



Permanent Mission of Ukraine
to the International Organizations in Vienna

FSC.EMI/52/17
12 April 2017

ENGLISH only

№ 4131/33-180/6-851

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 2017.

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 the Conflict Prevention Centre the assurances of its highest considerations.

Attachments: 79 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 terrorist ideology propaganda and use of terrorist methods for criminal purposes. Combating terrorism is a top-priority task of the state policy of Ukraine.

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 almost three years has been supporting criminal quasi-state formations in the East of Ukraine. The RF Armed Forces (RFAF) directly participates in warfare there.

Despite enormous 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 in huge amounts into the territory of Ukraine and by supplying the RF led illegal armed formations (IAF) with military equipment and different types of weapons including the mortal one.

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 one 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.

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 Defence 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.

¹Decree of the President of Ukraine No. 85/2015, February 14, 2015.

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 Resolution "On the unified state system of prevention, response and termination of terrorist attacks and minimizing their 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

²Decree of the President of Ukraine No. 501/2015, August 25, 2015.

³Resolution of the Cabinet of Ministers of Ukraine No. 92, February 18, 2015.

⁴ Resolution of the Cabinet of Ministers of Ukraine No. 92, February 18, 2016.

and religious extremist organizations from the Middle East, Central and Southeast Asia, whose activities threaten national security interests of Ukraine.

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

This danger 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;

⁵ Ratified (with declarations and reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR, 01/16/1998, No. 44/98-VR.

⁶ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR, 12/21/1998, No. 5049-XI.

⁷ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR, 12/27/1971, No. 352-VIII.

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 December 14, 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;

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;

⁸ Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR, 01/16/1973, No. 1352-III.

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

¹⁰ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR, 12/26/1975, No. 2727-IX.

¹¹ Ratified by the Law of Ukraine No. 2990-III, 01/17/2002.

¹² Ratified (with reservations) by the Presidium of the Supreme Soviet of the Ukrainian SSR, 12/27/1971, No. 352-VIII.

¹³ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR, 05/08/1987, No. 3954-IX.

¹⁴ Ratified by the Law of Ukraine No. 318-XII, 05/05/1993.

¹⁵ Ratified by the Presidium of the Supreme Soviet of the Ukrainian SSR, 03/14/1989, No. 7247-IX.

¹⁶ Ratified by the Resolution of the Verkhovna Rada of Ukraine, 12/17/1993, No. 3735-XII.

¹⁷ Ratified by the Resolution of the Verkhovna Rada of Ukraine, 12/17/1993, No. 3735-XII.

¹⁸ Ratified by the Law of Ukraine No. 687/97-VR, 12/03/1997.

¹⁹ Ratified by the Law of Ukraine No. 736/97-VR, 12/17/1997.

²⁰ Ratified by the Law of Ukraine No. 2855-III, 11/29/2001.

²¹ Ratified (with reservations) by the Law of Ukraine No. 2855-III, 11/29/2001.

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 July 20, 2002²⁷;;

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, 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;

²² Ratified (with declarations) by the Law of Ukraine No. 149-IV as of 09/12/2002.

²³ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1389 as of 12/05/2007.

²⁴ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1012 as of 11/19/2008.

²⁵ Amendment ratified by the Law of Ukraine No. 1775-IV as of 06/15/2004.

²⁶ Ratified by the Verkhovna Rada of Ukraine (with declarations and reservations) the Law of Ukraine No. 3449-VI as of 06/01/2011.

²⁷ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1572 as of 10/24/2002.

²⁸ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1091 as of 12/17/2008.

²⁹ Ratified by the Law of Ukraine No. 3533-IV as of 03/15/2006.

³⁰ Ratified (with declarations and reservations) by the Law of Ukraine No. 2698-VI as of 11/17/2010.

³¹ Ratified (with declarations and reservations) by the Law of Ukraine No. 54-V as of 07/31/2006.

³² Ratified by the Law of Ukraine No. 167-V as of 09/20/2006.

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. 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.

Annually representatives of the SSU are involved in the plenary sessions of the Committee of Experts on Terrorism (CODEXTER) of the Council of Europe at the invitation of the Directorate General Human Rights and Rule of Law.

During 2016 the SSU together with the Office of the OSCE Project Coordinator in Ukraine has implemented international project "Assistance in observance of human rights and freedoms by special services and law enforcement agencies in their activities" by holding international seminars, studies, training courses and workshops in order to increase the efficiency of countering modern challenges to the national security of Ukraine **8** such events were conducted as part of the project funded by the OSCE.

159 working meetings were conducted during 2016 with representatives of partner special services with respect to the issues of combating international terrorism. **8** visits abroad were carried out to participate in negotiations with partners for the purposes of developing and coordinating joint activities regarding counteraction to the international terrorist organization "Islamic State".

Over **50** joint advisory activities of international cooperation were conducted

³³ Ratified by the Law of Ukraine No. 2566-IV as of 05/18/2005.

³⁴ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 427as of 04/20/2011.

³⁵ Ratified by the Verkhovna Rada of Ukraine the Law of Ukraine No. 580-VII as of 09/19/2013.

³⁶ Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1648-r as of 08/25/2010.

with partners from EU member countries (including Germany, France, Romania and Poland) as well as Switzerland, Norway, the USA, Israel, HUAM countries and international organizations (UN, OSCE, International Committee of the Red Cross).

In 2016 the State Emergency Service of Ukraine authorities and units took part in the 35 command staff and 16 tactical special exercises on anti-terrorism with the involvement of about 940 people and 290 pieces of equipment as well as 198 officials participating in 128 meetings of the coordination groups under regional bodies the Security Service of Ukraine.

According to the Law of Ukraine "On Combating Terrorism" No. 638-IV as of March 20, 2003, the State Emergency Service of Ukraine 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;

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

For the purposes of implementation of 2016 Civil Defence Plan of Main Activities approved by the Resolution of the Cabinet of Ministers of Ukraine No. 269-r as of April 6, 2016, the State Emergency Service of Ukraine prepared and conducted command-staff exercises together with the command authorities and forces of the civil defense territorial subsystems of the unified state civil defense system in Sumy (from 14 to 17 of July), Vinnytsa (from 5 to 8 of July), Rivne (from 31 of October to 4 of November) and Kyiv (from 28 of November to 2 of December) regions, that provided additional training for the command authorities and units of the Civil Defence Search and Rescue Service to perform the assigned tasks in the course of mobilization and emergency relief operations including those connected with manifestation of technological terrorism.

The mentioned command-staff exercises involved about 6,500 people and 1,300 pieces of equipment of the command authorities and forces of the civil defense territorial subsystems of the unified state civil defense system, including 1,900 people and 340 pieces of equipment from the State Emergency Service of Ukraine.

International treaties of Ukraine on border issues with neighboring countries include provisions on joint counteraction to terrorist threats at the state border in accordance with domestic law.

Training in the fight against terrorism is conducted on a regular basis in order to unify actions of border units of Ukraine and neighboring countries.

In a framework of joint project of the State Border Service of Ukraine and the OSCE Project Coordinator in Ukraine "Assisting State Border Guard Service of Ukraine in the fight against terrorism" trainings are held for staff of risk analysis

and criminal analysis units of the State Border Service and the Security Service of Ukraine at the National Academy of State Border Service.

Experts of Border Guard of the Republic of Poland and the OSCE representatives are invited, who are acquainted with modern approaches and methods of criminal analysis and risk analysis for training.

Within the project a textbook "to fight terrorism with the help of modern analytical techniques" was issued.

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

Ukraine has adopted the following legislation to fulfill undertaken international obligations concerning combating terrorism:

1.2.1. Laws of Ukraine as of:

12/01/2005 No. 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 by No. 1702-VII as of 10/14/2014);

"On the Foundations of the National Security of Ukraine" No. 964-IV as of June 19, 2003;

"On the Armed Forces of Ukraine" No. 1934-XII as of December 06, 1991;

"On the Security Service of Ukraine" No. 2229-XII as of March 25, 1992;

"On the Foreign Intelligence Service of Ukraine No. 3160-IV as of 01/01/2005;

"On the Intelligence Agencies of Ukraine" No. 2331-III as of 03/22/2001;

"On the Counterintelligence Activities" No. 374-IV as of 12/26/2002;

"On the National Guard of Ukraine" No. 876-VII as of March 13, 2014;

"On Sanctions" No. 1644-VII as of 08/14/2014;

"On the State Protection of State Authorities of Ukraine and Officials" No. 160/98-VR as of 03/04/1998;

"On Civil-Military Administrations" No. 141-VIII as of 03/03/2015;

"On the Special Order of Local Self-Government in Separate Regions of Donetsk and Luhansk Oblasts" No. 1680-VII as of 09/16/2014;

"On Administration of Justice and Criminal Proceedings due to the Anti-Terrorist Operation" No. 1632-VII as of 08/12/ 2014;

"On the State Border Guard Service of Ukraine" No. 661-IV as of 04/03/2003;

"On the National Security and Defence Council of Ukraine" No. 183/98-VR as of 03/05/1998;

"On the Prosecution Office" No. 1697-VII as of 10/14/2014;

"On Information" No. 2657-XII as of 10/02/1992;

"On Protection of Information in Information and Telecommunication Systems" No. 80/94-VR as of 07/05/1994;

"On State Service of Special Communications and Information Protection of Ukraine" No. 3475-IV as of 02/23/2006;

"On Regulation on Garrison and Patrol Services of the Armed Forces of Ukraine" No. 550-XIV as of 03/24/1999;

"On National Police" No. 580-VIII as of 07/02/2015;

“On State Service of Special Communications and Information Protection of Ukraine” No. 3475-IV as of 02/23/2006;

“On Mobilization Preparation and Mobilization” No. 3543-XII as of 10/21/1993;

“Code of Civil Protection of Ukraine” No. 5403-VI as of 10/02/2012;

“Criminal Code of Ukraine” No. 2341-III as of 04/05/2001;

“Criminal Procedure Code of Ukraine” No.4651-VI as of 04/13/2012;

“Code of Administrative Procedure of Ukraine” No. 2747-IV as of 07/06/2005;

“On Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction” No. 1702-VII as of 10/14/2014;

“On Ratification of Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism” No. 2698-VI as of 11/17/2010;

“On Ratification of the Protocol amending the European Convention on the Suppression of Terrorism” No. 167-V as of 09/20/2006;

“On Ratification of Council of Europe Convention on the Prevention of Terrorism” No. 54-V as of 07/31/2006;

“On Ratification of International Convention for the Suppression of Acts of Nuclear Terrorism” No. 3533-IV as of 03/15/2006;

“On Banks and Banking Activity” No. 2121-III as of 12/07/2000;

“On the National Bank of Ukraine” No. 679-XIV as of 05/20/1999;

“On Ratification of International Convention for the Suppression of the Financing of Terrorism” No. 149-IV as of 09/12/2002;

“On the Accession of Ukraine to the International Convention for the Suppression of Terrorist Bombings” No. 2855-III as of 11/29/2001;

“On industrial explosives handling” No. 2288-IV as of 12/23/2004;

“On Criminal Intelligence” No. 2135-XII as of 02/18/1992;

“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” No. 3266-VI as of 04/21/2011;

“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” No. 580-VII as of 09/19/2013;

“On the Rights and Freedoms of Citizens and Legal Regime in the Temporarily Occupied Territory of Ukraine” No. 1207-VII as of 04/15/2014;

“On Temporary Measures for the Period of the Anti-Terrorist Operation” No. 1669-VII as of 09/02/2014;

“On Corruption Prevention” No. 1700-VII as of 10/14/2014³⁷;

³⁷ As amended in accordance with the Laws of Ukraine: No. 77-VIII as of 12/28/2014; No. 198-VIII as of 02/12/2015; No. 576-VIII as of 07/02/2015; No. 597-VIII as of 07/14/2015; No. 631-

“On Prevention and Counteraction to Legalization (Laundering) of Proceeds from Crime, Terrorism Financing and the Financing of Proliferation of Weapons of Mass Destruction” No. 1702-VII as of 10/14/2014³⁸;

“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)” No. 142-VIII as of 02/04/2015;

“On Amendments to the Law of Ukraine “On Fighting Terrorism” No. 378-VIII as of 05/12/2015;

“On Legal Regime of Martial Law” No. 389-VIII as of 05/12/2015³⁹;

06/17/2015 No. 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 No. 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 No. 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 No. 794-VIII “On the State Bureau of Investigation”.

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

02/22/2014 No. 756-VII “On Preventing Manifestations of Separatism and Other Encroachments on National Security of Ukraine”;

02/28/2014 No. 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”;

04/01/2014 No. 831- VII “On Immediate Disarmament of Illegal Armed Groups in Ukraine”;

07/22/2014 No. 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 No. 1597-VII “On Statement of the Verkhovna Rada of Ukraine" On Combating the Spread of the Russian Federation-Supported International Terrorism”;

01/14/2015 No. 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”;

VIII as of 07/16/2015; No. 679-VIII as of 09/15/2015; No. 731-VIII as of 10/08/2015; No. 766-VIII as of 11/10/2015; No. 928-VIII as of 12/25/2015.

³⁸ As amended in accordance with the Laws of Ukraine: No. 78-VIII as of 12/28/2014; No. 198-VIII as of 02/12/2015, No. 222-VIII as of 03/02/2015; No. 630-VIII as of 07/16/2015; No. 652-VIII as of 07/17/2015.

³⁹ As amended in accordance with the Law of Ukraine No. 766-VIII as of 11/10/2015.

01/29/2015 No. 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 No. 85/2015 “On the Decision of the National Security and Defence 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 No. 116/2015 “On the Decision of the National Security and Defence 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 No. 230/2015 “On Delegation of Ukraine to the 2015 Non-Proliferation Treaty Review Conference”;

05/18/2015 No. 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 No. 341/2015 “On the Decision of the National Security and Defence Council of Ukraine as of May 6, 2015 “On Measures to Strengthen the Fight against Crime in Ukraine”;

06/16/2015 No. 341/2015 “On the Decision of the National Security and Defence Council of Ukraine as of May 6, 2015 “On Measures to Strengthen the Fight against Crime in Ukraine”;

08/13/2015 No. 472/2015 “On Establishment of Civil-Military Administrations⁴⁰”;

09/16/2015 No. 549/2015 “On the Decision of the National Security and Defence Council of Ukraine as of September 2, 2015 “On Imposition of Personal Special Economic and Other Restrictive Measures (Sanctions)”;

09/18/2015 No. 550/2015 “On the Decision of the National Security and Defence Council of Ukraine as of September 17, 2015 “On Amendments to the Annex 1 of the Decision of the National Security and Defence Council of Ukraine as of September 2, 2015 “On Imposition of Personal Special Economic and Other Restrictive Measures (Sanctions)”;

10/15/2015 No. 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 No. 624/2015 “On Delegation of Ukraine to Participate in the Annual Meeting of the High Contracting Parties to the 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, and the Annual Meeting of Contracting Parties to Protocol V and amended version of Protocol II to the Convention”;

⁴⁰ As amended in accordance with the Decree of the President No. 719/2015 as of 12/24/2015.

11/16/2015 No. 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 No. 626/2015 “On the Admission of the Armed Forces of Other States to Ukraine for Participation in Multinational Exercises”;

11/16/2015 No. 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 No. 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 No. 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 No. 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 No. 209/2015-rp "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. Orders of the Cabinet of Ministers of Ukraine as of:

07/23/2014 No. 278 "On Establishment of the Committee to Impose Sanctions against Persons that Support and Finance Terrorism in Ukraine";

01/30/2015 No. 38 "Some Issues of the National Security of Ukraine Upgrade";

02/04/2015 No. 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 No. 44 "On the Withdrawal from the Agreement on the Information Exchange in the Fight against Crime";

03/04/2015 No. 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 No. 86 "Some Issues of Crossing of the State Border of Ukraine";

05/14/2015 No. 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 No. 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 No. 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 No. 966 "On Approval of the Procedure for Drawing a List of Persons Related to Terrorist Activity or for Whom International Sanctions are Applied";

02/03/2016 No. 54 "On Provision Actors Directly Engaged in Fighting Terrorism in the Area of Anti-Terrorist Operation with Petroleum, Oil and Lubricants and Food";

02/18/2016 No. 92 "On Approval of the Decree "On Unified State System of Prevention, Response and Termination of Terrorist Attacks and Minimizing their Consequences".

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

06/30/2005 No. 226-r "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 No. 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 No. 73-r "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 No. 91-r "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 No. 107-r "On the Establishment of the Restructuring Committee on the State Drug Control Service";

02/18/2015 No. 110-r "On the Approval of the State Nuclear Regulatory Inspectorate Implementation Plans for Some EU Legislation Acts";

12/30/2015 No. 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";

01/27/2016 No. 50-r "On Signing the Agreement between the Government of Ukraine and the Government of Australia on Cooperation in the Peaceful Uses of Nuclear Energy".

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

03/11/2015 No. 99 "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 No. 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 the Article 5 of the Law of Ukraine "On Fighting Terrorism"⁴¹.

Moreover, due to the aggression of the Russian Federation the Article 9 of the Law of Ukraine "On Defence"⁴² was amended and the Main Situational Centre of Ukraine was established⁴³.

Civil-military administrations are established to ensure security and normalize life of the population in the area of anti-terrorist operation with no being intention to change or abolish the right of local self-government⁴⁴.

The following regulations have been adopted (existing regulations have been amended) due to the aggression of the RF 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.

According to the Article 2 of the Law of Ukraine "On the National Guard of Ukraine", one of the functions of the National Guard is to participate in special operations to neutralize armed offenders, to stop activity of illegitimate paramilitary or armed gangs, organized groups and criminal organizations inside Ukraine, as well as measures related to counterterrorism activities.

National Guard of Ukraine, according to the tasks and functions assigned thereto by law, must (Article 12 of the Law of Ukraine "On the National Guard of Ukraine"):

Take measures to bring an end to activities of illegitimate paramilitary or armed formations (groups), terrorist organizations, organized groups and criminal organizations;

⁴¹ The Law of Ukraine No. 638-VI as of 03/20/2003. *As amended in accordance with the Laws of Ukraine as of: 05/31/2005 No. 2600-IV; 12/15/2005; 04/14/2009 No. 1254-VI; 02/16/2010 No. 1900-VI; 05/18/2010 No. 2258-VI; 10/07/2010 No. 2592-VI; 04/21/2011 No. 3266-VI; 10/16/2012 No. 5461-VI; 11/20/2012 No. 5502-VI; 07/04/2013 No. 406-VII; 03/13/2014 No. 877-VII; 06/05/2014 No. 1313-VII; 08/12/2014 No. 1630-VII; 10/14/2014 No. 1702-VII; 02/03/2015 No. 141-VIII; 05/12/2015 No. 378-VIII; 07/17/2015 No. 649-VIII; 12/23/2015 No. 901-VIII. On the loss of the Law Ukraine No. 2592-VI as of 10/07/2010 (see further the Law of Ukraine No. 763-VII as of 02/23/2014).*

⁴² The Law of Ukraine No. 133-VIII as of 02/03/2015.

⁴³ The Decree of the President of Ukraine No. 115/2015 as of August 25, 2015.

⁴⁴ The Law of Ukraine No. 650-VIII as of 07/17/2015.

Contribute to counter-terrorist operations.

State Border Service of Ukraine is the subject of the fight against terrorism and, in accordance with Art. 5 of the Law of Ukraine "On Fighting Terrorism" should provide the following:

Fighting terrorism through prevention, detection and suppression of attempts by terrorists crossing the state border of Ukraine, the illegal movement across the state border of weapons, explosive, poisonous, radioactive substances and other items that can be used as a means of committing terrorist acts;

Ensures the safety of maritime navigation within territorial waters and the exclusive (maritime) economic zone of Ukraine during counter-terrorism operations;

Provides Anti-Terrorist Center SSU necessary capabilities ensure their effective use during anti-terrorist operations.

1.3.1. Laws of Ukraine as of:

03/20/2003 No. 638-IV "On Fighting Terrorism"⁴⁵;

06/05/2014 No. 1313-VII "On Amendments to the Laws of Ukraine "On Fighting Terrorism";

06/19/2014 No. 1533-VII "On Amendments to the Criminal Code of Ukraine on Criminal Responsibility for Financing Separatism";

08/12/2014 No. 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 No. 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 No. 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".

According to the Art.4 of Law of Ukraine "On combating terrorism" the Department of the state guard of Ukraine is the subject providing counter terrorism activity within the boundaries of it's competence.

Art.5 of the same Law sets out responsibilities of subject combating terrorism, of which the Department of the state guard of Ukraine is assigned to take part in: operations on suspension of terrorist acts against the authorities and objects of the Department protection.

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

02/22/2014 No. 756-VII "On Preventing Manifestations of Separatism and Other Encroachments on National Security of Ukraine";

⁴⁵ Changed and amended according to the Laws of Ukraine as of: 05/31/2005 No. 2600-IV; 12/15/2005; 04/14/2009 No. 1254-VI; 02/16/2010 No. 1900-VI; 05/18/2010 No. 2258-VI; 10/07/2010 No. 2592-VI; 04/21/2011 No. 3266-VI; 10/16/2012 No. 5461-VI; 11/20/2012 No. 5502-VI; 07/04/2013 No. 406-VII; 03/13/2014 No. 877-VII; 06/05/2014 No. 1313-VII; 08/12/2014 No. 1630-VII; 10/14/2014 No. 1702-VII; 02/03/2015 No. 141-VIII; 05/12/2015 No. 378-VIII; 07/17/2015 No. 649-VIII; 12/23/2015 No. 901-VIII. On the loss of the Law Ukraine No. 2592-VI as of 10/07/2010 (see further the Law of Ukraine No. 763-VII as of 02/23/2014).

01/14/2015 No. 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 No. 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";

01/27/2015 No. 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";

01/27/2015 No. 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 No. 186-VIII "On Amendments to Some Legislative Acts of Ukraine";

07/17/2015 No. 650-VII "On Amendments to Some Laws of Ukraine On Arranging the Activity of Civil-Military Administrations";

12/24/2015 No. 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 No. 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 No. 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 No. 341/2015 "On the Decision of the National Security and Defence Council of Ukraine as of May 6, 2015 "On Measures to Strengthen the Fight against Crime in Ukraine";

1.3.4. Orders of the President of Ukraine as of:

02/17/2015 No. 209/2015-rp "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. Orders of the Cabinet of Ministers of Ukraine as of:

07/23/2014 No. 278 "On Establishment of the Committee to Impose Sanctions against Persons that Support and Finance Terrorism in Ukraine";

01/30/2015 No. 38 "Some Issues of the National Security of Ukraine Upgrade";

11/10/2015 No. 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”;

02/03/2016 No. 54 "On Provision Actors Directly Engaged in Fighting Terrorism in the Area of Anti-Terrorist Operation with Petroleum, Oil and Lubricants and Food".

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

01/21/2015 No. 50-r "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 No. 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 No. 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" No. 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" No. 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" No. 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" No. 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” No. 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” No. 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” No. 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” No. 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” No. 575/625 as of June 19, 2015.

01/03/2011. 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” No. 458/148 as of April 23, 2015;

01/03/2012. 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” No. 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” No. 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” No. 437 as of November 02, 2015.

01/03/2013. 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” No. 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” No. 2011/5 as of October 16, 2015;

01/03/2014. 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 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;

⁴⁶ The Law of Ukraine No. 638-IV as of 03/25/1992.

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 Centre 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

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,

⁴⁷ The Law of Ukraine No. 638-IV as of 03/20/2003.

⁴⁸ The Law of Ukraine No. 638-IV as of 03/20/2003.

⁴⁹ The Law of Ukraine No. 638-IV as of 03/20/2003.

⁵⁰ The Law of Ukraine No. 876-VII as of 03/13/2014.

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 Ukraine⁵¹ 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 Defence Ukraine (MOD):

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

Protection 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;

Organizes training and use of forces and assets of the Land Forces, Air Forces and Naval Forces of the Armed Forces of Ukraine in case of a terrorist act committed in the airspace or territorial waters of Ukraine;

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

While participating in the anti-terrorist operation, performs 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 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;

⁵¹ The Law of Ukraine No. 580-VIII as of 07/02/2015. *As amended in accordance with the Laws of Ukraine as of: 12/23/2015 No. 900-VIII; 12/23/2015 No. 901-VIII.*

⁵² The Law of Ukraine No. 638-IV as of 03/20/2003 "On Combating Terrorism".

⁵³ The Law of Ukraine No. 3099-III as of 03/07/2002. *Changed and amended in accordance with the Laws of Ukraine: No. 1420-IV as of 02/03/2004; No. 1014-V as of 05/11/2007; No. 1900-VI as of 02/16/2010; No. 4652-VI as of 04/13/2012; No. 4711-VI as of 05/17/2012; No. 5040-VI as of 07/04/2012; No. 5288-VI as of 09/18/2012; No. 245-VII as of 05/16, 2013; No. 1261-VII as of 05/13/2014; No. 1697-VII as of 10/14/2014; No. 901-VIII as of 12/23/2015.*

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;

To carry out educational and practical 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, cargoes 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.

⁵⁴ The Law of Ukraine as of 03/19/2015 No. 267-VIII.

⁵⁵ The Law of Ukraine No. 638-IV as of 03/20/2003. Amendments to the Law of Ukraine p. 1.3.1.2.

⁵⁶ The Law of Ukraine No. 661-IV as of 04/03/2003.

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

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 interacts 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

Pursuant to the Plan of basic measures of civil protection in 2016, approved by the Cabinet of Ministers of Ukraine in the 6 of April 2016 number 269-p, the State Emergency Service of Ukraine (the SES) prepared and held command and staff exercises with the administration and civil protection forces of territorial subsystems of unified state system of civil protection in Sumy (14 to July 17), Vinnitsa (from 5 to July 8), Rivne (from 31 October to 4 November) and Kiev (from 28 November to 2 December) Regions for training staffs and departments of Operational Rescue Service of Civil protection to perform assigned tasks to minimize emergencies, including those which associated with technological terrorist displays.

About 6,500 of personnel and 1,300 units of special vehicles of management and civil defense forces of the territorial subsystems of the unified state system of civil protection participated in these command-staff exercises, including about 1,900 personnel and 340 vehicles from the SES of Ukraine.

In accordance with Article 24 of the Law of Ukraine "On physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation" Ministry of Energy and Coal Industry of Ukraine ensures the implementation of state policy on physical protection of nuclear facilities, nuclear materials, radioactive waste and other sources of ionizing radiation within the scope on Ministry's responsibility and transport, and monitoring its implementation.

⁵⁷ Resolution of the Cabinet of Ministers of Ukraine No. 225 as of 07/02/2014.

⁵⁸ The Law of Ukraine No. 638-IV as of 03/20/2003.

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

The system of physical protection of nuclear materials is created for specific transportation the basis of principle of defense in depth, taking into account categories of nuclear materials, given the potential radiological consequences of unauthorized removal of nuclear material.

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

The State Border Service of Ukraine ensures the accomplishment of the following tasks:

The border control:

The activities to counter terrorism in the implementation of border control are:

Inspection of vehicles and goods;

Verification documents of persons crossing the state border of Ukraine;

Using departmental and Interpol databases;

Control procedures of the second line with risky categories of foreigners;

Prohibition of entry to Ukraine to foreigners from terrorist threat countries and members of the extremist organizations.

In order to prevent cases of illegal movement across the state border persons who use equipped caches and their detection and illicit trafficking, including the use of caches through the state border of weapons, narcotic drugs, psychotropic substances and precursors, munitions, explosives, materials, items prohibited to move across the state border, as well as identifying stolen vehicles inspection carried out the controls on the first and second lines, while actively used system assessment and risk analysis.

The travel document security:

According to the Action Plan on Integrated Border Management Concept implementation there has been developed and implemented three-tier documents control system at the Ukrainian BCPs.

Container and supply chain security:

The border guard units together with the representatives of other control agencies perform the border control of containers with the involvement of service dogs and special equipment for detecting weapons, ammunition, explosives, materials and things that are not allowed to transport through the state border.

There is also a Plan of border guard details actions in case of emergencies, e.g. detecting of terroristic activity means or people involved in preparation and execution of terroristic acts.

We also conduct personnel trainings on counteracting terrorism according to the approved schedule.

Security of radioactive sources:

Units of the state border fights against terrorism through prevention, detection and suppression of attempts of illegal movement across the state border of Ukraine radioactive substances and other items that can be used as a means to commit terrorist acts and provide:

Provide operatively-search actions to identify attempts to move across the state border radioactive materials that are in illegal circulation;

Implement measures to detect radioactive materials that are in illegal circulation;

Inspect vehicles crossing the border to detect radioactive materials.

In the case of illegal transfer of nuclear (radioactive) material (object) across the state border authorities of the state border:

Take measures at the initial examination revealed nuclear (radioactive) material (subject) and preliminary delineation of a controlled area at the time of border control at local checkpoints across the state border or during arrest persons, vehicles and goods who tried to cross the state border illegally outside the check points;

Take measures to protect places of detection of nuclear (radioactive) material (subject), physical protection of seized radioactive material during illegal crossing of the state border crossing outside check points and transfer in the prescribed manner for the purpose.

Use of the Internet and other information systems for terrorist purposes:

Due to the active phase of large-scale cyber attacks on official websites and information and telecommunication systems, government agencies, critical infrastructure and private sector institutions, to prevent leaks of proprietary information, prevent leaks of military information and protection of information held set of measures namely:

1. In the structural units of the State Border Service installed workstations to access the Internet through a separate telecommunications network.

2. There implemented the complex of technical and organizational measures to prevent leakage of proprietary information from departmental information and telecommunication networks.

3. To enhance the control over compliance with security policies during the work with electronic mailboxes, periodic inspections of all workstations for malware software to block the work of undocumented flash media and portable personal computers.

4. Organized around the clock trying to identify cyberattacks on departmental information and telecommunications network and monitoring for malware software.

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 (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.

The Law of Ukraine “On Civil-Military Administrations” No. 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 “On Amendments to the Law of Ukraine “On Fighting Terrorism” No. 378-VIII as of 05/12/2015 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.

The Anti-Terrorist Centre Headquarters has elaborated the Decree “On Unified State System of Prevention, Response and Termination of Terrorist Attacks and Minimizing their Consequences” approved by the Resolution of the Cabinet of Ministers of Ukraine No. 92 as of February 18, 2016.

The Anti-Terrorist Centre Headquarters has also elaborated Joint Decree of the Security Service of Ukraine, the Ministry of Internal Affairs of Ukraine, the Ministry of Defence of Ukraine, the Prosecutor General of Ukraine “On the Approval of the Regulation On the Joint Coordination Centre for Search and Release of Illegally Imprisoned Persons, Hostages and Determining the

Whereabouts of the Missing Persons in the Anti-Terrorist Operation Zone” (registered in the Ministry of Justice of Ukraine No. 856/28986 as of June 14, 2016).

The Regulation sets forth tasks, structure and functioning procedure of the coordinating and advisory structure under the SSU that is the Joint Coordination Centre for Search and Release of Illegally Imprisoned Persons, Hostages and Determining the Whereabouts of the Missing Persons in the Anti-Terrorist Operation Zone.

1.4.2. Terrorism Financing

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 Destruction 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 Destruction⁵⁹ 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 destruction⁶⁰.

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” No. 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;

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 Defence 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 Ukraine⁶¹ as of September 16, 2015 (introduced by the Cabinet of Ministers of Ukraine⁶² 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” 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 terrorism⁶³. The Law establishes legal and organizational framework for the

⁵⁹ Resolution of the Cabinet of Ministers of Ukraine, the National Bank of Ukraine No. 99 as of 03/11/2015.

⁶⁰ Resolution of the Cabinet of Ministers of Ukraine, the National Bank of Ukraine No. 717 as of 09/16/2015.

⁶¹ The Decree of the President of Ukraine No. 549/2015 as of 09/16/2015.

⁶² The Resolution of the Cabinet of Ministers of Ukraine No. 808-r as of 08/12/2015.

⁶³ The Law of Ukraine No. 772-VIII as of 11/10/2015.

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"⁶⁴ 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" No. 1407-r was issued by the Cabinet of Ministers of Ukraine on December 30, 2015.

Ukraine has joined the following main international legal acts, aimed at Anti-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 the Proceeds from Crime, or Terrorist Financing as of June 04, 2014.

According to the SSU special units' data in 2016 6 criminal proceedings were initiated on grounds of crime, provided by the Article 258-5 ("Financing of Terrorism") of the Criminal Code of Ukraine. In one case the person was reported to be suspect.

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

⁶⁴The Law of Ukraine No. 794-VIII as of 11/12/2015.

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 escalated 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 in Donetsk, and 3 of them are temporarily shut down according to the Order of the Cabinet of Ministers of Ukraine No. 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 travel⁶⁵.

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, 2015⁶⁶. 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" 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 zone⁶⁷.

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

⁶⁵ Resolution of the Cabinet of Ministers of Ukraine No. 23 as of 01/30/2015.

⁶⁶ Resolution of the Cabinet of Ministers of Ukraine No. 86 as of 03/04/2015.

⁶⁷ Resolution of the Cabinet of Ministers of Ukraine No. 509 as of 10/01/2014 as amended No. 34 as of 01/28/2015.

well as systems that process biometric information on the second control line.

In the context of border control the SSU takes measures to prevent illicit trafficking in arms and weapons of destruction that can be used to commit terrorist crimes.

8 facts of arms smuggling were unclosed during 2016. This year the attempts to export military goods and arms from Ukraine have been suspended.

State Migration Service of Ukraine

According to the Action Plan on Introduction of documents proving the citizenship of Ukraine, identifying a person or his/her special status, containing contactless electronic media, and on Establishment of the National System of Biometric Verification and Identification of Ukrainian Citizens, Foreigners and Stateless Persons for 2014-2017 adopted by the Resolution of the Cabinet of Ministers of Ukraine of 20 August 2014 no. 780, the registration, issuance and substitution of Ukrainian passports for travels abroad were arranged in Ukraine since 2015.

Since 2016, an issuance of Ukrainian passports (in form of ID cards) containing contactless electronic media by means of the Unified State Demographic Register was introduced in Ukraine. In particular, the electronic media specify biometric data of a person, his/her place of residence and civil status.

In addition, Article 15 of the Law of Ukraine “On the Unified State Demographic Register and document proving the citizenship of Ukraine, identifying a person or his/her special status” (in wording of the Law of 14 July 2016 no. 1474-VIII) envisages that blank forms of documents containing contactless electronic media shall be manufactured in accordance with requirements of national and international standards and in line with ICAO recommendations. They must have a protection level preventing them from forgery.

The blank forms, until otherwise is provided for in that Law, shall be manufactured according to the unified master copy and technical specifications adopted by the Cabinet of Ministers of Ukraine.

In particular, the resolution of the Cabinet of Ministers of Ukraine No. 302 of 25 March 2015 approved a master copy of blank forms, its technical specifications and the Procedure of registration, issuance, replacement, repeated issuance, seizure, return (to the state authorities), invalidation and termination of Ukrainian passports were adopted.

The master copy of blank forms, its technical specifications and the Procedure of registration, issuance, replacement, repeated issuance, caesurae, return (to the state authorities), invalidation and termination of Ukrainian passports for travels abroad were adopted.

In accordance with aforementioned legal acts, the registration of Ukrainian passports for travels abroad and Ukrainian passports (in form of ID cards) shall be carried out in line with ICAO requirements (Doc. 9303).

Considering the mentioned above, the State Migration Service of Ukraine (SMS) complies nationwide, within its competence, with requirements of the

OSCE Code of Conduct with regard to safety of documents for entry and departure of Ukrainian citizens.

1.4.4. Travel document security

The main tasks of the State Migration Service of Ukraine (SMS of Ukraine) are⁶⁸ to implement 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 abroad⁶⁹.

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

⁶⁸ Resolution of the Cabinet of Ministers of Ukraine No. 360 as of 08/20/2014.

⁶⁹ The Resolution of the Cabinet of Ministers of Ukraine No. 780-r as of 08/20/2014.

certificate, a plastic ID card that simplifies the procedures of border control for them⁷⁰.

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 Ukraine⁷¹.

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"⁷². 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 of given nuclear material categories, dealing with potential radiation consequences and the possibility of committing nuclear terrorist act as well as the potential consequences of the unauthorized withdrawal of nuclear materials.

⁷⁰ Resolution of the Cabinet of Ministers of Ukraine № 1346 as of 11/21/2007.

⁷¹ The Law of Ukraine No. 876-VII as of March 13, 2014.

⁷² Approved by the Resolution of the Cabinet of Ministers of Ukraine No. 1373 as of October 15, 2004.

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 Weapons⁷³.

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

On February 4, 2016 by the decree of the President of Ukraine the extraordinary and plenipotentiary Ambassador of Ukraine the Kingdom of Belgium is appointed to be the representative of Ukraine to the European Union and European Atomic Energy Community concurrently⁷⁴. Furthermore in January 2016 amendments were made into the Procedure of the development and approval of norms and standards on nuclear and radiological security⁷⁵.

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

⁷³ Decree of the President of Ukraine No. 230/2015 as of April 21, 2015.

⁷⁴ Decree of the President of Ukraine No. 36/2016 as of February 04, 2016.

⁷⁵ Resolution of the Cabinet of Ministers of Ukraine No. 89 as of January 27, 2016.

⁷⁶ Decree of the President of Ukraine No. 452/2011 as of April 13, 2011, amended with due regard to the Decree of the President of Ukraine as of: *No. 221/2013 as of April 17, 2013; No. 473/2013 as of September 02, 2013.*

⁷⁷ Decree of the President of Ukraine No. 393/2011 as of April 06, 2011. *As amended in accordance with the Decree of the President No. 221/2013 as of April 17, 2013.*

management is the implementation of the state policy related to:

Exclusion zone and compulsory evacuation zone management as well as exclusion zone barrier functions 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 Chernobyl 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 Chernobyl 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 Defence 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 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 maneuvers;

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

The “Radon” Ukrainian national union” state corporation (The 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.

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

⁷⁸ Decree of the President of Ukraine No. 454/2011 as of April 13, 2011.

⁷⁹ Order of the Cabinet of Ministers of Ukraine No. 363 as of August 20, 2014.

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

Alert announcement 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 Ukraine⁸³.

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

⁸⁰ Decree of the President of Ukraine No. 382/2011 as of 04/06/2011.

⁸¹ The Law of Ukraine No. 876-VII as of March 13, 2014.

⁸² The Resolution of the Cabinet of Ministers of Ukraine No. 577-r as of 07/24/2013.

⁸³ The Resolution of the Cabinet of Ministers of Ukraine No. 81-r as of 02/12/2014.

⁸⁴ In Tsybuleve (a populated area of Kirovohradska oblast) and Desiatyn (an urban-type village of Ivano-Frankivska oblast).

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

with financial support from NATO.

Moreover, in 2015 in coordination with the State Agency of Ukraine on exclusion zone management combined action were 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 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 Defence 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 Defence 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 Defence 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 Defence of Ukraine and the Armed Forces of Ukraine" and "On the concept of the formation of information infrastructure of the Ministry of Defence Ukraine".

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

Constant monitoring of media space and information support of interested actors using the Internet and other information resources was provided in order to detect signs of terrorist activity.

In 2016, law enforcement experts from Israel held a seminar in Ukraine on conducting exploration activities to counter terrorism in the Internet.

The State Migration Service of Ukraine (the SMS of Ukraine)

Measures of the SMS of Ukraine on implementation of the Concept of Fight against Terrorism are aimed at the implementation of the State policy in migration sphere, protection of the State security and national interests of Ukraine in migration sphere, compliance with legislation in that sphere, effective migration management and combating irregular migration.

The SMS of Ukraine priority activities and areas are the following:

Control of issuance of documents identifying a person or his/her special status for prevention of its forgery or illegal use;

Prevention of use of irregular migration channels by the members of terrorist organizations for their penetration into the territory of Ukraine or their transit through it;

Blockade of irregular migration channels;

Control of compliance with rules on staying in Ukraine by foreigners and stateless persons;

Detection of irregular migrants.

The SMS and its territorial authorities and units regularly carry out activities on implementation of the Concept of Fight against Terrorism.

Coordination meetings with Ministry of Internal Affairs of Ukraine (MIA), Security Service of Ukraine (SSU), Administration of the State Border Guard Service of Ukraine (ASBGS), Ministry of Education and Science of Ukraine, State Inspection on Labor Issues of Ukraine involving judges and prosecutors are held in order to set out and allocation common objectives and tasks, to develop interoperability and information exchange etc.

The SMS carries out the following activities on implementation of the Concept on Fight against Terrorism.

Pursuant to subparagraphs 14.2 and 15.3 of Article 2 (14,15) of the Presidential Decree of 25 April 2013 no. 230 “On the Concept of Fight against Terrorism», the SMS carries out a set of practical activities for the purposes of control of issuance of documents identifying a person or his/her special status and prevention of its forgery or illegal use, and prevention of use of irregular migration channels by the members of terrorist organizations for their penetration into the territory of Ukraine or their transit through it, and blockade of such channels.

Thus, in order to control issuance of documents identifying a person or his/her special status and to prevent its forgery or illegal use, the SMS accounts data regarding persons subjected to decisions on:

Loss of citizenship;

Unjustified obtainment of Ukrainian passport;

Withdrawal of immigration permit accompanied by seizure of permanent or temporary residence permit, but permanent or temporary residence permit was not seized and location of foreigner is unknown;

Withdrawal of refugee status;

Refusal to grant refugee or temporary protection status;

Reduction of terms for staying in the territory of Ukraine;

Forced return or forced expulsion from Ukraine.

The territorial bodies of the SMS, ASBGC, MIA, SSU are notified in order to locate a person subjected to decision on seizure of documents justifying his/her staying in the territory of Ukraine or seizure of the Ukrainian passport as illegally obtained, and measures on his/her deportation from Ukraine are taken in accordance with the current legislation.

Verifications of documents submitted by the foreigners or stateless persons, necessary for obtaining of Ukrainian citizenship, immigration permit or refugee certificate are carried out in accordance with the information received by

interested law enforcement authorities for the purposes of prevention of irregular legalization of foreigners and stateless persons in the territory of Ukraine,.

In order to prevent legalization of persons involved in activities of international terrorist and religious extremist organizations in the territory of Ukraine, the SMS requests the SSU for information on mentioned persons and provides the latter with lists of the abovementioned persons to the territorial units of the SMS.

In order to control the staying in Ukraine of foreigners and stateless persons who did not leave the territory of Ukraine after the term of validity of their visa or term of stay had expired, each month or, where necessary, immediately, the SMS receives the relevant information provided by the ASBGS.

In order to block the channels of irregular migration in Ukraine of aliens as students and to detect those foreigners who entered Ukraine as students, the SMS receives monthly the information regarding foreign students expelled from the institutions of higher education.

In order to reveal irregular migrants employed in Ukraine, the SMS organizes raid-checks of places densely populated by foreigners, their places of work and temporary staying.

In order to prevent entrance the territory of Ukraine and legalization of so called "code-bound-criminals", criminal leaders, and migrant offenders being third-countries nationals, law enforcement authorities provide the SMS with information and lists of internationally wanted persons or regarding those an information exists on commitment of crimes in the territory of Ukraine.

On the basis of information received from the interested law enforcement authorities, examinations of the grounds for obtaining Ukrainian citizenship by organizers of irregular migration channels who have obtained a residence permit or refugee status are carried out. Where information on illegal obtainment of documents allowing residence in the territory of Ukraine is detected, measures on seizure of such documents are taken.

On the basis of documents submitted by foreigners to the courts, the SMS carries out a verification of credibility of such documents by means of inquiries submitted to the appropriate organizations and institutions. Based on outcomes of the verification, analysis of received documents confirming or denying the permanent residence of the person or his/her relatives in the territory of Ukraine till 24 August 1991 is carried out. A separate conclusion shall be drawn up for each case of violation of legislation and reported to the SMS leadership in order to take decision under the current legislation.

Based on collected documents on organizers of irregular legalization of foreigners in the territory of Ukraine and their accomplices, the decision, within their powers, should be taken on drawing up of records on illegal activities of such persons.

Where sufficient information was received concerning corrupted employees of the law enforcement and controlling authorities facilitating irregular legalization of foreigners, appropriate measures are taken in compliance with current legislation. The results of undertaken measures are reported to the SMS leadership weekly.

1.4.9. Judicial cooperation activities, including extradition

During 2015-2016, in order to prevent penetration of foreign terrorists in Ukraine, 949 supporters of the international terrorist organization Islamic State were denied entry into Ukraine.

1.4.10. Detection of storage facilities and shelters of terrorists and terrorist organizations.

During 2015-2016, as a result of joint operations conducted with the participation of law enforcement agencies and special services of other countries, the activity of the four transnational logistics networks of the Islamic State, which provided a search, recruitment, training, financing and smuggling militants from the Caucasus, Central Asia and Europe via Ukraine and Turkey to the Syrian-Iraqi areas for their participation in the fighting on the side of the said terrorist structure and sending already trained terrorists from Syria to their countries of origin was discovered and localized in Ukraine.

Thanks to these measures, 17 transshipment points used for temporary accommodation of foreign terrorists from the Islamic State travelling through Ukraine were eliminated. During these measures 62 members and supporters of these terrorist structures including 15 who were in the international wanted list of Interpol for committing criminal offences outside Ukraine were found.

Special units of the Security Service of Ukraine in cooperation with other law enforcement agencies carry out measures aimed at combating the activities of organized crime groups, whose members are involved in the illicit trafficking in arms. During 2016, according to the information provided by special units **245** criminal proceedings have been initiated; **in 172** cases the individuals were notified of suspicion; **352** firearms and **381,500 rounds of ammunition, 552,2 kg of explosives were seized from illegal circulation.**

During these activities several storage facilities with weapons and explosives that could be used for terrorist activities were found and eliminated.

1.4.11. 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 part of this mission, in 2015 they initiated 356 (21 in 2016) criminal proceedings (in 250 cases the suspects were officially informed about the suspicions). 446 units of weapon; 169 thousand rounds of ammunition, and 547.3 kg of explosives were withdrawn from the illegal traffic. They detected and disposed weapons storages and various means of destruction that could be used by people involved in terrorist activities.

The measures taken by the SMS 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, prevention of counterfeiting or illegal use;

Prevention of the 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;

Shutting down the illegal migration channels;

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

Identifying illegal migrants.

The SMS and its regional subunits are 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., the MIA, SSU, Administration of the State Patrol Service, Ministry of Education and Science, State Inspectorate of Ukraine on Labor Issues hold coordination meetings with the involvement of judges and representatives of the prosecutor's office.

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 that came to Ukraine seemingly to study, paid for the full course of higher education, but do not attend the classes and are covered up by teachers, the SMS conducts 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, the SMS verifies their authenticity by sending requests to the relevant organizations and institutions. The results of the inspection become the basis 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 January 01, 2016, the citizens who had moved from the temporary occupied territories were provided with the following administrative services:

Issue of documents for a place of residence – 32,485;

Issue of documents for a place of temporary stay – 387,803;

Issue, registration or renewal of passports – 48,558;

Renewal of the photos in passports of the citizens who reached 25 and 45 years of age – 72,935;

Issue and registration of international passport of the citizen of Ukraine – 95,277;

Issue and registration of child 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 Resolution⁸⁶ that acknowledges certain parts of Donetsk and Luhansk regions as those that belong to the temporary occupied territories 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 near the frontline (Donetsk and Luhansk regions) and have not received the status of an internally displaced person, are registered on the spot provided that they apply to 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 occupied territories of Ukraine:

Citizens who reside on the temporary occupied territories of Ukraine of the Autonomous Republic of Crimea and the city of Sevastopol and did not receive the status of 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 temporary occupied territories of Ukraine⁸⁷.

This shortens the time needed for issuing and registering the Ukrainian passport for the people who live on the temporary occupied territories of Ukraine.

As of January 14, 2016 the citizens who move from the temporary occupied territories were provided with the following administrative services:

Issue of documents for a place of residence – 12,996;

Issue of documents registered for a place of temporary stay – 2,384;

Issue of documents, registration or renewal of passports – 5,678;

Renewal of the photos in the passports for the citizens who reached 25 i 45 years of age – 13,220;

Issue and registration of international passports for the citizen of Ukraine – 36,330,

Issue and registration of child travel documents – 1,702;

Got marked in a certificate and registered in the list of internally displaced persons – 11,770.

In addition, at the request of citizens of Ukraine who live in the temporary occupied territories or moved out of them, the SMS has to issue 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 forceful 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

⁸⁶ Resolution of the Verkhovna Rada of Ukraine No. 254-VIII as of 03/17/2015.

⁸⁷ Resolution of the Cabinet of Ministers of Ukraine No. 289 as of 06/04/2014.

⁸⁸ Resolution of the Cabinet of Ministers of Ukraine No. 152 as of 05/07/2014.

people who reside in the temporary occupied territories is not acknowledged by Ukraine and is not a legitimate reason for losing Ukrainian citizenship.

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 No5286-VI "On amendments to Laws of Ukraine on the participation of the Armed Forces in international peacekeeping and security operations";

20.06.2013No 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";

19.09.2013No 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";

08.10.2013No 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".

04.06.2015 No 1479-III "On amendments to the Law of Ukraine "On entry and staying of the armed forces of other nations on the territory of Ukraine".

The Law of Ukraine "On the Approval of the Decision of the President of Ukraine on Admission of Units of Armed Forces of Other States on the Territory of Ukraine in 2017 to Participate in the Multinational Exercises" No. 1826-VIII as

of 19.01.2017.

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 No71/2006 “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”;

14.12.2006No1076/2006 “On the decision of the Security and Defence 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 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.

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 – Bendery 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 at Cyprus⁹¹ - 2 servicemen (military observer (the town of Famagusta) liaison officer (Deriniya populated area);

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.

UN Missions in Kosovo - 2 servicemen⁹² (the Chief of Staff of the military component (the town of Pristina), liaison officer (the town of North 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 Defence 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 at 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 Defence 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.

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, Romania¹⁰²).

⁹¹Basis: 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.

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

⁹³Basis: 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.

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

⁹⁶Ratified 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.

⁹⁸Ratified 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.

The treaty on conventional Armed Forces in Europe and Vienna Document 2011 on 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 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;

Providing refueling of observation aircraft 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 arms 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

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.

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 2016, 58 supervisory measures were held on the territory of Ukraine by member-states of international agreements and treaties in the sphere of armament control¹⁰³. In its turn, Ukraine has conducted 29 supervisory measures on territory of other countries¹⁰⁴.

In Ukraine, additional inspections in the new format pursuant to Section X of the Vienna Document 2011 were conducted in 2016. During their implementation, local authorities, the State Border Guard Service, the Interior Ministry of Ukraine and other security forces have provided not covered by the Vienna Document 2011 briefings for inspection groups.

In September 2016, Ukraine organized a visit to an air base and land-based facility, and demonstrated new types of weapons and military equipment of the Armed Forces of Ukraine. Such an event is held once every five years. It was attended by representatives of 77 OSCE participating States and 35 representatives from the partner States.

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

Actively using all opportunities to strengthen confidence and security, Ukraine demonstrates openness and transparency in its military activities.

In 2016, employees of the State Special Communication Service carried out 50 checks of inspection equipment belonging to foreign inspection teams, namely: In the framework of the Treaty on Conventional Armed Forces in Europe - 20, Vienna Document 2011 - 18. Experts also took part in 11 observation flights under the Treaty on Open Skies and conducted one inspection of the chemical industry facility in the framework of the Chemical Weapons Convention.

Section II. Intra-State elements

1. National planning and decision-making process

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

¹⁰³According to: Treaty on conventional Armed Forces in Europe – 23 inspections of determined locations; Open Skies Treaty – 11 observation flight missions; Vienna Document 2011 – 13 supervisory measures; Bilateral intergovernmental agreements with neighbouring states on additional confidence and security building measures - 10 supervisory measures; Convention on prohibition of the development, manufacture, stockpiling and use of chemical weapons as well as its destruction – 1 supervisory measures.

¹⁰⁴According to: Treaty on conventional Armed Forces in Europe – 18 observation flight missions; Open Skies Treaty - 12 observation flight missions; Vienna Document 2011 - 19 supervisory measures; Bilateral intergovernmental agreements with neighbouring states on additional confidence and security building measures – 10 supervisory measures.

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 process of national planning in determining defense spending in Ukraine is strategic planning, part of which is defense planning.

Defence planning is an integral part of strategic planning and management of state resources in defense, exercised in statutory period.

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 - with specified concrete measures, performers and timing of their implementation.

Defence planning in the Armed Forces of Ukraine was initiated in 2003 by conducting the Defence 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.

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 determined¹⁰⁵.

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 Ukraine¹⁰⁶.

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 determined¹⁰⁷.

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

The need for resources for the Armed Forces of Ukraine and other

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

¹⁰⁶The medium-term defence planning provides for the development of: 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.

¹⁰⁷The short-term defence planning provides for the development of: 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 action plans, representatives of other military formations; the Defence Forces maintenance and development plans; budget requests; the main figures of the state defence order.

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 Defence Bulletin, relevant concepts, plans and programs.

To implement these measures and to meet the needs of defense the Decree of President of Ukraine No 404/2016 as of 16.09.2016 “On the proposal to the Law of Ukraine “On the State Budget of Ukraine for 2017” proposed to spend 5.0% of gross domestic product (GDP) for the security and defense sector of Ukraine.

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;

Improvement of the mobilization training and mobilization system, including ensuring the establishment of trained military reserve of the required number;

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;

Restoration of the image of the military service;

To achieve these goals the Military Doctrine of Ukraine envisages defense spending of at least 3.0% of GDP.

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

1.1.1. The Constitution of Ukraine¹⁰⁸.

2.1.1. Laws of Ukraine as of:

December 06, 1991 No 1932-XII “On Defence of Ukraine”¹⁰⁹;

“On the Armed Forces of Ukraine” No 1934-XII as of December 06, 1991¹¹⁰;

¹⁰⁸ The Law of Ukraine No. 254к/96-BP as of July 28, 2016.

¹⁰⁹ Changed and amended according to the Laws of Ukraine: No. 3547-XII as of October 21, 1993; No. 221/94-BP as of October 20, 1994; No. 387/95-BP as of October 17, 1995. Ratified by the Law of Ukraine No. 2020-III as of October 05, 2000. As amended in accordance with the Laws of Ukraine: No. 662-IV as of April 03, 2003; No. 1003-IV as of June 09, 2003; No. 3428-IV as of February 09, 2006; No. 1014-V as of May 11, 2007; No. 107-VI as of December 28, 2007; No. 803-VI as of December 25, 2008; No. 2526-VI as of September 21, 2010; No. 5286-VI as of September 18, 2012 ; No. 5404-VI as of October 02, 2012; No. 1127-VII as of March 17, 2014; No. 1190-VII as of April 08, 2014; No. 1194-VII as of April 09, 2014; No. 133-VIII as of February 03, 2015; No. 186-VIII as of February 12, 2015; No. 901-VIII as of February 23, 2015; No. 1420-VIII as of February 16, 2016; No. 1437-VIII as of July 07, 2016.

¹¹⁰ Changed and amended according to the Laws of Ukraine: No. 3548-XII as of October 21, 1993; No. 2019-III as of October 05, 2000; No. 1003-IV as of June 19, 2003; No. 1740-IV as of

“On Military Duty and Military Service” No. 2232-XII as of March 25, 1992¹¹¹;

“On the State Defence Order” No 464-XIV as of March 03, 1999¹¹²;

“On National Security of Ukraine” No 964-IV as of June 19, 2003¹¹³;

“On State Targeted Programs” No 1621-IV as of March 18, 2004¹¹⁴;

June 03, 2004; No. 2341-IV as of January 13, 2005; No. 328-V as of November 03, 2006; No. 107-VI as of December 28, 2007; No. 309-VI as of June 03, 2008; No. 803-VI as of December 25, 2008; No. 1256-VI as of April 14, 2009; No. 2526-VI as of September 21, 2010; No. 4026-VI as of November 15, 2011; No. 5286-VI as of September 18, 2012; No. 1127-VII as of March 17, 2014; No. 1190-VII as of April 08, 2014; No. 1313-VII as of June 05, 2014; No. 716-VIII as of October 06, 2015; No. 1420-VIII as of June 16, 2016; No.1437-VIII as of July 07, 2017.

¹¹¹ Changed and amended according to the Laws of Ukraine: No. 2485-XII as of June 19, 1992; No. 3545-XII as of October 21, 1993; No. 3546-XII as of October 21, 1993; No. 3625-XII as of November 19, 1993; No. 200/94-BP as of October 13, 1994; No. 325/94-BP as of December 22, 1994; No. 387/95-BP as of October 17, 1995; No. 129/96-BP as of April 19, 1996; No. 309/97-BP as of June 04, 1996; No. 312-XIV as of December 11, 1998; No. 651-XIV as of May 13, 1999. Ratified by the Law of Ukraine No. 766-XIV as of September 20, 2006. Changed and amended according to the Laws of Ukraine: No. 1325-XIV as of May 31, 2005; No. 1669-III as of April 20, 2000; No. 2171-III as of December 21, 2000; No. 312-III, 313-III as of November 28, 2002; No. 487-IV as of June 06, 2003; No. 662-IV as of April 03, 2003; No. 744-IV as of May 15, 2003; 11.09.2003 No. 1158-IV as of September 11, 2003; No. 1179-IV as of September 18, 2003; No. 1763-IV as of June 15, 2004; No. 2454-IV as of March 03, 2005; No. 2490-IV as of March 17, 2005; No. 2636-IV as of June 02, 2005; No. 3200-IV as of December 15, 2005. Ratified by the Law of Ukraine No. 3597-IV as of April 04, 2006; No. 309-VI as of November 03, 2006; No. 1073-VI as of March 05, 2009; No.No.1254-VI; 1255-VI as of April 14, 2009; No. 1276-VI as of April 16, 2009; No. 1834-VI, 1835-VI as of January 21, 2010; No. 2926-VI as of January 13, 2011; No. 3353-VI as of May 12, 2011; No. 3409-VI as of May 19, 2001; No. 3919-VI as of October 18, 2011; No. 4296-VI as of January 10, 2012; No. 4352-VI as of February 07, 2012; No. 4652-VI as of April 13, 2012; No. 4711-VI as of May 17, 2012; No. 5040-VI as of July 04, 2012; No. 5088-VI as of July 05, 2012; No. 5286-VI, 5288-VI as of September 18, 2012; No. 5404-VI as of October 02, 2012; No. 5460-VI as of October 16, 2012; No. 224-VII as of May 14, 2013; No. 406-VII as of July 04, 2013; No. 589-VII as of September 19, 2013; No. 1127-VII as of March 17, 2014; No. 1169-VII as of March 27, 2014; No. 1194-VII as of April 09, 2014; No. 1242-VII as of May 06, 2014; No. 1275-VII as of May 20, 2014; No. 1589-VII as of July 04, 2014; No. 1604-VII as of July 22, 2014; No. 1614-VII as of July 25, 2014; No. 1634-VII as of August 12, 2014; No. 116-VIII as of January 15, 2015; No. 259-VIII as of March 18, 2015; No. 265-VIII, 267-VIII as of March 19, 2015; No. 277-VIII as of April 07, 2015; No. 433-VIII as of May 14, 2015; No. 567-VIII as of July 01, 2015; No. 580-VIII as of July 02, 2015; No. 711-VIII, 716-VIII as of October 06, 2015; No. 901-VIII as of December 23, 2015; No. 1008-VIII as of February 18, 2016; No. 1680-VIII as of October 18, 2016; No. 1769-VIII, 1774-VIII as of December 06, 2016.

¹¹² Changed and amended according to the Laws of Ukraine: No.№ 670-IV as of April 03, 2003; No. 762-IV as of May 15, 2003; No. 2248-IV as of December 16, 2004; No. 2340-IV as of January 13, 2005; No. 424-V as of December 01, 2006; No. 2289-VI as of June 01, 2010; 23.09.2010 No. 2560-VI as of September 23, 2010.

¹¹³ Changed and amended according to the Laws of Ukraine: No. 3200-IV as of December 15, 2005; No. 2411-VI as of July 01, 2010; No. 4711-VI as of May 17, 2012; No. 5286-VI as of September 18, 2012; No. 221-VII as of April 18, 2013; No. 1170-VII as of March 27, 2014; No. 35-VIII as of December 23, 2014; No. 186-VIII as of February 12, 2015; 16.07.2015 No. 630-VIII as of July 16, 2015.

¹¹⁴ Changed and amended according to the Laws of Ukraine: No. 4731-VI as of May 17, 2012; No. 5463-VI as of October 16, 2012.

“On Foundations of Domestic and Foreign Policy” No 2411-VI as of July 01, 2010¹¹⁵;

“On Defence Planning” No 2198-IV as of November 18, 2004;

“On the National Guard of Ukraine” No 876-VII as of March 13, 2014¹¹⁶.

“On Amendments to Article 9 of the Law of Ukraine “On Citizenship of Ukraine” to establish a simplified procedure for granting citizenship of Ukraine to foreigners and stateless persons performing military service in the Armed Forces of Ukraine” No. 957-VIII as of January 28, 2016;

“On peculiarities of making procurement of goods, works and services for guaranteed ensuring of the defense needs” No. 1356-VIII as of May 12, 2016;

“On Amendments to the Law of Ukraine “On the State Defence Order” No. 1416-VIII as of June 14, 2016;

“On Amendments to Some Laws of Ukraine on defence” No.1 420-VIII as of June 16, 2016;

“On amendments to some laws of Ukraine concerning the Special Operations Forces of the Armed Forces of Ukraine”; No. 1437-VIII as of July 17, 2016;

“On Amendments to Article 26 of the Law of Ukraine “On Military Duty and Military Service “on dismissal from military service persons who have dependent children with disabilities” No. 1680-VIII as of October 18, 2016;

“On amendments to some legislative acts of Ukraine concerning improvement of the procedure of military service” No. 1789-VIII as of December 06, 2016;

1.1.3. Verkhovna Rada of Ukraine Resolution:

“On Additional Measures to Strengthen the Defence of Ukraine” No. 1220-VII as of April 17, 2014.

1.1.4. Decrees of the President of Ukraine as of:

“On the Concept of Humanitarian and Social Development of the Armed Forces of Ukraine” No. 28/2004 as of January 12, 2004;

“On Urgent Measures to Ensure the Development of the Armed Forces of Ukraine” No. 196/2008 as of March 04, 2008;

“On Certain Issues of Leadership in the National Security and Defence Sector” No. 516/2008 as of June 04, 2008;

“On the National Security and Defence Council of Ukraine Resolution of 5 May 2014 concerning “Integrated Actions to Strengthen National Military Security of Ukraine” No. 453/2014 May 05, 2014;

“On the National Security and Defence Council of Ukraine Resolution of 28 April 2014 “On measures to Improve the Efficiency of Planning in the Security and Defence Sector” No. 468/2014 as of May 13, 2014;

“On the National Security and Defence Council of Ukraine Resolution of 20 December 2014 “On Certain Defence and Mobilization Issues” No. 14/2015 as of January 14, 2015;

“On Additional Measures to Ensure the Holding of Partial Mobilization in

¹¹⁵ Changed and amended according to the Laws of Ukraine: No. 1170-VII as of March 27, 2014; No. 35-VIII as of December 23, 2014.

¹¹⁶ Amendments to the Law of Ukraine No. 920-VIII as of December 24, 2015.

2015” No. 40/2015 as of January 30, 2015;

“On Strengthening Control over the Armed Forces of Ukraine and Other Military Formations” No. 84/2015 as of February 14, 2015;

“On the National Security and Defence Council of Ukraine Resolution of 18 February 2015 “On Additional Measures to Strengthen the National Security of Ukraine” No. 139/2015 as of March 12, 2015;

“On the National Security and Defence Council of Ukraine Resolution of 06 May 2015 “On the Status of the National Security and Defence Council of Ukraine Resolutions and the Further Measures to Ensure National Defence” No. 285/2015 as of May 26, 2015;

“On the National Security and Defence Council of Ukraine Resolution of 06 May 2015 “On National Security Strategy of Ukraine” No. 287/2015 as of May 26, 2015;

“On the National Security and Defence Council of Ukraine Resolution of 20 July 2015 “On Urgent Measures to Neutralize a Threat to National Security” No. 474/2015 as of August 13, 2015;

“On the New Edition of the Military Doctrine of Ukraine” No. 555/2015 as of September 02, 2015;

“On the National Security and Defence Council of Ukraine Resolution of 02 September 2015 “On the New Edition of the Military Doctrine of Ukraine” No. 555/2015 as of September 24, 2015;

No. 1153/2008 as of December 10, 2008 “On Regulations for Citizens of Ukraine Serving in Armed Forces of Ukraine”¹¹⁷;

“On the National Security and Defence Council of Ukraine Resolution of 27 January 2016 “On the military-administrative division of the territory of Ukraine” No. 38/2016 as of February 05, 2016;

“On approval of the military-administrative division of the territory of Ukraine” No. 39/2016 as of February 05, 2016;

“On the National Security and Defence Council of Ukraine Resolution of 27 January 2016 “On the main indicators of the state defence order for 2016” No. 40/2016 as of February 05, 2016;

“On corporate assistance to military units of the Armed Forces of Ukraine, the National Guard of Ukraine and the State Border Service of Ukraine” No. 40/2016 as of February 11, 2016;

“On the National Security and Defence Council of Ukraine Resolution of 27 January 2016 “On Cyber Security Strategy of Ukraine” No. 96/2016 as of March 15, 2016;

“On the National Security and Defence Council of Ukraine Resolution of 4 March 2016 “On Concept for the Development of the Security and Defence Sector of Ukraine” No. 92/2016 as of March 14, 2016;

“On the National Security and Defence Council of Ukraine Resolution of 20 May 2016 “On National Security Strategy of Ukraine” No. 240/2016 as of June 06, 2016;

¹¹⁷ Changed and amended according to the Decrees of the President of Ukraine: No. 430/2009 as of June 12, 2009; No. 613/2012 as of October 26, 2012; No. 672/2012 as of December 03, 2012; No. 347/2014 as of March 28, 2014; No. 417/2015 as of July 14, 2015.

“On Delegation of Ukraine to the XXI 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” No. 501/2015 as of November 11, 2016;

“Regulations of Citizens of Ukraine Serving in Armed Forces of Ukraine” No. 503/2016 as of November 14, 2016;

“On Delegation of Ukraine to Participate in the Annual Meeting of the High Contracting Parties to the 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” No. 512/2016 as of November 19, 2016;

“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” No. 526/2015 as of November 29, 2016;

“On Delegation of Ukraine to Participate in the Negotiations within the Framework of the OSCE Forum for Security Cooperation, the Joint Consultative Group and the Open Skies Consultative Commission” No. 7/2017 as of January 16, 2017;

“On changes to the military-administrative division in Ukraine” No. 12/2017 as of January 23, 2017;

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

“On Approval of the Drafting, Review and Approval Procedure and Basic Requirements for the Implementation of the Budget Institutions’ Cost Estimates” No. 228 as of February 28, 2002¹¹⁸;

“On Development of Forecast and Program Documents of Economic and Social Development and the State Budget Drafting” No. 621 as of April 26, 2003¹¹⁹;

“On Approval of the Procedure of Organization and Funding of Strategic Planning in the Sphere of Defence and Military Construction” No. 447 as of April 05, 2006¹²⁰;

“On Approval of the Procedure of Development and Implementation of the State Target Programs” No. 106 as of January 31, 2007¹²¹.

“On Provision Actors Directly Engaged in Fighting Terrorism in the Area of

¹¹⁸Changed and amended according to the resolutions of the CMU: No. 489 as of April 11, 2002; No. 211 as of February 24, 2003; No. 1106 as of July 17, 2003; No. 549 as of April 29, 2004; No. 1607 as of November 30, 2004; No. 103 as of January 22, 2005; No. 154 as of February 15, 2006; No. 63 as of January 24, 2007; No. 250 as of March 25, 2009; No. 37 as of January 24, 2011; No. 86 as of February 08, 2012; No. 217 as of March 21, 2012; No. 454 as of July 26, 2013; No. 465 as of July 19, 2013; No. 477 as of August 27, 2014.

¹¹⁹Changed and amended according to the resolutions of the CMU: No. 165 as of February 11, 2004; No. 702 as of July 29, 2004; No. 256 as of March 28, 2012; No. 1134 as of November 28, 2012; No. 741 as of September 23, 2015.

¹²⁰Changed and amended according to the resolution of the CMU: No. 297 as of April 22, 2013.

¹²¹Changed and amended according to the resolutions of the CMU: No. 861 as of September 19, 2012; No. 970 as of October 24, 2012; No. 365 as of May 13, 2013; No. 882 as of December 04, 2013.

Anti-Terrorist Operation with Petroleum, Oil and Lubricants and Food” No. 54 as of February 03, 2016;

“On approval of admission, and the first deliveries targeted use of goods specified in part eight of Article 287 of the Customs Code of Ukraine, for use in the production of defense” No. 170 as of March 16, 2016;

“On approval of the State target defense program on weapons and military equipment development for the period till 2020” No. 284-6 as of March 30, 2016;

“On approval of the use of funds provided by the state budget for the implementation of measures to improve defense and security” No. 362 as of June 08, 2016;

“On approval of the forecast for economic and social development of Ukraine for 2017 and the major macro-economic and social development of Ukraine for 2018 and 2019” No. 399 as of July 01, 2016;

“On Amendments to the CMU Resolution as of November 12, 2014” No. 474 as of July 27, 2016; (concerning approval of human resources’ structure) No. 607;

“On amendments to the Procedure of financial support for military-civilian administrations” No. 21 as of January 18, 2017;

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

“On Approval of the Concept of Improvement of Forecast and Program Documents on Economic and Social Development of Ukraine” No. 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” No. 756 as of July 01, 2009;

“On Approval of the Action Plan to Conduct a Comprehensive Review of the Security and Defence Sector of Ukraine” No. 139 as of February 25, 2015.

“On approval of the Concept of the State program of reforming and developing the Defence-Industrial Complex for the period till 2020” No. 19-p as of January 20, 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.

According to the Constitution of Ukraine, international treaties ratified by the Verkhovna Rada of Ukraine are a part of the national legislation of Ukraine. The conclusion of international treaties that contravene the Constitution of Ukraine is possible only after appropriate amendments to the Constitution of Ukraine.

According to the Law of Ukraine “On the principles of domestic and foreign policy”, foreign policy of Ukraine is aimed at ensuring its national interests and security by maintaining peaceful and mutually beneficial cooperation with the international community in accordance with generally recognized principles and norms of international law.

Ukraine's foreign policy is based on the following principles: sovereign equality of States; refraining from the threat or use of force against the territorial

integrity or political independence of any foreign state; respect to the territorial integrity of other countries and inviolability of international borders; settlement of international disputes by peaceful means; non-interference in the internal affairs of other States; mutually advantageous cooperation between States; conscientious fulfillment of international obligations; the principle that the universally recognized norms of international law prevail over domestic legislation; the use of the Armed Forces of Ukraine only in cases of armed aggression against Ukraine, any other armed assault on its territorial integrity and inviolability of state borders, combating international terrorism and piracy, or in other cases stipulated by international treaties ratified by the Verkhovna Rada of Ukraine; application of international sanctions, counter-measures and measures of diplomatic protection under international law in cases of international illegal acts that are detrimental to Ukraine, its citizens and legal entities; timeliness and adequacy of measures to protect national interests against real and potential threats to Ukraine, its citizens and legal entities.

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 2016. 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 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 Ukraine¹²² stipulate that the Armed Forces of

¹²²“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

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”¹²³.

Public authorities and local governments and their officials are obliged to act only on the basis and within the powers in the manner stipulated by the Constitution and laws of Ukraine.

Civilian control over the military is equally important feature of democracy along with freedom of speech, human rights and civil society.

According to the “National Security Strategy of Ukraine”, to improve the system of democratic civilian control over the security and defense sector is one of the main directions of national security policy in modern Ukraine.

Civilian control in Ukraine is aimed at:

Priority of policy approaches to address issues of military construction;

Adherence to the law of all components of the defense forces and law enforcement agencies;

Maintaining political stability in society, creating conditions that prevent the use of the Armed Forces of Ukraine and other military formations and law enforcement agencies to restrict the rights and freedoms of citizens or to overthrow the constitutional order and public authorities or interfere with their activities, as well as in the interest of certain persons, political parties and public organizations;

Preventing any violations of the constitutional rights and freedoms, protection of legal interests of citizens of Ukraine who serve in the Armed Forces of Ukraine and other military formations and law enforcement agencies, and persons discharged from military service and their families;

Taking into account public opinion, suggestions of citizens and NGOs in the discussion and decision making on the activities of the Armed Forces of Ukraine and other military formations and law-enforcement agencies, and officials responsible for defense, national security, public order and strengthening the rule of law;

Allocation of necessary volumes and rational use of budgetary funds for the maintenance and operation of the Defence Forces and law-enforcement agencies, including reform of the Armed Forces of Ukraine;

Proper use of national assets transferred under the control of the Armed Forces of Ukraine, other military formations and law-enforcement agencies;

Agencies of Ukraine” and “On the National Police”, “On Democratic Civilian Control over the Military and Law Enforcement Agencies of the State”.

¹²³The Law of Ukraine No. 975-IV as of June 19, 2003. As amended by the Laws of Ukraine: No. 4652-VI as of April 13, 2012; No. 5286- VI as of September 18, 2012; No. 245- VII as of May 16, 2013; No. 1697- VII as of October 14, 2014.

Timely, complete and accurate informing of all government bodies and the public about the activities of the Armed Forces of Ukraine and other military formations and law-enforcement agencies, ensuring their compliance with the Constitution and laws of Ukraine, international law, real military-political and criminal situation, and ensuring reliable defense and national security, as well as public order.

The basic principles of civilian control are:

The rule of law, strict compliance with legislative requirements governing civil-military relations and activities in the defense and security sector;

Separation of functions and powers of the political leadership of the defense forces and law-enforcement agencies from professional military command of the Armed Forces of Ukraine and other military formations, law-enforcement agencies, preventing duplication of their functions;

Depoliticization and de-idealization of control. Officials who exercise control over defense and security and law-enforcement activities under this law shall not be bound by the decisions of political parties and public organizations;

Transparency in the financing of national security and defense, law-enforcement activity, disposal and destruction of weapons;

Public access to information on the Armed Forces of Ukraine and other components of the defense forces, law-enforcement agencies, which is not a state secret;

Judicial protection of the rights of persons exercising civilian control.

2.2 How is the fulfilment 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:

The Ukrainian Parliament Commissioner for Human Rights;

The President of Ukraine;

The National Security and Defence Council of Ukraine;

The 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 Defence 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 Defence 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 Defence 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 Defence Bulletin, the draft laws of Ukraine “On Military-Technical Cooperation”, “On Defence Planning”, “On Production of Weapons, Military and Special Equipment”, “The Cyber Security of Ukraine”.

2.3 What are the laws adopted in your State on this issue?

The Law of Ukraine “On democratic civilian control over the military and law enforcement agencies” No. 975-IV as of June 19, 2003;

The Law of Ukraine “On the Ukrainian Parliament Commissioner for Human Rights” No. 776/97-BP as of December 23, 1997;

The Law of Ukraine “On Public Appeals” No. 393/96-BP as of October 2, 1996;

The Decree of the President of Ukraine “On Strengthening Control over the Armed Forces of Ukraine and Other Military Formations” No. 84/2015 as of February 14, 2015;

The Decree of the President of Ukraine “On Ensuring Control over the Armed Forces of Ukraine and Other Military Formations” No. 815/2010 as of August 13, 2010;

The Decree of the President of Ukraine “On Certain Issues of Leadership in the National Security and Defence Sector” No. 516/2008 as of June 04, 2008;

The Decree of the President of Ukraine “On the Concept of Humanitarian and Social Development of the Armed Forces of Ukraine” No. 28/2004 as of January 12, 2004;

Resolutions of the Cabinet of Ministers of Ukraine No. 996 as of November 03, 2010 “On ensuring public participation in the formulation and implementation of public policy” No. 996 as of November 03, 2010;

The procedures of conducting antidiscrimination examination of normative legal acts by executive bodies (approved by the Cabinet of Ministers of Ukraine as of January 30, 2013 No. 61).

Regulation on the Ministry of Defence of Ukraine, approved by the Cabinet of Ministers of Ukraine as of November 26, 2014 No. 671 (as amended by the Cabinet of Ministers of Ukraine as of October 19, 2016 No. 730);

The order of the Ministry of Defence of Ukraine “On the organizing coverage of the Armed Forces of Ukraine” No. 174 as of April 17, 2015.

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)¹²⁴ 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 Ukraine¹²⁵ 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) are¹²⁶:

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

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;

¹²⁴ The Law of Ukraine No. 2229-XII as of March 25, 1992 (as amended).

¹²⁵ The Law of Ukraine No. 3160-IV as of December 01, 2005 (as amended).

¹²⁶ The Law of Ukraine No. 876-VII as of March 13, 2014.

Participation in maintaining or restoring law and order in the areas of particularly serious technogenic 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 Ukraine¹²⁷ is the military force 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 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 defence 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

¹²⁷ The Law of Ukraine of No. 1934-XII as of December 06, 1991. Amendments to the Law of Ukraine are provided in paragraph 1.1.2 of Section II.

obstruct their activity.

The State Border Guard Service of Ukraine¹²⁸ 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 Ukraine¹²⁹:

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 Service¹³⁰ 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 Ukraine¹³¹ is a state authority, which is designed to ensure the functioning, security and 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.

¹²⁸ Changed and amended according to the Law of Ukraine No. 661-IV as of April 03, 2003.

¹²⁹ Changed and amended according to the Law of Ukraine "On State Protection of State Authorities of Ukraine and Officials".

¹³⁰ Changed and amended according to the Law of Ukraine No. 1449-IV as of February 05, 2004.

¹³¹ Changed and amended according to the Law of Ukraine No. 3475-IV as of February 23, 2006.

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 Homeland, 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.

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).

Regarding military service under the contract, according to Article 20 of the Law, citizens who have passed professional and psychological selection and meet established requirements for military service are eligible for military service under the contract.

Privates undergoing military service as conscripts or military service during mobilization in times of crisis, the citizens of military age with higher, vocational, complete or basic secondary education, liable for military service, reservists who do not have military ranks sergeants, petty officers and officers, and women with appropriate education aged 18 to 40 years (in some cases, in the event of a crisis (offensive war), during mobilization in times of crisis, the age limit is increased to 60 years for men and 50 years for women) - for privates who serve under the contract.

For contract military service:

Citizens of Ukraine suitable for military service for health reasons who only voluntarily wish to perform military service in the Armed Forces of Ukraine, have the appropriate education, acquired experience of service or profession, related to a certain military qualification. Related to a certain military qualification is considered to be within one field of preparedness for manning the positions, which do not need additional training.

Foreigners and persons without citizenship can be recruited for military service under the contract as privates and NCOs of the Armed Forces of Ukraine (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).

The purpose of the selection of persons, who may be considered as candidates for military service under contract, is a comprehensive study of the moral, business, physical, intellectual, professional and other personal qualities, attitude to service in the Armed Forces of Ukraine and willingness to perform military duty.

According to paragraph 6 of Article 2 of the Law of Ukraine, officers may be involved in the following types of military service:

Military conscription during mobilization in times of crisis;

Military service under the contract;

Military conscription;

Military commissariats are responsible for the reserve officers' conscription during mobilization under martial law.

Reserve officers who want to serve under the contract may do this voluntarily. The procedure for recruiting officer citizens of Ukraine to contract military service is being determined.

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 Homeland, 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.

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).

Regarding military service under the contract, according Article 20 of the Law, citizens who have passed professional and psychological selection and meet established requirements for military service, are eligible for military service under the contract.

Privates undergoing military service as conscripts or military service during mobilization in times of crisis, the citizens of military age with higher, vocational, complete or basic secondary education, liable for military service, reservists who do not have military ranks sergeants, petty officers and officers, and women with appropriate education aged 18 to 40 years (in some cases, in the event of a crisis (offensive war), during mobilization in times of crisis, the age limit is increased to 60 years for men and 50 years for women) - for privates who serve under the contract.

For contract military service:

Citizens of Ukraine suitable for military service for health reasons who only voluntarily wish to perform military service in the Armed Forces of Ukraine, have the appropriate education, acquired experience of service or profession, related to a certain military qualification. Related to a certain military qualification is considered to be within one field of preparedness for manning the positions, which do not need additional training.

Foreigners and persons without citizenship can be recruited for military service under the contract as privates and NCOs of the Armed Forces of Ukraine (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).

The purpose of the selection of persons, who may be considered as candidates for military service under contract, is a comprehensive study of the moral, business, physical, intellectual, professional and other personal qualities, attitude to service in the Armed Forces of Ukraine and willingness to perform military duty.

According to paragraph 6 of Article 2 of the Law of Ukraine, officers may be involved in the following types of military service:

Military conscription during mobilization in times of crisis;

Military service under the contract;

Military conscription;

Military commissariats are responsible for the reserve officers' conscription during mobilization under martial law.

Reserve officers who want to serve under the contract may do this voluntarily. The procedure for recruiting officer citizens of Ukraine to contract military service is being determined.

Art.16 of Law of Ukraine "On the State Guard of the Government Bodies of Ukraine and the Officials" indicates that "Department of the state guard of Ukraine hires on work (service) on a contract basis citizens of Ukraine capable by their moral and business qualities, education level and health condition to perform their duties efficiently".

Order of passing military service is specified by Law of Ukraine "On military duty and military service" and Statute about contract military service of servicemen of the Department of the state guard of Ukraine, adopted by the Presidential decree № 982 from 19.10.2007.

As part of the Concept of development of border agency formed modern system of recruitment (acquisition), which can effectively carry out the selection of candidates for the entire territory of Ukraine, which generally provides access to human resources necessary quantity and quality.

Delegation of regional recruitment centers operating in all regions of Ukraine.

Our system follows the European two-tier system of selection of candidates, which are initially providing primary professionalization of recruiting personnel.

The first phase of the candidates study and selection are provided by special centers for acquisition of regional subordination and psychological services of the border service.

Second stage of study comprehensive measures conducted in schools.

Administration of the Border Guard Service of Ukraine determines the scope and priorities in the selection, functional control, coordination and information-methodological support.

Each year, regional centers of recruitment studied an average of 11.5 thousand people, 2.3 thousand of which are recommended for admission to the National Academy and other institutions of the State Border Service.

Integral elements of the acquisition is departmental institutions in the National Academy and three vocational schools - Training Centre for Junior Specialists, Cynological training center and the training of maritime security detachment State Border Service.

3.2 What are the laws in your State regarding military conscription?

The legal basis for military duty and military service is the Constitution of Ukraine, the Laws of Ukraine "On Military Duty and Military Service", "On Defence of Ukraine" and "On the Armed Forces of Ukraine", "On mobilization preparation and mobilization" other laws of Ukraine and orders of the President of Ukraine and other relevant regulations adopted to ensure the defense of the State, performance of military duty, military service, service in the military reserve and

status of uniformed personnel, as well as international agreements of Ukraine ratified by the Verkhovna Rada of Ukraine.

In order to introduce military conscription for officers, some changes have been made to the legislation of Ukraine and regulations during the last four years, allowing to:

Apply military conscription for officers during the special period;

Equate benefits and social guarantees of this type of military service to the benefits and social guarantees for servicemen who are called up (enlisted) for military service during special period;

Introduce criminal liability for evasion of military service;

Standardize the procedure of military conscription for officers;

The amendments to the legislation and legal acts of Ukraine will help to enlist officers who are citizens of Ukraine under the age of 43 who have not served in the military, completed a full course of military training program for reserve officers and have not lower than a bachelor's degree and who have initial rank of a reserve officer.

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 service¹³² and in Part 8 of Article 26 of the Law of Ukraine “On Military Duty and Military Service”.

The following citizens of Ukraine are exempt from conscription to regular military service¹³³:

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).

Under Part 4 of Article 1 of the Law of Ukraine “On Military Duty and Military Service” citizens of Ukraine have the right to substitute the performance

¹³² Resolution of the Cabinet of Ministers of Ukraine No. 413 as of June 12, 2013.

¹³³ Article 18 of the Law of Ukraine “On Military Duty and Military Service”.

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”.

Under Article 1 of the Law “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. For those who have either the Diploma of Specialist or Master's degree, the period of alternative service exceeds the period of military service, which is set for those who have the appropriate education level in 1.5 times.

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 procedure of alternative (non-military service) is defined by the Regulations on the Alternative (Non-Military) Service approved by the Cabinet of Ministers of Ukraine No. 2066 as of November 10, 1999.

With a view to deciding on alternative service, a citizen after registration for military service, but not later than two calendar months before the statutory period of conscription for military service shall submit a written application to the relevant structural unit of the local administration at a place of his residence. The decision of the local administration on sending citizen to alternative military service or refusal shall be within five days issued to the applicant and sent to the military commissariat where this citizen is registered.

A draft board shall take a decision and military commissariat shall notify the appropriate structural unit of the local administration.

During a declared period of conscription for military service in accordance with the decision of draft board and the availability of jobs in enterprises, institutions and organizations defined by the relevant structural unit of the local administration, and the patronage service in the Red Cross Society of Ukraine organizations the relevant structural unit of the local administration shall take decision on the specific place for performing alternative service.

A place for alternative service is defined mainly within the populated area at the place of his residence or in the area where citizen has the everyday opportunity to return to his residence.

The appropriate departments of local state administrations are responsible for considering applications to perform alternative service.

Note. Under Article 7 of the Law of Ukraine “On Alternative (Non-Military) Service” the Cabinet of Ministers of Ukraine and local administrations may form relevant subsidiary bodies to address issues of alternative service.

The military service could be postponed in accordance with the decision of the district (city) draft board under the Law of Ukraine “On Military Duty and Military Service” for the following cases: family reasons, health reasons, education purposes and for continuing professional activity.

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 defence 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 the Armed Forces of Ukraine are in accordance with the Constitution of Ukraine and laws of Ukraine: "Labor Code of Ukraine"; "On Military Duty and Military Service"; "On the Armed Forces of Ukraine"; "On social and legal protection of servicemen and their families"; "On mobilization preparation and mobilization"; "On leave"; "On Pension Security persons discharged from military service and certain other persons", "On the status of veterans of military service, veterans of the Interior and some other people and their social protection", "On amendments to some laws of Ukraine on social protection of servicemen", "On the status of war veterans, guarantees of their social protection".

Guaranties of legal and social protection of Ukraine citizens serving on a contract basis at the Department of the state guard of Ukraine are provided by Laws of Ukraine: "On the State Guard of the Government Bodies of Ukraine and the Officials", "On social and legal protection of servicemen and their family members", "On pensions of persons discharged from service and some others", "On the status of military service veterans, veterans of internal affairs and certain other persons and their social protection".

Social protection of civil staff of the Department of the state guard of Ukraine is provided on the general grounds in accordance with labor legislation, if another is not specified by their employment agreements (contracts).

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

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

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 has issued a textbook “International Law: the military aspects”, which is designed for students of the National Defence 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 fundamental normative legal acts regarding liability of servicemen in the Armed Forces of Ukraine are Codes of Ukraine, i.e. the Criminal Code of Ukraine, the Code of Ukraine on Administrative Offences.

The Laws of Ukraine are: Statutes of the Armed Forces of Ukraine (Disciplinary Regulations of the Armed Forces of Ukraine; Statute of Garrison and Patrol Services of the Armed Forces of Ukraine; Statute of Internal Service of the Armed Forces of Ukraine); "On legal regime of martial law"; "On military police of the Armed Forces of Ukraine", "On legal regime of emergency situation", "On legal regime of property in the Armed Forces of Ukraine", "On the economic activity in the Armed Forces of Ukraine";

Other tools are: Resolution of the Verkhovna Rada of Ukraine "On approval of the Regulation on the military servicemen liability for damage caused to the State"; Resolution of the Cabinet of Ministers of Ukraine "Regulation on the accounting treatment, storage, use and cancellation of military equipment in the Armed Forces"¹³⁴;

As part of the educational and training activities to study the rules and principles of international humanitarian law the familiarization of personnel with individual responsibility for their actions in accordance with national and international law is carried out. Personnel are regularly informed about responsibility for violations of international humanitarian law, in particular, for committing war crimes. In addition, within the context of the peculiarities of the International Criminal Court specific training activities on documenting serious human rights violations and war crimes will be carried out.

To consolidate this knowledge every soldier, which is expected to be appointed at the certain post in the ATO area will receive a customized card with the basic requirements of international humanitarian law regarding the protection of war victims.

At the operational-strategic level of training for all p qualifications, the juridical responsibility of soldiers is taught as part of "Military and International Law" for 8 hours, including lectures for 4 hours, and seminars for 4 hours.

At the operational-tactical level of training for all qualifications except "Law" qualification, responsible of soldiers is taught as part of «Military Law and International Humanitarian Law" for 12 hours, including lectures for 6 hours, seminars for 4 hours, and group lessons for 2 hours.

At the operational-tactical level training for "Law" qualification the responsibility of servicemen under national and international law is taught as part of the following educational disciplines: "International law in periods of armed conflicts" (for 20 hours, including lectures for 6 hours, seminars for 10 hours, practical classes for 4 hours), "Legal support of Armed Forces of Ukraine" (for 4 hours, including lectures for 2 hours, seminars for 2 hours), "Law enforcement in the Armed Forces of Ukraine" (for 32 hours, including lectures for 12 hours, seminars for 12 hours, practical classes for 8 hours).

¹³⁴ No. 1225 as of August 04, 2000.

Introduction of the Armed Forces of Ukraine with individual responsibility for their actions in accordance with national and international law is carried out during the study of "The military aspects of international law" and "Law of armed conflicts" containing topics that reveal the specifics of individual responsibility for violations of international humanitarian law. All cadets of higher military educational institutions attend classes on legal education topics that include individual responsibility of individuals for violations of international humanitarian law.

During 2016 the SSU together with the Office of the OSCE Project Coordinator in Ukraine has implemented international project "Assistance in observance of human rights and freedoms by special services and law enforcement agencies in their activities" by holding international seminars, studies, training courses and workshops in order to increase the efficiency of countering modern challenges to the national security of Ukraine. As part of the project funded by the OSCE eight such events were conducted.

4.3 Provide a list of international humanitarian legislation acts and international law studied by military personnel in your State

Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field as of August 12, 1949 (I)

Geneva Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of Armed Forces at Sea as of August 12, 1949 (II Geneva Convention)

Geneva Convention Relative to the Treatment of Prisoners of War as of August 12, 1949 (III Geneva Convention)

Geneva Convention Relative to the Protection of Civilian Persons in Time of War (IV Geneva Convention)

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977

Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977

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

Protocol on Non-Detectable Fragments (Protocol I) to the 1980 UN 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

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices amended as of May 3, 1996 (Protocol II amended as of May 3, 1996) to the 1980 UN 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

Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III) to the 1980 UN 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

Protocol on Blinding Laser Weapons (Protocol IV) to the 1980 UN 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

San Remo Manual on International Law Applicable to Armed Conflicts at Sea, 12 June 1994

Convention for the Protection of Cultural Property in the Event of Armed Conflict and its Protocol as of May 14, 1954

International Covenant on Civil and Political Rights as of December 16, 1966

Optional Protocol to the International Covenant on Civil and Political Rights of 1966

European Convention for the Protection of Human Rights and Fundamental Freedoms as of November 04, 1950

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques as of December 10, 1976

Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, as of April 10, 1972

Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction as of January 13, 1993

Convention on the Safety of United Nations and Associated Personnel as of December 9, 1994

The Saint Petersburg Declaration Renouncing the Use, in Time of War, of Explosive Projectiles Under 400 Grammes Weight as of November 29, 1868

Hague Declaration on the Use of Bullets Which Expand or Flatten Easily in the Human Body as of July 29, 1899

Hague Convention respecting the Laws and Customs of War on Land as of October 18, 1907

Hague Convention relative to the Opening of Hostilities as of October 18, 1907

Hague Convention relating to the Status of Enemy Merchant Ships at the Outbreak of Hostilities as of October 18, 1907

Hague Convention relative to certain Restrictions with Regard to the Exercise of the Right of Capture in Naval War as of October 18, 1907

Hague Convention respecting the Rights and Duties of Neutral Powers and Persons in Case of War on Land as of October 18, 1907

Havana Convention on Maritime Neutrality as of February 20, 1928

Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict as of May 14, 1954

Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques as of December 10, 1976

The UN Secretary-General's Bulletin on the Observance by United Nations Forces of International Humanitarian Law as of 08/06/1999.

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 Defence 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 Ukraine¹³⁵”, 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.

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

¹³⁵ With amendments and additions

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

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

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.

Adherence to the principle of access to information in the field of defense and unconditional availability of key documents on defense policy to the public.

Legislative acts regulating these issues were made public and published in due course.

For example, legislative acts issued by the Ministry of Defence of Ukraine were sent to all components of command and control of troops (forces) and posted on the official website of the Ministry of Defence of Ukraine.

The draft laws and other draft legislative acts are in the process of public discussion, and are subject to professional studies of leading international and non-governmental organizations.

In the Military doctrine of Ukraine, approved by the Order of the President of Ukraine on the 24th of September 2015 number 555/2015 and the Concept of the National Guard of Ukraine development until the year 2020, approved by the Cabinet of Ministers of Ukraine number 100 the norms and principles of the International Law are considered.

Section III. Public access and contact information

1. Public access

1.1 How the public is 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 Ukraine¹³⁶, the Foreign Intelligence Service of Ukraine¹³⁷, the Security Service of Ukraine¹³⁸, the State Border Guard Service of Ukraine¹³⁹, the Ministry of Internal Affairs of Ukraine¹⁴⁰, the National Guard of Ukraine¹⁴¹, the State Special Transport Service¹⁴² providing information about their key objectives, structure, and legal activity, recruitment procedures, the documents relating to comprehensive review of security and defence sector of

¹³⁶ www.mil.gov.ua

¹³⁷ www.szru.gov.ua.

¹³⁸ www.sbu.gov.ua

¹³⁹ www.dpsu.gov.ua.

¹⁴⁰ www.mvs.gov.ua

¹⁴¹ www.ngu.gov.ua.

¹⁴² <http://dsst.gov.ua>.

Ukraine and other information set forth on their websites (including in English).

Informing the public on matters that appear in the Code, is carried out by placing information on the MOD official website¹⁴³, departmental printed media (MOD media: "People's Army", "Army of Ukraine", "Wings of Ukraine", "Fleet of Ukraine") and by preparing TV and radio broadcasting (MOD Central Television and Radio Studio and Television and Radio Studio "Breeze").

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

The information on the provisions of the Code of Conduct is shown on the official web-site of the National Guard of Ukraine: www.ngu.gov.ua, as well as in the newspapers "Slovo Chesti (The Word of Honor)" and "Ratnyk (The Warrior)".

The Intelligence Agencies of Ukraine inform the Ukrainian public on their activities through communication with public associations, mass media and citizens through relevant structural departments and their officials.

Public information is carried out on the official web site of the Foreign Intelligence Service of Ukraine (www.szru.gov.ua), where the main tasks, structure, legal basis of the Foreign Intelligence Service of Ukraine activity, service recruitment procedure, materials on complex review of sector of security of Ukraine and other information are represented in English version as well.

One of the elements of the public information system on the Foreign Intelligence Service of Ukraine activities is the publishing of documentary books on history and activity of Ukrainian external secret service, their presentation with representatives of veteran organizations, NGO and media participation.

The State Border Service of Ukraine informing the public on matters that appear in the OSCE Code of Conduct, carried out by placing information on the official website of the State Border Service, the pages of departmental publications magazine "Border" and the newspaper "The border guard Ukraine" and when information dissemination among the media. When informing mainly deals with the tasks to ensure the inviolability of borders and protection of the sovereign rights of Ukraine in its exclusive (maritime) economic zone, component security, combating terrorism.

1.3 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

¹⁴³ www.mil.gov.ua.

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 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 Defence 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 Defence 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.

Public access to information concerning the activities of the State Border Service of Ukraine, posted on the official website of the State Border Guard Service under the heading "On Authority". In order to ensure transparency of border agencies to democratic civilian control of the State Border Service of Ukraine organized and conducted personal reception of citizens of the leadership of the State Border Service, heads of regional departments and agencies of the state border and security.