

THE INITIAL SITUATION BEFORE CONDUCTING SSR IN THE UKRAINE

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Security sector reforms in Ukraine have a long track marked with some progress and shortcomings taking into consideration the internal and external circumstances. In general, one might distinguish specific phases along the way of development and reforms of the security and defense system not only due to temporal aspects, but rather due to specific approaches adopted by authorities towards strategic and institutional outline of armed forces, law enforcement agencies and security services.

Phase I (1991–1996) is characterized by initial efforts of the young Ukrainian authorities to form their own security sector based on the remnants of vast human and technical resources of the Soviet security machine. Ukraine inherited approximately 40% of Soviet Army manpower (Cairns 2000, 26–36), strong apparatus of KGB and militia. In August 1991 the Verkhovna Rada of Ukraine (VRU) adopted the decree to subordinate to Ukrainian parliament all the armed units, located on the territory of Ukraine, to form Ministry of Defense (MoD), to launch the creation of the Armed Forces of Ukraine (AFU). By the end of 1991 the initial legislative base for security sector was formed. The Conception for Defense and Organization of the Armed Forces of Ukraine, the resolution “On Security Council of Ukraine”, Laws of Ukraine “On Defense of Ukraine”, “On the Armed Forces of Ukraine” were the key founding documents that were all introduced in this initial phase of state-building. The Conception envisaged the basic principles outlining Ukraine’s security sector organization and principles: to become a neutral nuclear-free state. It also defined the basic guidelines for the AFU formation and the competences of the MoD and the General Staff (GF) (Ministry of Defense of Ukraine 2016a). The strategic vision for the security sector was demonstrated in the Military doctrine in 1993.

In 1992–1996 the active process of the AFU development was in place with arms and personnel reductions, along with international treaties. In 1993 the total number of the AFU personnel was defined at the level of 455 thousand with a tendency for further scaling down (by the end of 1995 the total number was 400 thousands). In 1996 Ukraine completed its nuclear disarmament in exchange for security guarantees under the Budapest memorandum, signed in 1994.

Simultaneously with building of the AFU other elements of security sector underwent changes as well: National Security Service of Ukraine (from 1992 on the Security Service of Ukraine, SBU), State Committee for Border Protection (SCBP), Border Guard Forces and Department for State Protection. The intelligence community was formed with participation of intelligence units of SBU, MOD and SCBP. The National Security Council was active as an advisory body under the President of Ukraine in the period of 1992–1996.

Phase II (1997–2000) began in 1997 and was accompanied by re-drafting of some strategic documents, redistribution of powers in the security sector (under the Constitution of Ukraine, newly adopted in 1996), and expansion of cooperation with NATO. In 1996 the National Security and Defense Council of Ukraine (NSDC) was established as a constitutional body for coordination and control of executive institutions in the security sector. In 1997 the Conception of National Security of Ukraine laid down the principles and strategic vision of security sector activity relating to the set of internal and external threats.

Furthermore, in 1997 the Charter on a Distinctive Partnership between NATO and Ukraine was signed. Under the framework of intensified cooperation the joint working group for defense reform was organized by the end of that year. Ukraine also started to actively participate in the peacekeeping missions (IFOR, SFOR, KFOR) which naturally contributed to approximation to some NATO standards.

In 1997 the State Program for Building and Development of the Armed Forces of Ukraine 2005 was adopted, as well as special regulations for MOD and GS were elaborated and approved. These documents have clarified the powers of the institutions and paved the way for the democratic civil control in the defense sector. The very same year for the first time the cycle of strategic planning has taken place. On its basis the Strategic Decision for the Application of the Armed Forces has been made by President L. Kuchma. In 1998 a new military-administrative division of the territory of Ukraine was introduced, with the substitution of military districts with operational command divisions, as well as improvements to the logistics system. At the end of 1999

the size of the Armed Forces was approved at the level of 400 thousand (310 thousand military and 90 thousand civil personnel) (Ministry of Defense of Ukraine 2016).

In 1999 the President of Ukraine declared the necessity for optimizing the structure and number of military units subordinated to other law enforcement agencies, namely, to the Ministry of Interior, SBU and Border Guard Forces (Razumkov Center 2000, 14–27).

Phase III (2000–2004) was characterized by extended attention towards other elements of the security sector against the backdrop of Ukrainian commitments in cooperation with NATO (within the framework of the Ukraine-NATO Action Plan, 2002).

The new State Program of Reform and Development of the Armed Forces of Ukraine by 2005 was adopted long before the previous document has come to end of life. Inter alia, the provisions of this document proposed to introduce functional structures such as the Joint Rapid Reaction Forces, Main Defense Forces and Strategic Reserve. In 2002 a step toward professionalization of the AFU appeared with the adoption of the State Program of Transition to Manning of the Armed Forces of Ukraine on the Contract Basis by 2015.

In 2001 the Commission for Law Enforcement Agencies Reform was established by the president of Ukraine. It has been operational for the period up to 2004. Although any conceptual document has not been elaborated as for the whole sector, some agencies have experienced positive transformations. In 2000 a state program was adopted with the task to develop the Border Guard Forces. As a direct result of the program the State Border Guard Service was created in the 2003 with a more European profile in structure and functions. In 2001 the Law “On Intelligence Bodies of Ukraine” was adopted and in 2004–2005 the Foreign Intelligence Service was established by separating the relevant body from the SSU. It has been also done to follow European experience. Besides the intelligence activity, some legal steps have been undertaken to describe the scope of the counter-intelligence (2002) and anti-terrorist activity (2003) (Pylypchuk 2013, 115–121). In the 2002–2003 period,

the Ministry of Interior and the Ministry of Emergency Situation has undergone a reform process in terms of its structure and the number of personnel.

New Laws “On National Security of Ukraine” and “On Democratic Civil Control Over the Military Organization and Law Enforcement Bodies of the State” were passed in 2003, revamping and strengthening the legal basis that formed the principles of the democratic control over security governance. In 2003–2004 the defense review was conducted with an aim to bring defense planning to the benchmarks of leading countries. The Strategic Defense Bulletin has been issued as a result, demonstrating the level of the AFU’s relevance to the current military-strategic situation, identifying the official vision of the future model of the Armed Forces, gradual transformation towards the achievement of the ultimate goals of the military reform (Razumkov Center 2004, 2–26). Correspondingly, in June 2014 a new Military Doctrine of Ukraine was approved with clear indication for the EU and NATO membership aspirations. Nevertheless, already in July 2004 the text of the Doctrine was changed, eliminating the pledge for membership as an outcome of the change of the foreign policy orientation of the Ukrainian authorities.

Phase IV (2005–2009) was focused on the intensification of cooperation with the EU and NATO, transition to the European form of strategic assessment and planning, in addition to strengthening of democratic civil control at the strategic level due as a result of constitutional changes (parliamentary-presidential model of governance). With Yushchenko’s election to the presidential post, in April 2005 the Military Doctrine of Ukraine was changed again to bring back the provision of NATO membership as a goal and security prerequisite.

In 2005 the State Program for Development of the Armed Forces for 2006–2011 was elaborated. Scholars agree that for the first time it has been based on the projected indicators of the financial and resource support. The list of threats has been constructed according to specific scenarios with relevant specific terms of preparation, indicating the capabilities needed to perform the tasks (Melnyk 2010, 42–45). But despite the positive changes which tool

place in 2005–2008 towards implementing NATO standards in the defense sector, chronic underfunding of the reform process put the Armed Forces on the brink of early irreversible collapse (Gorbulin 2009). In 2008 the second defense review was set in motion in order to identify required capabilities and a perspective model of defense system to be implemented in the new development program for 2011–2016.

In 2007 in joint efforts of the NSDC and some law enforcement agencies the Comprehensive Review of Security Sector of Ukraine has taken place. The National Security Strategy of Ukraine, the Conception for Reform of the Security Service of Ukraine, the Conception for Reform of the State Border Guard Agency has been worked out on the provisions of the review. In the end however, some of the conceptions did not lead to tangible results due to lack of the financial resources.

Phase V (2010–2013) was featured with a new shift in foreign policy orientation against the backdrop of Yanukovich’s coming into presidential office. In 2010 the Law “On Domestic and Foreign Policy” declared neutral status of Ukraine. The reinstating of the Constitution of Ukraine in its 1996 version has narrowed the possibility for parliamentary control over the security sector. In 2012 new National Security Strategy and Military Doctrine of Ukraine emerged. Strategic Defense Bulletin was issued in 2012, two years after its completion (2010) with major corrections justifying the changes in security policy. Furthermore, new Conception for Reform and Development of the Armed Forces of Ukraine by 2017 was introduced.

On the declaratory level, there were plans to introduce also a new conception for the reform of law enforcement agencies but by the end of 2013 it has failed to materialize. Contrary to vows to stabilize the armed forces the shift of preference towards other elements of the security sector was noticeable. For instance, the state budget 2013 foresaw the reduction of the MoD expenditures by 7% while there was an increase in spending of the MoI (3%), the SSU (4.4%) and the General Prosecutor’s Office (17.2%). Such a distortion in funding has been accompanied by appointing of senior officials in the security sector on the basis of personal loyalty and belonging to the Yanukovich

“family” clan. Their readiness to apply security services and law enforcement agencies for private and political reasons was amply demonstrated during the tragic Maidan events in 2013–2014 with bloody crackdowns on the protesters, killing hundreds of unarmed citizens.

Phase VI (2014 – present) started against the backdrop of sharp political crisis in Ukraine, Russian military aggression in Crimea and later Donbass, with the Yanukovich’s ousting as president and subsequent escape to Russia with the assistance of Russian security services. This period is characterized as civic-sector driven reflection on the past reform failures and hence realization of the need for change. Initial reform efforts were concentrated at the level of vision and pilot projects in selected areas, with the government lacking the political will to spearhead deeper changes.

THE MAIN DRIVING FORCES AND MOTIVATION FOR THE REFORM

Before the start of the current phase in 2014, the low level of the implementation of security sector reforms was determined by the following factors:

- Predominately declarative strategic documents in the field of security and defense, the lack of clear definition of sources of threats, absence of scenario-based approach in strategic planning, vague identification of the problems the Armed Forces and other elements of the security sector were facing;
- Permanent underfunding of the reform programs (state, target, sector-based) for security sector, imbalanced defense budgets.
- Strong powers of the President embedded in the Constitution which hindered the establishing of relevant democratic civil control over security sector from the side of the parliament and government, let alone the civil society.

- Frequent changes in foreign policy orientation of Ukraine under pressure from Russia vis-à-vis political, economic and energy leverages.

Amid all the shortcomings mentioned above the previous defense sector reform experience has also shaped in some ways the outline of the current approach to the transformations undertaken in the AFU and the MoD. First, the basic legal framework has been already in place and steps in strategic planning and comprehensive defense sector review have been taken as well.

The Russian annexation of Crimea and covert occupation of the territory of the Donbass region have triggered a new demand for reforms in the security sector. Compared to previous phases before 2014 this time Ukrainian authorities faced a real military threat stemming from the aggressive military policy of Russia. On the verge of survival, the crisis situation prompted new elites to produce unusual solutions under unusual circumstances. Ukrainian society realized that the Armed Forces and security agencies failed to perform because of chronic underfunding, but also because of wrong strategic threat assessment. The first step was to put in place parallel efforts to defend the Ukrainian territory and to unleash a reform process in the security sector. Both tracks were indispensable as the capabilities of defense and law-enforcement agencies and the AFU were not adequate to tackle the military and security challenges. In fact, since 2010 Russia by virtue of various tools has directly contributed to the deplorable situation in the defense and security sector (National Institute for Strategic Studies 2016, 19). Nevertheless, this bitter experience of overcoming the current crisis, detection and correction of errors in strategic and tactical planning, military command and interoperability in performing the tasks now serves as a reference point for creating a new security and defense architecture for Ukraine.

The second motivation to go ahead with security sector reform in Ukraine was the pro-European and pro-Euroatlantic orientation of new political elites which came into office with the pledges to enhance cooperation with the EU and NATO, to restore sovereignty and territorial integrity, to begin an overall reform process in the country with urgent focus on introducing European models for the defense sector. Many of the Ukrainian efforts in this

realm would never become a reality without international assistance from several partner countries and international organizations. Ukraine's clear orientation towards the Western allies in modernizing its outdated military structures in conjunction with their readiness to continue to provide comprehensive assistance is a good precondition for the reform's progress. Along these lines, the draft Strategic Defense Bulletin of Ukraine envisages several areas of cooperation as defense reform's driving forces:

- Engagement of military and civic personnel trained in NATO and EU military schools;
- Financial and technical assistance from the USA, NATO and EU member-states, as stated in the Charter on a Distinctive Partnership between Ukraine and the North Atlantic Treaty Organization with regards to support for the sovereignty, independence and territorial integrity of Ukraine;
- Enhanced cooperation with NATO, the introduction of NATO standards in all spheres of military activities and achievements of the criteria required for membership in this organization under direct support of foreign experts, advisers on defense issues (Ministry of Defense of Ukraine 2016, ch.4).

Robust peacekeeping experience of the Ukrainian Armed Forces in different forms and shapes of peacekeeping missions under umbrellas of UN, NATO, OSCE and UE creates good precedents for joint capabilities initiatives. Around 40,000 of Ukrainian troops, military and security experts have participated in more than 30 international peacekeeping missions around the globe since gaining independence in 1991. Now Ukraine is present in 10 missions (Ministry of Defense of Ukraine 2016). Despite such an active involvement this conflict-prevention and conflict-resolution activity was not enough for Ukraine to generate the potential to prevent the Russian aggression. Nevertheless, one should admit that it created the basic preconditions for the adoption of some NATO standards with regard to reaching high interoperability level in fields of common responsibility with partner-countries.

As yet another driving force, there was a strong demand from the civil society for a reliable defense sector capable to counteract Russian incursions

in Donbass and Crimea. Grassroots determination played a crucial role in blocking the spread of the Russian hybrid warfare tactics in Ukraine's southern and western regions. That said, public's engagement has been registered in two main areas: volunteer movement in Ukraine as a continuation of the Revolution of Dignity (also known as Euroamidan protests). Many civic activists ventured to the areas of anti-terrorist operation as part of the mobilization process to empower military resilience, restore public order and provide logistical support. In this vein, one should not forget the donations from vast number of Ukrainian businesses and private individuals to cover the needs of the AFU and other military formations. These efforts have helped considerably in reforming the logistics system and saving many lives of Ukrainian servicemen and civilians alike.

Others have joined volunteer battalions to assist regular Armed Forces units in fighting the Russia-backed separatists in Donetsk and Lugansk regions. To respond to such a strong appeal from society and to regain state control over the military machine, the Ukrainian authorities had to bring these battalions into fold of legitimate security sector institutions, which has contributed crucially to the pace of the defense reform undertaken in 2014–2015.

Another facet of civil society's involvement appeared in the form of strong interest of Ukrainian expert community to take part in elaboration of security sector's reform and the monitoring of its progress. Scholars and experts from prominent Ukrainian think-tanks, namely, from the Razumkov Center, the Center for Army, Conversion and Disarmament Studies, some other analytic institutions with profound portfolio in defense and security sector studies have been engaged in the consultation process (Razumkov Center 2015).

Within the framework of the Reanimation Package of Reforms, a joint initiative of civic activists and experts was established. These have united in 2014 under the banner of a working group on national security and defense to facilitate implementation of reforms in Ukraine. The experts from this group are involved in assessment of the legislative support for security sector reform (Reanimation Package of Reforms 2016).

Compared to the past phases when there was a clear lack of political engagement in security sector reform, the situation has changed drastically with high-profile post-Maidan political figures coming to power in February 2014. Partly due to the open military aggression of Russia, partly taking into consideration the civil sector's pressure on the agenda-setting, the issue of comprehensive and deep security sector reform has made it onto the official priority list. In May 2014 during the pre-term presidential elections in Ukraine, Petro Poroshenko, the then Minister of Trade and Economic Development vowed to increase significantly funding for restoration, modernization and strengthening of the Armed Forces and other structures which take part in defending Ukraine against external aggression. At the same time the need for reform of law enforcement agencies has been articulated as well.

Moreover, all the parliamentary political parties which have formed the "European Ukraine" coalition in the VRU in their election manifests addressed the issue of strengthening the country's defense. In the coalition agreement the mention of security sector reform came first with special stress on: reform of the security system, reform of the Armed Forces of Ukraine, reform of the military-industrial complex, optimization of the National Guard of Ukraine and the Security Service of Ukraine, definition of the status of temporarily occupied territories (Verkhovna Rada of Ukraine 2014, ch.1). In terms of democratic oversight and parliamentary control over the security sector, some representatives of political factions in the Committee on National Security and Defense demonstrated real interest to be actively involved in the reform process and be advised by experts from the civil society.

Nevertheless, the remnants of the corrupt bureaucratic system made the reform process still protracted and painful when it came to the real political decisions to be implemented. It resulted in the delaying of some crucial decisions or in misunderstanding between different institutions involved in security sector reform.

In 2014 in order to shape the new foreign policy and security orientation of Ukraine, which would contribute to the strengthening of security and ability to restore its territorial integrity, the decision was made to reject the non-block status of Ukraine. This helped to enact more effective mechanisms of cooperation with external partners, including assistance in security sector reforms (Ministry of Defense of Ukraine 2015).

In line with this decision, in the spring of 2014, the Comprehensive Security Sector Review started but later was narrowed to the defense sector only. Other security sector resorts have initiated their own plans and programs for reforms. In 2015 new National Security Strategy and Military Doctrine of Ukraine came into action. What one can consider as positive, these strategic documents openly state that Ukraine regards the policy of Russian Federation as a source of military threat (Razumkov Center 2016).

But there are some shortcomings, which were revealed along the way related to the strategic vision. One of them is an absence of the overall strategy for security sector reforms. By the end of 2015, the comprehensive security sector review has not been conducted yet. And this document is crucial to launch reforms in specific security resorts (Butusov 2015). One of the main reasons of the slow rate of reform is the absence of the political will, with the government as the main stakeholder.

Moreover, there is the slow pace in introducing the regulatory framework in the security sector in terms of consistency and compliance with real threats, which under the on-going military aggression against the country is very dangerous. Thus, for example, by the end of 2015 the State Program of Armament and Military Equipment of the Armed Forces of Ukraine was still under development.

Experts of the Razumkov Center point out the following problems which are still on the agenda and hamper the overall progress: structural excessiveness and functional insufficiency as regards to the current threats the Ukrainian institutions face; insufficient manning with professional staff; narrow

departmental approach to the development and introduction of compatibility mechanisms (Razumkov Center 2016).

One might distinguish within the international political and security environment both challenges and opportunities for the security sector reform in Ukraine. Among the core challenges are:

- Complete disregard of Russian authorities for international order and territorial integrity guarantees under the Final Helsinki Act of 1975, constant interference in internal affairs of neighboring states;
- Inability of the universal and regional security organizations, namely the UN and OSCE, to prevent and resolve conflicts, connected to aggressive policy of Russia in the region of the Eastern Europe and Southern Caucasus;
- Underestimation by the international actors in the region (the EU and NATO) of Russia's resolve to counteract any integration attempt towards the states in post-Soviet space with economic, energy and military means.
- Failure to fulfill international obligations to guarantee security to Ukraine by signatories (the USA, the Great Britain, let alone Russian Federation) under Budapest memorandum (Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons) of 1994;
- Uncomfortable dilemma for international actors like the European Union and the USA to exert pressure on Russia and to cooperate with it on other security issues of global and regional scale;

To existing opportunities one may add confirmation of position in support of the sovereignty and territorial integrity of Ukraine from the side of the UN, OSCE, NATO, EU, individual member states and their groups. They remain consistent in providing full support to developing the defense capabilities and strengthening the Armed Forces in Ukraine.

PRIORITIES, PRINCIPLES, GOALS OF SECURITY SECTOR REFORM

Despite Ukraine's previous reform efforts over the 25 years of country's independence, the current stage of the security sector and defense reform resembles a starting point. Ukraine has to define some key concepts and develop the vision and strategy of reform beginning with the very definition of the 'security and defense sector' as opposite to the Soviet and Russian concept of "military organization of the state". Experts of the National Institute for Strategic Studies Presidential think tank stated that the 'security and defense sector is unitarily managed assembly of state government bodies, law enforcement agencies and special bodies and services, whose activities are directed at the protection of national interests from external and internal threats through the conduct of special measures, lawful coercion, or the use of arms within the assigned authority" (Reznikova, Tsiukalo, and Payvoda 2015).

The National Security Strategy adopted in May 2015 acknowledges that Ukraine's security sector is not yet in place – its goal is "to complete the formation" of effective and efficient security sector (Verkhovna Rada of Ukraine 2015). The overall quality of strategic documents improved in 2014–2015 and Ukraine ceased following the Russian planning school of thought – instead it keeps "going westward". The Military Doctrine adopted in September 2015 was an important step forward in the nation's strategic planning as it was more oriented towards Western defense strategies, rather than Russia's military doctrine. Furthermore, government experts drafted key documents with the inputs from international and domestic civil society experts.

One may infer that Ukraine applies the following reform priorities and principles to its Security and Defense Sector Reform:

- Russia as the source of long-term security threat – therefore the security sector should be able to oppose this threat. Additionally, the provision of security is also to address internal security and respond to the transnational and global threats affecting Ukraine.
- Self-reliance: Ukraine acknowledges that it will not be a member of any

collective security system in the mid-term and has to provide security mainly from its own resources.

- Combination of effectiveness and efficiency in the security and defense sector. Ukraine acknowledges limited economic, and essentially also knowledge and cadre resources, at its disposal at this stage and seeks to reform the framework in accordance with such resource scarcity.
- The primacy of human security over state security. This signifies notable value difference from Russia, which has the opposite hierarchy.
- Euroatlantic orientation. While Ukraine is not a member of Western military alliances, it strives to qualify for NATO membership and cooperates with EU security institutions.

EU member states' discourse on the comprehensive approach to national security and defense was not yet fully adopted in Ukrainian security discourse. But one characteristic of the reform is that the civil society is playing strong and often the leading role in this regard. This shapes in a specific way the society-wide approach in Ukraine to national security.

It is also true that Ukraine's security sector reform is currently first and foremost driven by functional need for the nation to have effective and efficient Armed Forces and other elements of the security sector capable to counter Russian aggression, provide deterrent capabilities, and assure that Russia is not able to take the advantage of the malfunctioning internal security system.

Ukraine moving westward seems to be a shared vision among the government, experts and activists. While before 2014, cooperation with NATO continued despite the former president Viktor Yanukovich's non-bloc policy, NATO was regarded by the security establishment during Yanukovich's administration largely as provider of scarce financial and material resources for training and exercise. Presently, Ukraine's elites realize that Ukraine has to rely primarily on its own defense capabilities, thus NATO integration became the synonym of standards of excellence for Ukraine to reform its security and defense sector. The National Security Strategy stipulated that Ukraine should deepen its cooperation with NATO in order to reach the criteria to qualify for NATO membership.

Some principles of the Security Sector Reform were recently defined in the National Security and Defense Sector Development Concept Document adopted by the NSDC on March 4 and approved by Presidential Order (President of Ukraine official website 2016 a):

- The concept document was based on comprehensive security and defense sector review and is based on a mid-term planning horizon
- Crisis management framework of security provision was introduced, with Russia viewed as a the most significant long-term source of security threat
- Two quantitative goals stipulated the security and defense expenditure to be not less than 5 percent of the GDP, the national defense expenditures no less than 3 percent and the defense industry expenditures no less than 0.5 percent of the GDP.
- Among the objectives of the SSR were the restoration of Ukraine's territorial integrity, cyber security and individual security. The latter emphasis on the individual remarkably separates Ukraine from Russia that puts state security as its top priority. Among other likely threats were global threats of terrorism, proliferation of nuclear weapons and transnational and organized crime.

Ukraine is also revisiting its commitments to adopting the basic principles of democratic control and oversight of the security sector. Creating practical instruments for implementing democratic governance principles and civilian governance in the security and defense sector has become one of the main priorities of the Security Sector Reform.

Even though formally Ukraine created several institutions to design and implement security and defense sector reform, they have not yet matured as a functional institutional system. It is likely that some of these institutions may be restructured, while some new are being created as part of a trial-and-error process. Some reform coordination bodies were also created driven by civic society volunteers, while some government-established institutions have duplicate tasks, e.g. the National Reform Council and the NSDC Staff.

The National Reform Council was created as the central coordination reform office to ensure political consensus during the reform process. It consists of representatives of all of Ukraine's main stakeholders and was designed to act as a platform for reaching consensus and decision-making. At the same time, in the security and defense sector, such functions duplicate that of NSDC as a constitutionally mandated multi-stakeholder coordinating body. The activity of this council has not been effective and its meetings were rather sparse. The priority seems to be given to quantitative criteria for the implementation of reforms: according to the Council's website (National Reforms Council 2015), the security and defense sector's reform remains 'on schedule' and 63 percent complete through the end of 2015.

NSDC Secretary Oleksandr Turchynov and the former Georgian defense official Archil Tsyntsadze head the reform task force. The task force on the security and defense sector reform also includes civil servants from the NSDC Staff and government and independent experts. Given the overlap of functions with the NSDC staff, despite the existence of the SSR Reform Task Force, there still are expert discussions as to which agency should be the central coordinating unit: many experts agree that logically, the central place for such a unit is with the NSDC staff (Razumkov Center 2016 c). NSDC is constitutionally mandated to develop national security and defense policy recommendations for the President of Ukraine and coordinate executive government agencies activities in the area of national security and defense.

At the level of ministries, the reform efforts were concentrated in advisory councils. The Ministry of Defense established a formal Council of Reforms. Under pressure from civic activists, it also established the Office of Reforms, which was able to implement several pilot reform projects. Advisory Council, where active role was played by Minister Avakov, experts and human rights activist Yevhen Zakharov of Kharkiv Justice Defense Center, Kyiv Center of Law Enforcement and assisted by the EU civil security reform advisory mission EUAM, is reforming the Ministry of Internal Affairs (Zakharov and Hryvniak 2015). Yet the flagship project of the patrol police reform was implemented not directly following from the Council's work, but rather through the transfer of Georgian police model. The Law on National Police was generally received positively, however it had some deficiencies. While the perception of the new police has been positive, as was a project to reform investigation and other police services in Sambir, Lviv oblast, deeper changes, including massive attestation of police force encounter difficulties (UNIAN 2016a).

With the signing of the new national Security and Defense Development Concept on March 4, it becomes clear that the President views NSDC as a reform center. The Concept Document reiterated the legal status of NSDC as "coordination body on national security and defense issues under the President of Ukraine". One notable NSDC initiative was to establish a system of Situation Centers in Kyiv and regions (oblasts) throughout Ukraine to serve as crisis management nodes. Clear strategy for these centers is not yet in place, but notably institutionally, they connect NSDC in Kyiv with regional administrations. NSDC also hosts a re-created Joint Intelligence Committee.

The Security and Defense Sector Reform has not formally addressed the constitutional discrepancy of the split of control and oversight between the President, Parliament and the Cabinet of Ministers headed by Prime Minister. Even though the Verkhovna Rada of Ukraine has the approval and dismissal authority over the posts of the Chairman of the State Security Service and the Minister of Defense nominated by the President of Ukraine, neither parliamentary approval, nor committee vetting has recourse when it comes to senior professional cadre. The accountability issue has also to be addressed,

as presently committee hearings are not mandatory for government officials, the SSU Chairman, and the Minister of Defense are only obliged to submit annual reports to the Verkhovna Rada. The VRU also has authority to approve the state defense budget, but it lacks the procedures that make such work effective at the level of the committees. The Rada's Accounting Chamber on the other hand has significant authority. Parliamentary control has to contend with having to coordinate the agenda among several institutions: the Committees on National Security and Defense, Committee on Law Enforcement and Committee on Legal Policy and Judiciary. Additionally, specific issues are being addressed in the Committees on Combating Corruption and the Budgetary Committee. Furthermore, the Rada does not have any success stories to show for when it comes to the work of parliamentary investigative commissions, which, which hints to yet another area in need of reform. A growing role in the democratic governance reform is played by relatively well-functioning Ombuds-institution appointed only in February 2016, with a role to oversee the rights of military personnel.

Furthermore, international and domestic think tanks promote the reform of democratic oversight. On March 16, 2016, Iryna Friz, deputy head of the Verkhovna Rada Committee on National Security and Defense announced the creation of international advisory task force with the participation of DCAF Geneva, Razumkov centre, George Marshall Centre and NATO liaison Office, Kyiv (Euronews 2016).

Certain Ukrainian institutions were created anew in 2015. The National Anti-Corruption Bureau of Ukraine (NABU) was designed to combat corruption and high-level crime, while the State Bureau of Investigations was set up as the central executive authority, which performs law enforcement activities with a goal to identify, investigate and solve the most dangerous crimes and crimes committed by specific entities. Even though NABU demonstrates some activity, its work is too early to be assessed (Razumkov Center 2016 d).

Reform issues are also widely discussed in media and on social networks, such as for example international Facebook Group (Ukraine Defense Reform 2015). It is estimated that international institutions: NATO Trust Funds, NLO,

EUAM, multinational training task force provided over \$3.3 billion in technical assistance to Ukraine through September 2015 (Hlukhovskiy 2015).

In Security and Defense Sector Development Concept 2016 (President of Ukraine official website 2016 b), the Office of the President listed the elements of the Security and Defense Sector. Remarkably, the absence of the second-order agencies, e.g. those under the Ministry of Internal Affairs may indicate that the President seeks the highest level of authority over all agencies, yet the President was also defined as one of the units of the Security and Defense Sector:

- President of Ukraine;
- National Security and Defense Council of Ukraine;
- Ministry of Defense of Ukraine;
- Armed Forces of Ukraine;
- The Ministry of Internal Affairs of Ukraine;
- National Guard of Ukraine;
- National Police of Ukraine;
- State Border Service of Ukraine;
- State Migration Service of Ukraine;
- State Emergency Service of Ukraine;
- Security Service of Ukraine;
- The State Guard of Ukraine (security of the President and other high-level offices);
- State Special Communications Service of Ukraine (security of government communications);
- State Special Transport Service, which should be integrated with the armed Forces in the future;
- Coordinating body for the intelligence of the President of Ukraine and intelligence agencies of Ukraine;
- The staff of the National Security and Defense Council of Ukraine;
- Central executive body to form and implement the national military-industrial policy;
- Other components, as defined by the laws of Ukraine This item includes volunteer resource support organizations and non-governmental think tanks.

Ukraine's Armed Forces were perhaps the most urgent element of the security and defense sector in need of reform as their readiness and even the quantity – assessed by Minister of Defense Ihor Teniukh at 5,000 – was inadequate during the Crimea annexation (Committee on National Security and Defence 2016). Thus, efforts of volunteers were of utmost importance in the replacement of resources, transfer of new logistics practices and basic modern military knowledge – from close quarter combat tactics to surveillance drones. The government implanted one volunteer team into the Department of Defense in March 2014 – its team was focused mostly on procurement and logistics improvements (Ringis 2015).

The Minister of Defense Reform Council as advisory body was established in August 2015. Its executive branch, the Reforms Office headed by volunteer and entrepreneur Andriy Zahorodniuk, was responsible for the improvements in several areas:

The most notable accomplishments in the procurement reform was the introduction of transparent electronic bidding system – in 2014, the military complained that there was corruption and deliberate price premiums charged even in the time of war. The Reform Office also introduced IT systems in some selected segments: a database of medical records in several nation's military hospitals and selected application of SAP accounting software that the Ministry bought in 2005. In addition, the procurement NATO STAN-AG codification system was introduced. The Reform Office began the experiment in three units in buffet-style meals service and introduced Ukrainian Meals Ready to Eat soldier kits. They also introduced warehousing software not in use before (Ukraine's MOD Reforms Office 2015).

A special center was set up dedicated to the development of new logistics and procurement system. It was able to develop new Ukrainian NATO standard-compliant uniform and gear and organize the bids, where the Armed Forces bought 440,000 uniforms and 380,000 boots in 2015 (Poltorak 2016). The manpower challenge was addressed in large-scale drafts (mobilization)

during six rounds in 2014–2015. President Petro Poroshenko said in October 2015 that 210,000 soldiers were drafted and 35,000 volunteered for the Armed Forces. The draftees were called to serve for 12 months, with applied extensions for one to three additional months. The total number of the Armed Forces military and civilians was established as 250,000 (Poroshenko 2015) including 204,000 military personnel. In the interim period, where the seventh round of mobilization soon is expected to be announced and the former draft round soldiers still continue to serve, the actual force may be even higher. The General Staff thus focused to date on the force size as the main principle of maintaining the military balance against Russian-separatist forces.

Ukraine reinstated conscription in December 2014 with 11,000 conscripts recruited for 1–1.5 years in the autumn round (Ukrainian Radio 2015). According to the General Staff, as of August 2015 Ukraine's 73,000 forces were deployed to the Anti-Terrorist Organization (ATO) area comprised of 25 brigades and regiments and 150 battalions. They were using 360 tanks, 1,400 APCs, 230 and 800 artillery system (Tyzhden website 2015).

Mixed qualitative record of the draft versus the recruitment of professional soldiers led the defense authorities to arrive at a decision that Ukraine should have a core professional Armed Forces. On January 20, the government in a bold move raised the soldier salaries to a minimum of UAH 7000 while the official average salary was UAH 4195 at the end of 2015. Commanders' salaries were also significantly increased (Ukraine's MOD Office 2016 b). As a result, the number of contract soldiers began to surge – the MoD estimates 9,000 applied and 7,000 soldiers were recruited in January 2016, while a typical rate was less than 500 soldiers per month before the salary raise. MoD plans to recruit 5–6,000 soldiers monthly (Viiskova panorama a, 2016). In the February–March period, the rate of recruitment seems to have slowed down, but still remains high and in total 13,000 contract soldiers were recruited from the beginning of the year (Ukraine's MOD Office 2016 a).

Furthermore, there were some improvements in the supply of both domestic and non-lethal foreign weapons and the improvement of training with the

help of domestic volunteers and international aid, e.g. in tactical medicine. At the same time, communications were also improved using the modern hardware systems and procedures including satellite communications, Motorola and Falcon III sets (Turovets 2016). Among various training assistance programs, the US assists Ukraine in training the newly created Special Operation Forces (SOF) with the training administered by the Special Operations Command. US aid to Ukraine was estimated at \$ 266 million (Uainfo.org 2016). To resolve the issue of inadequate officer training, Ukraine created simplified career paths and three-month courses for accelerated training of mobilized and contracted officers. The first officers graduated on December 14, 2015 (Ukraine's MOD Office 2015). Thus, these separate improvements in training are leading at this stage to the rethink of the entire training and Command and Control system of the Armed Forces: from post-Soviet hierarchy to Western military professionalism.

The changes also affected the weapons supply. According to Ukroboronprom defense industry holding company, 1,441 new and modernized weapons and armor entered the force, while even more substantial number was repaired, including three aviation vehicles and three radar stations (Ukroboronprom 2015). Ukraine thereby attempts to streamline its high-potential, albeit poorly managed defense industry. An important mid-term project was to create Sapsan, a multifunctional tactical missile complex with the range of operation between 50–480 kilometers – it will cover both the air defense, where Ukraine is relying on Soviet design S300 missiles and serve for ground artillery purposes (Viiskova panorama 2016 b).

The lessons of the war with combined Russian-separatist forces raised the issue of reserve forces, but also territorial defense. Ukraine introduced compulsory “operational reserve” formed of demobilized soldiers and volunteer reservists that could be quickly raised in case of need. The concept of territorial defense is being developed driven by self-organized citizens that participate in tactics training and volunteer public order associations. The government encourages some of these civic groups to become district-based territorial defense units that have the status of the Armed Forces. The association called RUKH 100 serves as the backbone for creating such territo-

rial defense system in cooperation with the General Staff. Expert an advisory support is being provided internationally: by Estonia that successfully built its Kaitseliit force and by international and Ukrainian think tanks, e.g. DCAF Geneva and Razumkov Centre.

New SSR Concept Document defines the following objectives of the reform of the Armed Forces. In the distribution of the military units in Ukraine's territory, the government corrected the strategic mistake, where Ukraine disproportionately skewed the Armed Forces to the West as if countering the Western threat in the Cold War times, while Eastern and Northern directions bordering Russia had less troops. In February 2016, Ukraine created new system of military commands. According to military analyst Romanenko, this would allow to improve the mobilization and territorial defense (Segodnya 2016).

The Concept Document further stated the need for the refurbishment of weapons and military transport in stock, its modernization, improvement of the troop training, supplies, logistics and procurement and achieve the compatibility in joint activities according to determined scenarios. It also declared that the Armed Forces should also be approximated to the NATO standards.

The specific reforms roadmap is supposed to be generated in March 2016 at the Ministry of Defense by the new Committee of Reforms created on the basis of the Office of Reforms. The new Committee will work alongside the Advisory Council and the Office of Reforms and was established to oversee the reform of the following institutions: the MoD itself, the General Staff, personnel, logistics and certain other areas, for example Military Police. The new plan envisions reforming the Ministry of Defense by 2018 and the General Staff and the Armed Forces by 2020. In the Armed Forces, the quantitative criteria have been set that 90 percent of units should conform to STANAG NATO standards (Poltorak and Ukraine's MOD Office 2016). There is a risk that the task to reform the Armed Forces is still not given due attention. Nor is it certain that the Ministry of Defense will be able to successfully manage the committee designed to reform it vis-à-vis the resistance to reforms from within.

A special issue in the reform of the Armed Forces was the existence of volunteer paramilitaries and other military-like units and services that were not part of the Armed Forces. The volunteer battalions Azov, Donbas Ukraine and others were formally integrated into the Armed Forces and the prospects of their retention as such are good as the state is taking on more responsibilities to provide resources for these units. The issue of the National Guard was discussed by experts, as it is the “Third Force”, which has both military and police functions. President Poroshenko increased control over the National Guard formerly subordinated to the Interior Ministry by making the National Guard Commander answerable to the President. According to the new concept, the National Guard would be gendarmerie-like, while it would operate under the Ministry of Defense in wartime. Interesting initiative in the National Guard is the pilot project of light infantry brigade trained according to modern Western standards and NATO-interoperable (Arieli 2016 a). A debated issue was the future of the State Border Guard Service, which was reformed as professional border police service thus unable to provide military response to the Russian-separatist attacks that included mortars and shelling. The new Concept stipulates that the State Border Guard Service would be supported by the National Guard and the Armed Forces in case of need.

The policy regarding the country’s Air Force has been mainly concentrated at maintaining its viable fleet primarily comprised of Mig 29 and Su 27 and 24 models, but also on pilot training that increased from 30 hours to 150 hours (Skaretnoi 2016). While in the case of the Navy, the program of its reform triggered the debate among military experts and naval commanders (Kyiv Post 2015).

Some developments over the past two years prompted positive assessment of Ukraine’s progress: one of the best Ukraine’s scholars Professor Alexander Motyl proudly entitled his article: “At Last, Military Reform Makes Headway in Ukraine”. Motyl cited as the argument justifying his view the clear planning – something Ukraine lacked in the past, engagement of outside experts to discuss the reform and not only praise its accomplishments and taking NATO standards as concrete obligations (Motyl 2016).

Yet, it is also true that the main accomplishment of the reform in 2015–2016 was gradual formulation of the reforms’ vision and separate improvements in some selected areas. The slow pace indicates the level of the leadership’s political will, which generally favors stability and functionality over real change. It is also a reflection of relatively marginal Western support for Ukraine’s reforms. Thus, the reforms can also be viewed as a longer-term process. Establishment of functioning defense and security institutions in 2014 was meant to make them relatively effective as deterrence force to withstand the combined Russian-separatist Armed Forces. However, currently the goal of reform should be to embrace standards of excellence to the extent possible due to limited resources to deter Russia from further actions.

In these circumstances the reform continues to be a society-driven effort. The volunteers introduced to the security sector knowledge and business skills already available in the private sector: logistics, project and operations management and accounting. What’s more, the involvement of many volunteers has allowed for the transfer of Western management know-how. Still, Ukraine faces substantial leadership and management challenges as the government stops short of radical reforms. As Butusov notes, changing of military hardware and training takes time. But “to change the administrative system, to replace our absolutely ineffective administrative formula

with NATO's decentralized system of decision-making and greater leadership responsibility does not require many resources or time. We have the cadres. We know how to do it" (Motyl 2016).

The difficulty of Ukraine's reform lies in the weak state of many management structures in place. Foreign advisors working with the Ukrainian military note the inadequacy of the command and control. Israeli Instructor Tzvi Areli working with the National Guard wrote, "In Ukraine, today, the ranks absolutely do not correlate with real military knowledge" (Arieli 2016 b).

The Ministry of Defense is responding to activist pressure by demonstrative administrative initiatives. Addressing personnel reform issues, the Minister of Defense ordered the performance review (UNIAN 2016 b) and staff reduction of all MoD staff that would also include polygraph screening that became one of the tools to help with the ministry's personnel integrity. The changes also have to address the issue of the overlaps between the General Staff and the MoD. As such, the challenge is to change post-Soviet culture of bureaucracy characterized by the lack of initiative and excessive hierarchy thus expecting decisions to be made only by higher-ranked officers and authorities.

In a number of key aspects, Ukraine still lacks a clear and comprehensive strategic vision and concept. As an example, the debate about the naval strategies split those that believe that the Ukrainian Navy should have blue water capacity and build corvettes, or just focus on protecting littoral waters and have a small-boat strategy (Kabanenko 2016).

Another major challenge is calculating the real costs of the security and defense sector reform and operations. In the weapons sector, Ukraine has to replace Russia as the key military supplier of new systems and parts for existing weapons systems. Defense group Ukroboronprom has signed a deal with German producer Deutz AG to acquire engines for the armored personnel carriers (APC) used by the Ukrainian Armed Forces. The new engines will replace Russian gear, which are to be discarded (Adamowski 2016). Senior official in the Turkish prime minister's delegation said Turkey and Ukraine hope

to cooperate primarily in turbojet aircraft engines, radars, military communications technologies and navigation systems. "There will be partnerships in designing, developing and manufacturing those systems," he said (Burak Ege Bekdil 2016).

Moreover, Ukraine is likely to have increased number of exercises with international partners and some interoperability projects, but the country's contribution would be restricted by the lack of resources. The interoperability and Ukraine's military security contribution should be further enhanced by the creation of Polish-Lithuanian-Ukrainian brigade announced on January 25. Two Ukrainian ships Hetman Sahaidachniy frigate and Balta auxiliary delivered Turkish military aid and had the first exercise beyond the Black Sea in two years (5.ua 2016).

Razumkov Centre's Oleksiy Melnyk and Mykola Sungurovskiy pointed to the challenges ahead, including the issues of national cohesion, among others:

- Declining consolidation of society, intensifying destructive processes within the nation's leadership, rebounding influence of political successors of the Party of the Regions and pro-Russian forces in some regions, and attempts to restore their influence on the nationwide level;
- Depletion of resources (economic, financial, human, intellectual and time) needed to secure a victory, stabilise the situation and reform the country fundamentally;
- Growing mistrust of the government on the part of the civil society, mounting (albeit not always constructive) pressure from the civil society on the nation's leaders on the account of reforms, resolution of the armed conflict in the Donbas and reclamation of Crimea (Razumkov Centre 2016 e).

The reform of some segments of the security sector is yet to be pursued. An area of increased interest is the reform of intelligence and special services agencies – the segment that was not at the forefront of reform. Melnyk and Sungurovsky believe that in investigative and special services agencies, changes will most likely be limited to improving the mechanisms of democratic control and providing more professional human resources for administrative and executive agencies. While in the law enforcement system the

biggest complications should be anticipated in matters of providing human resources, reforming the prosecution and judicial system, and creating municipal police forces as part of power decentralization processes (Razumkov Centre 2016 f).

Meanwhile, the Presidential National Security and Defense Development Concept Document set the goal of transforming SBU into a special service and also increasing Ukraine's intelligence capabilities, their coordination and partnership with NATO member states. The SBU is expected to disengage from pre-judicial investigation and responsibilities with regards to economic security crimes. Still to be addressed are the issues of economic law enforcement agencies that often hinder the operations of business abusing their control and oversight roles.

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