areas;

Organize the training and use of forces and means of the Ground Forces, Air Force and Naval Forces of the Armed Forces of Ukraine in case of a terrorist act committed in the airspace or territorial waters of Ukraine;

Take part in conducting anti-terrorist operations at military installations and if terrorist threats arise to the security of the State from outside Ukraine;

If involved in the anti-terrorist operation - perform tasks using the available forces and means to stop the activities of illegal paramilitary or armed formations (groups), terrorist organizations, organized groups and criminal organizations; take part in operations to detain individuals, and when the actions of these individuals are a real threat to life and health of the hostages, members of anti-terrorist operation or others - they neutralize them.

Military Police of the Armed Forces of Ukraine is a special law enforcement formation in the structure of the Armed Forces of Ukraine intended to ensure protection

⁵⁰ The Law of Ukraine # 876-VII as of 03/13/2014.

⁵¹ The Law of Ukraine # 580-VIII as of 07/02/2015. As amended in accordance with the Laws of Ukraine as of: 12/23/2015 # 900-VIII; 12/23/2015 # 901-VIII.

⁵² The Law of Ukraine # 638-IV as of 03/20/2003 "On Combating Terrorism".

of property of the Armed Forces of Ukraine against theft and other criminal activities as well as counteracting subversive displays and acts of terrorism at military installations⁵³;

The Military Intelligence Body of the MOD of Ukraine⁵⁴, in the manner determined by the President of Ukraine, may involve military intelligence agencies and military intelligence units of the Armed Forces of Ukraine in the activities of obtaining intelligence information to strengthen the defense capabilities of the State and for the fight against terrorism.

The State Emergency Service of Ukraine⁵⁵ is the central executive body that implements the state policy in the sphere of civil protection and according to its competence carries out the fight against terrorism and shall take measures:

To protect the population and territories in case of a threat of or occurrence of emergency situations connected with manifestation of technological terrorism and other forms of terrorist activities;

To minimize and alleviate the consequences of such situations by carrying out anti-terrorist operations;

Carries out educational and practically educational activities with the purpose of training the population how to respond in case an act of terrorism is committed.

The State Border Guard Service of Ukraine shall take the following measures⁵⁶:

Policing Ukraine's state border on land, sea, rivers, lakes, and other water bodies in order to prevent any illegal change of its line and to enforce the regime of the state border and the borderline regime;

Exercising border control and allowing passage across the border, according to the established procedure, of individuals, vehicles, cargos and other properties as well as detecting and stopping illegal movement thereof;

Safeguarding Ukraine's sovereign rights in its exclusive (maritime) economic zone, and supervising the exercise of rights and the meeting of obligations in that zone by other states, Ukrainian and foreign legal and natural persons, and international organizations;

Participating in the fight against organized crime and counteracting illegal migration at Ukraine's state border as well as within the bounds of the border districts controlled;

Participating in the activities aimed at combating terrorism as well as stopping the activities of illegal paramilitary or armed formations (groups), organized groups and criminal organizations that have violated the state border regime;

Coordinating the activities of military formations and relevant law-enforcement bodies related to protection of Ukraine's state border and border crossing of the temporarily occupied territories as well as coordinating the activities of state bodies that exercise various types of control over crossing of Ukraine's state border and border crossing of the temporarily occupied territories or take part in enforcement of the state border regime, the borderline regime, and the regime at Ukrainian state border checkpoints.

In addition, the State Border Guard Service of Ukraine is responsible for:

⁵³ *The Law of Ukraine # 3099-III as of 03/07/2002. Changed and amended in accordance with the Laws of Ukraine: # 1420-IV as of February 03, 2004; # 1014-V as of May 11, 2007; # 1900-VI as of February 16, 2010; # 4652-VI as of April 13, 2012; # 4711-VI as of May 17, 2012; # 5040-VI as of July 04, 2012; # 5288-VI as of September 18, 2012; # 245-VII as of May 16, 2013; # 1261-VII as of May 13, 2014; # 1697-VII as of October 14, 2014; # 901-VIII as of December 23, 2015.*

⁵⁴ *The Law of Ukraine as of 03/19/2015 # 267-VIII.*

⁵⁵ *The Law of Ukraine # 638-IV as of 03/20/2003. Amendments to the Law of Ukraine p. 1.3.1.2.*

⁵⁶ *The Law of Ukraine # 661-IV as of 04/03/2003.*

Collection, processing and transmission of information to the ATO HQ and other law enforcement agencies regarding the action plan, the location of the firing positions, enemy's combat capability, etc.;

In accordance with the Criminal Procedure Code of Ukraine, executes investigators' instructions aimed at solving crimes that might be connected with terrorism, banditry and unlawful use of weapons, including taking measures to implement the orders of the Prosecutor General of Ukraine about collecting evidence of Russia's involvement in terrorist activities in eastern Ukraine, and conducting interviews with witnesses.

The State Penitentiary Service of Ukraine⁵⁷: shall interact with the Anti-Terrorist Centre operating under the Security Service of Ukraine in combating terrorism and implementing agreed measures to prevent and suppress criminal actions of a terrorist nature at State facilities.

The Department of the State Guard of Ukraine⁵⁸:

Takes part in operations to prevent terrorist acts aimed against officials and facilities within its jurisdiction;

Provides the Anti-Terrorist Centre operating under the Security Service of Ukraine with necessary forces and assets;

Ensures their effective use during anti-terrorist operations.

1.4 Provide any additional relevant information on national efforts to prevent and combat terrorism

1.4.1. The legal framework for combating terrorism in Ukraine includes:

The Constitution of Ukraine;

The Criminal Code of Ukraine;

The Law of Ukraine "On Fighting Terrorism";

Other Laws of Ukraine;

European Convention on the Suppression of Terrorism (1977);

International Convention for the Suppression of Terrorist Bombings, (1997);

International Convention for the Suppression of the Financing of Terrorism, (1999);

Other international agreements signed by Ukraine, that are pronounced as obligatory by the Verkhovna Rada of Ukraine;

Decrees and administrative orders of the President of Ukraine;

Resolutions and administrative orders of the Cabinet of Ministers of Ukraine;

Other regulations that are accepted as obligatory according to the laws of Ukraine.

The Security Service of Ukraine (hereafter – SSU) constantly conducts informative, preventive and educational activities with the population by passing on to them through different types of media and the SSU website the information on how to prevent the terrorist attacks, by this also inducing the social intolerance toward terrorism in general.

Moreover, certain precautionary measures are being taken toward the individuals and legal entities that are involved in distributing the materials on how to assemble improvised explosive devices.

In order to prepare the population for the possible terrorist attack (including in the places of mass gatherings), detection of the suspicious objects, etc. there are a few guidelines designed to inform the people on how to properly act in these cases and a pamphlet on the primary measures to be taken in case of detection or use of any explosive.

⁵⁷ Resolution of the Cabinet of Ministers of Ukraine # 225 as of 07/02/2015.

⁵⁸ The Law of Ukraine # 638-IV as of 03/20/2003.

The Law of Ukraine “On Civil-Military Administrations” # 141-VIII as of 02/03/2015 provides for the establishment of civil-military administrations – temporary administrative bodies in villages, towns, cities and regions operating as a part of the ATO Centre under the SSU that are designed to provide implementation of the Constitution and laws of Ukraine, ensure security and normalize life of the population, provide law and order, take part in combating sabotage manifestations and terrorist acts, prevent humanitarian disaster in the area of ATO with the purposes to ensure security and normalize life of the population in the area of ATO, Donetsk and Luhansk regions.

The Law of Ukraine # 378-VIII as of 05/12/2015 “On Amendments to the Law of Ukraine “On Fighting Terrorism” provides the increase in number of people, who can chair the anti-terrorist operation headquarters and deploy forces and assets of the actors involved in suppressing terrorism to conduct the ATO for the purposes of optimizing control over anti-terrorism activity.

For the purposes of implementation of 2015 Civil Defense Plan of Main Activities⁵⁹, the National Emergency Service of Ukraine has conducted command-staff exercises together with the administrative bodies and forces of the civilian protection in Chernivtsi, Poltava and Kharkiv regions, that provided additional training for the administrative bodies as well as search and rescue services.

In addition regulatory bodies of central executive authorities took part in 59 command-staff exercises and 27 special tactical training exercises based upon the ATO experience involving 1,260 personnel and 360 units of equipment in 2015. For the purposes of the Annual National Program of NATO-Ukraine cooperation for 2015⁶⁰, the State Emergency Service of Ukraine together with the Euro-Atlantic Disaster Response Coordination Centre have conducted the Joint International Exercise “Ukraine 2015” during September 21-25, 2015 that was focused on the topic of: “Organization of Natural and Man-Made Emergency Relief Operations”. The exercise involved 1,100 persons, among which: 800 persons were from Ukraine; 300 persons – from 14 different countries.

1.4.2. Financing of terrorism

The Cabinet of Ministers of Ukraine and the National Bank of Ukraine enacted 2015 Action Plan on Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction⁶¹ and the Procedure for National Risk Assessment in the Area of Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction and Publication of its Results on August 12, 2015 with the purposes of prevention and counteraction to legalization (laundering) of proceeds from crime, terrorism financing and the financing of proliferation of weapons of mass destruction⁶².

The Law of Ukraine “On Amendments to Some Legislative Acts of Ukraine On the Order of Transportation of Supplies from or to the Area of Anti-terrorist Operation” # 649-VIII as of 07/17/2015 has been enacted since August 22, 2015. According to the Law:

The Cabinet of Ministers of Ukraine has the authority to establish the order of transportation of supplies from or to the ATO zone on request of the SSU;

⁵⁹ *Approved by the Resolution of the Cabinet of Ministers of Ukraine # 476-r as of 05/14/2015.*

⁶⁰ *Approved by the Decree of the President of Ukraine # 238/2015 as of April 23, 2015.*

⁶¹ *Resolution of the Cabinet of Ministers of Ukraine, the National Bank of Ukraine # 99 as of 03/11/2015.*

⁶² *Resolution of the Cabinet of Ministers of Ukraine, the National Bank of Ukraine # 717 as of 09/16/2015.*

The Code of Ukraine on Administrative Offences was updated with a new Article 204-3 that provides responsibility for violating the order of transportation of the supplies from or to the ATO zone.

The Decision of the National Security and Defense Council of Ukraine "On Imposition of Personal Special Economic and Other Restrictive Measures for a term of one year" was promulgated by the Decree of the President of Ukraine⁶³ as of September 16, 2015 (introduced by the Cabinet of Ministers of Ukraine⁶⁴ and the SSU).

The Law of Ukraine "On the National Agency of Ukraine for Detection, Search and Management of Assets from Corruption and Other Crimes"⁶⁵ was passed by the Verkhovna Rada of Ukraine on November 10, 2015 with the purposes of matching up the national legislation with the international standards on suppressing terrorism. The Law establishes legal and organizational framework for the functioning of the National Agency of Ukraine for Detection, Search and Management of Assets from Corruption and Other Crimes.

The Law of Ukraine "On the State Bureau of Investigation"⁶⁶ was passed by the Verkhovna Rada of Ukraine on November 11, 2015 establishing legal framework of organization and activity of the State Bureau of Investigation. The Bureau exercises its powers both directly and via the regional authorities.

The Order "On the Approval of the Development Strategy for the System of Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction for the period up to 2020" # 1407-r was issued by the Cabinet of Ministers of Ukraine on December 30, 2015.

Ukraine has joined the following main international legal acts concerning Money Laundering and Combating the Financing of Terrorism:

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and Financial Intelligence Unit of Denmark on Cooperation in the Exchange of Financial Information Related to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing as of March 13, 2013;

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and Financial Intelligence Unit of India on Cooperation in the Exchange of Information Related to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing as of February 18, 2014;

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and Financial Intelligence Centre of the Republic of South Africa on Cooperation in the Exchange of Information Related to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing as of February 18, 2014;

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and Financial Intelligence Service (Guernsey FIU) on Cooperation in the Area of Prevention and Counteraction to Legalization (Laundering) of the Proceeds from Crime, or Terrorist Financing as of June 04, 2014;

Memorandum of Understanding between the State Financial Monitoring Service of Ukraine and Special Investigation Commission (SIC) of the Republic of Lebanon on Cooperation in the Area of Prevention and Counteraction to Legalization (Laundering) of

⁶³ *The Decree of the President of Ukraine as of 09/16/2015 # 549/2015.*

⁶⁴ *The Resolution of the Cabinet of Ministers of Ukraine # 808-r as of 08/12/2015.*

⁶⁵ *The Law of Ukraine # 772-VIII as of 11/10/2015.*

⁶⁶ *The Law of Ukraine # 794-VIII as of 11/12/2015.*

the Proceeds from Crime, or Terrorist Financing as of June 04, 2014.

1.4.3. Border control

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.

The NGU units together with the personnel of the National Border Guard Service of Ukraine are engaged in reinforcing the protection of the Transnistrian part of the Moldovan border.

Since the situation in Luhansk and Donetsk regions has worsened the Cabinet of Ministers of Ukraine has terminated the traffic across the Ukrainian-Russian border in 21 crossing points and 1 checkpoint, from which 14 are in Luhansk region, and 8 are in Donetsk, and 3 of them are temporarily shut down according to the Order of the Cabinet of Ministers of Ukraine # 50-r as of 05/21/2015.

As of March 01, 2015, the Ukrainian government has unilaterally suspended certain agreements between the Government of Ukraine and the Government of the Russian Federation on visa-free travel⁶⁷.

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, 2015.⁶⁸. 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.

The Resolution “On Account of Persons who Move from the Temporarily Occupied Territory of Ukraine and the Area of Anti-Terrorist Operation”⁶⁹ 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 ATO zone.

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 ATO zone. A resident should address a responsible governmental body with a statement in order to get the certificate and be registered. 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.

The plans for 2016 include providing more workplaces with systems that read biometric data on the first and second lines. At checkpoints for air connections the staff

⁶⁷ Resolution of the Cabinet of Ministers of Ukraine# 23 as of 01/30/2015.

⁶⁸ Resolution of the Cabinet of Ministers of Ukraine# 86 as of 03/04/2015.

⁶⁹ Resolution of the Cabinet of Ministers of Ukraine# 509 as of 10/01/2014 as amended # 34 as of 01/28/2015.

uses the systems with the database of information on passengers provided prior by different airlines to detect wanted persons, offenders and people involved in terrorist activities.

1.4.4. Travel document security

The main tasks of the State Migration Service of Ukraine (hereinafter – SMS of Ukraine) are⁷⁰:

Implementing the state policy on migration (immigration and emigration), as well as suppressing the illegal migration (obtaining citizenship and registration) of refugees and other categories of migrants determined by the law.

SMS of Ukraine according to its authority:

Makes decisions on the establishment of citizenship of Ukraine, registration of acquiring the citizenship of Ukraine and its termination according to the legislation;

Makes a decision to continue (shorten) the period of temporary stay for foreigners and people without citizenship in Ukraine;

Carries out activities related to the forced deportation of foreigners and people without citizenship from Ukraine;

Provides registration and issuance of a refugee certificate, an identity card for the people that require additional protection in Ukraine and other documents as required by the law for these categories of people;

Ensures the functioning of refugee camps and temporary stay centers for foreigners and people without citizenship who illegally stay in Ukraine;

Keeps records of people who have or who claim to have the refugee status, people in need of additional protection or people who acquired (lost) the citizenship of Ukraine and people who are granted (cancelled) the permission to immigrate to Ukraine, at all stages of the relevant procedures.

The Law of Ukraine “On the Unified Demographic State Register and Documents that Prove the Citizenship of Ukraine, Identify a Person or Their Special Status” was enacted on December 06, 2012 that provides for introduction of passports with implanted electronic information carriers for citizens of Ukraine.

According to this law Ukrainian officials have already started to register and issue passports with implanted electronic information carriers with the biometric data of the owner.

As of 12.01.2015 the SMS of Ukraine provides registration, issue, exchange, renewal and extending the expiration dates for the passports that contain the biometric data of the Ukrainian citizens for travelling abroad⁷¹.

The SMS of Ukraine fulfils obligations at the national level within its competence under the Code of Conduct, in terms of travel document security for citizens of Ukraine.

The reliability of documents for entering and leaving the country by air, compliance with the regulations, standards and recommended practices is a necessary condition for registering the aircraft, passengers, their baggage, cargo, mail and for responding to violations in the process of border control and maintenance in order to maintain operational efficiency of aircraft.

The members of the aircraft crew are granted with an aircraft crew member certificate, a plastic ID card that simplifies the procedures of border control for them⁷².

The State Aviation Service of Ukraine set up a presentation for EU representatives

⁷⁰ Resolution of the Cabinet of Ministers of Ukraine # 360 as of 08/20/2014.

⁷¹ The Resolution of the Cabinet of Ministers of Ukraine # 780-r as of 08/20/2014.

⁷² Resolution of the Cabinet of Ministers of Ukraine # 1346 as of 11/21/2007.

to show their readiness to issue the crew member certificates that can be checked automatically using regular PCs on February 18, 2015.

1.4.5. Container and supply chain security

The main international acts defining the container security are:

Vienna Convention on Civil Liability for Nuclear Damage as of May 21, 1963;

Convention on the Physical Protection of the Nuclear Material, as of October 26, 1979;

Convention on the Physical Protection of the Nuclear Material, as of March 03, 1980;

Convention on the Early Notification of a Nuclear Accident, as of September 26, 1986;

Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, as of September 26, 1986;

Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management as of September 05, 1997.

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 and explosives that are prohibited from being transported across the border.

The NGU provides protection for special types of cargo, including nuclear material, the list of which is defined by the Cabinet of Ministers of Ukraine⁷³..

The Ministry of Energy and Coal-mining Industry of Ukraine enforces the proper measure for transporting the nuclear material, radioactive waste and other sources of ionized rays as well as control over them for the purposes of container and supply chain security according to the Article 24 of the Law of Ukraine “On the Physical Protection of the Nuclear Material, Material, Radioactive Waste and Other Sources of Ionized Rays”.

Transportation, including transit and international transportation of the nuclear and other radioactive materials through the territory of Ukraine is conducted according to the requirements of the Regulation "On the Procedure of Radioactive Material Transportation through the Territory of Ukraine"⁷⁴. The Resolution of the Cabinet of Ministers of Ukraine # 338 as of 08/13/2014 laid down a List of special cargos including I, II, III categories nuclear materials, I category radioactive waste and spent nuclear fuel that fall under the protection and defense of the NGU.

The Nuclear Material Physical Protection System is being established for special transportation given nuclear material categories, potential radiation consequences, and the possibility of committing nuclear terrorist act as well as the potential consequences of the unauthorized withdrawal of nuclear materials.

1.4.6. Security of radioactive sources

Safety of radioactive materials and the implementation of the state policy on proper radioactive waste handling are provided within the participation of Ukraine in the Global Initiative on combating nuclear terrorism.

In 2015 Ukraine took part in 2015 Conference on reviewing a treaty on the Non-Proliferation of Nuclear Weapons⁷⁵.

On February 12, 2015 the Verkhovna Rada of Ukraine adopted the Resolution No 186-VIII on taking organizational, economic, engineering and technical or other

⁷³ The Law of Ukraine # 876-VII as of 03/13/2014.

⁷⁴ Approved by the Resolution of the Cabinet of Ministers of Ukraine # 1373 as of 10/15/2004.

⁷⁵ Decree of the President of Ukraine as of 21.04.2015 No 230/2015.

measures to reduce the risks of emergencies to acceptable levels; improve the level of environmental, nuclear and radiological security to meet norms and standards at an according sphere including the transformation of “Shelter” facility of Chornobyl Atomic Electric Power Station into ecologically-safe system.

The Ministry of environment and mineral resources of Ukraine⁷⁶ is the central executive body, coordinated by the Cabinet of Ministers of Ukraine. The Ministry of environment and mineral resources of Ukraine is the main body in the system of central executive bodies responsible for the development and implementation of the state policy on natural environment protection and, within the limits of one's authority, biological, genetic and radiological safety, waste (including radiological) pesticides and agricultural chemicals management, relief of the Chornobyl catastrophe consequences and radiological safety.

Moreover, the Ministry of environment and mineral resources of Ukraine approves norms and rules on physical protection of nuclear installations, nuclear materials, radioactive wastes or other ionizing radiation sources.

State Agency of Ukraine on exclusion zone management⁷⁷ provides the implementation of the state policy on exclusion zone and compulsory evacuation zone management, relief of the Chornobyl catastrophe consequences, removal of Chornobyl Atomic Electric Power Station from service as well as the transformation of “Shelter” facility into ecologically-safe system and at the same time is a State administrative body in the sphere of radioactive wastes at the stage of their long-term storage and disposal.

The main objective of the State Agency of Ukraine on exclusion zone management is the implementation of the state policy in relation to:

Exclusion zone and compulsory evacuation zone management as well as to the exclusion zone barrier function provision;

Radioactive wastes, nuclear wastes and ionizing radiation sources management; protection of the population against ionizing radiation sources;

Rehabilitation of territories, contaminated with radiation;

Relief of the Chornobyl catastrophe consequences;

Physical protection of nuclear installations, nuclear materials, radioactive wastes or other ionizing radiation sources at enterprises, agencies and organizations within the State Agency of Ukraine on exclusion zone management;

Removal of power-generating units of Chornobyl Atomic Electric Power Station from service and transformation of “Shelter” facility into ecologically-safe system.

State Ecological Inspection of Ukraine⁷⁸ exercises the state control over the compliance with laws on environmental and radiological safety:

In the process of scientific, research and development works, implementation of discoveries, inventions, use of new imported equipment and materiel, technologies and systems;

At military (including foreign states at their home stations on the territory of Ukraine) and defense facilities, facilities of bodies within the Ministry of Internal Defense of Ukraine, State Penitentiary Service of Ukraine, Security Service of Ukraine and Administration of the State Border Guard Service of Ukraine, as well as in the course

⁷⁶ Decree of the President of Ukraine as of 13.04.2011 No 452/2011, amended with due regard to the Decree of the President of Ukraine as of: 17.04.2013 No 221/2013; 02.09.2013 No 473/2013.

⁷⁷ Decree of the President of Ukraine as of 06.04.2011 No 393/2011, amended with due regard to the Decree of the President of Ukraine as of 17.04.2013 No 221/2013.

⁷⁸ Decree of the President of Ukraine as of 13.04.2011 No 454/2011.

of the redeployment of forces, weapons and military equipment with the aid of automobile, aerial, railway and floating transportation assets, conduction of military exercises and man oeuvres;

At Border Inspection Posts and at offices of sending and destination in the process of import, export, and transit of cargo as well as transportation assets;

In the course of activities at high threat locations; in the course of operations with scrap metal, ecological control over scrap export consignments of primary metals;

In respect of the compliance with the requirements of conclusions of the state ecological expertise

“Radon” Ukrainian national union” state corporation (hereinafter to be referred to as State Corporation) performs radiation safety audit, reception and transportation, transportation and storage of radioactive wastes, including waste or left unchecked ionizing radiation sources of alpha, beta, gamma radiation and neutron emission from all enterprises and institutions of Ukraine.

The State Corporation is in the management sphere of the State Agency of Ukraine on exclusion zone management, which activity is directed and coordinated by the Cabinet of Ministers of Ukraine via the Minister of environment and mineral resources of Ukraine.

In 2015 the State Corporation received waste ionizing radiation sources for storage. By January 1, 2016 the storage house of the above mentioned corporation stored 588662 waste ionizing radiation sources, including 57682 sources at overhead well-type storage cells.

In 2015 with the assistance of:

Great Britain and the European Commission, financing of bringing into service the central storage for long-term storing of waste ionizing radiation sources continued.

Due to the technical assistance of the U.S. Department of Energy, efforts were made to develop automated control system for the transportation of radio-active materials.

Two posts, operating in the test mode – Kharkiv specialized integrated plant and central post of “Radon” Corporation were constructed. On the results of a testing operational service analogous posts will be constructed at 4 more specialized integrated plants and one central post at the exclusion zone – at the Central Enterprise for radioactive waste management.

With the technical assistance of NATO the project on withdrawal and radioactive waste retrieval, which emerged as a result of military programs of the Former Soviet Union, was launched.

At this time Kyiv specialized integrated plant has signed a contract with NATO on the conduct of radiological inspection of “Vaculenchuk” storage house, which is under the command of the State Border Guard Service of Ukraine. On the results of the inspection (approximately in May 2016) NATO will hold a tender to determine the contractor for the withdrawal of the abovementioned storage house and transportation of withdrawn wastes to Kyiv specialized integrated plant.

State Nuclear Regulatory Inspectorate of Ukraine⁷⁹. Among the main tasks of the State Nuclear Regulatory Inspectorate of Ukraine are the following:

Development and implementation of the state policy on safe use of nuclear energy; government control over the safe use of nuclear energy;

Exercise of powers of an authoritative body responsible for the physical protection of nuclear materials and facilities in accordance with the Convention on physical

⁷⁹Order of the Cabinet of Ministers of Ukraine as of 20.08.2014 No 363.

protection of nuclear materials and facilities; as to issues of safe transportation of radioactive materials following rules of Nuclear and Radiation Safety while transporting radioactive materials;

Alarm annunciation and information distribution according to the Convention on Early Notification of a Nuclear Accident.

The Ministry of Energy and Coal Mining of Ukraine⁸⁰ provides physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation of facilities in its management sphere, as well as transportation and control over their realization.

The National Guard of Ukraine⁸¹ provides protection of nuclear facilities, nuclear materials, radioactive waste and other radiation sources of state-owned assets and important state facilities, listed by the Cabinet of Ministers of Ukraine.

1.4.6.1. Implementation Agreement between the Cabinet of Ministers of Ukraine and NATO.

On July 27, 2013 the Cabinet of Ministers of Ukraine approved the Implementation Agreement between the Cabinet of Ministers of Ukraine and NATO on providing support to the radioactive waste retrieval, which emerged as a result of military programs of the Former Soviet Union in Ukraine⁸². On February 24, 2014 the Implementation Agreement between the Cabinet of Ministers of Ukraine and NATO on providing support to the radioactive waste retrieval, which emerged as a result of military programs of the Former Soviet Union in Ukraine was submitted for ratification by the Verkhovna Rada of Ukraine.⁸³

1.4.7. Ionizing radiation sources in the Armed Forces of Ukraine

The Armed Forces of Ukraine maintain radioactive waste disposal sites⁸⁴ and ionizing radiation sources, stored and protected in accordance with the requirements of the current legislation of Ukraine.

In order to dispose these radioactive waste disposal sites according to the Law of Ukraine “On National target-oriented ecological program on radioactive waste management”, their disposal is planned to be performed till the end of 2017 by efforts of specialized integrated plants of the “Radon” Ukrainian national union” state corporation”.

At the same time the Implementation Agreement between the Cabinet of Ministers of Ukraine and NATO on providing support to the radioactive waste retrieval, which emerged as a result of military programs of the Former Soviet Union in Ukraine⁸⁵ provides for the liquidation of radioactive waste disposal sites with financial support from NATO.

Moreover, in 2015, in coordination with the State Agency of Ukraine on exclusion zone management combined action was taken in relation to physical protection of two radioactive waste disposal sites with financial support from the USA.

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

The Security Service of Ukraine carries out a set of measures within its competence in order to detect and prevent illegal activities on the use of the national segment of the Internet network and other informational networks for terroristic purposes. The practice

⁸⁰ Decree of the President of Ukraine as of 06.04.2011 No 382/2011.

⁸¹ Law of Ukraine as of 13.03.2014 No 876-VII.

⁸² Resolution of the Cabinet of Ministers of Ukraine as of 24.07.2013 No 577-p.

⁸³ Resolution of the Cabinet of Ministers of Ukraine as of 12.02.2014 No 81-p.

⁸⁴ TSYBULEVE populated area of Kirovohrad oblast, Desiatyn urban-type village of Ivano-Frankivsk Oblast

⁸⁵ Ratifies by the Law of Ukraine as of 14.06.2015 No 526-VIII.

of termination of functioning of the web pages that contain calls of a terrorist nature is developing and improving.

During the course of the antiterrorist operation in Ukraine, the Ministry of Defense and the Armed Forces of Ukraine worked jointly to identify the facts of use of the Internet for military purposes.

During the monitoring the detected information is sent to the National Security and Defense Council of Ukraine, while operational information on terrorist activity is sent to the relevant departments of the National Police of Ukraine and the Security Service Ukraine.

In order to prevent the use of informational technology, infrastructure and resources for terroristic purposes, the Ministry of Defense and the Armed Forces of Ukraine organized work under the orders of the MOD of Ukraine "On the Concept of information security of Ministry of Defense of Ukraine and the Armed Forces of Ukraine" and "On the concept of the formation of information infrastructure of the Ministry of Defense Ukraine".

1.4.9. Legal cooperation including extradition

"Islamic State" (IS) soldier transporting chain to Syrian-Iraqi areas as well as transshipment points in 8 cities of Ukraine were detected and stopped during 2015 jointly with partner intelligence services. 4 members of terrorist groups who were in the international wanted list of Interpol were arrested for extradition. 21 IS supporters were identified and forcibly returned to their countries of origin directly at transshipment points.

Based on the consolidated list of the United Nations Security Council, the Security Service of Ukraine takes measures to prevent infiltration of members of international terrorist and religious extremist organizations to the territory of Ukraine.

Based on the information from foreign partners in 2015 the Security Service of Ukraine banned 550 foreign citizens involved in the activities of international terrorist organizations from entering the territory of Ukraine.

Particularly, in cooperation with the State Border Guard Service of Ukraine entering Ukraine is disallowed to 29 foreign citizens who participated in the hostilities in Syria as a part of international terrorist organizations. Based on information obtained in the framework of international cooperation, 300 IS supporters are forbidden to enter the territory of Ukraine.

In general, in 2015 1,523 criminal proceedings were initiated on grounds of crime, provided by the Article 258 ("Terroristic act") – 284, Article 258-1 ("Involvement into committing a terrorist act") – 3, Article 258-2 ("Public calls to commit a terrorist act") – 3, Article 258-3 ("Formation of terrorist group or organization") – 1 052, Article 258-4 ("Facilitating the commitment of a terrorist act") – 12, Article 258-5 ("Financial support of terrorism") of the Criminal Code of Ukraine – 169.

In 2015, under the authority of the General Prosecutor's Office of Ukraine and the Minister of Justice of Ukraine, units of the National Guard of Ukraine convoyed the extradition of 151 people, among them: 53 – abroad, 98 – to the territory of Ukraine.

1.4.10. Safe havens and shelter to terrorists and terrorist organizations

SSU together with other law enforcement agencies implements measures to suppress the activity of the organized criminal groups, the members of which are involved in illicit arms, ammunition and explosives traffic as well as in the establishment of smuggling channels. As a part of this mission in 2015 they initiated 356 (in 2016 – 21) criminal proceedings, in 250 cases the people were informed about the suspicions, 446

units of weapon; 169 thousand rounds of ammunition; 547.3 kg of explosives were withdrawn from the illegal traffic. They detected and liquidated weapons storages and various means of destruction that could be used by people involved in terrorist activities.

The measures taken by the National Border Guard Service of Ukraine to implement the conception of suppressing terrorism are aimed at fulfilling the national migration policy, protecting national security and national migration interests of Ukraine, enforcing law in this field, effectively managing the migration processes and countering illegal migration.

The main priorities of the SMS of Ukraine are:

Control over the issuance of documents that confirm one's identity or their special status, to prevent counterfeiting or illegal use;

Prevent attempts of the international terrorist organization to use the illegal migration channels for infiltrating the members of such organizations into Ukraine or for their transit through the territory of Ukraine;

Shut down the illegal migration channels;

Control the compliance with the rules of stay for the foreigners and people without citizenship in Ukraine;

Identify illegal migrants.

The SMS of Ukraine and its regional subunits is constantly taking various measures to implement the concept of suppressing terrorism.

In order to determine and establish common tasks, work through the cooperation, exchange information, etc., SSU, Ministry of Internal Affairs, Ministry, Administration of the State Patrol Service, Ministry of Education and Science, State Inspectorate of Ukraine on Labor issues invited judges and representatives of the prosecutor's office hold coordination meetings.

In order to determine the location of a person that has to have their documents that allow temporary residence in Ukraine or an illegally obtained passport withdrawn the state informs territorial subunits of the SMS, ASPS, MIA, SSU that take legal measures to make that person leave the country.

In order to prevent illegal registration of foreigners and people without citizenship the law enforcement agencies on the Ukrainian territory check their documentation that is needed to obtain Ukrainian citizenship, permission for immigration or a refugee certificate.

In order to prevent illegal registration of people who are involved in the international terrorist or religious extremist organizations the law enforcement agencies make requests to the SSU for such people and the lists with them are sent to the regional subunits of the SMS.

To control the compliance with the rules of stay in Ukraine (by an agreement with the SMS of Ukraine) monthly and, if necessary, immediately, the SMS sends out information about people who have not left Ukraine after their visa had expired.

In order to prevent the use of the invitations to study in higher education institutions and the simplified registration procedure for the invited international students by the people who manage the channels of illegal migration, the information about the expelled international students is also being released monthly.

In order to identify the foreigners who came to Ukraine seemingly to study, paid for the full course of higher education, but did not attend the classes and were covered up by teachers, the SMS conducts the unannounced inspections of the attendance of international students.

In order to identify illegal migrants who illegally work here, the SMS conducts inspections of merchandise and food markets, construction sites, restaurants, coffee shops and other places where it is possible to use illegal manual labor.

In order to avoid the possibility of thieves, criminal authorities, international criminals, that are citizens of the third world countries entering and registering in Ukraine the law enforcement agencies distribute the lists of internationally wanted people, or those who have previously committed crimes in Ukraine.

Based upon the information received from certain law enforcement agencies, the SMS representatives conduct inspections to determine the basis for obtaining citizenship or refugee status by the people who organize the channels of illegal migration. In case the information on the illegal registration or document issue is obtained, the SMS is taking steps to collect those documents.

After looking through the materials provided by the foreigners before trial, SMS verifies their authenticity by sending requests to the relevant organizations and institutions. The results of the inspection become the base for analyzing the documents that may prove or disprove the facts of any given person's or their close relatives' residing in Ukraine before August 24, 1991. For each detected case of breaking the law there is a separate assessment and report to the SMS administration for them to take action in accordance with the law.

Based on the gathered materials about the people who are in charge of the illegal registration of foreign citizens in Ukraine and their collaborators the SMS under the umbrella of its authority establishes the legal measures that can be taken to document their crimes.

On ensuring the rights of internally displaced persons

The positive change in providing human rights and freedoms for the internally displaced persons is the Law of Ukraine that was enacted by the Verkhovna Rada of Ukraine on December 24, 2015 "On amending certain Ukrainian Laws on ensuring of rights and freedoms of internally displaced persons", which came into force on January 13, 2016.

On December 31, 2015 the citizens who move from the temporary occupied territories were provided with administrative services, among which:

- Registered for a place of residence – 32 485;
- Registered for a place of temporary stay – 387 803;
- Issued, registered or renewed a passport – 48 558;
- Renewed the pictures in the passport for the citizens who reached 25- i 45- years of age – 72 935;
- Issued and registered an international passport for the citizen of Ukraine – 95 277;
- Issued and registered child's travel document– 5 172;
- Got marked in a certificate and registered in the list of internally displaced persons – 957 870 people.

The enacted law strengthened the basis for ensuring the rights and freedoms of the internally displaced persons, simplified the registration procedures for the internally displaced persons, which enabled the implementation of the recommendations given to the Ukrainian government in the Resolution of the Parliamentary Assembly of the European Council 2028 (2015) "Humanitarian situation: Ukrainian refugees and internally displaced persons". The government officials have also excluded the articles on registering the place of residence for the internally displaced persons, regulated the procedure for verifying the information, which states that the internally displaced person

has returned to their place of original residence.

On March 17, 2015 the Verkhovna Rada of Ukraine enacted a resolution ⁸⁶that acknowledges certain parts of Donetsk and Luhansk regions as those that belong to the temporary occupied territory and right now are not under the control of the Ukrainian government.

In this regard citizens who live and are registered in places that are temporarily not under the control of the Ukrainian government or are right near the frontline (Donetsk and Luhansk regions) and have not received the status of an internally displaced person are registered on the spot when they address the territorial divisions of the SMS of Ukraine in Donetsk and Luhansk region.

On ensuring the rights and freedoms of Ukrainian citizens who reside on the temporary territories of Ukraine

Citizens who reside on the temporary territories of Ukraine (Autonomous Republic of Crimea and Sevastopol City) and did not receive the status of an internally displaced persons are registered by the territorial divisions of the SMS when the citizen or his representative addresses them according to the specifications of the procedures for obtaining documents confirming the citizenship of Ukraine or a special status of a person for citizens living on the temporarily occupied territory of Ukraine⁸⁷.

This shortens the time needed for issuing and registering the Ukrainian passport for the people who live on the temporary occupied territory of Ukraine. On January 14, 2016 the citizens who move from the temporary occupied territories were provided with administrative services, among which:

- Registered for a place of residence – 12 996;
- Registered for a place of temporary stay – 2 384;
- Issued, registered or renewed a passport – 5 678;
- Renewed the pictures in the passport for the citizens who reached 25- i 45- years of age – 13 220;
- Issued and registered an international passport for the citizen of Ukraine – 36330,
- Issued and registered child's travel document – 1 702;
- Got marked in a certificate and registered in the list of internally displaced persons – 11 770.

In addition, the SMS at the request of citizens of Ukraine who live in the temporarily occupied territory or moved out of it has to issue them a certificate at their new place of residence confirming their place of residence, according to the regulations established by MIA.

An international passport can be issued and registered for citizens (including obtaining digitized fingerprints) in regional departments of the SMS regardless of their place of residence⁸⁸.

It is worth noting that one of the human rights violations in Crimea is the automatic acquisition of Russian citizenship by the citizens of Ukraine.

However, the article 5 of the Law of Ukraine “On ensuring rights and freedoms of citizens and the legal regime on the temporary occupied territories” establishes that the forceful automatic obtainment of the Russian citizenship by the people who reside in the temporary occupied territories is not acknowledged by Ukraine and is not a legit reason for losing Ukrainian citizenship.

⁸⁶ Order of the Verkhovna Rada of Ukraine as of 17.03.2015 No 254-VIII.

⁸⁷ Order of the Cabinet of Ministers of Ukraine as of 04.06.2014 No 289.

⁸⁸ Resolution of the Cabinet of Ministers of Ukraine as of 07.05.2014 No 152.

While taking the special measures in the ATO zone 217 people who have the obvious connection to the illegal armed groups were arrested and passed to the SSU and MIA officials, 4 large ammunition and explosives storages were detected as well as the locations of certain illegal armed groups: 96 locations of personnel and military equipment; 156 firing posts; 22 ammunition storages.

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.

In order to enable Ukraine provide military support to other nations at their request, the following laws were adopted:

2.1.1. Laws of Ukraine as of:

23.04.1999 No 613-XIV "On participation of Ukraine in international peace support and security operations";

16.07.1999 No 1006-XIV "On the Approval of the Decree of the President of Ukraine" On sending peacekeeping troops for the participation of Ukraine in international peacekeeping operations in Kosovo, Federal Republic of Yugoslavia";

02.03.2000 No 1518-III "On procedure for deploying units of the Armed Forces of Ukraine to other states";

18.09.2012 No 5286-VI "On amendments to Laws of Ukraine on the participation of the Armed Forces in international peacekeeping and security operations";

20.06.2013 No 356-VII "On amendments to the Law of Ukraine "On the Approval of the Decree of the President of Ukraine "On sending peacekeeping troops for the participation of Ukraine in international peacekeeping operations in Kosovo, Federal Republic of Yugoslavia";

19.09.2013 No 580-VII "On ratification of the Agreement (in the form of letters) between Ukraine and NATO on Ukraine's participation in "Operation Ocean Shield;

08.10.2013 No 617-VII "On approval of the decision of the President of Ukraine on the direction of the national contingent for the participation of Ukraine in "Ocean Shield" operation and "EU NAVFOR ATALANTA" operation of the European Union";

05.03.2015 No 510-VIII "On amendments to Article 1 of the Law of Ukraine "On the participation of Ukraine in international peacekeeping and security operations";

04.06.2015 No 243-VIII "On amendments to the Law of Ukraine "On entry and staying of the armed forces of other nations on the territory of Ukraine".

2.1.2. Decrees of the President of Ukraine as of:

14.07.1999 No 852/1999 "On sending peacekeeping troops for the participation of Ukraine in international peacekeeping operations in Kosovo, Federal Republic of Yugoslavia";

01.02.2000 No 153 "On the procedure for the review of proposals concerning the participation of Ukraine in international peacekeeping and security operations";

26.01.2006 No 71/2006 "On ratification of the Agreement (in the form of letters) between Ukraine and NATO on Ukraine's participation in naval operations in the Mediterranean in framework of "Active Endeavour" operation";

14.12.2006 No 1076/2006 "On the decision of the Security and Defense Council of Ukraine as of November 17, 2006 "On sending Ternopil and Lutsk corvettes as well as Hetman Sahaidachny frigate of the Naval Forces of the Armed Forces of Ukraine for the participation in military naval operations in the Mediterranean in framework of "Active Endeavour" operation";

01.02.2012 No 48/2012 “On sending additional peacekeeping contingent for the participation of Ukraine as part of UN peacekeeping Forces in Cyprus”.

2.1.3. Orders of the Cabinet of Ministers of Ukraine as of:

19.11.1993 No 3626-XII “On strengthening the battalion of the Armed Forces of Ukraine acting as part of UN peacekeeping Forces on the territory of Former Yugoslavia and sending a group of military observers”;

05.05.1994 No 290 “On ratification of the regulation on the procedure for the compensatory payments to servicemen, who became disabled, families of servicemen who died performing their military service duties as part of UN peacekeeping Forces or other specific cases ”;

23.10.1998 No 1685 “On participation of Ukrainian observers in settling the consequences of the conflict in Trans-Dniester region of the Republic of Moldova”;

30.08.1999 No 1605 “On support to Ukrainian peacekeeping contingent as part of international security presence in Kosovo, Federal Republic of Yugoslavia”;

11.07.2002 No 963 “On the approval of Procedure for logistic and financial support provided to national contingent and personnel of Ukraine, taking part in international peacekeeping and security operations”;

30.03.2006 No 401 “Certain issues related to the support provided to the activity of government-sponsored peacekeeping contingents and personnel”;

02.03.2010 No 251 “On assigning servicemen of the Armed Forces of Ukraine for the active service at multinational command and control organizations abroad”;

02.02.2011 No 98 “On cost structure and amounts spent on duty trips of government personnel and other individuals, sent on duty trips by enterprises, agencies or organizations, which are fully or partially financed out of public funds”;

14.12.2011 No 1284 “Issues of support, provided to Ukrainian military observers in Trans-Dniester region of the Republic of Moldova”;

23.05.2012 No 406 “Issues of support provided to peacekeeping contingent and personnel”;

30.06.2015 No 452 “On amendments to the Order of the Cabinet of Ministers of Ukraine as of March 2, 2010 No 251 “ On assigning servicemen of the Armed Forces of Ukraine for the active service at multinational command and control organizations abroad”.

The Verkhovna Rada of Ukraine has also ratified:

Agreement as of June 19, 1995 among NATO member-states and other nations, which take part in “Partnership for peace” program, on the status of their Armed Forces;

Additional Protocol as of June 19, 1995 to the Agreement between NATO-member states and other nations, which take part in “Partnership for peace” program, on the status of their Armed Forces;

Odessa agreements as of March 20, 1998 “On confidence-building measures and development of contacts between the Republic of Moldova and Trans-Dniester region”;

Agreement between the Republic of Lithuania, Republic of Poland and Ukraine on the formation of Polish-Lithuanian-Ukrainian military unit;

The technical agreement between the Ministry of Defense of the Republic of Lithuania, the Ministry of National Defense of the Republic of Poland and the Ministry of Defense of Ukraine in relation to specified aspects of functioning as well as command and control over the joint military unit.

Decision on sending troops of the Armed Forces of Ukraine to other states is taken by the President of Ukraine along with the presentation of the bill on the approval of such decision to the Verkhovna Rada of Ukraine.

According to concluded voluntary agreements, the Armed Forces of Ukraine perform missions of the territory of OSCE-member states, including the following:

The Republic of Moldova – 10 Ukrainian military observers as part of joint peacekeeping forces within the Security zone in Trans-Dniester region of the Republic of Moldova⁸⁹.

Note. Deployment sites: 4 officers – Bender city, 2 officers, – Dubossary city, 2 officers – Criuleni city, 1 officer – Dorotcaia populated area, 1 officer – Vadul lui Voda populated area;

Multinational KFOR in Kosovo⁹⁰ – 40 servicemen. Deployment site – “Marshal De Lattre” base (Nove Selo populated area);

UN peacekeeping Forces in Cyprus⁹¹ – 2 servicemen (military observer (Famagusta city), liaison officer (Derinia populated area);

UN mission in Kosovo – 2 servicemen⁹² (Chief of Staff of the military component (Pristina city), liaison officer (Northern Mitrovica);

Joint Polish-Lithuanian-Ukrainian brigade LITPOLUKRBRIG command (the Republic of Poland, Lublin city) – 18 servicemen⁹³.

Note. 19 more servicemen of the National Guard of Ukraine take part in UN-led international peacekeeping and security operations⁹⁴.

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

3.1. Provide information on how your country exercises control over the armament, disarmament as well as measures to strengthen confidence and security in order to promote confidence and stability in OSCE region

According to National Security and Defense Strategy of Ukraine and the Military Doctrine of Ukraine the priority directions of the state policy under new conditions were determined. One of the conditions of its implementation is the execution of international treaties of Ukraine in the sphere of control over the armament, disarmament and confidence and security building.

Ukraine, as an OSCE member, actively participated in events directed towards the fulfillment of obligations in the sphere of the armament, disarmament and confidence and security building. In accordance with the Laws of Ukraine “On the Defense of Ukraine” the Armed Forces of Ukraine are tasked to implement international treaties, agreements and regulatory acts on armament, disarmament and confidence and security building.

⁸⁹ Basis: Odessa agreements (as of 20.03.1998); Order of the Cabinet of Ministers of Ukraine as of 23.10.1998 No 1685; joint Decree of the MOD of Ukraine and the MFA of Ukraine as of 04.08.1999 No 235/130.

⁹⁰ Basis: 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 No 1006-IV; Decree of the President of Ukraine as of 14.07.1999 No 1605/1999; Order of the Cabinet of Ministers of Ukraine as of: 30.08.1999 No 1605, as of 30.03.2006 No 401.

⁹¹ Basis: Technical agreement between the MOD of Ukraine and the Ministry of the Slovak Republic on the participation as part of UN peacekeeping Forces at Cyprus; Decree of the President of Ukraine as of 01.02.2012 No 48/2012. The mandate runs out on 31.07.2016.

⁹² Basis: Order of the Verkhovna Rada of Ukraine as of 19.11.1993 No 3626-XII.

⁹³ Basis: Agreement between Poland, Lithuania and Ukraine on the formation of joint military unit LITPOLUKRBRIG; The technical agreement between the Ministry of Defence of the Republic of Lithuania, the Ministry of National Defence of the Republic of Poland and the Ministry of Defence of Ukraine in relation to specified aspects of functioning as well as command and control over the joint military unit.

⁹⁴ South Sudan – 6, Liberia – 2, Democratic Republic of Congo – 9, Cyprus – 2.

Ukraine provides the fulfillment of obligations in the framework of:

Treaty on Conventional Armed Forces in Europe⁹⁵;

Vienna Document on Confidence and Security Building Measures signed on 30.11.2011;

Open Skies Treaty⁹⁶;

Convention on prohibition of the development, manufacture, stockpiling and use of chemical weapons as well as its destruction⁹⁷;

Bilateral intergovernmental agreements with neighboring states on additional confidence and security building measures (with the Slovak Republic⁹⁸, Hungary⁹⁹, the Republic of Belarus¹⁰⁰, Republic of Poland¹⁰¹, and Romania¹⁰²).

The treaty on conventional Armed Forces in Europe and Vienna Document concerning confidence and security building measures is one of the most powerful tools for the control over conventional armament at regional and sub-regional levels.

Bilateral intergovernmental agreements with neighboring states on additional confidence and security building measures are important tools of confidence and security building.

The subject of the aforementioned treaties and agreements are:

Conduct of inspection activities in the framework of the Treaty on Conventional Armed Forces in Europe and the Vienna Document of 2011 on confidence and security building measures are among the most important tools of conventional arms control at the regional and sub-regional levels;

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, as an important element of arms control and confidence building measures, the aforementioned bilateral agreements promote the development of military-political cooperation of countries in the framework of the OSCE.

The implementation of the Open Skies Agreement 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 planning meetings of the Advisory Commission on Open Skies, which addresses issues related to compliance with the provisions of the Agreement;

Participation of Ukrainian representatives in bilateral negotiations with other member States to harmonize bilateral cooperation aimed at the implementation of the Agreement;

Providing Ukrainian surveillance aircraft for lease to other member States that do not have a surveillance aircraft;

⁹⁵ Ratified by the Order of the Verkhovna Rada of Ukraine as of 01.07.92 No 2526-XII.

⁹⁶ Ratified by the Law of Ukraine as of 02.03.2000 No 1509-III.

⁹⁷ Ratified by the Order of the Verkhovna Rada of Ukraine as of 16.10.1998 No 178-XIV.

⁹⁸ Ratified by the Order of the Cabinet of Ministers of Ukraine as of 14.03.2001 No 237.

⁹⁹ Ratified by the Law of Ukraine as of 10.01.2002 No 2946-III.

¹⁰⁰ Ratified by the Order of the Cabinet of Ministers of Ukraine as of 13.03.2002 No 323.

¹⁰¹ Ratified by the Order of the Cabinet of Ministers of Ukraine as of 08.09.2004 No 1171.

¹⁰² Ratified by the Law of Ukraine as of 08.04.2015 No 303-IV.

Providing refueling of observation aircrafts of other Member States during the transit flights over the territory of Ukraine.

Since the proclamation of its independence, Ukraine meets the obligations under international treaties and agreements in the field of arming control, disarmament, confidence and security building.

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 (inspections, visits, monitoring over the military activity, observation flight missions on territories of other member-nations), which largely contribute the strengthening of confidence and security as well as the execution of international obligations by member-nations. During 2015, 64 supervisory measures were held on the territory of Ukraine by member-states of international agreements and treaties in the sphere of armament control.¹⁰³ In its turn, Ukraine has conducted 45 supervisory measures on territories of other states¹⁰⁴.

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 defense expenditures in your State?

The process of national planning and decision-making that determines the military construction of the state is recorded in the current system of strategic planning in the sphere of the defense. The Ministry of Defense of Ukraine is the main body in the system of central executive power, which provides development and implements the national policy on national security in the military sphere, defense and military construction.

The Armed Forces of Ukraine are subordinated to the Ministry of Defense of Ukraine, whose functioning and development needs planning.

It is accomplished by defense planning, which is part of the strategic planning system and management of state resources in the defense area. The aim of defense planning is to provide the necessary level of defense capabilities by determining prospects of the Armed Forces of Ukraine and other components of the defense forces, given the nature of real and potential threats in the sphere of military and economic capabilities of the state.

Defense planning in the Armed Forces of Ukraine was initiated in 2003 by conducting the Defense Review process, the purpose of which was to evaluate the state of the armed forces and other military formations fulfilling the tasks of national defense. This has resulted in the publication of the Ukraine's Strategic Defense Bulletin until 2015 and development of the Law of Ukraine "On Defense Planning". Implementation of this law is carried out through the development of relevant doctrinal, conceptual and policy documents focusing on modern military threats, financial and economic capabilities of

¹⁰³ According to: Treaty on conventional Armed Forces in Europe – 32 inspections of determined locations; Open Skies Treaty – 12 observation flight missions; Vienna Document of 2011 – 10 supervisory measures; Bilateral intergovernmental agreements with neighboring states on additional confidence and security building measures – 8 supervisory measures; Convention on prohibition of the development, manufacture, stockpiling and use of chemical weapons as well as its destruction – 2 supervisory measures.

¹⁰⁴ According to: Treaty on conventional Armed Forces in Europe Open Skies Treaty – 12 observation flight missions; Vienna Document of 2011–13 supervisory measures; Bilateral intergovernmental agreements with neighboring states on additional confidence and security building measures – 8 supervisory measures.

the country with agreed deadlines, the list of performers and defense resources aimed at solving the major problems of national defense sector.

Appropriate measures are being taken to coordinate tasks and activities with the relevant national socio-economic, scientific and technical, cultural development and environmental protection programs.

The national defense planning process covers three time periods: long-term, medium-term, and short-term.

Within the long-term defense planning - the strategic objectives, priorities and areas of development of the defense forces, weapons and military equipment and other components of their capabilities as well as resource requirements are being determined.¹⁰⁵

Within the medium-term defense planning – the policy documents to determine the set of organizational, technical, social and economic measures that ensure the readiness of the defense forces to perform their tasks are being reviewed in accordance with the expected level of defense spending approved by the Cabinet of Ministers of Ukraine.¹⁰⁶

Within the short-term defense planning – the specific measures to implement programs of defense forces in long- and medium-term periods, the amount and timing of providing resources and expected results are being determined.¹⁰⁷

The expected long-term and medium-term defense spending figures shall be determined by the Cabinet of Ministers of Ukraine during the Defense Review process.

The need for resources for the Armed Forces of Ukraine and other components of the defense forces in the short-term period is determined by developing budget requests for the planned budget period and the next two budget periods. The budget requests are designed in the manner specified by the Budget Code of Ukraine.

Expenditures for the needs of the defense sector components of Ukraine are established by the Law on the State Budget for respective year.

The implementation of the national defense policy is carried out by developing and adopting the National Security Strategy of Ukraine, the Military Doctrine of Ukraine, Strategic Defense Bulletin, relevant concepts, plans and programs.

In the defense area, the key directions in Ukraine's national security strategy defined by the National Security Strategy of Ukraine are as follows:

Reforming the defense forces by creating a highly efficient, highly capable Armed Forces of Ukraine and other military formations established under the laws of Ukraine by focusing on their qualitative characteristics rather than quantitative;

Reforming the system of mobilization preparation and mobilization, creating appropriate conditions for manning the Armed Forces of Ukraine and other military formations established under the laws of Ukraine with professional personnel, implementing the principle of extraterritoriality, and creation of the state register for enlisted persons;

Formation of a powerful military-trained reserve forces assigned to certain military units ready for rapid deployment and able to fulfill the missions.

¹⁰⁵ *The long-term defence planning: the Military Doctrine of Ukraine; Strategic Defence Bulletin of Ukraine; the State target defence programmes; the level of expected defence expenditures.*

¹⁰⁶ *The medium-term defence planning: the State Program for the Building and Development of the Armed Forces of Ukraine; Government programs aimed at solving problems in the national defence sector.*

¹⁰⁷ *The short-term defence planning: the Order of the Minister of Defence of Ukraine on implementation of the national defence policy in the Armed Forces of Ukraine and other military formations; MOD's action plans, representatives of other military formations; the Defence Forces maintenance and development plans; budget requests; the main figures of the state defence order.*

To implement these measures every year to finance the security and defense sector there should be allocated not less than 5.0% of gross domestic product (GDP).

The main tasks of Ukraine's military policy defined in the Military Doctrine of Ukraine in the near future and in the medium term are:

Reforming the Armed Forces of Ukraine in order to become operationally and technically interoperable with the NATO forces;

Improving the system of mobilization preparation and mobilization, including support for creation of the required number of well-trained reserve soldiers;

Retaining a mixed manning principle with the gradual increase in numbers of contract servicemen during armed conflicts or in the event of a real threat of aggression;

Restoring the prestige of military service.

To achieve these goals the Military Doctrine of Ukraine envisages defense spending of at least 3.0% of GDP. In 2015, Ukraine's military budget amounted to 2.6% of GDP.

The legal basis for planning and decision making that determine military construction are:

• **The Constitution of Ukraine;**

• **The Laws of Ukraine:**

“On Defense of Ukraine” # 1932-XII as of December 06, 1991;¹⁰⁸

“On the Armed Forces of Ukraine” # 1934-XII as of December 06, 1991;¹⁰⁹

“On Military Duty and Military Service” # 2232-XII as of March 25, 1992;

“On Citizens' Appeals” # 393/96-VR as of October 02, 1996;

“On the National Security and Defense Council of Ukraine” # 183/98-VR as of March 05, 1998;

“On the Verkhovna Rada of Ukraine on Human Rights” # 776/97-VR as of December 23, 1997;

“On the State Defense Order” # 464-XIV as of March 03, 1999;¹¹⁰

“On State Forecasting and Elaboration of Programs of Economic and Social Development of Ukraine” # 1602-III as of March 23, 2000;¹¹¹

“On National Security of Ukraine” # 964-IV as of June 19, 2003;¹¹²

“On State Targeted Programs” # 1621-IV as of March 18, 2004;¹¹³

¹⁰⁸ Changed and amended according to the Laws of Ukraine: # 3547-XII as of October 21, 1993; # 221/94-VRY as of October 20, 1994; № 387/95-VR as of October 17, 1995. In the Laws of Ukraine: # 2020-III as of October 5, 2000; # 662-IV as of April 03, 2003; # 1003-IV as of June 09, 2003; # 3428-IV as of February 09, 2006; # 1014-V as of May 11, 2007; # 107-VI as of December 28, 2007; # 803-VI as of December 25, 2008; # 2526-VI as of September 21, 2010; # 5286-VI as of September 18, 2012; # 5404-VI as of October 02, 2012; # 1127-VII as of March 17, 2014; # 1190-VII as of April 08, 2014; # 1194-VII as of April 09, 2014; # 133-VIII as of February 03, 2015; # 186-VIII as of February 12, 2015; # 901-VIII as of December 23, 2015.

¹⁰⁹ Changed and amended according to the Laws of Ukraine: # 3548-XII as of October 21, 1993; # 2019-III as of October 05, 2000; # 1003-IV as of June 19, 2003; # 1740-IV as of June 03, 2004; # 2341-IV as of January 13, 2005; # 328-V as of November 03, 2006; # 107-VI as of December 28, 2007; # 309-VI as of June 03, 2008; # 803-VI as of December 25, 2008; # 1256-VI as of April 14, 2009; # 2526-VI as of September 21, 2010; # 4026-VI as of November 15, 2011; # 5286-VI as of September 18, 2012; # 1127-VII as of March 17, 2014; # 1190-VII as of April 08, 2014; # 1313-VII as of June 05, 2014; # 716-VIII as of October 06, 2015.

¹¹⁰ Changed and amended according to the Laws of Ukraine: # 670-IV as of April 03, 2003; # 762-IV as of May 15, 2003; # 2248-IV as of December 16, 2004; # 2340-IV as of January 13, 2005; # 424-V as of December 01, 2006; # 2289-VI as of June 01, 2010; 23.09.2010 # 2560-VI as of September 23, 2010.

¹¹¹ Changed and amended according to the Laws of Ukraine: # 4731-VI as of May 17, 2012; 16.10.2012 # 5463-VI as of December 16, 2012.

¹¹² Changed and amended according to the Laws of Ukraine: # 3200-IV as of December 15, 2005; # 2411-VI as of July 01, 2010; # 4711-VI as of May 17, 2012; # 5286-VI as of September 18, 2012; # 221-VII as of April 18, 2013; # 1170-VII as of March 27, 2014; # 35-VIII as of December 23, 2014; # 186-VIII as of February 12, 2015; 16.07.2015 # 630-VIII as of July 16, 2015.

“On Foundations of Domestic and Foreign Policy” # 2411-VI as of July 01, 2010;¹¹⁴

“On Defense Planning” # 2198-IV as of November 18, 2004;

“On the National Guard of Ukraine” # 876-VII as of March 13, 2014.¹¹⁵

• **Verkhovna Rada of Ukraine Resolution:**

“On Additional Measures to Strengthen the Defense of Ukraine” # 1220-VII as of April 17, 2014.

• **The Decrees of the President of Ukraine:**

“On the Concept of Humanitarian and Social Development of the Armed Forces of Ukraine” # 28/2004 as of January 12, 2004;

“On Urgent Measures to Ensure the Development of the Armed Forces of Ukraine” # 196/2008 as of March 04, 2008;

“On Certain Issues of Leadership in the National Security and Defense Sector” # 516/2008 as of June 04, 2008;

“On the National Security and Defense Council of Ukraine Resolution of 5 May 2014 concerning “Integrated Actions to Strengthen National Military Security of Ukraine” # 453/2014 May 05, 2014;

“On the National Security and Defense Council of Ukraine Resolution of 28 April 2014 “On measures to Improve the Efficiency of Planning in the Security and Defense Sector” # 468/2014 as of May 13, 2014;

“On the National Security and Defense Council of Ukraine Resolution of 20 December 2014 “On Certain Defense and Mobilization Issues” # 14/2015 as of January 14, 2015;

“On Additional Measures to Ensure the Holding of Partial Mobilization in 2015” # 40/2015 as of January 30, 2015;

“On Strengthening Control over the Armed Forces of Ukraine and Other Military Formations” # 84/2015 as of February 14, 2015;

“On the National Security and Defense Council of Ukraine Resolution of 18 February 2015 “On Additional Measures to Strengthen the National Security of Ukraine” # 139/2015 as of March 12, 2015;

“On the National Security and Defense Council of Ukraine Resolution of 06 May 2015 “On the Status of the National Security and Defense Council of Ukraine Resolutions and the Further Measures to Ensure National Defense” # 285/2015 as of May 26, 2015;

“On the National Security and Defense Council of Ukraine Resolution of 06 May 2015 “On National Security Strategy of Ukraine” # 287/2015 as of May 26, 2015;

“On the National Security and Defense Council of Ukraine Resolution of 20 July 2015 “On Urgent Measures to Neutralize a Threat to National Security” # 474/2015 as of August 13, 2015;

“On the New Edition of the Military Doctrine of Ukraine” # 555/2015 as of September 02, 2015;

¹¹³ *Changed and amended according to the Laws of Ukraine: # 4731-VI as of May 17, 2012; # 5463-VI as of October 16, 2012.*

¹¹⁴ *Changed and amended according to the Laws of Ukraine: # 1170-VII as of March 27, 2014; # 35-VIII as of December 23, 2014.*

¹¹⁵ *Amendments to the Law of Ukraine # 920-VIII as of December 24, 2015.*

“On the National Security and Defense Council of Ukraine Resolution of 02 September 2015 “On the New Edition of the Military Doctrine of Ukraine” # 555/2015 as of September 24, 2015;

“Regulations of Citizens of Ukraine Serving in Armed Forces of Ukraine” # 1153/2008 as of December 10, 2008.¹¹⁶

• **Resolutions of the Cabinet of Ministers of Ukraine:**

“On Approval of the Drafting, Review and Approval Procedure and Basic Requirements for the Implementation of the Budget Institutions’ Cost Estimates” # 228 as of February 28, 2002;¹¹⁷

“On Development of Forecast and Program Documents of Economic and Social Development and the State Budget Drafting” # 621 as of April 26, 2003;¹¹⁸

“On Approval of the Procedure of Organization and Funding of Strategic Planning in the Sphere of Defense and Military Construction” # 447 as of April 05, 2006;¹¹⁹

“On Approval of the Procedure of Development and Implementation of the State Target Programs” # 106 as of January 31, 2007¹²⁰.

• **Orders of the Cabinet of Ministers of Ukraine:**

“On Approval of the Concept of Improvement of Forecast and Program Documents on Economic and Social Development of Ukraine” # 504-p as of October 04, 2006;

“On Approval of the Concept for Establishing the National System of Development and Production of weapons, military and special equipment” # 756 as of July 01, 2009;

“On Approval of the Action Plan to Conduct a Comprehensive Review of the Security and Defense Sector of Ukraine” # 139 as of February 25, 2015.

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?

In its international activities Ukraine is guided by international law and other military and political documents.

In Ukraine, the practice of conducting additional inspections in the new format pursuant to Sections III, IX and X of the Vienna Document 2011 was extended in 2015. During such events, the inspection teams conducted briefings with representatives of local authorities, traffic police, Ministry of Internal Affairs of Ukraine and other security agencies not covered by this document. Official reports submitted by States once again showed expansion of Ukraine’s openness in strengthening international security and improving national planning.

In addition, the working meetings with official representatives of neighboring countries are held each year to evaluate the implementation of bilateral intergovernmental agreements on additional measures to strengthen confidence and security that

¹¹⁶ Changed and amended according to the Decrees of the President of Ukraine: # 430/2009 as of June 12, 2009; # 613/2012 as of October 26, 2012; # 672/2012 as of December 03, 2012; # 347/2014 as of March 28, 2014; # 417/2015 as of July 14, 2015.

¹¹⁷ Changed and amended according to the resolutions of the CMU: # 489 as of April 11, 2002; # 211 as of February 24, 2003; # 1106 as of July 17, 2003; # 549 as of April 29, 2004; # 1607 as of November 30, 2004; # 103 as of January 22, 2005; # 154 as of February 15, 2006; # 63 as of January 24, 2007; # 250 as of March 25, 2009; # 37 as of January 24, 2011; # 86 as of February 08, 2012; # 217 as of March 21, 2012; # 454 as of July 26, 2013; # 465 as of July 19, 2013; # 477 as of August 27, 2014.

¹¹⁸ Changed and amended according to the resolutions of the CMU: # 165 as of February 11, 2004; # 702 as of July 29, 2004; # 256 as of March 28, 2012; # 1134 as of November 28, 2012; # 741 as of September 23, 2015.

¹¹⁹ Changed and amended according to the resolution of the CMU: # 297 as of April 22, 2013.

¹²⁰ Changed and amended according to the resolutions of the CMU: # 861 as of September 19, 2012; # 970 as of October 24, 2012; # 365 as of May 13, 2013; # 882 as of December 04, 2013.

significantly contribute to the development of friendly relations and strengthening confidence and security at the regional level.

Ukraine consistently demonstrates openness and transparency in its military activities through active use of the mechanisms of the Vienna Document 2011 and bilateral intergovernmental agreements with neighboring countries regarding additional measures to strengthen confidence and security that significantly contribute to the development of friendly relations and strengthening confidence and security with its neighbors.

2. Existing structures and procedures

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?

According to Article 8 of the Constitution of Ukraine - the Constitution of Ukraine has the highest legal force. Laws and regulations should be adopted on the basis of the Constitution of Ukraine and shall conform to it.

The Laws of Ukraine that regulate the activity of the Armed Forces of Ukraine and other security forces of Ukraine¹²¹ stipulate that the Armed Forces of Ukraine, other military formations and law enforcement agencies of Ukraine are guided by the Constitution of Ukraine, laws of Ukraine and other normative legal acts of the state.

To protect the national interests of Ukraine, to strengthen democratic constitutional principles and the rule of law in civil-military relations, and to ensure human rights and freedoms in accordance with the relevant international obligations undertaken by Ukraine, the Verkhovna Rada of Ukraine adopted the Law of Ukraine “On Democratic Civilian Control over the Military and Law Enforcement Agencies of the State”.¹²²

To inform the public about the status and performance results in this area - the following books are published annually in Ukraine: “White Paper. Armed Forces of Ukraine,” and “White Paper. National Guard of Ukraine.”

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

According to Article 6 of the Law of Ukraine “On Democratic Civilian Control over the Military and Law Enforcement Agencies of the State” - the system of civilian control over the military and law enforcement agencies consists of:

- Parliamentary control;
- Control exercised by the President of Ukraine;
- Control of the executive authorities and local governments;
- Control of the judicial authorities and oversight by prosecution authorities;
- Public control.

The subjects of civilian control over the military and law enforcement agencies are:
 Ukrainian Parliament Commissioner for Human Rights;
 President of Ukraine;
 National Security and Defense Council of Ukraine;

¹²¹ “On National Security and Defence”, “On Defence of Ukraine” and “On the Armed Forces of Ukraine”, “On the Security Service”, “On the State Border Service of Ukraine” and “On the National Guard of Ukraine”, “On the Foreign Intelligence Service of Ukraine”, “On Intelligence Agencies of Ukraine” and “On the National Police”, “On Democratic Civilian Control over the Military and Law Enforcement Agencies of the State”.

¹²² The Law of Ukraine # 975-IV as of June 19, 2003. As amended by the Laws of Ukraine: # 4652-VI as of April 13, 2012; # 5286- VI as of September 18, 2012; # 245- VII as of May 16, 2013; # 1697- VII as of October 14, 2014.

Cabinet of Ministers of Ukraine;

Central executive authorities within the powers defined by law;

Prosecutor's Office of Ukraine;

Judicial authorities of Ukraine;

Citizens of Ukraine and public organizations formed according to the Constitution of Ukraine to carry and protect the rights and freedoms of citizens and meet their political, economic, social and cultural interests;

Mass-media.

According to Article 7 of the Law of Ukraine "On Democratic Civilian Control over the Military and Law Enforcement Agencies of the State" the civilian control subjects shall exercise their powers of control following the Ukraine's regime providing for access to information considered as a state secret as well as restrictions set by the law to protect the strategic interests of the state, including in case of emergency and under martial law.

Operational and mobilization plans of the Armed Forces of Ukraine and other military formations and law enforcement agencies as well as operational and administrative actions of their officials shall not be subject to control by the citizens and civil society organizations.

The Security Service of Ukraine (SBU) is a state law enforcement agency of special purpose that provides the national security of Ukraine. The Security Service of Ukraine is subordinated to the President of Ukraine.

Constant control over the activity of the Security Service of Ukraine and over observance of the legislation by it is carried out by the Verkhovna Rada of Ukraine, the President of Ukraine and by authorized state bodies;

Constant control over the observance of constitutional rights of citizens and legislation in operational-investigation activity and in activity in the sphere of the state secret protection by the organs and departments of the Security Service of Ukraine, as well as control over the conformity of the issued by the security service of Ukraine of regulations, orders, decrees, instructions with the Constitution and laws of Ukraine is carried out by the officials specially appointed by the President of Ukraine. The powers of these officials and legal guarantees of their activity are determined by the Regulations approved by the President of Ukraine;

The Security Service of Ukraine on a regular basis, in accordance with the procedure determined by the President of Ukraine, informs the President of Ukraine, members of the National Security and Defense Council of Ukraine and the officials specially appointed by the President of Ukraine about the main questions of its activity, about cases of infringement of the legislation, as well as submits other necessary data at the request;

The Head of the Security Service of Ukraine presents annually to the President of Ukraine a written report on the activity of the Security Service of Ukraine.

Oversight over observance and application of the laws by the SBU units that carry out operational-search and investigation activities, as well as the execution of judicial decisions in criminal matters and the application of other measures of coercion related to the restraint of personal liberty of citizens is carried out by the prosecutor.

The control and supervision of the Foreign Intelligence Service of Ukraine shall be conducted by the President of Ukraine, including through the National Security and Defense Council of Ukraine, and the Joint Committee on Intelligence at the President's Office.

Control over the use of the State Budget of Ukraine for the maintenance of the Foreign Intelligence Service of Ukraine shall be conducted by the Accounting Chamber of Ukraine on behalf of the Verkhovna Rada of Ukraine.

The supervision over the compliance of the Foreign Intelligence Service of Ukraine with the laws shall be fulfilled by the Prosecutor General of Ukraine and by the attorneys authorized by him within the limits defined by the Law of Ukraine “On Intelligence Agencies of Ukraine”.

According to the resolution of the National Security and Defense Council of Ukraine - the Foreign Intelligence Service of Ukraine in cooperation with other government bodies shall be involved in the elaboration of the Concept of reforming of the defense and security sector of Ukraine, its wording in the Strategic Defense Bulletin, the draft laws of Ukraine “On Military-Technical Cooperation”, “On Defense Planning”, “On Production of Weapons, Military and Special Equipment”, “The Cyber Security of Ukraine”.

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 Public Councils are established at Ukraine’s law enforcement agencies. Information about the Public Councils is posted on the official websites of the security agencies.

The Security Service of Ukraine (SBU)¹²³ is a state law-enforcement agency of special purpose that provides the national security of Ukraine. The tasks of the SBU include prevention, identification, suppression and disclosure of the crimes against peace and security of mankind, terrorism, corruption and organized crime in the sphere of management and economy, and other unlawful acts that pose a threat to the vital interests of Ukraine.

The Foreign Intelligence Service of Ukraine¹²⁴ is an independent state body, which carries out its intelligence activities in political, economic, military and technical, scientific and technical, information and ecological spheres.

The main functions of the **National Guard of Ukraine (NGU)**¹²⁵ are:

Protection of the constitutional system of Ukraine, integrity of its territory against attempts of change it by a violent way;

Protection of the public order, ensuring protection and protection of life, health, rights, freedoms and legitimate interests of citizens;

Participation in ensuring public safety and protection of the public order during holding meetings, processions, demonstrations and other mass actions creating danger to life and health of citizens;

Ensuring protection of the public authorities, which list is determined by the Cabinet of Ministers of Ukraine, participation in implementation of measures of the state protection of public authorities and officials;

Protection of nuclear installations, nuclear materials, radioactive waste, other sources of ionizing radiation of state-owned property, the important state objects, which list is determined by the Cabinet of Ministers of Ukraine;

Protection of the particular loads, which list is determined by the Cabinet of Ministers of Ukraine;

¹²³ The Law of Ukraine # 2229-XII as of March 25, 1992 (as amended).

¹²⁴ The Law of Ukraine # 3160-IV as of December 01, 2005 (as amended).

¹²⁵ The Law of Ukraine # 876-VII as of March 13, 2014.

Protection of diplomatic representations, consular establishments of foreign states, representations of the international organizations in Ukraine;

Protection of the central bases of material logistics of the Ministry of Internal Affairs of Ukraine;

Participation in implementation of measures related to the cessation of armed conflicts and other provocations on the state border, as well as measures to prevent mass transfer across the state border from the territory of neighboring states;

Participation in special operations for neutralization of armed criminals, in the cessation of illegal activity of paramilitary or armed formations (groups), organized groups and criminal organizations in territory of Ukraine as well as measures related to the cessation of terrorist activities;

Participation in the cessation of rioting;

Participation in the restoration of law and order in case of inter-ethnic and inter-confessional conflicts, unblocking or prevention of illegal actions in case of seizure of important state facilities or areas, which threaten the safety of citizens and violate the normal activity of state and local governments;

Participation in maintaining or restoring law and order in the areas of particularly serious industrial emergencies or natural disasters that threaten life and health of the population;

Participation in the restoration of constitutional legal order in case of attempts to seize state power or change the constitutional order by violence, and in the restoration of state and local governments' activity;

Participation in the elimination of emergency consequences or crisis situations at the sites that are protected by it;

Participation in implementation of measures of the legal regime of martial law;

Participation in performing the tasks of territorial defense;

Defense of critical state facilities and special cargoes, which list is determined by the President of Ukraine, the Cabinet of Ministers of Ukraine; and central bases of material logistics of the Ministry of Internal Affairs of Ukraine;

Participation in the termination of illegal actions of the detained or arrested persons, and the liquidation of the consequences of such actions in pre-trial detention facilities or penal institutions.

The Armed Forces of Ukraine¹²⁶ is the military of Ukraine. In accordance with the Constitution of Ukraine, the defense of Ukraine and the protection of its sovereignty, territorial integrity and inviolability, are entrusted to the Armed Forces of Ukraine. The Armed Forces of Ukraine provide containment of armed aggression against Ukraine and rebuff to it, protection of air space of the state and the underwater space within the Ukraine's territorial sea; in cases specified by law, participate in activities aimed at combating terrorism. In accordance with the law, formations, military units and elements of the Armed Forces of Ukraine may be involved in the implementation of measures of the legal regime of martial law and state of emergency, combating terrorism and piracy, strengthening border security, Ukraine's sovereign rights in its exclusive (maritime) economic zone and continental shelf of Ukraine and their legal registration, combating smuggling of weapons and narcotics, psychotropic substances, their analogues or precursors in the open sea, the elimination of emergency situations of natural and man-made disasters, providing military assistance to other states, as well as to participate in

¹²⁶ *The Law of Ukraine of # 1934-XII as of December 06, 1991. Amendments to the Law of Ukraine are provided in paragraph 1.1.2 of Section II.*

international military cooperation, international counter-terrorism and other international peacekeeping and security operations under international agreements concluded by Ukraine and in the manner and on terms determined by the legislation of Ukraine.

The Military intelligence agencies and military intelligence units of the Armed Forces of Ukraine according to the law may be involved in the activities of obtaining intelligence information to strengthen the defense capabilities of the state and to ensure the combat readiness of the Armed Forces of Ukraine.

The military control bodies ensure strict adherence to the Constitution of Ukraine 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.

The State Border Guard Service of Ukraine¹²⁷ is charged with the tasks of ensuring inviolability of state borders and protection of sovereign rights of Ukraine within its exclusive (maritime) economic zone.

The Department of the State Guard (DSG) of Ukraine¹²⁸:

Providing a state guard to state authorities of Ukraine;

Ensuring security of officials identified by Law at place of their location as in Ukraine as in abroad;

Ensuring security of officials' family members identified by Law who live with them or escort them;

Preventing illegal encroachment on officials and their family members as well as objects under the state security, their detection and suppression;

Guarding objects identified by Law;

Participating in the activities aimed at combating terrorism.

The State Special Transport Service¹²⁹ is a specialized state transport agency in the central executive body to form and implement state policy in the sphere of transport, roads, tourism and infrastructure, and designed to ensure sustainable operation of transport in peacetime and in war, as well as in a state of emergency.

The major tasks of the State Special Transport Service are the following:

Technical support, restoration, establishment of barrages on installations of the National transport system of Ukraine with the purpose of support of the activity of the Armed Forces of Ukraine and other military formations formed according to laws of Ukraine;

Construction and repair in peacetime and under conditions of martial law of new working installations of the National transport system and increase their term of operation and carrying capacity;

Guard of installations of the National transport system of Ukraine in peacetime and during the special period;

Accomplishment of other tasks connected with the maintenance of effective operation of the National transport system of Ukraine in peacetime and during the special period.

The State Service for Special Communication and Information Protection of Ukraine¹³⁰ is a state authority, which is designed to ensure the functioning, security and

¹²⁷ Changed and amended according to the Law of Ukraine # 661-IV as of April 03, 2003.

¹²⁸ Changed and amended according to the Law of Ukraine "On State Protection of State Authorities of Ukraine and Officials".

¹²⁹ Changed and amended according to the Law of Ukraine # 1449-IV as of February 05, 2004.

¹³⁰ Changed and amended according to the Law of Ukraine # 3475-IV as of February 23, 2006.

development of the state system of government communication and National system of confidential communication, formation and implementation of state policy in the field of cryptographic and technical protection of information, telecommunications, radio frequency resource of Ukraine, special purpose postal communications, government courier communications, and other tasks.

3. The PM procedures in different categories of forces

3.1. What are the procedures for the recruitment and conscription of personnel to serve in the military and paramilitary forces and internal security forces in your country?

Article 17 of the Constitution of Ukraine stipulates that the defense of sovereignty and territorial integrity of Ukraine, ensuring its economic and information security is the most important function of the State and a matter of concern for all the Ukrainian people.

The Law of Ukraine “On Military Duty and Military Service” stipulates that military duty is introduced with the purpose of ensuring the preparation of citizens of Ukraine for defense of the Motherland, the manning of the armed forces, other military formations created in accordance with the Laws of Ukraine, special purpose law enforcement bodies and the state special transport services manned by servicemen.

Nowadays, the following structures in Ukraine are manned by servicemen:

Military formations – the Armed Forces of Ukraine and National Guard of Ukraine;
 Special-purpose law-enforcement agencies – the State Border Guard Service of Ukraine, the Security Service of Ukraine, the Department of the State Guard of Ukraine;
 National intelligence agency - the Foreign Intelligence Service of Ukraine;
 State Special Transport Service;
 State Service for Special Communication and Information Protection of Ukraine.

According to the Law of Ukraine “On Military Duty and Military Service” the Armed Forces of Ukraine and other military formations shall be manned through military conscription and selection of candidates for military service under contract.

Organization and recruitment of citizens of Ukraine for military service shall be carried out by city (district) state administrations (executive bodies of city councils) in cooperation with the city (district) military commissariats.

The terms of the draft (conscription) of citizens for military service for the next year shall be determined by the Decree of the President of Ukraine.

The number of citizens who are subject to conscription for military service and expenditures for the next recruitment 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 structure of the district (city) draft board, schedule of draft board meetings, and the process of recruitment of citizens of Ukraine for military service shall be approved by the head of the district administration (the executive body of the city council).

Foreigners and persons without citizenship can be recruited for military service under the contract as privates and NCOs of the Armed Forces of Ukraine and the NGU (in cases stipulated by law, foreigners and stateless persons lawfully staying in Ukraine may voluntarily (under contract) undergo military service in the Armed Forces of Ukraine and the NGU).

The procedure of manning of the Armed Forces of Ukraine and other military

formations shall be established by this law and corresponding normative and legal acts. For additional manning of the Armed Forces of Ukraine and other military formations in times of crisis, and in case of tacking a relevant decision by the President of Ukraine in the cases and in the manner prescribed by law, a routine military training shall be conducted and the required number of military trained citizens should stay in military reserves in peacetime.

In order to maintain combat and mobilization readiness of the Armed Forces of Ukraine and other military formations of Ukraine at a level that ensures adequate response to the threats to national security, a partial three stage mobilization during 210 days was announced in 2015 by the Decree of President of Ukraine # 15/2015 as of January 14, 2015.

To ensure the transition of the national economy to functioning in the conditions of the special period, mobilization deployment of the Armed Forces of Ukraine and other military formations, the President of Ukraine signed a Decree “On additional measures to ensure the holding of partial mobilization in 2015” # 40/2015 as of January 30, 2015.

3.2. What military benefits are available after discharge from military service and what kinds of alternative services do exist in your country?

The general release benefits information is provided in the list of family circumstances or other important reasons which may be grounds for the release from military service¹³¹ and in Part 8 of Article 26 of the Law of Ukraine “On Military Duty and Military Service”.

During the special period, the listed below categories of servicemen are entitled to be discharged from military service:

Women who have a child (children) under the age of 18 - if it is impossible to retain them on service;

For health reasons - on the basis of the conclusion (decision) of a military medical commission about incapacity or limited fitness for military service - if it is impossible to retain them on service;

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

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 posts;

For family circumstances or other important reasons, including: an unmarried military mother (father) takes care of a child or several children under the age of 18, who live with her (him) without a father (mother); an unmarried military mother (father) financially maintains disabled child of Group I or II under the age of 23; there is a necessity of constant care for a sick wife (husband) or a child, as well as for the parents or in-laws - if confirmed by a decision of medical expert commission for the persons over the age of 18 or by medical advisory committee for the persons under the age of 18; servicemen having three or more children under the age of 18;

In connection with organizational measures and in the manner established by the General Staff of the Armed Forces Ukraine - if they have completed the designated tasks;

Professionally unfit soldiers and NCOs (except warrant officers and senior warrant officers, senior ensigns and petty officers) in case of failure to perform their duties;

¹³¹ *CMU Resolution # 413 as of June 12, 2013.*

Conscripts called up for military service during the mobilization for the special period – after the completion of the established term of service, and officers called up to military service from the reserve in line with the decision of the President of Ukraine;

After the expiration of the contract's duration and the attainment of the service age limit in the reserve - if it is impossible to retain them on military service during the special period.

Servicemen who are students, graduate students or full-time PhD students and called up for military service during the mobilization for the special period. Such persons may continue military service if they have such a desire.

Discharge from military service under the martial law is carried out:

By servicemen who have reached the age limit for military service in the reserve - if it is impossible to retain them on military service during the special period;

Servicemen are found by military medical commissions to be unfit for health reasons for military service and are consequently taken off military registration.

In connection with a court conviction which has entered into force and envisions a sentence in the form of deprivation or restriction of liberty;

Conscripts called up for military service during the mobilization for the special period – after the completion of the established term of service, and officers called up to military service from the reserve in line with the decision of the President of Ukraine;

Upon the decision on demobilization.

Conscripts called up for military service during the mobilization for the special period – after the completion of the established term of service, and officers called up to military service from the reserve in line with the decision of the President of Ukraine; in connection with the expiration of the contract's duration, concluded during the special period - if it is impossible to retain them on service under the new contract.

The discharge of servicemen from military service is carried out in accordance with the regulations on the carrying out of military service by citizens of Ukraine.

Servicemen who have acquired the right to retire for age reasons, as well those who are participants in the liquidation of the consequences of the Chernobyl nuclear disaster, who have less than five years left before reaching the service age limit, at their request, can be discharged from military service.

The following citizens of Ukraine are exempt from conscription to regular 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 labor, 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).

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”. Alternative service is a service that is introduced in place of conscript service for citizens to do their civic duty. Alternative service is one-and-a-half times the length of military service, set for soldiers and sergeants who undergo military service in the Armed Forces Ukraine and other military formations created in accordance with the Laws of Ukraine. The appropriate departments of local state administrations are responsible for considering applications to perform alternative service. 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.¹³²

3.3. What are the legal and administrative procedures protecting the rights of all categories of personnel of the forces and recruits?

Servicemen 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 features established by this and other laws.

Because of the special character of military service related to the defense of the Motherland, servicemen are entitled to privileges, guarantees and indemnifications established in the law. The servicemen are guaranteed the right to protection in the manner prescribed by the Laws of Ukraine.

All judicial proceedings involving servicemen performing their military service in Ukraine are carried out according to the laws of Ukraine and servicemen performing military service outside Ukraine - in accordance with the international treaties ratified by the Verkhovna Rada of Ukraine.

Administrative and legal procedures protecting the rights of servicemen of the Armed Forces of Ukraine, the Security Service of Ukraine, the Foreign Intelligence Service of Ukraine, the State Border Guard Service of Ukraine, the National Guard of Ukraine, the Department of the State Guard of Ukraine, the National Police of Ukraine, the State Special Transport Service of Ukraine, the State Special Communications Service of Ukraine are in accordance with the Constitution of Ukraine and the Laws of Ukraine: “The Labor Code of Ukraine”; “On Military Duty and Military Service”; “On the Armed Forces of Ukraine”; “On the National Guard of Ukraine”; “On the State Border Service of Ukraine”; “On Security”; “On State Protection of Public Authorities and Officials of Ukraine”; “On the Foreign Intelligence Service of Ukraine”; “On the State Special Transport Service”; “On State Special Communications Service of Ukraine”; “On Social and Legal Protection of Servicemen and their Families”; “On Mobilization Preparation and Mobilization”; “On the National Police of Ukraine”; “On leave”; “On Pension Security of Persons Discharged from Military Service and certain other Persons”, “On the Status of Veterans of Military Service, Veterans of Law Enforcement Organs and other Persons and their Social Protection”, “On Amendments to the Law of Ukraine “On Social and Legal Protection of Servicemen and their families”, “On the Status of War Veterans and Guarantees of their Social Protection”.

¹³² *Changed and amended according to the CMU Resolution # 2066 as of November 10, 1999.*

4. Compliance with other political norms, principles and solutions as well as international humanitarian law

4.1. How does your state ensure a wide acquaintance with the rules of international humanitarian law, such as in the framework of military training programs and regulations?

The familiarization with international law and the law of war, including through military training programs, conducted in Ukraine includes the following:

1868 Declaration Prohibiting the Discharge of Projectiles and Explosives from Balloons;

1899 Declaration Prohibiting the Use of Bullets Which Easily Expand or Flatten in the Human Body;

1907 Convention relative to the Legal Position of Enemy Merchant Ships at the Start of Hostilities;

1907 Convention relative to the Laying of Automatic Submarine Contact Mines;

1907 Convention concerning Bombardment by Naval Forces in Time of War;

1925 Declaration concerning the Prohibition of the Use of Projectiles with the Sole Object to Spread Asphyxiating Poisonous Gases;

1936 Declaration of Rules regarding the Activity of Submarines toward Merchant Ships in Wartime;

1937 Nyon Agreement Prohibiting "Pirate" Submarines;

1949 Convention relative to the Protection of Civilian Persons in Wartime;

1997 Additional Protocols I and II to the 1949 Geneva Conventions;

1954 Convention for the Protection of Cultural Property in the Event of Armed conflict (with Protocols I and II);

1972 Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction;

1977 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques;

1980 Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects (with Protocols):

On Non-Detectable Fragments (Protocol I);

On Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II);

On Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III);

On Blinding Laser Weapons (1995 Protocol IV);

On Explosive Remnants of War (2003 Protocol V);

1999 Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction;

1977 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

Among regional international agreements should be noted CIS Agreement concerning Priority Measures for the Protection of Victims of Armed Conflicts (1993).

In addition, the servicemen of the Armed Forces of Ukraine, the Security Service of Ukraine and the National Academy of Internal Affairs of Ukraine, the National Academy of the State Border Guard Service of Ukraine study the following documents:

Fundamental principles of humanitarian law and its role in maintaining international security;

Legal aspects of international affairs, and application of humanitarian and human rights law;

Protection of victims of armed conflict through respect of International Humanitarian Law, and State responsibility for violations of International Humanitarian Law.

The servicemen of the Security Service of Ukraine also study the following issues: international human rights standards and instruments, international legal protection of human rights in armed conflict, limits on methods and means of waging war, protection of cultural property during armed conflict, the status of refugees and internally displaced persons, protection of rights.

The lectures on the law of war and international humanitarian law as a system of legal rules governing inter-state relations in order to ensure peace and cooperation plays an important role in preparing Border Guard officers. The study of these subjects is based on the curriculum developed by the Department of Constitutional and International Law involves a wide range of cadets (students).

The MoD of Ukraine issued a textbook “International Law: the military aspects”, which is designed for students of the National Defense University of Ukraine and higher educational institutions of Ukraine.

Ensuring better respect for international humanitarian law, the MoD of Ukraine issued Regulations on the Application of International Humanitarian Law by the Armed Forces of Ukraine.

Developing training programs for all categories of personnel of the State Special Transport Service, the lectures on legal issues are provided. Among the wide range of topics, a special place is occupied by the aspects of international humanitarian law. To address these issues, the simulated practice of international humanitarian law introduces students to the concept of international law.

In the framework of cooperation between the Main Department of the National Guard of Ukraine and the Mission of the International Committee of the Red Cross in Ukraine and taking into account the direct participation of national guard units in anti-terrorist operation in the eastern regions of Ukraine, according to the decisions made at the meeting held in 2015 - a number of workshops on the application of international humanitarian law have been scheduled for 2016.

4.2. What has been done to familiarize the armed forces personnel regarding aspects of their individual responsibility for their actions under national and international law?

The study of the 1949 Geneva Conventions and 1977 Additional Protocols thereto, the 1907 Hague Regulations and the 1954 Hague Convention will be provided in the Armed Forces of Ukraine.

The MoD of Ukraine has developed and issued the following manuals: for commanders of the Armed Forces of Ukraine – the Law of War, for soldiers and sergeants - a Code of Conduct.

In 2015, the SBU in cooperation with the office of the OSCE Project Coordinator in Ukraine implemented the international project - Cooperation in the Fight against Terrorism, Organized Crime and other Threats to National Security.

The project is based on the proposals of the Ukraine’s security agency (SBU), and aimed to increase the effectiveness of response to modern challenges and threats to national security of Ukraine by preparing the thematic publications and holding a number of international training events.

The National Guard of Ukraine provides informing the personnel about their individual responsibility for their actions in accordance with the provisions of Articles 431 - 445 of the Criminal Code of Ukraine.

To meet these objectives the National Guard of Ukraine provides legal information related to the law, conducts legal awareness days, interviews with representatives of the legal service, meetings with military prosecutors and others.

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 acting for personal gain or as members of groups, or to limit those persons ethnic, religious, cultural, linguistic and ethnic identity in your country?

Article 17 of the Constitution of Ukraine stipulates that the Armed Forces of Ukraine and other military formations 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 bodies of power or obstruct their activity. The Armed Forces of Ukraine and other military formations operate within the powers that are regulated by the Laws of Ukraine “On the Armed Forces of Ukraine”, “On Defense of Ukraine” and “On the National Guard of Ukraine”.

According to paragraph 3 of Article 2 of the Law of Ukraine “On the National Guard of Ukraine”¹³³, the National Guard of Ukraine ensures public safety and public order during meetings, marches, demonstrations and other events that endanger the lives and health of citizens.

During the implementation of measures relating to cessation of mass disturbances, the National Guard of Ukraine coordinates the activities of forces and means of law enforcement agencies involved in the termination of these illegal actions.

4.4. What has been done to ensure that all military personnel exercise their civil rights and how your State ensures that its armed forces as such are politically neutral?

Article 21 of the Constitution of Ukraine stipulates that all people are free and equal in their dignity and rights. Human rights and freedoms are inalienable and inviolable. The Law of Ukraine “On Social and Legal Protection of Servicemen and their Families” establishes that no one has the right to limit the rights and freedoms of servicemen and members of their families determined by the legislation of Ukraine.

The use of the Armed Forces of Ukraine, the Security Service of Ukraine, the Foreign Intelligence Service of Ukraine, the National Guard of Ukraine, the Ministry of Internal Affairs of Ukraine, the National Police of Ukraine, and the Department of the State Guard of Ukraine, the State Border Guard Service of Ukraine in the interests of a party, group or person is prohibited.

Military personnel must withdraw from political party and trade union membership for their period of service. Military personnel can be members of public organizations (except for organizations whose statutory provisions contradict the principles of Armed Forces activity), and they may take part in the activities of these organizations during their free time, when they are considered to be free of their service duties.

Civil servants and employees may become members of trade unions only.

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

¹³³ *With amendments and additions.*

Legislative drafting process regarding working out of draft legislative acts relating to defense policy and military strategy involves their expert estimation in the ministries and agencies of Ukraine.

Moreover, it is mandatory to determine whether draft documents are in compliance with applicable legislation of Ukraine and international law.

The provisions of international agreements ratified by the Verkhovna Rada of Ukraine shall take priority over national legislation of Ukraine.

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 on issues which are reflected in this Code is carried out through the official websites of the MoD of Ukraine,¹³⁴ the Foreign Intelligence Service of Ukraine,¹³⁵ the Security Service of Ukraine,¹³⁶ the State Border Guard Service of Ukraine,¹³⁷ the Ministry of Internal Affairs of Ukraine,¹³⁸ the National Guard of Ukraine,¹³⁹ the State Special Transport Service,¹⁴⁰ providing information about their key objectives, structure, and legal activity, recruitment procedures, the documents relating to comprehensive review of security and defense sector of Ukraine and other information set forth on their websites (including in English).

Informing the public on matters, which are displayed in the Code, is carried out by placing relevant information at the official website of the MoD of Ukraine,¹⁴¹ in print media (“People’s Army”, “Army of Ukraine”, “Wings of Ukraine”, “Fleet of Ukraine”) as well as through TV and radio broadcasting by the Central TV-radio Studio of the MoD of Ukraine and by Breeze TV-radio studio.

The National Guard of Ukraine annually publishes a “White Paper. National Guard of Ukraine” textbook distributed among experts, journalists, libraries, educational institutions as well as in the “Word of Honor” magazine and in the “Warrior” newspaper.

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

Public access to information about the Armed Forces of Ukraine is provided according to the Law of Ukraine “On democratic civilian control over the military and law enforcement agencies”.

The Public Council of the MoD of Ukraine acts as a consultative and advisory body established to promote public participation in the formulation and implementation of government policy in public affairs, exercising public control over the MoD of Ukraine, establishing effective interaction with the public, taking into account public opinion in the formation and implementation of state policy in the military sphere.

The activity of the Public Council is carried out on a voluntary basis and based on the rule of law, openness, transparency, equality and voluntariness.

Consideration of citizens’ appeals and requests for information is carried out by the Department for Work with Citizens and Access to Public Information the MoD of

¹³⁴ www.mil.gov.ua

¹³⁵ www.szru.gov.ua.

¹³⁶ www.mvs.gov.ua

¹³⁷ www.dpsu.gov.ua.

¹³⁸ www.mvs.gov.ua

¹³⁹ www.ngu.gov.ua.

¹⁴⁰ www.dsst.gov.ua.

¹⁴¹ www.mil.gov.ua

Ukraine and by the Department of Citizens' Appeals the Administrative Office of the General Staff of the Armed Forces of Ukraine. Citizens also have the option of requesting information from the MoD of Ukraine through the State Institution "Government Contact Centre", public reception office of the Minister of Defense of Ukraine, the Office of Communications and Press the MoD of Ukraine, by calling the Call-centre the MoD of Ukraine and "hotlines" as well as during the receptions of citizens on personal matters by chief officials of the MoD of Ukraine and the GS of the Armed Forces of Ukraine. The public reception offices of the Minister of Defense of Ukraine were established in different regions of Ukraine. The Branch-Wise State Archive of the MoD of Ukraine is also responsible for providing information related to the performance of his duties.