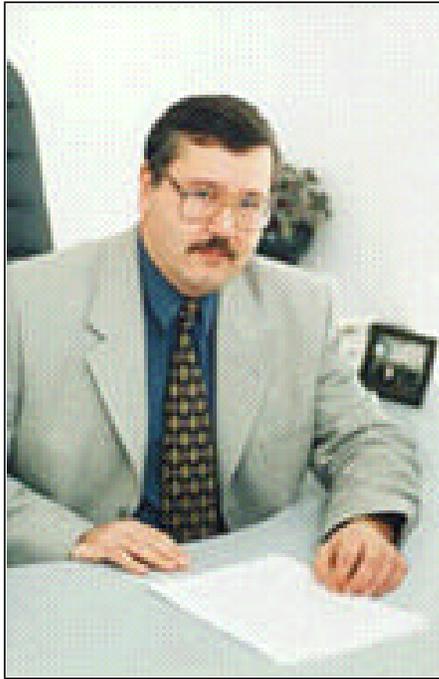


**NATO Fellowship Programme**

**CIVIL-MILITARY RELATIONS IN UKRAINE:  
ON THE WAY FROM FORM TO SUBSTANCE**

**By Anatoliy GRYTSENKO**

**Kyiv – 2000**



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## INTRODUCTION

Ukraine undergoes the simultaneous transition of both its economic and political systems, with the goal of integration into the European community. Under the difficult conditions of transition from totalitarian state to democracy, the implementation of civilian control over military has been accompanied by a shortage of resources, insufficient civilian expertise, and the post-Soviet legacy in the military sphere.

If one uses a formal approach it is very easy to conclude that the democratic control over military is a reality in Ukraine: the basic legal instruments beginning with the Constitution, essential to institute the democratic civilian control, have been already adopted and a growing body of experience is accumulated. However, mainly the framework is in place; the form must be filled with substance. This process is underway in Ukraine.

The paper consists of introduction, eight sections, conclusions and proposals.

**Section 1** deals with the current state of Ukraine's military. In the author's view, the alarming situation is a reflection of immaturity of civil-military relations in the country. More attention is paid to the shortcomings of the military sector, rather than to its successes, to prove the urgency for resolute actions of civilian leadership.

**Section 2** analyses the main reasons that hampered previous attempts to reform Ukraine's military structures. The objective difficulties, such as unfavourable starting conditions, the poor system of civilian control over the military, and resource limitations are accompanied with inability of the authorities to provide the military planners with the necessary guidance.

**Section 3** deals with the main legislative documents that predetermine a range of choices and help to reach a conclusion on the key assumptions, limitations and ramifications in Ukraine's military sphere.

**Section 4** contains the main principles which both the civilian leadership and military planners ought to keep in mind while preparing and implementing the military reform plans. These principles reflect international and Ukraine's own experience.

**Section 5** offers a general algorithm of military reform in Ukraine. Even brief acquaintance with it would be sufficient to see that it is impossible to work out a concept (and especially a programme) of reform without prior analysis of the priorities of national development, identification of concrete limitations and targets (manpower ceiling, funding limits), assessment of the ability to accomplish basic functions with available manpower and equipment, threat assessment, etc. Unfortunately, those obvious things were not comprehended in Ukraine; their importance is still called in question.

**In Section 6** the author formulates three strategic goals for the Armed Forces of Ukraine and also 34 military functions fulfilment of which must assure the achievement of these strategic goals.

**In the following two sections** the author maintains a need for renewal of Ukraine's obsolete Military Doctrine and clear legislative provision for internal functions of the Armed Forces. This would provide the planning community with the

necessary input and thus allow the politicians to exercise meaningful civilian control over military.

The author is certain that preconditions for gradual military reform and establishment of reliable democratic civilian control over military do exist in Ukraine. It is important that decisions be based on realistic assessment, limited resources be channelled towards the solving truly priority tasks, and the difficulties of reform not last long.

For the two-year period of NATO fellowship the author has published a few papers and articles on the issues of military reform and civilian control over military in Ukraine<sup>1</sup>. The relevant material from these publications is included in this paper.

Contributions of others to the completion of this research are gratefully acknowledged. I want to express my appreciation to my colleagues from the Centre for European Security Studies: Prof. Peter M.E. Volten and Dr. David Greenwood for their support of the study. I also thank my friends Dr. Mykola Sungurovskyi and Leonid Polyakov for their input and valuable suggestions for the improvement of the manuscript.

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<sup>1</sup> Grytsenko A. Ukraine's defence sector in transition: impacts on foreign and security policy. – *Foreign and Security Policy of Independent Ukraine*/ ed. by Kurt R. Spillmann, Andreas Muller and Derek Muller. – Bern, Lang, 1999, pp. 95-119; Havrylenko O. Does Ukraine need a new military doctrine? – *Zerkalo nedeli*, July, 12, 1999, p. 1, 4; Grytsenko A. Reforming the military in states of transformation: the case of Ukraine. – *European Fellowship Programme Working Paper*, Centre for European Security Studies, Groningen, The Netherlands, 1999; Havrylenko O. Political bookkeeping or settling scores? – *Zerkalo nedeli*, February, 20, 1999, p. 4; Grytsenko A. Is it possible for the Ukrainian Armed Forces to perform internal functions? – *Zerkalo nedeli*, January, 29, 2000, p. 1, 4; Grytsenko A. et al. Military reform in Ukraine: the start, or another false start? – Analytical report of the Ukrainian Centre for Economic & Political studies, *National security & defence*, 2000, No. 1, p. 2-39; Grytsenko A. et al. Military reform in Ukraine: expert opinion poll. – *National security & defence*, 2000, No. 2, p. 31-39; Grytsenko A. Government programme: does anything like this exist? – *Zerkalo nedeli*, March, 18, 2000, p. 7; Grytsenko A. et al. Public administration reform: further... further?... further! – *Zerkalo nedeli*, June, 3, 2000, p. 1, 4. To present the author's views that not necessarily reflect the official position of his institution (the National Security and Defence Council of Ukraine), few articles have been published under the pseudonym of O.Havrylenko.

# 1. CURRENT STATE OF UKRAINE'S MILITARY AS A SIGN OF IMMATURITY OF CIVIL-MILITARY RELATIONS IN THE COUNTRY

Since 1991, Ukraine's Military organisation<sup>2</sup> has gone through a complex period of evolution from an unsystematic conglomerate of separate parts to a relatively workable integrated structure. The military sector of Ukraine has long been in a state of permanent crisis. It has been unable to keep its head above water, i.e. it is degrading. At the same time, even the present level of funding of the military puts a heavy burden on the state. On the other hand, the national interests of sovereign Ukraine must be protected from military threats, and state policy should be supported by military means. The imbalance between what is desired and what is available is so evident now, that one cannot but take notice. Nor is it today that this imbalance emerged: Ukraine has been at least six years behind with profound military reforms. And this is a reflection of immaturity of civil-military relations in Ukraine. The following arguments prove that conclusion.

**The Military organisation is structurally excessive.** Separate power structures are developing on their own, without proper co-ordination on the national level. Each power structure creates its own subsystems of command and control, logistics, maintenance, military education and training, acquisition, and defence research. Ukraine maintains two military fleets: the Navy (incorporated into the Armed Forces) and naval units of the Border Troops. Both fleets operate in the same water area, each of them has more than 100 ships and an air component. As a result, the two fleets lack funds even for fuel, let alone combat training. Each power structure is keeping its own supply bases, where almost identical stocks of fuel and materiel are stored. This results in extra budget expenses, excessive manpower, and sub-optimal schemes of cargo movement. The structural excessiveness of the Military organisation does not facilitate the performance of all its vital functions. Similar duties are performed by different agencies, while others are left to no one.

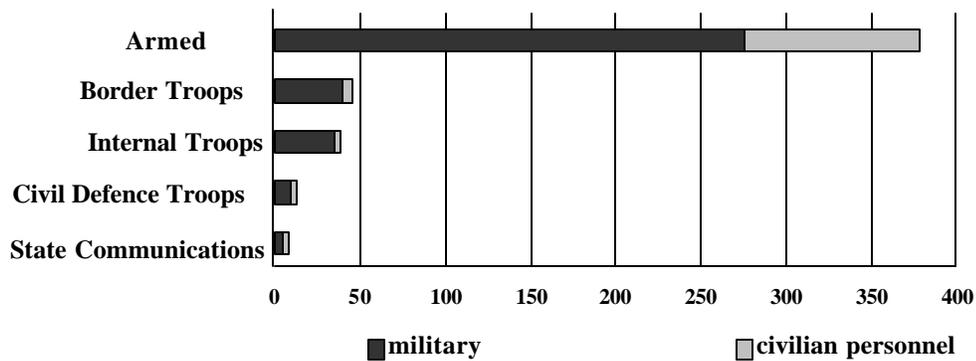
**The Military organisation is overmanned.** Exact data of the total numerical strength of military formations is inaccessible. The fact that the White Book «Ukraine's Defence Policy» has not been published for over three years seems symbolic: President's instructions on its annual publication (beginning from 1997) have been fulfilled neither in 1997, nor in 1998 or 1999. The estimated manpower of the main military formations of Ukraine is presented in the Diagram<sup>3</sup>. In general, according to expert estimates, one in 50 Ukrainian citizens is serving (is employed) in power structures, most of them wear military uniform and bear arms. That's too many, and such a situation should be corrected.

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<sup>2</sup> The term was legislatively fixed in the National Security Concept of Ukraine: «Military organisation of the state, including Ukraine's Armed Forces, Security Service, National Guard, Internal Troops, bodies and units of the Ministry of Interior, Border Troops, military units of the Ministry of Emergency, other military units established in accordance with Ukraine's Constitution, shall ensure the defence of Ukraine, protection of its sovereignty, territorial integrity and inviolability of its borders, counteract external and internal military threats, and fight organised crime; ensure protection of population in case of catastrophes, natural disasters, dangerous social conflicts, epidemics, etc.».

<sup>3</sup> Military reform in Ukraine: the start, or another false start? – Analytical report of the Ukrainian Centre for Economic & Political studies, *National security & defence*, 2000, No. 1, p. 5.

## Manpower of Ukraine's military structures in 1999, 1000's of men



**Until now, functions of military formations have not been properly defined.** Laws on military formations specify duties in different ways: those of the Civil Defence Troops, Border Troops, Internal Troops and the Security Service are described more or less clearly, while for the Armed Forces the same is presented in too generalised a manner<sup>4</sup>. This hampers processes of strategic planning, distribution of manpower and hardware, and drafting of operation plans.

**None of the military structures is funded according to the planned amounts,** as budget revenues are continuously disrupted. Continuation of this process will bring grave consequences. Every state needs more resources, but in Ukraine this problem is especially acute, given the depth of the economic crisis. The amount of arrears is comparable to the amount of allocated funds. For instance, the Armed Forces keep living on credit, and the imbalance between needs and available resources is disastrous. The yearly indebtedness of the Armed Forces reaches 90% of the MoD budget. And this is only the documented debt. The so-called «accumulated debt» is 10-15 times larger<sup>5</sup>. **This means that cosmetic changes won't help, military reform must bring radical solutions in terms of both funding and reduction of manpower of military formations.**

**Combat readiness of military structures remains low.** The number of «unready» and «partly ready» units is not decreasing. The reasons for that include the poor technical condition of equipment and the inadequate provision of material resources. There are other reasons, too: efforts of commanders (and limited resources) are often channelled not to ensure better combat training, but to arrange demo events, especially those conducted under international co-operation plans. Combat training is

<sup>4</sup> Functions of Ukraine's Armed Forces are too general: they encompass defence of Ukraine, protection of its sovereignty, territorial integrity and inviolability of its borders. In Great Britain and Canada those functions are defined more precisely. For instance, the White Book of the Canadian Government determines their character (containment of a low- or high-intensity conflict), composition of allocated manpower and equipment (number and classes of ships, warplanes, regiments and brigades), deployment readiness (24 hours, three weeks), duration of combat operations without reinforcements, etc. So, the Canadian military gets concrete initial information for planning. Exactly those indices serve as a basis to control the Armed Forces, which raises the responsibility of both military and civilians for the use of budget funds.

<sup>5</sup> This refers to delayed terms of re-equipment, housing for the military, curtailment of reservist training, etc.

getting more and more relative, exercises are held on maps and in classrooms, firing practice is mainly conducted from static positions. Ukraine operates more than 900 aeroplanes, but can hardly select 10-15 pilots able to perform combat missions at night, in bad weather conditions, on the level of NATO standards. The preparation of reservists has been terminated, the reserve component has become imaginary and exists on paper only. The low level of mobilisation readiness calls into question the execution of planned events in a threatening situation.

**The condition of weapon systems is unsatisfactory.** Ukraine has already reached the «red line» where the uncontrolled loss of weapons and equipment's operability began. This happened in 1997-1998. Today 70% of weapon types require capital repair; 40-50% of equipment is obsolete. If weapon systems are not re-equipped at a rate of 4-5% a year, all talk of efficient Armed Forces should be dropped. Given the present strength of military units, re-equipment would mean the purchase (full modification) of 45 aircraft, 10 ships, hundreds of tanks and IFVs, and several thousand trucks a year. In order to maintain the fighting power of the Armed Forces in their present composition, at least \$2-3 billion should be spent on the purchase and maintenance of weapons and equipment annually. **According to NATO standards, Ukraine should spend \$5.5-7.5 billion a year on those weapons, which equals the country's annual budget! Given this disastrous imbalance between needs and capabilities, cardinal decisions must be taken.**

**Ukraine's Armed Forces have long ago turned into an army of workers and peasants.** The prestige of the active duty remains low, and the quality of recruits is deteriorating. More than 18 thousand men are evading military conscription<sup>6</sup>, despite the fact that some 90% of conscripts are either released from duty or enjoy postponement rights. The low morale and poor psychological condition of servicemen may be explained by the impoverishment of their families and the absence of any chance to get an apartment in the next 15-20 years. Monetary allowances do not allow officers to keep their families, and they are forced to look for extra earnings. More than 80% of officers describe the living conditions of their families as «below average» and «low», 54% haven't bought any consumer goods such as a TV set, furniture, a refrigerator over the last 3-4 years. Cantonments and outstations house «a great many educated, qualified citizens – former servicemen and their dependants, and 60% of them are unemployed»<sup>7</sup>.

**The transition of the Armed Forces to manning on a professional basis happens slowly and does not lead to a rise in combat effectiveness.** There are only 28 thousand men serving in the Armed Forces on a contract basis, and other military formations employ another 11 thousand such servicemen. Replacement of conscripts is not an easy task: only 10% of contract soldiers occupy positions vital for combat effectiveness, such as squad leaders, tank and IFV crew commanders. Another 90% prefer to serve on more comfortable administrative and logistic positions.

**The system of officer training is ineffective and uneconomical. Training of civilian specialists for the military sector never began.** The military education system employs more than 10% of the total Armed Forces' manpower. Even minimum requirements of educational institutions cover 20-25% of the defence

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<sup>6</sup> UNIAN, September 20, 1999.

<sup>7</sup> Extract from the Defence Minister's report at a Congress of officers of the Armed Forces of Ukraine, July 13, 1999.

budget. A unified system of military training for all military formations has not been created; it exists on paper only. In the National Defence Academy of Ukraine, officers study as much as two years, whereas in the USA – no more than 10 months! Maybe, this is the reason for the incomplete manning of officers' positions at operational-tactical and operational-strategic levels? High fluidity of officers does not favour the mastering of official duties and their efficient performance. Compared to 1992, staffing of lower officers' positions fell from 90% to 60%. More than 3000 positions of platoon leaders remain vacant, while this link is immediately related with training of soldiers. Military reform is impossible without sound personnel policy.

**These factors show that resolute actions of civilian authorities need to be aimed at the further reduction of the manpower of military formations, the provision of really required funds, the strict setting of priorities, and enhancement of civilian control over the military.**

### **Social Aspects: the Spirit of the Officers' Corps**

An important element in reforming Ukraine's Army is the spirit of its elite – the officers' corps. Officers account for only 28% of the servicemen, but their role in reforming the Army is decisive. Sociological studies<sup>8</sup> show that **officers' spirit can hardly be seen as favourable for military reform**. The critical situation in Ukraine's economy adversely affects its entire society, but officers suffer additional material and moral damages conditioned by the specificity of military service<sup>9</sup>.

Over the recent years, sociological studies<sup>10</sup> prove gradual transformation of Ukrainian officers' value system. The analysis shows a noticeable discrepancy between the values inherent to officers and those held by society, as respondents see them. This affects officers' spirit negatively. Such socially important values as moral authority, family life, quietude, zest for life, social activity and patriotism, are suppressed. Instead, the environment encourages values which are evidently negative: consumerism, passivity, solitude, cynicism and scepticism. The majority of officers suggest that present Ukrainian society encourages, above all, push and enterprise. Public orientation towards leadership and power, frugality and temporisation also remain realistic.

**Some poll results are somewhat unexpected: officers' evidently negative attitude to leadership, power, push and enterprise is unusual. At the same time, from the point of view that reliable civilian control over the military should be established, the absence of a lust for power among officers seems a positive factor.**

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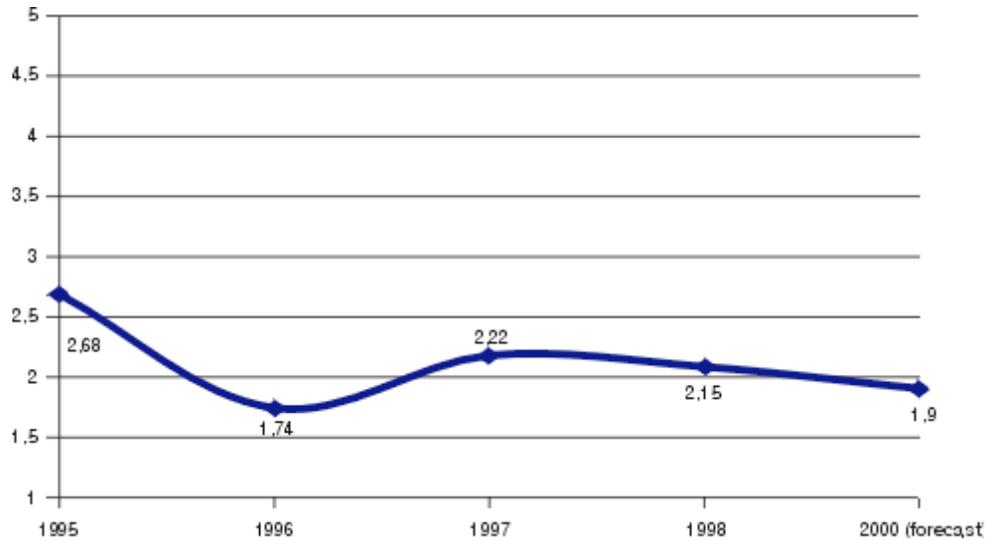
<sup>8</sup> Razumtsev O. Social aspects of armed forces reform: the spirit of Ukrainian officers. – *National security & defence*, 2000, No. 2, p. 40-48.

<sup>9</sup> 25% of officers live in quarters that they own, but in rural area, only 16% of officers have their own apartments. Almost 45% of officers are forced to live in hostel rooms without conveniences, or rent apartments. 7% of officers live separately from their wives and children. Another important problem lies in the absence of jobs for their dependants. As many as 35% of officers' wives cannot find a job, and in some garrisons their share amounts to nearly 52%.

<sup>10</sup> The polling of servicemen of Ukraine's Army was held by Colonel O.Razumtsev and his team for five years.

Despite all difficulties, **Ukrainian officers stick to their military duty**: nearly 50% of those polled assess their social status positively. A positive assessment of their social status is more characteristic of young officers who served less than five years (32.6%); it is least characteristic of officers serving 11-15 years. **Mid-level officers' mostly negative perception of their social status is an alarming signal, as this category is set to come into the command of the Armed Forces soon.**

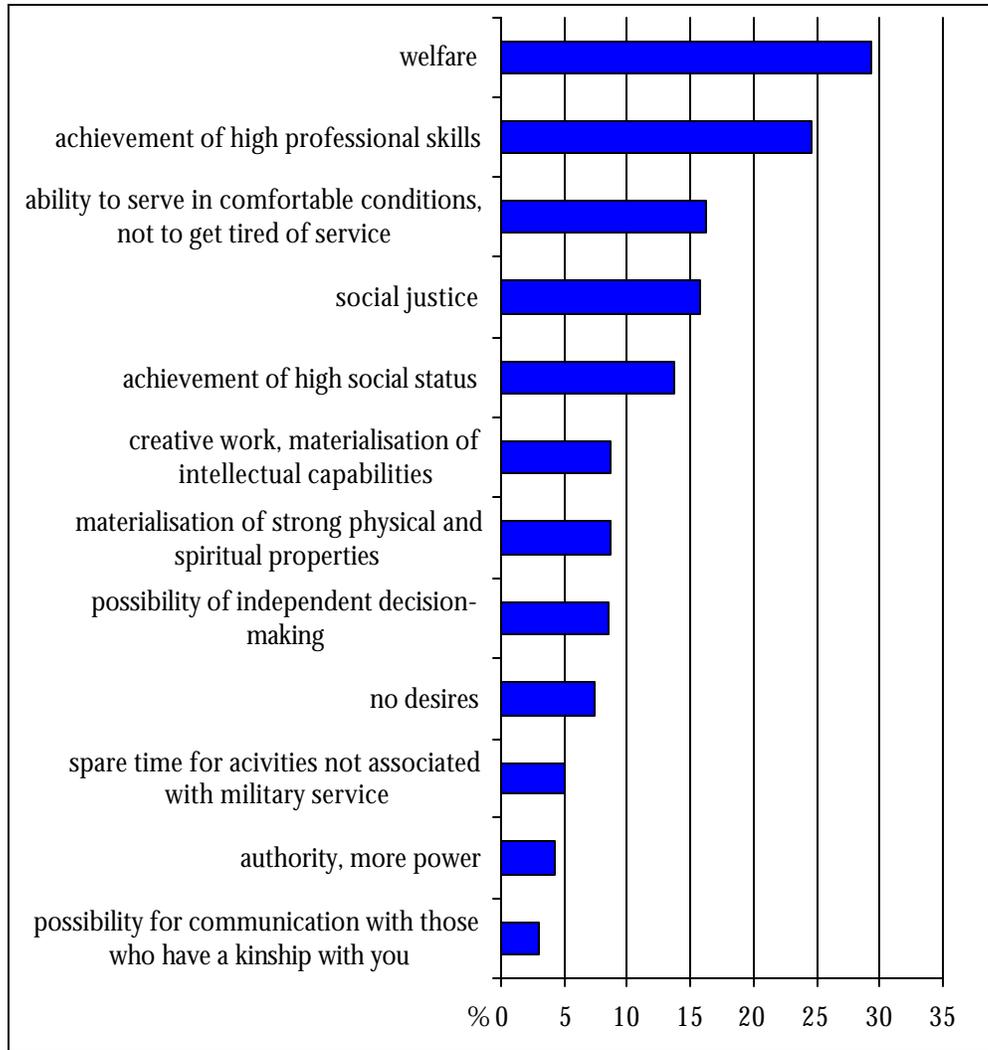
**Over the recent years, officers' social mood have been mostly negative.** As the 5-point Diagram scale makes clear, from «1» (apathy, depression) to «5» (elation, enthusiasm), officers' spirit never reached the average «3» mark, and in 1996<sup>11</sup> fell to an unprecedented low of 1.74.



Ukrainian society is undergoing a general transformation of values: from asceticism, abnegation, the prevalence of social values over personal ones, to universally recognised values (an individual, and his/her material and spiritual priorities). The Diagram below demonstrates that this tendency did not bypass the Armed Forces either.

<sup>11</sup> Experts believe, this occurred because of a new wave of reshuffling in the MoD and the General Staff leadership.

### Officers' rating of professional activity values



Nearly one-third of officers (29.3%) place welfare in first place with respect to their service. Second position is occupied by the aspiration for high professional skills. **These officers, ready to do «good work for good reward», create good preconditions for the Armed Forces' transfer to volunteer service.**

As the Diagram makes clear, the second (by importance for officers) block is composed of socially-oriented values: aspirations for good service conditions, social justice and high social status. **Poll results therefore show the importance of social aspects of reforming Ukraine's Armed Forces.**

The next block is comprised of creative professional values of officers' work: the ability to materialise one's intellectual, physical and spiritual properties, and take decisions on one's own.

Confidence in the prospects of military service is a very important factor characterising officers' spirit. Unfortunately, almost one-half of officers (47.3%) see no prospects in military service but have no intention of retiring. **Officers still have hopes for positive changes, and can, therefore, contribute to the reform of the Armed Forces. The number of officers with no desires or aspirations in their**

**activities but intend to continue serving in the Armed Forces (so-called «ballast»), fortunately, accounts for only 4.4%.**

Nearly 51% of polled officers are unsatisfied with their service, and only 22% give a positive answer to this question; the rest are «undecided». **Evidently, the social activity of officers is dropping. At the same time, they view enterprise and frugality more positively than before. These tendencies should be taken into account with respect to military reform planning.**

**What is most disturbing is that only 17% of officers view the prospects of military service positively and would like their children to become professional soldiers; 66% of officers are against their children continuing a military dynasty.** The recent unpopular decisions of the civilian authorities to cut social guarantees for the military<sup>12</sup> give no reasons for optimism. They will lead to a further decline in officers' spirit, and suppressed personnel are not a good starting point for successful military reform.

Considering the data presented, **an efficient system for monitoring social and psychological processes should be created in Ukraine's Armed Forces. Enrolment of sociologists and psychologists for the development and implementation of reform of the Armed Forces is on the agenda.**

## **2. REASONS THAT HAMPERED MILITARY REFORM IN UKRAINE**

Back in 1989-1991, an opinion that a 726,000-strong military grouping stationed on Ukraine's territory would unhesitatingly accept the idea of separating from the Soviet Army and serving a young independent state seemed utopian even to many Ukrainians. In spite of that, by the end of 1991 the aforesaid Soviet military grouping had been peacefully, without a single shot, converted into the Armed Forces of Ukraine. On December 6, 1999, Ukrainians celebrated already the 8<sup>th</sup> anniversary of their Armed Forces.

Ukraine inherited a huge Army, although that was not constructed to be the separate Armed Forces of the state. Soviet Army formations on Ukraine's territory belonged to the first strategic echelon and were therefore well trained and combat-capable. The total power of the armaments – intercontinental ballistic missiles, strategic bombers, combat aircraft and helicopters, tanks, armoured personnel carriers, and artillery systems – was rated as the third in the world (after the USA and Russia).

By and large, in 1991 Ukraine faced an extremely difficult task: first, to forge the national Armed Forces out of hypertrophied troops stationed on its territory; second, it had no established state institutions, no people – neither militaries, nor civilians – capable of running the Armed Forces on their own; third, no military industry capable of producing weaponry autonomously and no non-governmental component of civilian control; in short, having almost nothing, but problems. Notwithstanding, Ukraine started a full-scale build-up of its Armed Forces.

The process of reform used to begin at individual agencies and spread «bottom-up» that corresponded to the realities of the time. On the one hand, military and political points of reference were unclear and became feasible only two or three years ago. It

<sup>12</sup> Parliamentary resolution on budget-2000 of February 18, 2000.

was impossible to set the course of reform without clear political aims. On the other hand, the fundamentals of reform were underestimated. This especially refers to the real condition of military units, the assessment of their capabilities and limitations, and available resources, proceeding from the priorities of national progress. Finally, the fact that reform should be based on certain scientific principles (methods), detailed analysis and concrete calculations, was not thought over properly.

**There were no mechanisms for strategic planning, formation of the defence budget and protection of national interests by military means.** When Ukraine gained independence, it had no National Security and Defence Council, no MoD, no General Staff, and no Armed Forces themselves, along with other military formations. Neither had Ukraine a scientific and analytical infrastructure to support strategic planning. Capabilities of the Ministry of Foreign Affairs, Ministry of Interior and the Security Service were limited, given their republican subordination (within the USSR) and the routine practice of the outflow of the best specialists to Moscow.

**National priorities were evidently shifting as time passed:** from the control over military formations and the establishment of formal signs of national sovereignty in 1991-1992, to problems of the economic survival of the nation in the years that followed. Polls showed that from mid-1994, problems of personal welfare (76%), food prices (39%) and unemployment (22%) were the most pressing. Citizens were no longer concerned about the defence potential of the state: it occupied last, or second last place, and was considered important only by 1% of respondents<sup>13</sup>.

**There was lack of national legislative experience in Ukraine.** Acts adopted in the first years of independence were declarative, politicised, and sometimes naive. Elements of the Military organisation were not defined even in principles, the functions of the military formations forming it were not specified. The Military Doctrine (adopted in 1993) reflects the euphoria and inexperience of that time. Instead of concrete, basic data, the document only contained general (acceptable for any state) tasks, and a long list of good intentions and priorities not supported by resources.

**The country's top leadership did not manage to initiate systematic reforms of Ukraine's Military organisation.** For years, the branches of power were struggling for their powers and focused on the constitutional process. The military sector was not among the main priorities in this struggle for powers; all activity was concentrated on the subordination of military formations, rather than the actual situation and the direction of reforms. Continuous distrust and sometimes hostility between the legislative and executive authorities presented another political factor.

One of the challenges was the immaturity of the Armed Forces and the Defence Ministry as state institutions, in comparison with other armed structures whose existence originate in the Soviet epoch. In every country, the war office holds a leading place in the hierarchy of power ministries. Things are somewhat different in Ukraine. The Ministry of Interior and the Security Service existed under different names and grew along with other structures. Naturally, over these past few years, their authority grew and they have become part of the state mechanism.

Whereas the MoD is a structure that *did not exist* at the level of republic: during the Soviet period, Ukraine, by law, did not have its own Armed Forces. They have been in existence only since 1992 and now they are experiencing the greatest difficulties.

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<sup>13</sup> *Ukrainian Political & Economic Index* (June 1995, p. 1; December 1995, p. 1).

The young Defence Ministry fights for its fair 'share of the pie' in a rather competitive environment, being surrounded by other [more powerful] military structures. The Border Troops, for instance, have their own naval forces, own air and air defence components, own military academy, own command and control system based on three Border Districts, and so forth. Few attempts to unify the armed structures so far have proved to be fruitless. At present, all these military structures lack the necessary resources, even for current minimum functioning at a 'survival' level. There is no budgetary funding for their development whatsoever. Under these circumstances, it does not make sense to reform just the Armed Forces without a *redistribution* of functions and without *optimising* the whole Military organisation of the state.

**Financial resources allocated from the state budget were insufficient even to sustain the Armed Forces.** The figures cited below show that in 1997-1999 (the first stage of reform) the Government substantially curtailed funding of the military sector.

### Funding of Ukraine's Armed Forces

	1992	1993	1994	1995	1996	1997	1998	1999
Defence budget, % of GDP	2.40	1.57	1.46	1.80	1.90	1.35	1.35	1.40

This further complicated the situation, and the MoD could only afford actions requiring no, or few funds. Unfortunately, the budget-2000 creates no basis for optimism either: the MoD may obtain as little as \$180-200 million.

Ukraine spends unjustifiably few funds (only 4%) on the acquisition of equipment. NATO countries allocate a four-five times larger share of their defence budget for this purpose. The development of new weapon systems in Ukraine is underfunded: whereas NATO countries spend some 10% of their defence budgets on R&D, on the average, Ukraine spends only 3%. Finally, the Armed Forces of Ukraine are mostly spending the military budget on food: personnel expenditures account for 70% of allocated funds.

**With present levels of funding, Ukraine's Armed Forces are degrading very quickly. How can one hope for any improvement if last year every Ukrainian citizen spent less than \$9 on defence? The economic situation gives no reason to count on anything more than that. For the current year, this figure will barely exceed \$4-5. One should keep this in mind when speaking of possible «peace dividends» of Armed Forces reduction.**

An absence of funds alone is sufficient evidence for the necessity of reform: «Opponents to military reform argue that there are no funds for reforming effectively. However, the lack of funds proves the need to reform the expensive «machinery» of the Armed Forces. When funds are sufficient, there is no need for reform»<sup>14</sup>.

**The State Programme of Armed Forces Construction and Development was developed as a confidential document, and after adoption, it was stamped**

<sup>14</sup> Rogov S. Security of the state and the military reform. – *Krasnaya Zvezda*, November 23, 1996, p. 3.

«**classified**». It's quite possible that the developers wanted to escape criticism this way. Such a possibility was mentioned by the Military Attaché of the Netherlands in Ukraine G.Timmer: «I've got the impression that there is either no such plan, or its quality is very low... The Dutch Army has no secrets from its people and from the international community. This may be one of the reasons why it took only eighteen months to make our Army professional»<sup>15</sup>. The experience of other countries proves the importance of information and propaganda support for reform. Unfortunately, limited information about reform plans (especially in 1994-1996), and the absence of broad public debate led to a lack of interest in military reform among Ukrainians. At the same time, the reformation of state structures won't be successful without public support, as reforms require significant taxpayer funds. When the public is aware of the purpose and directions of reforms, and confident of their usefulness, even so-called «unpopular» steps may enjoy public support.

**There is no economic ground to expect any serious defence reform in Ukraine, unless the nation recovers its economy and accumulates a 'critical mass' of people, that have the vision, courage, political will and support, capable of making tough choices in the defence sphere. Otherwise, the Government can only keep the Army at its minimal 'survival' level, slightly reducing the personnel every year.**

**The system of civilian control over the military hasn't been fully created yet.** In the Soviet times civilian control over military consisted of the Communist party control (directly and through special services) at every level of the Armed Forces. This control was neither democratic, nor truly civilian. But it was real, well institutionalised, and very effective within the overall totalitarian state structure. Every military unit down to a company level had its deputy commander for political affairs. In fact, professional advancement depended on one's political loyalty. Therefore, most officers and certainly almost all senior officers were members of the Communist party.

The break-up of the Soviet Union brought about the end of the old system of political control over military. In addition, if one considers the lack of other elements of democratic civilian control (such as the President, Parliamentary Defence Committee, Defence Ministry, other defence-related governmental structures, free media, academia, NGO) in Ukrainian 'state' of the Soviet period, clearly, Ukraine had to start almost from scratch.

There is no perfect system of civilian oversight over the military sphere. In the author's view, Ukraine has already created a reasonably perfect framework for reliable civilian control over the Armed Forces. The necessary constitutional provisions are in place. The set of main defence-related laws was adopted as well. These laws regulate the defence sector more or less well. The legislative basis is stable enough to assure a firm civilian control over any use of the Armed Forces and to prevent any abuse of power by the Army.

Mass-media, using the right to information guaranteed by the Constitution, represent a complementary means of exercising civilian control over the military. A taxpayer is nowadays more or less informed on how his/her money is spent for

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<sup>15</sup> Voroniuk V. Holland stands for greater openness of military contacts with Ukraine. – *Den'*, November 27, 1999, p. 4.

defence. The public in general is aware of the stage of the military reform, military training, combat readiness, social protection of the military personnel, housing conditions, etc.

Outside experts (some of whom are retired military or civil servants), whether they work as consultants, academics or with non-governmental organisations, have an impact on public opinion, when they appear in the media and provide public comment. From a defence perspective, there are obvious difficulties in wide consultations, partly because of the complexity of the issues involved, and partly because of the classified nature of information. In the author's view, the experts should play more important part in the military policy development process. This is essential for sound policy-making which is in tune with the public. This way the Government also confirms its commitment to public accountability in the military sphere.

Other components of democratic civilian control – academia, a few promising think tanks, numerous NGO, political parties, other democratic institutions – have the necessary legislature for their activities and gradually grow more and more mature. Thus, elements of the system superior to the military formations, such as state power bodies, public organisations, non-governmental analytical centres, and mass media, exist in Ukraine, although their influence on those processes should be stronger.

At the same time, an important element of the system, providing control from inside the Army, should be established – the institute of civil servants at responsible posts, presently unavailable<sup>16</sup>.

**In other words, a *skeleton* for stable civil-military relations is in place in Ukraine; now it is time to form the *muscles*, to make the system sustainable, affordable, and indeed accountable to the public. Real changes may be expected only when: civilian administrators are well informed of the real situation in the Armed Forces; they have mechanisms to influence the internal operation of military formations; responsibility of civilians for the development of power structures and their competence in military issues are sufficiently high.**

### 3. LEGISLATIVE GUIDANCE FOR UKRAINE'S MILITARY

Ukraine will never have enough resources to satisfy all its wants and needs, like any other country. It is a well-known axiom. Thus, Ukraine's state leadership must make strategic choices, define clear priorities, and allocate scarce resources to the most critical needs of the nation.

To reach a conclusion on the key assumptions, limitations and ramifications in Ukraine's military sphere, one may discuss the following official sources: the Constitution of Ukraine (adopted in 1996); the National Security Concept of Ukraine (1997); the Main directions of Ukraine's foreign policy (1993); the Military Doctrine of Ukraine (1993); laws «On Defence of Ukraine», «On the Armed Forces of Ukraine», «On the Security Service of Ukraine», «On the Border Troops of Ukraine», «On Civil Defence of Ukraine», «On the Internal Troops of Ukraine» (1991-1994);

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<sup>16</sup> As far as civilian experts of the MoD are concerned, only three figures are worth mentioning: Defence Minister V.Shmarov, Deputy Defence Minister (Armament) A.Dovhopolyi, and Head, Foreign Relations Department of the General Staff O.Urban. A civilian Deputy Minister of Defence (Military Policy and International Co-operation) never took office. Until now, only A.Dovhopolyi remains in the MoD.

Ukraine's international commitments reflected in the corresponding legislative acts; the President's annual messages to Parliament on domestic and foreign policy issues (1997, 1998, 1999); the President's statements and declarations of a programme character, and other documents of the same calibre<sup>17</sup>.

There are several reasons for limiting the list of documents. *First*, the dates in parentheses show that some of the documents are already outdated, certainly in the light of the dynamic changes during the transition period. *Second*, according to the letter of Ukraine's Constitution, «the norms of the Constitution of Ukraine are norms of direct effect». It means that all other legislative norms that contradict the constitutional provisions are no longer valid and can be disregarded. *Third*, the legislative basis for Ukraine's military structures has already been discussed<sup>18</sup>. Therefore, one can confine the analysis to the Constitution of Ukraine, the National Security Concept of Ukraine and few other sources, mentioned when appropriate.

### 3.1 Constitutional Provisions & Ramifications

It would be useful to present here only those stipulations, that help the planners to make their fundamental choices, that either limit or predetermine the alternatives. Let us quote some of the constitutional norms.

«International treaties are part of the national legislation of Ukraine».

«The defence of Ukraine and the protection of its sovereignty, territorial integrity and inviolability, are entrusted to the Armed Forces of Ukraine».

«Defence of the Motherland, of independence and territorial integrity of Ukraine ... are the duties of citizens of Ukraine. Citizens perform military service in accordance with the law».

«Ensuring state security and protecting the state border of Ukraine are entrusted to the respective military formations and law enforcement bodies of the State».

«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 creation and operation of any armed formations not envisaged by law are prohibited on the territory of Ukraine».

«The location of foreign military bases shall not be permitted on the territory of Ukraine... The use of existing military bases on the territory of Ukraine for temporary stationing of foreign military formations is possible on the terms of lease, by the procedure determined by the international treaties of Ukraine ratified by the Verkhovna Rada».

«The authority of the Verkhovna Rada of Ukraine comprises: determining the principles of domestic and foreign policy; approving national programmes of economic, scientific and technical, social, national and cultural development, and protection of the environment; hearing annual and special messages of the President on the domestic and foreign situation of Ukraine; confirming the general structure and numerical strength, and defining the functions of the Armed Forces, the Security Service and other military formations created in accordance

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<sup>17</sup> The analysis revealed more than 30 other legislative documents of secondary importance. These were also taken into account in the following sections.

<sup>18</sup> See, for instance: Ukrainian Armed Forces: Current state and problems of reforming. – Analytical report of the Ukrainian Centre for Economic & Political Studies, Kiev, 1996, p. 8; Grytsenko A., Gavrylov A. Overlapping missions and military tasks of Ukraine's armed structures. – General Staff Research Centre, 1996, 16 p.; Grytsenko A. Civil-military relations in Ukraine: a system emerging from chaos. – *HARMONIE PAPER No. 1*, Centre for European Security Studies, Groningen, The Netherlands, 1997, 54 p.

with the laws of Ukraine; approving decisions on providing military assistance to other states, on sending units of the Armed Forces of Ukraine to another state, or on admitting units of armed forces of other states on to the territory of Ukraine».

«The following are determined exclusively by the laws of Ukraine: the fundamentals of national security, organisation of the Armed Forces of Ukraine; the legal regime of martial law and a state of emergency, zones of ecological emergency situation».

«The following are established exclusively by the laws of Ukraine: the procedure for deploying units of the Armed Forces of Ukraine to other states; the procedure for admitting and the terms for stationing units of armed forces of other states on the territory of Ukraine».

«The President of Ukraine: addresses the people with messages and the Verkhovna Rada with annual and special messages on the domestic and foreign situation of Ukraine; is the Commander-in-Chief of the Armed Forces; appoints to office and dismisses from office the high command of the Armed Forces and other military formations; administers in the spheres of national security and defence of the State; heads the National Security and Defence Council of Ukraine; forwards the submission to the Verkhovna Rada on the declaration of a state of war, and adopts the decision on the use of the Armed Forces in the event of armed aggression against Ukraine; adopts a decision, in the event of necessity, on introduction of state of emergency in Ukraine or in its particular areas, and also in the event of necessity, declares certain areas of Ukraine as zones of ecological emergency situation – with subsequent confirmation of these decisions by the Verkhovna Rada».

«The National Security and Defence Council is the co-ordinating body to the President on national security and defence issues. The National Security and Defence Council co-ordinates and controls the activity of bodies of executive power in the sphere of national security and defence. The President is the Chairman of the National Security and Defence Council. The President forms the personal composition of the National Security and Defence Council. The Prime Minister, the Minister of Defence, the Head of the Security Service, the Minister of Interior and the Minister of Foreign Affairs, are ex officio members of the National Security and Defence Council».

«The Cabinet of Ministers of Ukraine: ensures state sovereignty and economic independence of Ukraine, implementation of domestic and foreign policy of the State, execution of the Constitution and laws of Ukraine, and the acts of the President of Ukraine; takes measures to ensure the defence capability and national security of Ukraine, public order and combat crime».

These provisions one way or another point to the selection of fundamental choices:

- reliance on one's own vs. assistance from abroad
- military alliance vs. non-bloc status
- active engagement vs. isolationism
- conscript vs. professional army
- reserve vs. standing forces
- army's internal functions: pros & cons.

**As one can see from the cited documents, the legislator does not exclude Ukraine's participation in a military alliance:** there is no wording on Ukraine's neutrality or non-alignment status. The Constitution leaves the door open for joining either the Tashkent treaty, or NATO; the Government may also decide to hold on to the existing non-bloc status. In fact, in protecting Ukraine's sovereignty and territorial integrity the state relies first on its Armed Forces and its citizens. Certainly, in trying to stop an aggressor, Ukraine still counts on the corresponding measures from the UN-led world community and may ask for assistance of its strategic partners.

**As for a professional Army in Ukraine, the legislator does not preclude this option either.** Citizens must perform their military service «in accordance with the law». Current law enforces conscription as the basis for manpower acquisition, although an alternative military service can also be chosen. The contract system is

gradually being introduced as well. Thus, in the future Ukraine may follow the world tendency.

**Ukraine's policy must also be in compliance with all ratified international treaties in the military sphere.** This requirement is not easy to fulfil though, given the economic crisis in the country. Nevertheless, our partners must admit that so far Ukraine has been doing its best to keep on track. Ukraine's Constitution allows the country to be actively engaged in peacekeeping, humanitarian and other operations under an appropriate mandate. There is a huge domain here for the Armed Forces, as well as for other military structures.

**Parliament was very cautious in trying to limit the role of the Armed Forces in internal conflicts.** One could argue, that this thesis is rather vague and does not define the cases in which the Army may be called upon to protect the very same «constitutional order» from internal threats. Neither does it set clear limitations for use of the Army in internal conflicts. According to the Constitution, Parliament must define the functions of all military structures. However, since its adoption it has not even prepared (requested) a single draft law to implement the norm. By the same token, the general structure and numerical strength of the military formations are also among the prerogatives of the legislator; yet, legislation has been stalled, or has not followed suit.

In fact, **the Constitution has deprived Parliament of its authority to approve state programmes in the *military sphere*:** the MPs may approve the state programmes of only «economic, scientific and technical, social, national and cultural development, and protection of the environment». There is a contradiction here. On the one hand, Government can 'easier' (without Parliamentary consent) get an approval of the State Programme of Armed Forces Construction and Development; on the other hand, it is Parliament that finally decides whether to fund any programme through the current budget.

The establishment of a new [constitutional] body – the National Security and Defence Council of Ukraine – is viewed as a very important constitutional provision in the military sphere. It must co-ordinate and control the activities of different executive bodies in the sphere of national security and defence. The Council plays a very important role not only in strategic planning, but also in the daily functioning of the Military organisation of Ukraine. Its role increases in different emergency situations.

Finally, because of the Black Sea Fleet presence in Crimea, the Russian factor will influence Ukraine's defence planning process for decades to come. Military planners will, certainly, consider it in different illustrative scenarios.

Even though there is a constitutional arrangement for Parliament to be involved in the process of democratic control of the military, in reality Parliament's role must be improved. At least, it is clear that Parliament does not strongly participate in the defence planning process and development of a new Military Doctrine. O.Moroz, at the time Chairman of Ukraine's Parliament, was quite right when he said: «The constitutional process, especially in its final stage, was developing under the pressure of a sharp political struggle. Inevitably – under those circumstances – mistakes and gaps in the final document must be clearly defined in further laws»<sup>19</sup>. With respect to

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<sup>19</sup> See *Holos Ukrayiny*, August, 21, 1996, p. 4.

the military sphere, in the author's view, there are too many gaps in the Constitution. The following examples support the point.

The President of Ukraine is Commander-in-Chief, but ... only of the Armed Forces, that is the forces falling under the MoD. Nothing is said in the Constitution about other military formations. There have already been numerous collisions between Parliament and the President on this issue. If «defence of Ukraine and the protection of its sovereignty, territorial integrity and inviolability, are entrusted to the Armed Forces of Ukraine», how about other military structures? Why do they acquire sophisticated weaponry and enjoy quite a big share of the state budget then? Moreover, «The President of Ukraine ... adopts the decision on the use of the Armed Forces in the event of armed aggression against Ukraine». Once more, nothing is said about the President's authority over the Border Troops, or Internal Troops that must fulfil very important tasks in case of armed aggression.

While «approving decisions on ... sending units of the Armed Forces of Ukraine to another state, or on admitting units of armed forces of other states on to the territory of Ukraine», Parliament of Ukraine [according to the letter of the Constitution] has no authority over sending or admitting units that belong to other military formations. Meanwhile, the Interior Troops, and Ministry of Emergency get more and more involved in peacekeeping activities and in the «Partnership for Peace» programme, in co-operation with NATO.

It is unrealistic to foresee any amendments to these articles of the Constitution in the near future. In this respect, the following two solutions could prevent internal political opposition. Parliament may clarify the constitutional contradictions and fill the gaps passing additional separate laws. If Parliament is unable to pass these laws, the President may himself take all the necessary decisions on a case-by-cases basis. To avoid conflicts, it would be wise for the President to rely on support of the National Security and Defence Council. It seems that participation of the key parliamentary leaders in the Council's meetings could ease possible tensions. This would foster consensus and is politically feasible.

It is in this way that some of the constitutional controversies have been clarified in the National Security Concept of Ukraine. These issues are being discussed in the following subsection.

### **3.2 National Security Concept: Key Assumptions & Limitations**

The National Security Concept lays the foundation for reconsidering a series of basic laws that define the development of the Armed Forces and Ukraine's military-industrial complex. A new Military Doctrine, different state and departmental strategies (doctrines, concepts), programmes, and plans in different spheres of national security will also evolve from this document<sup>20</sup>. One can find in the document Ukraine's national interests, threats to national interests, main directions of the state policy in the national security sphere, and some other information that is meaningful for strategic and defence planning.

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<sup>20</sup> Some of these documents are being drafted: Economic Security Strategy, Ecological Security Strategy, Military Security Strategy, Information Security Strategy among them.

**Threats to national interests of Ukraine.** The National Security Concept contains a list of threats to national interests broken down into different spheres. As for the military sphere, the legislator has specified seven potential threats:

- encroachments on the state sovereignty and territorial integrity of Ukraine;
- the accumulation of military forces close to the Ukrainian borders which breaks the existing balance of forces;
- military and political instability, conflicts in neighbouring states;
- the possibility of use of nuclear weapons (or other weapons of mass destruction) against Ukraine;
- a sharp decrease of the military capabilities and combat readiness of the Military organisation;
- the politicisation of Ukraine's state military structures;
- the creation and functioning of illegal armed formations.

The Concept also defines 32 main potential threats to Ukraine's national security in other spheres. Analysis of the list of these threats leads to the following conclusion. Many of those potential threats, classified in the Concept as political, economic, social, ecological, even scientific-technological and information-related ones, may provoke a military conflict. Removal of these threats supposes the use of different levers of state power, possibly the involvement of military forces of Ukraine. One can take as an example «interference into internal affairs of Ukraine by other states», «existence of separatist trends in some regions», «massive violation of human rights within and outside Ukraine», «lack of efficient mechanisms for struggling against organised crime and terrorism», i.e. the threats, classified as political in nature. No doubt, under certain circumstances these threats may require the use of military force to neutralise them.

**Principal policy directions of Ukraine.** The main directions of the state policy of Ukraine are the following: creating effective mechanisms to prevent aggression (military conflict), to localise it and to liquidate its consequences; preventing or eliminating breaches of the state border and territorial integrity of Ukraine; *providing for democratic civilian control over the State military organisation* (emphasis added – **A. G.**). The Concept also defines 28 main directions of the state national security policy of Ukraine in other spheres. All policy directions must be put into concrete tasks for each ministry or agency. This work is underway.

**Basic principles.** These policy directions are guided by a number of main principles for providing national security such as: the priority of human rights; the rule of law; adherence to treaty obligations in conflict management. Of particular importance for our inquiry is *democratic civilian control over the military sphere and other structures in the national security system* (emphasis added – **A. G.**); a balance of interests between individuals, society and the state, their mutual responsibility; a clear division of powers between the state authorities. All these principles show strong will and readiness of Ukraine to accept democratic norms, and to become a stable and predictable member of the European and world community. They require choices and must take into account limitations.

**Fundamental choices and limitations.** The National Security Concept contains some provisions that help to make fundamental choices. This legislative act

unequivocally prescribes «participation [of Ukraine] in international security systems which includes, among others things, the entry into existing security systems and participating in the work of bilateral and multilateral governing agreements». Such provisions led V.Horbulin, at that time Secretary of Ukraine's National Security and Defence Council, to conclude that «the non-alignment requirement has effectively been dropped from Ukraine's National Security Concept»<sup>21</sup>.

For the first time, the so-called *dimensional* aspect of Ukraine's military establishment<sup>22</sup> has received recognition by the legislature. There is a notion [in the National Security Concept] that the Military organisation of the state consists of much more than the forces subordinated to the MoD:

«The Military organisation of the state – which includes the Armed Forces, the Security Service, the National Guard, the Internal troops, bodies and units of the Ministry of Interior, the Border Troops, military units of the Ministry of Emergency, and other military formations organised in accordance with the Constitution of Ukraine – guarantees the defence of Ukraine, protection of its sovereignty, territorial integrity and inviolability of its borders; counteracts external and internal threats of a military character; struggles against organised crime; provides protection of population in case of catastrophes, natural calamities, dangerous social conflicts, epidemics, etc.».

This last definition is more specific on the issue of *internal* functions of the Army in the National Security Concept. The Armed Forces, may be called upon to «counteract ... internal threats of a military character; struggle against organised crime; provide protection of population in case of catastrophes, natural calamities, dangerous social conflicts, epidemics, etc.». Provided that there is a strong notion of civilian control over the military, this norm reflects (a) Ukraine's specific circumstances; (b) predominantly internal character of threats to its national security; (c) past experience and current involvement of the Army in numerous non-violent missions inside the country; (d) an attempt to promote further legislative clarification of the norm in laws, mainly to avoid unlimited use of the Army.

Naturally, there is a clear emphasis on *prevention* of military aggression in the National Security Concept. Certainly, Ukraine will always use all possible political, diplomatic, and other means to prevent direct engagement into a military conflict, and this is also related to the «defensive vs. offensive posture» fundamental choice. Nonetheless, Ukraine must keep its [still formidable] conventional first strike potential, since even a limited strike on the adversary's 'centres of gravity' may be enough to *prevent* further escalation of a military conflict. As a matter of fact, many states or groups of states consider this option, and it has been used many times, including by Western democracies, i.e. in the Balkans.

In the final analysis, the military structures must work for the Ukrainian people, for promotion and protection of Ukraine's national interests. Quoting Gavin Kennedy, «if we know the expenditures that are supposed to be allocated to specific functions, we can at least ask elementary questions: is this defence function worth the cost; is there a better use (defence or otherwise) for these resources?» Parliamentarians ask these questions rather often, especially when they review the military budget. In the author's view, while cutting the budget the MPs should also ask different questions, such as:

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<sup>21</sup> INTERFAX , June, 5, 1997.

<sup>22</sup> The dimensional aspect reflects the existence of numerous military structures in Ukraine, besides its Armed Forces. A separate section in *HARMONIE PAPER No. 1* covers this issue.

What military functions will be deprived of the necessary resources? What missions (tasks) can not be fulfilled by the Army for this reason? How important are these military functions (missions, tasks) for the promotion and protection of Ukraine's national interests?

The T-matrix technique, introduced by the author in Appendix, allows to get these answers and find the right balance among the alternatives. The format of the matrix helps to trace protection of each national interest, ability of the Army to fulfil each military function, and the necessity and mission of each military structure. Using this instrument, the MPs can easier make more substantiated choices in defence planning, programming, and budgeting.

The following section contains the main principles which both the civilian leadership and military planners ought to keep in mind while preparing and implementing the military reform plans. These principles reflect international and Ukraine's own experience.

#### 4. PRINCIPLES OF MILITARY REFORM IN UKRAINE

The military reform in Ukraine should be based on the following principles:

- **the use of non-forcible means for conflict resolution.** Hostilities are easy to commence but difficult to cease. Most problems cannot be solved by military means at all. Priorities may include the strengthening of the political, diplomatic and economic components of Ukraine's state policy; the military strength presents the last argument. The functions of the power structures should not be excessively great; the strengthening of democratic civilian control over the military sector is an important pre-condition for the effective use of budget funds, protection of human rights within military formations, and generally, a guarantee of steady social progress. The military needs a mechanism for presenting its problems to the attention of Government officials and legislators, while it remains concentrated on purely military issues. The present situation, where military commanders spend 70-90% of their time solving supply and funding problems is abnormal; their main duty is combat training;
- **the rejection of gigantomania and stereotypes of the past,** and realism in assessments of military threats, available resources, the efficiency of international confidence-building measures, the reliability of partner states, Ukraine's influence on European processes;
- **economic acceptability** of the Military organisation that should not turn into an insurmountable obstacle for the economic revival of Ukraine;
- **priority development of capabilities designed for the identification of threats and early containment of conflicts.** Given the limited combat readiness of troops and low mobilisation capabilities, priorities in the development of Ukraine's Armed Forces should include: an increase in the potential of military intelligence; development of rapid deployment forces capable of inflicting unacceptable losses on the enemy and thereby containing an escalation of aggression. A fully-fledged air mobile brigade, capable of fighting in border areas within 48 hours (or attacking targets on enemy territory, if necessary), would be more useful than a «dwarf» Army corps short of resources;

- **the evasion of structural excessiveness.** The liquidation of duplicate structures makes it possible to reduce budget expenses and to raise the effectiveness of the command and control system;
- **fully-fledged use of manpower and equipment.** Most military structures should be entrusted with several functions; this helps to save budget funds<sup>23</sup>;
- **the sufficiency of manpower and equipment for the execution of functions:** military formations should not be reduced below the level where they would be unable to perform designated functions, even when accounting for a multiplicity of functions;
- **the maximum preservation of effective military units and non-acceptance of a decrease in combat efficiency of troops in the course of reform.** First, reorganisation arrangements should be diminished. Second, they should be so planned that at each stage of reform the combat efficiency of military formations rises (or, at least, does not fall);
- **the channelling of assets released as a result of the reduction of ineffective units towards the solution of priority tasks.** For instance, the de-commissioning and sale (even for scrap) of costly and obsolete Navy ships makes it possible to strengthen coastal missile units and the marines;
- **co-ordination of the results at each stage of reform:** unless the programmes of reform are properly co-ordinated (balanced), the desired result will not be achieved. What will be the use of acquiring (leasing) new helicopters for an air mobile brigade if there are no trained pilots, technicians and ground equipment to support their sorties?
- **the build-up of mobilisation potential is an important pre-condition for the reduction in manpower of the regular armed forces.** Without efficient reserves, one can scarcely hope for a victory in a prolonged military conflict;
- **a more efficient use of the Armed Forces' potential in peacetime.** Generations invested billions of dollars in the construction of Ukraine's Army. It would be ineffective and insane to use its potential in wartime only. The unique capabilities of the Armed Forces would help Ukraine's Government to solve many problems. For this purpose, the internal functions of the Army should be legislatively expanded;
- **uniform standards for social guarantees of all power structures.** The disproportion in military allowances and the generally insufficient social protection of personnel do not encourage honest work, affect combat readiness, and provoke the outflow of qualified specialists from the power structures;
- **the implementation of world experience acceptable to Ukraine:** only a few aspects of the development of Ukraine's Armed Forces are unique, and require unique approaches; application of foreign experience would save time and money;
- **the gradual provision of interoperability with the armed forces of partner countries** would be necessary for conducting joint peacekeeping, search and rescue, humanitarian and other military operations;

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<sup>23</sup> Estimates exist demonstrating that if the multiplicity of functions was not adopted as a baseline principle of strategic planning in Great Britain, the strength of its Armed Forces and the country's defence budget would rise by 90-100%.

• **the obligatory review of alternative options**: only in some exceptional cases the solution is evident and requires no additional substantiation. Meanwhile, «brainstorming», generation of more or less equal alternatives and their comparative analysis according to established criteria with a subsequently agreed solution present the usual elements of reform planning.

The issue of the military reform has already become a focus of civil-military relations in Ukraine, so in the following sections the author presents the possible ways of tackling that issue.

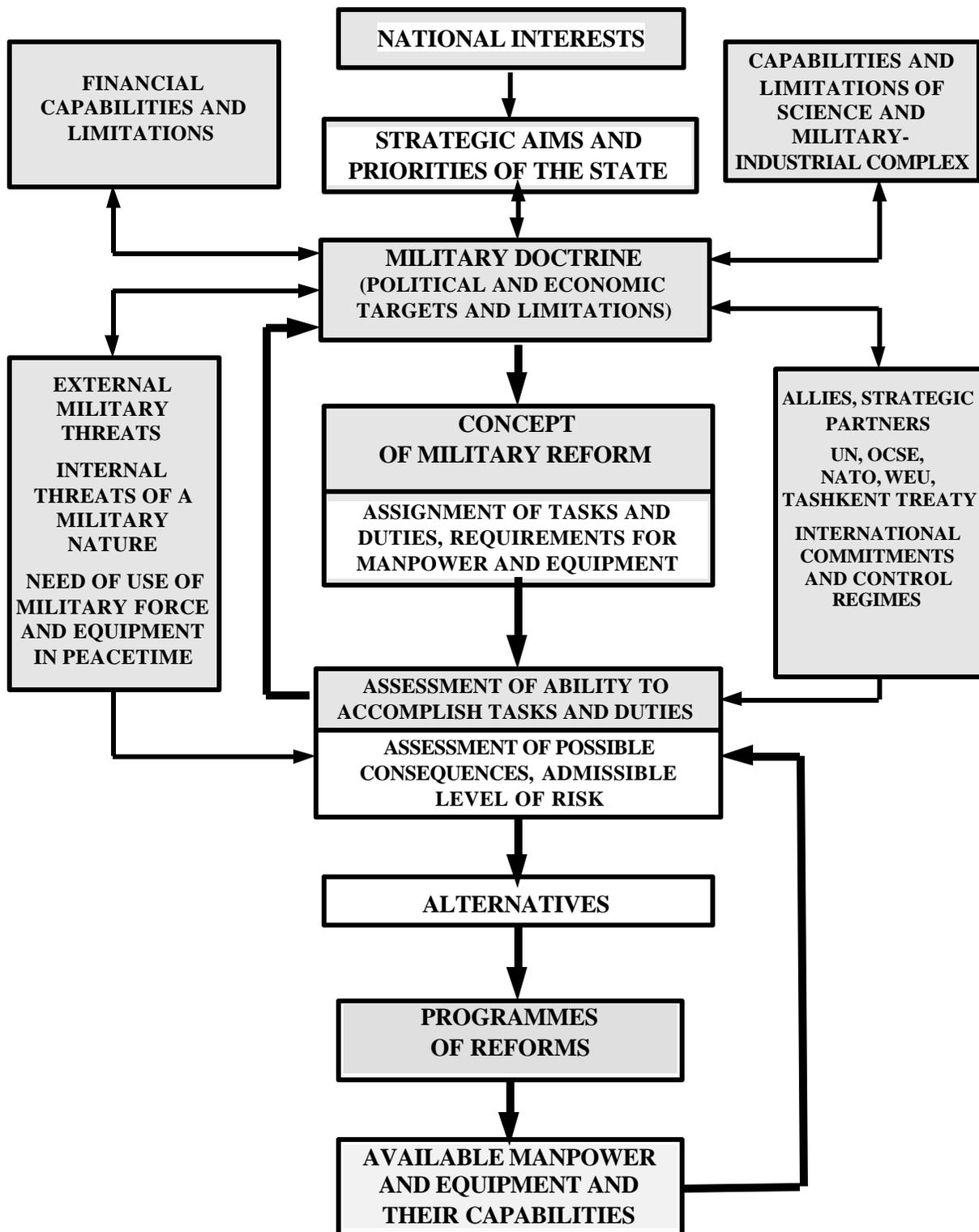
## **5. GENERAL ALGORITHM OF MILITARY REFORM IN UKRAINE**

The methodology for the formation of state programmes of construction and development of Ukraine's Military organisation was worked out based on ( ) the analysis of the national experience of the establishment and reformation of power structures in 1991-2000; (b) the analysis of the experience of strategic and defence planning in more than 20 countries; (c) familiarisation with Ukrainian and foreign studies in the field of systems analysis and goal-oriented planning acceptable for implementation in Ukraine. One of the elements of this methodology is the generalised algorithm<sup>24</sup> of military reform in Ukraine, presented in the Diagram. The main conclusions drawn on the basis of an analysis of this algorithm are as follows.

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<sup>24</sup> Based on the results of R. Lloyd: Strategy and Force Planning Framework. – *Strategy and Force Planning*, Newport, US Naval War College, 1995, pp. 1-14.

### ALGORITHM OF MILITARY REFORM IN UKRAINE



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**First.** The reason for military reform (the starting point of the Algorithm) may be explained by one of the following factors: a change in the strategic goals of the nation-building, and the political priorities of the country's leadership; severe financial limitations; the emergence (forecast) of new military threats; development of essentially new types of weapons and methods of combat operations; a change in the balance of forces in the region (military blocs, allies, etc.); the inability to accomplish basic functions and missions with forces-in-being; the accelerated outdateding of weapon systems.

**Second.** Today, most countries begin military reform with the purpose of reducing the defence budget and channel budget funds toward solving economic and social problems. In European countries, armed forces are being reformed in connection with the transition to volunteer force (due not only to military, but also to economic and social reasons). Democratic states regularly make a thorough (top-down) analysis of their military structures, to check the efficiency of the use of budget funds, assess the combat efficiency of the army, and identify problem areas. This is normally done when new leadership takes power. In the post-communist countries of Central and Eastern Europe, reforms envisage the gradual reduction of manpower, and bringing its structure and the level of training into compliance with NATO standards.

**Third.** Given the Ukrainian situation, several directions of reform may be combined, as shown by the Diagram: «top-down», when new political goals and priorities are formulated, and doctrinal principles change; «bottom-up», when the efficiency of forces-in-being is increased by means of organisational arrangements, without a considerable increase in expenditures; «budget-driven», when the Army is reduced under pressure of economic problems; «threat-oriented», when the structure, composition and numerical strength of the Army change, proceeding from the necessity to protect national interests from new threats.

**Fourth.** Even brief acquaintance with the Algorithm would be sufficient to see that it is impossible to work out a concept (and especially a programme) of reform without prior analysis of the priorities of national development, identification of concrete limitations and targets (manpower ceiling, funding limits), assessment of the ability to accomplish basic functions and missions with available manpower and equipment (not in general, but in detail), threat assessment, etc. Unfortunately, those obvious things were not comprehended in Ukraine; their importance was called in question both in 1992, when Ukraine's Armed Forces were to be created on the ruins of the Soviet Army, and in 1995-1996, when the State Programme of Armed Forces Construction and Development was drafted. After adoption of the Constitution and the National Security Concept of Ukraine, the top segment of the algorithm became more or less clear (see next section). The threat assessment, the potential of national science and the military-industrial complex, the economic situation, and the efficiency of international security mechanisms became more realistic. In my opinion, preconditions arose in Ukraine for drafting the Concept of military reform within a relatively short term.

**Fifth.** At different stages of the reformation (balancing of the system) the problem of choice between several alternative decisions arises. At the *highest political level*, the choice lies in the determination of priorities and strategic goals of the state; the search for possible allies and strategic partners; the definition of the directions and the degree of co-operation with international organisations in the field of security; manpower ceilings for the entire Military organisation and each military formation;

the scope of budget funding and logistic support. Such background data for conducting military reform is to be approved by the head of state, as those issues are beyond the competence of the military. The Concept of military reform cannot be worked out and reasonable amendments to the Military Doctrine cannot be prepared without this data. Ukraine learned this lesson as far back as 1996.

The problem of choice arises at the *level of the military formation*, too, when it appears (see Diagram) that it is unable to accomplish certain functions. If the consequences could be serious (the risk is high), changes are required; in this case, alternatives should be generated. Of course, the choice would be simpler after the necessary calculations and definition of criteria for comparison.

**Sixth.** The Diagram shows that reform preparation is an interactive process. It suggests feedback for adjustment, if the required level of combat efficiency cannot be provided within the set limits. Adjustment may be performed at different levels. At the *military formation level*, there should be a search for more effective options of force development (new proposals as to the structure, manpower, co-ordination, methods of training, etc.). At the *doctrinal level*, the balance between what is desired and what is available may be regained by the introduction of new doctrines, accession to military blocks, equipment with essentially new weapon types, removal of funding limitations, settlement of conflicts mainly by political or diplomatic means, etc. If all those measures fail to ensure the protection of national interests against military threats, a decision may be taken at the *top political level* relating to the change of strategic goals and state priorities. Normally, such feedback is rarely workable (mainly during period of deep transformation of society, in the event of war, or a cardinal change in the international situation).

**Seventh.** The assessment of power structures' capability to perform assigned functions, the assessment of the risk of their non-performance and the consequences thereof, the choice between alternatives and substantiation of modifications – all those actions envisage obligatory calculations! This does not mean the exclusion of qualitative assessments and the substantiation of obvious things. The point is that reforming a huge structure (over a million people, tens of thousands of units of costly hardware, hundreds of cantonments, etc.) cannot be based on the verbal opinion by several experts. The cost of erroneous decisions is too high, that's why leaders of the state should not set unrealistic terms for drafting the Concept (and, moreover, the programmes) for military reform.

The performed analysis shows that even in developed countries, such as Great Britain, the Netherlands, the USA and France, under conditions of stability and in the absence of radical changes, it takes 6-8 months to work out a concept of reform of the armed forces. The creation of the programme takes another 10-12 months. In general, the entire planning process takes 16-20 months. There are no reasons for hoping that Ukraine would be able to engineer a military reform much faster, although there are some possibilities for reducing this period.

As an instrument that helps to handle the military reform issues in more systemic way the author recommends the so called T-matrix technique (see Appendix). Based on the technique, the author has formed a list of military functions for both the Military organisation and the Armed Forces of Ukraine, in particular. The corresponding results are presented in the following section.

## **6. STRATEGIC GOALS & MILITARY FUNCTIONS OF UKRAINE'S ARMY**

The author formulates three strategic goals for the Armed Forces of Ukraine and also 34 military functions fulfilment of which must assure the achievement of these strategic goals.

### **Strategic goal 1. «Defence of Ukraine, its sovereignty, territorial integrity, and inviolability of its borders»**

This function is the main one for the Armed Forces; that is why they maintain combat readiness and the ability to execute the corresponding military tasks<sup>25</sup>. The Armed Forces must be capable of removing the threats emerging in the key strategic directions, of creating conditions for mobilising bigger military grouping to repel large-scale aggression. To achieve the first strategic goal the Armed Forces must fulfil the following 11 functions.

1.1 Conduct intelligence, forecast, reveal and estimate potential threats, destabilising factors, and conflicts; their origins, as well as possible consequences.

1.2 Maintain surveillance and control of sea and air space of Ukraine, provide support to the Border Troops for guarding sea and land borders of Ukraine.

1.3 Provide support to the state authorities to prevent violations of the territorial integrity of Ukraine.

1.4 Blockade a state border in the prevision or beginning of a military conflict on a territory of a neighbouring state to prevent its spread on Ukraine's territory.

1.5 Undertake a complex of measures to deter possible military conflict or aggression.

1.6 Repel an invasion and re-establish order in case of limited aggression on Ukraine's territory.

1.7 Deliver strikes at strategic objects on the aggressor's territory to inflict unacceptable losses on the enemy and force him to abandon from waging war.

1.8 Plan and conduct a defensive operation in case of a limited military conflict with one of the neighbouring states.

1.9 Plan and launch a strategic deployment of the Armed Forces in the prevision or with beginning of a large scale military conflict either with a coalition of the neighbouring states, or with a regional superpower to conduct a strategic defensive operation with support of friendly states and international organisations

1.10 Provide support to the population and local authorities during both the military conflict and post-conflict restoration of life and order.

1.11 Timely warn, protect, and provide support to the population in case of use of weapons of mass destruction against Ukraine.

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<sup>25</sup> This function is also assigned to other military formations within Ukraine's Military organisation, for joint action during wartime. However, this is not their basic function, as it is for the Armed Forces.

## **Strategic goal 2. «Contribution to military-political stability in the region and in the world»**

To achieve this strategic goal the Armed Forces must fulfil the following eight functions.

2.1 Participate in scheduled international military co-operation events (bilateral and multilateral).

2.2 Set up and provide resources for military units allocated by Ukraine to combined collective security forces.

2.3 Gradually achieve interoperability with the armed forces of other states (in compliance with Ukraine's commitments).

2.4 Maintain combat readiness of military units allocated by Ukraine to combined collective security forces.

2.5 Participate in international search and rescue, humanitarian, and peacekeeping operations under legitimate mandate (UN, OSCE).

2.6 Implement Ukraine's international commitments in the military sphere (arms control, reductions, verification, information exchange, confidence building measures, humanitarian law, etc.).

2.7 Prevent spread of defence-related specialists, critical and dual-use technologies abroad.

2.8 Carry out representative and ceremonial functions in Ukraine and abroad.

## **Strategic goal 3. «Contribution to internal stability of Ukraine»**

The Armed Forces of Ukraine can also contribute to the internal stability of the country. After all, the Army is an integral part of Ukrainian society and plays an important role in shaping the young state. At times of radical reform of all state mechanisms, when society is trying to recover from a deep crisis, when state resources are extremely limited, the Armed Forces of Ukraine – as an influential instrument of state power – should be a stabilising factor which guarantees an irreversible, democratic development of society. To achieve this strategic goal the Armed Forces must fulfil the following 15 functions.

3.1 Guard vital and high risk state objects.

3.2 Enforce the state of emergency.

3.3 Provide support to the state authorities and ensure life-support in case of catastrophes, natural disasters, social conflicts, epidemics, epizootic, and epifitotic.

3.4 Provide support to the state authorities in combating corruption, organised crime, and terrorism.

3.5 Provide support to the state authorities in conducting land, mountain, and maritime search and rescue operations.

3.6 Participate in ecological monitoring, observe standards for nature protection, eliminate ecological consequences of military activity.

3.7 Provide information for democratic civilian control over the Armed Forces, keep close connections with the public and mass media.

3.8 Ensure implementation of Government decisions, fulfilment of important national tasks.

3.9 Ensure purposeful and efficient use of allocated budgetary funds and resources, optimise the structure, and reduce personnel of the Armed Forces.

3.10 Ensure use of scientific and technical potential of the Armed Forces for development of critical and dual-use technologies, fulfilment of national programmes.

3.11 Ensure social protection of personnel and family members, non-admission of personnel discrimination, guarantee social adaptation of servicemen after retirement.

3.12 Raise professional level of personnel, support training of civilians in technical fields.

3.13 Contribute to physical, psychological, and moral training of the population, promote ideas of harmonic development, and a healthy life style.

3.14 Infuse personnel with respect to Ukrainian history, contribute to education and culture.

3.15 Ensure military and patriotic indoctrination of personnel, contribute to military and patriotic indoctrination of the population.

**Unlike rather vague constitutional stipulations, these 34 military functions can be calculated in terms of personnel, weapon systems, command structures, and resources. Thus, the central part and lower half of the military reform framework (see Section 5) have got quite a substantial clarification. On the whole, the aforesaid strategic objectives and military functions give the reader rather clear understanding, what Ukraine needs the Armed Forces for<sup>26</sup>.**

In the following two sections the author maintains a need for renewal of Ukraine's obsolete Military Doctrine and clear legislative provision for internal functions of the Armed Forces. This would provide the planning community with the necessary input and thus allow the politicians to exercise meaningful civilian control over military.

## **7. NECESSITY OF A NEW MILITARY DOCTRINE**

Ukraine needs a new Military Doctrine, as the old one doesn't work. Antiseptically formulated tasks, good wishes, priorities (from the 1991-1992 viewpoint) not backed with resources – all that remained on paper; the life went in a different direction. The Military Doctrine was adopted seven years ago. During these years, many changes have occurred in the world, on Ukraine's borders and in the internal life of the country. They made up the «critical mass» that cannot remain unanswered.

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<sup>26</sup> Most of the aforementioned 34 functions are obvious and understandable for a country of Ukraine's size, population, geopolitical importance, and vulnerability from the military standpoint. At the same time, some of them – for instance, functions 1.3, 1.7, 1.9, 1.10, 2.2, 2.3, 2.5, 3.4, 3.6 – should be explained in more detail, to avoid misinterpretation. The reader can find these explanations in: Grytsenko A. Reforming the military in states of transformation: the case of Ukraine. – *EFPP Working Paper*, Centre for European Security Studies, Groningen, The Netherlands, 1999, section 4.

## 7.1 Changes on the International Scene

**Recent years demonstrated the poor efficiency of the collective security system based on the UN.** In two cases it doesn't work at all – when a suggested decision by the Security Council is opposed by the USA (the UN donor and the world leader) and when vital interests of Russia and the USA clash. Such a situation is certain to emerge in case of a military threat to Ukraine. Therefore, Ukraine cannot rely on the UN: any decision of the Security Council will be blocked either by the USA, or by Russia.

Ukraine pledged to observe international laws of war and international humanitarian law. A relevant provision is stated in the Military Doctrine, and such a provision is certainly justified. However, over the past seven years we made sure that war has little in common with conventions and treaties. In Chechnya, Tajikistan, Abkhazia and Transdnistria conventions and treaties were violated by underdeveloped nations. In Kosovo, Iraq, Afghanistan and Sudan it was 'advanced democracies' that infringed war conventions<sup>27</sup>. Ukraine should analyse recent military conflicts and learn a lesson regarding future wars.

**By the time the Military Doctrine was adopted, Ukraine had its tactical nuclear weapons moved to Russia and had taken a decision to destroy strategic nuclear weapons.** The Military Doctrine reads: «Ukraine links the reduction and elimination of nuclear weapons located on its territory with the adequate actions of other nuclear states and the granting by them and the world community reliable guarantees of its security». It was free to see things this way, but nothing resulted from the adequate actions and reliable guarantees.

Nevertheless, in 1993 Ukraine was looking into the future with optimism. The USA and Russia were agreeing on ceilings of warheads within the framework of the START-2. There was confidence that START-3 and START-4 would follow. Talk of France and Britain possibly joining the process of nuclear disarmament and of nuclear-free zone in Central Europe were heard... The honeymoon in relations between the USA and Russia had long passed. Russia ratified the START-2 only in 2000. The USA is ready to step out of the ABM treaty unilaterally. In 1999 Europe and Asia were the arena of wars involving five nuclear states (Britain, the USA, France, India and Pakistan). It is worth noting that in the centre of Asia two nuclear countries were engaged in a military conflict, and nuclear weapons had not become a deterring factor for them. In 1993 the situation looked different.

**Ukraine has no allies; moreover, it doesn't have a single reliable partner.** Ukraine's leadership repeatedly stresses the non-allied status of Ukraine and absence of intentions to join either NATO or the Tashkent Treaty. In the present situation, it is the only correct solution. However, from the military point of view, the country remains vulnerable. In case of a threat from outside, Ukraine might in theory rely on military assistance from the Russian Federation or the USA (depending on the source of the threat).

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<sup>27</sup> Force was used in violation of the UN Charter. Vital civil objects and cultural valuables were destroyed barbarously. Missiles hit embassies and hospitals, trains and buses; both combatants and non-combatants were killed. Leaflets calling for the non-fulfilment of orders issued by a legitimate government were disseminated, contrary to the principle of civilian control over the military. Prohibited cluster bombs and projectiles with depleted uranium core were used. Chemical plants and oil refineries were destroyed, thus provoking environmental disaster.

**The problems of the uncontrolled proliferation of WMD and international terrorism have become first priority.** Terrorism using biological weapons might be a very serious threat for Ukraine. The assessment of the possible aftermath shows that the consequences would be disastrous for the Ukrainian population. The state has neither facilities nor means to prevent or contain the danger; neither has it the resources for their creation. The efforts of several countries should be combined for the creation of effective preventive mechanisms.

**New developments on the international scene made many countries look at military issues differently. A new Strategic Concept has been adopted by NATO. The reform of the WEU is planned. Russia revised its military doctrine, the process is underway in other CIS countries. The Chinese and Israeli defence doctrines are undergoing significant change. Others will follow, and hopefully Ukraine will be among them.**

## **7.2 New Developments in the Region and on Ukraine's Borders**

**Confidence-building measures trusted by Ukraine in the early '90s appeared ineffective, especially in a period of growing tension.** Neither UN, nor OCSE or international regimes of control are able to stop an escalation of hostilities<sup>28</sup>. Indeed, in 1993 great expectations were placed on confidence-building measures in Europe. The exchange of data on the strength of armed forces and weapon systems, advance notification about movement of troops, mobilisation of reservists and exercises; the possibility of prompt verification of military sites – those and other mechanisms of «transparency» are truly needed. They allow for bating requirements on the combat readiness of armed forces, allocation of less manpower and equipment for combat duty, and prompt removal of suspicions in relations with neighbours. Unfortunately, the experience of recent years demonstrated the limited efficiency of such mechanisms. They don't work exactly where they are really needed – in the period of conflict development. In the event of aggravation the «open sky» gets closed. International commitments were ignored by Russia (the build-up of forces in Chechnya in 1995-1996), Turkey (when preparing military operations against the PKK on Iraqi territory), USA and NATO (deploying forces in Albania and Macedonia). Russia made an attempt to inspect American forces – and was refused. Ukraine didn't even try. That's why we should not recklessly rely on «transparency» mechanisms; strong intelligence should be built, otherwise Ukraine will lose the most important initial stage of war.

**Ukraine did not manage to escape the «buffer» zone** and appeared sandwiched between two military blocs: NATO on the south-west and Tashkent Treaty on the north-east. Russia and Belarus are already forming a combined regional force, creating a common defence infrastructure, and adjusting their military doctrines. Russia renders military assistance, supplies arms and equipment. Not all plans will become reality, but all this gives reason for thought. The military potential of the Tashkent Treaty dropped by approximately 10% after the withdrawal of three key members: Azerbaijan, Georgia and Uzbekistan. If this leads to weaker control over the southern borders of the former USSR, a new flow of illegal migrants, drugs and

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<sup>28</sup> Ukraine continues to consciously observe signed agreements. Partner countries regularly obtain information about the structure and numerical strength of Ukraine's military formations, weapon systems, location of military units, etc. Ukraine also gets similar information.

weapons will sweep over Ukraine. Russia tries to consolidate the reduced military bloc [bearing signs of a collective defence system] by all means. Pressure is exercised on Ukraine from the north-east, and it is increasingly difficult to maintain balance.

**The balance of forces on the south-west has also changed dramatically.** Against the background of decreasing combat potential of the Armed Forces of Ukraine, Russia and other CIS countries, the armies of Turkey, Romania, Poland and NATO became much stronger. The alliance reached the western borders of Ukraine. After the first wave of expansion the ratio of forces between NATO and Russia reached 5:1. The alliance received 12 additional divisions and some 200 airfields. Nowadays NATO is building up its military potential, making up for reduced manpower at the expense of more efficient weapon systems.

**The military potential of neighbouring countries remains high. The reduction in numerical strength is compensated by new weapons, and a higher number of professional soldiers.** The availability of substantial military potential (see Table) in the case of a change of political orientation by governments of nearby countries may threaten Ukraine's military security. Such a development cannot be ruled out.

### Manpower of armed forces and defence budgets in 1999<sup>29</sup>

	Numerical strength of the armed forces (military men)		Defence budget (estimate)	
	1000's of men	% of population	\$ million	% GDP
USA	1489	0.55	283100	3.2
Russia	1200	0.82	4500	2.7
Turkey	797	1.21	10100	5.7
France	421	0.71	38100	2.8
Italy	391	0.69	22000	2.0
Germany	334	0.41	31400	1.5
Great Britain	218	0.37	37200	2.6
Greece	205	1.92	5800	4.9
Spain	155	0.51	7400	1.4
Poland	187	0.48	3430	2.2
Hungary	61	0.60	900	1.6
Ukraine	275	0.54	430	1.4

**Turkey** has the most battle-worthy army in the region. Turkey is not strongly invited to join the EU, the military controls the state, as before, to a large extent, the consolidation of civil society is moving slowly, and NATO's influence on Ukraine's southern neighbour weakens. Turkey continues to build up its military power: it is earmarked for acquiring \$150-billion worth of weapons over 30 years.

**Romania** was refused accession to NATO. This may occur after the year 2002, although changes are possible. For Ukraine, that's bad news, as the desire to join NATO made Romania sign at least some treaty with Ukraine. Contacts with the heads of Romanian parliamentary committees show that territorial claims to Ukraine are

<sup>29</sup> The assessments are made on the basis of statistical information from NATO, Russia, the CIA, and estimates of foreign experts published in mass media.

neither conjectures, nor fantasy. The Romanian position is clear: Ukraine needed a treaty – Ukraine got it; as far as disputed borders are concerned, it's a subject for future agreements, and Ukraine was promised nothing.

It is clear that the **Russian** Black Sea fleet will be based on Ukraine's territory for decades. This factor is both stabilising and destabilising for the Black Sea region, depending on who is assumed a potential enemy (Turkey, Romania, or Russia).

**It is yet unclear what will come out of GUUAM:** a belt of security, or a new hotbed of conflicts? Recent members of the Tashkent Treaty, now members of GUUAM, make no secret of their aspirations to join NATO. Azerbaijan is ready to go further and sooner than other countries. Russia negatively reacted to the formation of GUUAM. In the event of signs of military co-operation within GUUAM, pressure on Ukraine will increase.

**The military and political instability in the region remains high.** Military opposition is increasing just hundreds of kilometres from Ukraine's borders: around Armenia, in the Balkans and on Cyprus. Despite a lull in Kosovo, the danger of aggravation persists. Inter-ethnic conflicts, involving Ukraine's neighbours, have not been liquidated in Transdnistria (Moldova, Russia, Romania), in Abkhazia (Georgia, Russia, Turkey), or in Karabakh (Armenia, Azerbaijan, Russia, Turkey). Those regions remain potential hotbeds of military conflict. One cannot rule out the escalation of those conflicts in the future, threatening Ukraine's interests.

**The difference in views and even a contrary military and political orientation of nearby countries are becoming more and more evident.** The expansion of NATO, the accelerated break-up of the CIS, shrinkage of the Tashkent Treaty, Russia's union with Belarus, the establishment of GUUAM, the struggle for the Caspian energy resources and for influence in the Caucasus and on the Black Sea — all those factors will significantly impact the balance of power in the region and will determine the nature of relations between Ukraine and other countries. There are also trends in Russia's relations with Azerbaijan, Georgia, Turkey and Turkmenistan unfavourable for Ukraine. The aggravation of «cold peace» relations between Russia and the USA, the Tashkent Treaty and NATO remains likely. A conflict between the two strategic partners would complicate Ukraine's relations with more than 20 countries.

**The new Strategic Concept of NATO gives reasons for concern in Ukraine.** The alliance will conduct military operations beyond its area of responsibility; it will act without the UN mandate; it doesn't rule out first use of nuclear weapons, neither does it give up the idea to place nuclear weapons near Ukraine's borders. If Russia follows NATO's doctrinal provisions, Ukraine will find itself in a difficult situation<sup>30</sup>.

**The formation of joint peacekeeping units is an important confidence-building factor in relations with neighbouring countries.** There are some notable successes in this direction: a Ukrainian-Polish peacekeeping battalion has been formed, and a

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<sup>30</sup> One cannot rule out that Russia will rely on tactical nuclear weapons more actively than before. This is dangerous for two reasons. *First*, in the '80s nuclear projectiles, bombs, torpedoes and tactical missiles were considered the main destabilising factor in Europe, as the authority to use them was assigned to division commanders, and because of the contemptibly short warning time. *Second*, statements on the increasing role of non-strategic nuclear weapons are heard across the Atlantic, too. American experts suggest the delivery of nuclear strikes even on non-nuclear targets (such as plants producing chemical and biological weapons). God help them stop before it's too late.

joint engineer battalion «Tisza» is to be established, involving Hungary, Romania, and Slovakia. A joint peacekeeping battalion of GUUAM countries and a joint naval force with Turkish participation are to follow. The very existence of such units creates more confidence in relations between member countries, thus lowering the level of potential threat. However, the role of joint peacekeeping units as the solution for defence tasks should not be overestimated. While acknowledging financial priorities, one should realise the limitations intrinsic to those units. Today they mainly serve as a symbol of co-operation with NATO (by the way, not a cheap symbol, if compared to other Armed Forces units). Sufficient imagination will be necessary to be able to say that joint peacekeeping units will be a prototype or the kernel of the future Ukrainian army.

**Assessing the general military-political situation, one may state that there is no direct military threat to Ukraine today. We consider large-scale aggression against Ukraine in the next 5-7 years unlikely, too. This gives Ukraine a chance to focus on the reform of its Military organisation. However, potential military threats exist, and a trend toward their strengthening is evident. New Military Doctrine of Ukraine must take these factors into account.**

### **7.3 Alarming Developments on the Domestic Arena**

It seems like Ukraine's Government does not need Armed Forces: it is trying to save on them. Such a conclusion is made possible after examination of the structure of budget expenditures. In the first quarter of 1999, \$50 million were remitted for sustainment of the Armed Forces<sup>31</sup>. That's the cost of keeping one US air wing, while Ukrainian Ministry of Defence is supposed to maintain all Armed Forces and even undertake military reform. \$500 thousand were allocated for acquisition of weapons and military equipment. This money would be enough to buy several air-to-air missiles only. \$200 thousand were allocated on capital construction in the Armed Forces - the price of a «hut with an elevator» on the outskirts of Kyiv.

None of the power structures was financed in the planned volume, as the collection of budget revenues was frustrated. When everyone is in need, available funds are distributed in accordance with priorities. And so it is in Ukraine. However, two things are of interest. *First*, none of the power structures was funded above the average level of budget expenditures. In the first quarter of 1999, the annual budget was executed at a level of 17.6%, the Internal Troops obtained 17.1%, the National Guard<sup>32</sup> - 16.6%, the Security Service - 16.4%, the Armed Forces - 12.9%, and the Border Troops - 10.8% of the planned yearly amount. This means that the military is off the list of Government priorities. *Second*, the distribution of funds among separate power structures is very interesting. The Government financed the «National Defence» budget item at a level of 51.5% of the quarterly plan, the Border Troops - 43.6%, the Internal Troops received 72.1% of the planned amount, the National Guard - 72.2%, and the Security Service - 82.3%. Everyone may draw a conclusion without difficulty. **What is difficult is proving that Ukraine is not building a police state.**

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<sup>31</sup> This part of the paper was prepared during the first year of the fellowship term, i.e. in 1999. Since then, the situation with financing the military has not changed for the better. Moreover, the military budget of 2000 is substantially smaller than the one of 1999.

<sup>32</sup> This military structure was liquidated at the beginning of 2000.

A permanent financial crisis is foreseen for the next five years, too: over that period, Ukraine will have to repay approximately \$10 billion of foreign debt. Ukraine reached the “red line” where national stability (including that of the Armed Forces) depends on Western creditors more than on the deeds of its Government. **When the present Military Doctrine was being written, the situation was different; we had a different idea of the prospects of economic progress and defence sector development.**

Quarterly R&D funding at a level of 0.58% of the yearly plan may be called a mockery of the domestic military-industrial complex. Of course, equipment may be purchased abroad, but in the first quarter of 1999, only \$500 thousand were allocated for acquisition of military equipment. One used tank may be bought with this money.

**Hopes for closed-cycle domestic weapons production were not justified** to the extent we foresaw in 1992-1993. Ukraine has no funds of its own, ties with Russia are breaking apart (as is the economic potential of Russia), in the West, nobody welcomes competitors, and co-operation with «trouble» countries presents a big problem (the strong are on the alert). For this reason, even unique, world-level designs will hardly be welcomed. In the best scenario, Ukraine can sell advanced weapons to someone else, but its own Armed Forces cannot afford to buy them.

Over the last seven years, the **property structure and social system, as such, changed dramatically.** Once entirely state-owned, industrial and transportation enterprises, public catering outlets, communication offices, design institutions, air carriers, rescue services - all that creates a basis for preparation of the territory and population for war - changed. Today, the above entities represent mainly joint-stock companies, private firms, joint ventures or even foreign enterprises. Their directors are indifferent to the mobilisation plans of the state, especially when they are not paid for this. When the alarm sounds, it may appear that a gas station or a flea market has been built in place of a transportation enterprise (intended for the movement of important military cargo) assigned to a military conscription office. And even if a transportation enterprise still exists, it operates passenger «Gazelles» and «Toyotas» instead of « Z» and «URAL» heavy trucks. Obsolete production lines still remaining at former defence enterprises bring losses that are reimbursed by no one. In the first quarter of 1999, Ukraine’s Government allocated \$160 thousand for preparation activity of the branches of the national economy. This is less than insufficient: this is nothing.

They say, ties between society and the Army have weakened over the recent years. This is not true. Unfortunately, direct ties are active. **Illiteracy, crime, alcoholism, drug addiction, violence, disintegration of moral values, infectious diseases - all the ailments of a degenerating society are sweeping over the Armed Forces as regularly as drafts, in spring and autumn. The Armed Forces possess a powerful training, educational and healing potential, but their «filtering» capabilities are not unlimited. In the economic sector, ties are also on the rise: economic crime (characteristic of the civilian sector) did not bypass the Armed Forces, especially the officers’ corps.**

The issue of feedback is more complicated. The system of the military and patriotic education of the population, and especially of Ukraine’s youth, has fallen apart. Love for the homeland, pride in the nation, respect for state institutions (including the Armed Forces), readiness to defend the country and to die for it, if necessary - all that has been devalued, and sounds to be a relic of the past. Why defend *such* a state, why

waste one's youth in *such* an army, *what for* and especially *for whom* to give one's life? Such cynical and pragmatic questions may be refuted, and those curious may be criticised in anger, but one should agree that there is something rational behind those questions. And it is another link tying the people to the Armed Forces. Military men are still holding on in this situation. The Army doesn't revolt; neither does it go into the streets. Moreover, the Ministry of Defence and the General Staff somehow manage to move on defence reform. But their resources are exhausted...

#### 7.4 Optimistic Wording of the Obsolete Military Doctrine

The present Doctrine contains a valuable thought: «The Military Doctrine of Ukraine is a basis for its military construction, it rests upon the analysis of the geopolitical situation in the world and long-term scientific forecasts for its development». Unfortunately, those words were nothing more than words. The strength of Ukraine's Armed Forces dropped two-fold after the Military Doctrine was adopted. Weapons became seven years older; most of them ran out their service life and are no longer operational. Some weapon systems are still operational. This is a natural process, independent of our will. **In 2003-2005, one will barely remember that Ukraine once was the third strongest military power. Such was Ukraine at the time of the development of its Military Doctrine. This fact alone leaves no doubt that the Doctrine needs renovation.**

The following extract illustrates the gap between the Military Doctrine and real life: «Priority should be given to precision guided weapons of increased power, intelligence, airspace defence, electronic warfare, missile troops, air force and air mobile units, and advanced types of surface ships and submarines». Those are priorities only! **It's high time to tell the truth to the military and the whole nation: it's a mere gamble, unfortunately, fixed in a serious parliamentary document. Such a list of priorities may be implemented by one nation in the world only, and even that nation cannot do so in full volume. The listed items cost hundreds (!) of billions (!) of dollars (!) Ukraine needs to be more modest; it shouldn't make the world laugh at such documents, especially in the third millennium.**

Another extract from the Military Doctrine: «Ukraine's Armed Forces will be equipped with unified automated command, communication, electronic and fire control systems ... throughout Ukraine's territory a single information space will be established». A nicely worded dream-like objective. In reality, everything is different: neither «equipped», nor «established». Funds are lacking even to pay wages and telephone bills. Therefore, all «unified» projects remain on paper. **Politicians should not set targets before the military if they are not backed with funds, as it undermines trust in the state authorities. The country's economy is unable to keep several «armies» with a total strength reaching one million; in such conditions, none of the power structures will ever truly become strong.**

#### 7.5 What Questions Should the New Military Doctrine Answer?

The Military Doctrine is a system of views of Ukraine's political leadership on the prevention of military conflicts, the preparation of the country to defend against possible aggression, military construction as a whole, and the use of the state's military structure to defend Ukraine's national interests against military threats. The present Doctrine has not accomplished those tasks and has not become a document

«obligatory for state power bodies, institutions, self-administration authorities and Ukrainian citizens».

In the new conditions, the military threat should be re-evaluated and formulated as specifically as possible. The objectives, possibilities and limitations in Ukraine's cooperation with NATO, and the Tashkent Treaty, within the framework of GUUAM, and with its powerful strategic partners, first of all the USA and Russia, should be defined more precisely. The efficiency of international procedures (of arms and armed forces limitations, confidence building measures, non-proliferation of weapons and high technologies, peace enforcement) should be critically assessed, as well as their limited capabilities of prevention and the settlement of military conflicts in our region.

Requirements as to the basic parameters of the Armed Forces should be correctly defined and co-ordinated with the objectives and capabilities of the state. **The Armed Forces should not be excessively strong, as this frightens neighbours and provokes counter-action; the Armed Forces should not be too weak, as it threatens Ukraine's independence; the Armed Forces should not be too expensive, as it ruins the economy. Balance should be maintained.** Ukraine has two fleets, and the one operated by the Border Troops is better equipped than Ukraine's Navy. Ukraine maintains two armies, one for defence and the other for the solution of internal tasks. Maybe we are destroying the balance? Finally, it is not strength, or not strength only, that is important. Yugoslavia and Iraq had rather strong and well-equipped armies, but appeared unable to oppose a serious enemy (they didn't even try to).

**The leadership of the country should not avoid principle decisions and delicately ignore the problems of strategic choice.**

**First choice:** do we rely on our own forces or turn to strategic partners for military assistance? We won't be able to keep an all-round defence. President Kuchma more than once sceptically assessed a provision in the Military Doctrine for the «necessity of the organisation of effective defence in all directions».

**Second choice:** given the Military Doctrine, shall we plan only the repulse of an invasion, or do we envisage a possibility for preventive strikes on the territory of a potential enemy, if his readiness for aggression is evident? If so, what will comprise the basis of our strike forces: bombers, land or sea-based operational-tactical missiles, mobile special forces?

**Third choice:** how will the Armed Forces be manned in the future, by conscription, by contract or on a mixed basis, and if so, what will be the ratio? This is not an idle question, as indices set in the State Programme for Armed Forces Development have not been achieved. By the way, all European nations increasingly stick to higher professionalism and the reduction of conscripts' terms of service.

**Fourth choice:** what principle will be laid as the basis for defence regarding dangerous directions – the priority development of mobile forces for the prompt advance of troops from their present bases, or large-scale relocation for the creation of new constant formations? What would be more efficient and cheap?

**Fifth choice:** shall we rely on efficient and numerous Armed Forces, or maintain weaker Armed Forces able to build-up reserve components rapidly? This second option was chosen by Finland. That country spends only 1.8% of the GDP on defence, but is able to mobilise and arm almost all its adult population within 72 hours.

**Sixth choice:** shall we equip the Armed Forces with numerous relatively light, cheap arms requiring minimum training, or with single samples of sophisticated and expensive battle systems? The issue requires a political solution. Ukraine is able to manufacture all types of small arms, grenade launchers, light artillery pieces, IFVs, tanks, self-propelled air defence systems, light high-speed boats, mines and missiles. Such an approach will bring jobs, independence from foreign deliveries, and savings of budget funds. If we stick to the second option, I am afraid that the Armed Forces will get nothing at all over the next 10 years, or will receive an unfinished cruiser swallowing money and bringing no real benefits. It would be more profitable to produce sophisticated military equipment in co-operation with others and deliver it to foreign countries; perhaps this way we'll manage to collect funds for our Armed Forces. And if we again set the unrealistic task of «airspace defence» in the Military Doctrine and distribute funds accordingly, we'll lose a bird in the hand trying to catch two in the bush. In 10 years we won't be able even to keep land area defence.

**Seventh choice:** shall we purchase new weapons systems, or modernise exiting ones? Which option is more preferable for Ukraine? Perhaps we should lease used equipment (aircraft, ships) from Western countries? Even wealthier countries are not ashamed of doing this.

**Eighth choice:** is it better to have 5-6 divisions on paper or 3-4 efficient brigades, plus an effective reservist training system? **Few politicians will give an honest answer, but without answers to these and other questions, Ukraine will go to nowhere. Leaders of the country should be aware of this.**

An agreement on key issues between the branches of power, fixed in the Military Doctrine, would create a basis for strategic and operational planning that is reliable and clear for the military. If, for this purpose the Military Doctrine, is to be partly classified – alright, we should do this, proceeding from the priority of our national interests. The public portion of the Doctrine should be large enough to solve two tasks: show our neighbours an absence of aggressive intentions on the part of Ukraine, and give a powerful impetus to a propaganda campaign in the country. Without support from the state (in a wide sense) and the public, the Military Doctrine won't become a basis of military construction. Ukraine has already learned this lesson<sup>33</sup>. New Military Doctrine must also answer the question that makes a title of the following section.

## 8. INTERNAL FUNCTIONS FOR UKRAINE'S ARMY

The issue of internal functions of the Armed Forces has been cause for speculations in Ukraine. Those speculations arise from an inadequate comprehension of the problem and its excessive politicisation. **The natural intention to rule out the**

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<sup>33</sup> As for the procedural issues, the development of a new Military Doctrine is not the servicemen's business. The military, diplomats, and economists should submit information and perform the necessary calculations. The maximum that may be required from the military is a draft military-technical section of the Doctrine. Independent experts should be involved (including those previously employed in positions of executives), and the opinion of rank-and-file citizens should also be taken into account. The development of the entire document, its approval, the provision of funds, and control over execution lie in the competence of the political leadership. Everyone should do his business, and be responsible for it.

**possibility of Armed Forces involvement in punitive operations or for the change of the constitutional system brought about a situation where even intrinsic internal functions of Armed Forces, beneficial for the state, are not adequately defined by the legislation.** Ukraine does not pay proper attention to the experience of other countries, which are increasingly more often forced to employ armed forces to oppose internal military threats. In order to escape possible adverse consequences and to ensure the legally grounded use of the Armed Forces, a revised version of the Military Doctrine, the laws «On the Armed Forces of Ukraine», «On the Use of Force for Execution of Official Duties», other legal acts, and plans of training of Armed Forces and other military formations should specially address the issue of the internal functions of Ukraine's Armed Forces.

## **8.1 Specificity of Internal Functions of Ukraine's Armed Forces**

Internal functions of the Armed Forces may be divided into «forcible» (related to conflicts) and «non-forcible». «Non-forcible» internal functions of the Armed Forces raise no questions; moreover, Ukraine's Armed Forces perform them quite successfully. Armed Forces assist state authorities and the population in case of natural disasters: evacuate the population from hazardous areas, render technical and military assistance, restore the civil infrastructure (lay pipelines, repair railways and motorways, build bridges, provide emergency water and power supply), and eliminate the aftermath of technogenous accidents, such as the Chernobyl disaster. The Armed Forces are engaged in search and rescue operations in remote regions, in the mountains and at sea. Air Force units are used for environmental monitoring. The military performs the disposal of equipment, ammunitions and rocket propellants. Personnel of the Armed Forces assists the Ministry of Internal Affairs in maintaining order at large-scale events in Kyiv and other big cities. The duty of mine clearing is vested with combat engineers. In 1999 alone, field engineers disposed 9539 ammunitions and surveyed 3050 hectares of land, expending 124 tons of fuel and 1500 kg of explosives. The Armed Forces are not reimbursed for those activities (while in the West disposal of a mine costs \$300).

The Armed Forces conduct research in the interests of the national economy, devise advanced dual-use technologies, train civilian specialists, and educate the young generation. Those duties may also be seen as internal functions, and no one will oppose their validity. **Therefore, Ukraine's Armed Forces regularly perform vital internal functions, and render assistance to civil authorities and the population. This activity is met with understanding and gratitude in Ukraine.**

The issue of «forcible» internal functions of the Armed Forces is more sensitive. This seemingly theoretical problem has become very acute in many CIS countries. «Forcible» functions do not rule out the use of arms. It refers to enforcement of the state of emergency; forcible establishment of quarantine to contain hazardous infectious diseases, to prevent mass epidemics, epizootic and epiphytic diseases; guarding of strategic and hazardous objects; counteraction to separatism; disarmament (liquidation) of illegal military formations; blockade of areas of possible internal conflicts and separation of parties; fight against terrorism and drug trafficking. **The assessment of threats to Ukraine's national security gives grounds to state that the Government and the Armed Forces must be ready to manage them. Even though today those threats may seem hypothetical (which is not true), tomorrow they may become feasible.**

The functions listed above are not the main functions of the Armed Forces; those duties are vested in other power structures. However, world experience shows that most such situations cannot be managed without armed forces. All states employ armed forces in case of an internal conflict related with illegal military formations, manifestations of separatism and terrorism, but in different ways. In the USA, Canada, Great Britain, Italy and France, legislation provides relevant preventive procedures and counterbalances, which make it possible to avoid undesirable consequences. In other countries, such as China, Turkey, Iraq, Russia, Libya, there are no such provisions. In some cases armed forces were used without any restrictions, which resulted in the uncontrolled employment of excessive force and numerous victims among the military and civilians. **Ukraine should follow the example of Great Britain, the USA and Canada, where the problem of internal functions of armed forces was solved more successfully.**

## **8.2 Are Ukraine's Armed Forces Ready to Perform Internal Functions?**

Ukraine's Armed Forces possess unique potential, which may and should be used for the benefit of the nation. They operate a secure command and control system, and have vast airlift and sea freight capabilities. No other agency is ready for prolonged operations without special preparation, using its own reserves, maintenance facilities, autonomous power units, etc. No other agency employs a full range of heavy weapons. They may be needed if manpower and equipment of the Internal Troops prove insufficient, for instance, to counteract illegal military formations. By the way, heavy weapons of the National Guard previously entrusted with internal functions were transferred to the Armed Forces, and not the Internal Troops.

One should keep in mind another important factor. Generations invested billions of dollars in the construction of the Armed Forces. Even today the state spends huge resources to sustain the Armed Forces. It would be a mistake if we don't try to use their capabilities to ensure stability for the benefit of the Ukrainian people. **Today this issue remains unsettled because of legal uncertainty and political reservations. At the same time there are reasons to assume that at least in three of Ukraine's regions preconditions for internal conflicts exist.**

In case of the emergence of conflicts, as it happened in Georgia (Abkhazia), Moldova (Transdnistria), Azerbaijan (Karabakh), Tajikistan (armed opposition), Kyrgyzstan (terrorist raids), Uzbekistan (interethnic conflicts), Turkey (PKK), Great Britain (Northern Ireland), Russia (Chechnya, Dagestan), Indonesia, Iraq, Philippines (different manifestations of separatism), the head of the state will have to take all measures to protect national interests and the civilian population. The President will resort to the Armed Forces, but they will appear unprepared for execution of internal functions. Besides, other power structures of Ukraine have no tested mechanisms of interaction with Army units. **The political consequences of unwarranted deaths, continuation of a conflict, and international criticism will be much more serious than possible emotional criticism in case of a prompt solution of the problem. There will always be opponents, but if problems are solved on a solid legislative basis, accompanied with a supporting mass media campaign, criticism may be avoided.**

Just two examples to prove the urgency of the problem. On October, 19, 1998, a military unit in Georgia went out of control, and a rebel tank column advanced to

Tbilisi. Georgian President E. Shevardnadze had to take measures to restore control over the military, prevent a military coup, avoid victims among civilians, and ensure stable operation of the Government and the safeguarding of hazardous sites. The President turned to the Army, and the situation was back to normal. Legitimate power was protected, and young democracy was safeguarded. Would it be right to reproach President E. Shevardnadze for his use of the Armed Forces for resolution of internal problems without legal grounds, using heavy weapons and aviation? In my view, the actions by the Georgian President were adequate. His decisions were backed by Parliament, population and neighbouring countries. The problem, however, remains unsolved: in a different situation decisions may be wrong.

This example is based on real facts; the other one is hypothetical but, nevertheless, probable. Hollywood shot a number of movies (Ukrainian audience is familiar with the «Epidemics» and the «Patriot»), assessing the readiness of the USA to oppose the use of biological weapons. This problem is important not only for the United States. In case of a threat of an epidemic (smallpox, typhus, etc.) the military would be able to help the population, and this assistance will not be confined to vaccination. Tough (or seemingly tough) measures will be needed to establish and maintain quarantine in affected areas. The movement and contacts of tens of thousands of infected people will be restricted to protect millions. The area will be fenced with fixed and mobile checkpoints, traffic bars and barbed wire, using even the threat of arms. The actions of the military will surely be «forcible», but there is no other way to contain epidemics. Armed forces should be prepared for such resolute actions, in co-ordination with other state authorities and military formations. It's interesting to note that the USA conducted a number of such exercises and admitted that the state was not yet ready to safely protect Americans against biological weapons. **Ukraine may either take account of foreign experience or continue fruitless politically-minded discussions and hope that the danger will pass. God helps those who help themselves.**

For years public opinion polls steadily confirm the high confidence of Ukraine's population in the Armed Forces (up to 40%). The Army enjoys the unprecedented support of the public, as compared to other Government agencies. It's an important additional reason to employ the Armed Forces for the execution of internal functions. **It's a paradox that Ukraine's Armed Forces, deprived of any legal right to interfere in internal conflicts on their own soil, have already performed internal «forcible» functions in other countries**, such as Bosnia and Herzegovina (SFOR mission) and Yugoslavia (KFOR mission). Some 10 thousand servicemen gained valuable experience of participating in peace support operations – almost a division of professionals trained not at computer-simulated exercises but in real conflicts. It would be a mistake not to use their skills.

### **8.3 Legal Aspects of the Issue**

At first blush, «non-forcible» internal functions of the Armed Forces don't require legal substantiation, but this is not true. At least the issue of reimbursement of extra expenditures incurred by the Ministry of Defence must be settled. And execution of «forcible» functions by the Armed Forces has found no legal definition at all. **An analysis of documents demonstrates a gradual change of views (from the romanticism of the first years of independence to today's realism and pragmatism), a better understanding of the nature of internal threats, and the readiness to accept the experience of other countries. That gives hope.**

But what do we have in legislation? The Military Doctrine of Ukraine «prohibits use of the Armed Forces for the accomplishment of political tasks on own territory». According to the Law «On the Armed Forces of Ukraine», «issues of Ukraine's Armed Forces application for execution of missions not related to national defence shall be settled exclusively by the Verkhovna Rada of Ukraine, and in cases provided by the Law «On the State of Emergency» – by the President of Ukraine». The Law «On the State of Emergency», in its turn, provides that «in case of the introduction of the state of emergency ... when a natural disaster, epidemic, epizootic, accident or catastrophe endangers the life and health of the population and requires urgent and extended rescue and restoration activity, the President of Ukraine may enlist military units of Ukraine's Armed Forces for participation in that activity». The limitation is evident: the Armed Forces may perform only rescue operations and restoration work, and only after an introduction of the state of emergency.

Parliament made the first real step towards legal definition of internal «forcible» functions of the Armed Forces three years ago, when the National Security of Ukraine was adopted (January of 1997). It provided that «The Military organisation of the state, including Ukraine's Armed Forces ... shall counteract external and internal military threats; fight organised crime; ensure protection of the population in case of dangerous social conflicts, epidemics, etc.» Unfortunately, **no further steps have been made: over three years we haven't seen the law properly specifying the functions of the Armed Forces. Today those functions are too general and vague. They cannot be used as a basis for strategic planning, distribution of manpower and equipment, and for the planning of combat training.**

Executive authorities haven't worked out such a bill either. Draft revised versions of laws «On the Defence of Ukraine» and «On the Armed Forces of Ukraine» may be seen as a very careful step in this direction. They are set to name «other functions», not related with the basic assignment of the Armed Forces. Those functions may be executed in case of the introduction of the state of emergency (martial law), for accomplishment of tasks of area defence and civil defence. However, those novelties won't radically solve the problem in question.

International legal aspects of the problem are more or less settled by the «Code of Conduct with Respect to Military-political Aspects of Security» adopted at the Budapest OSCE summit (1994). The Code doesn't object to the use of armed forces for internal «forcible» functions, but the international community opposes the excessive use of force: «If internal security tasks cannot be accomplished without the use of force, member countries will ensure that its use be proportionate to the necessity of forcible actions». Ukraine has signed the document and should abide by it.

## **8.4 Organisational Aspects of the Issue**

Given limited funds, the Armed Forces leadership is not encouraged to accomplish additional tasks without proper resources. Heads of other military formations will object «penetration» of the MoD into their area of responsibility, they are concerned about the possible redistribution of functions (and, consequently, manpower ceilings and funds) between military structures, even with the purpose of the liquidation of excessive ones. This is natural, but one should keep in mind the following: **the issue of functions of military structures is a political issue. All reasonable proposals and recommendations of the military should be taken into account, while those**

**issues should be finally settled not on the departmental (MoD, Ministry of Interior, Ministry of Emergency, Security Service, Border Troops), but on the national level.**

The Military Doctrine of Ukraine will be revised in the near future. In my opinion, its new version should not contain provisions banning the use of the Armed Forces for the execution of political tasks on own territory. This wording is too general. Indeed, use of the Army for the overthrow of a legitimate Government and to change the constitutional system should be banned, but the present Doctrine prohibits the execution of other important tasks as well, inasmuch as such tasks may be termed political. Among them: counteracting separatism, protection of territorial integrity, the constitutional system, and the rights and freedoms of citizens. For performance of those functions, military activity on own territory cannot be ruled out. The experience of Ukraine's neighbours proves this. One should not bury our head in the sand, like an ostrich; the problem must be solved before it's too late. Then conflicts will be few.

### **8.5 Preferable Ways of Co-ordination of the Activities**

For execution of internal functions, the Armed Forces' role should be secondary, and their units should be subordinate to the ministry (agency) in charge. Depending on the conflict's character, the mission of its localisation might be entrusted to the Ministry of Interior (internal social conflicts, activity of illegal armed formations, encroachment on the constitutional system), Ministry of Emergency (natural and technogenous disasters), State Border Security Committee (border violations by separatists in border regions) or Security Service (terrorism).

In case of the expansion of an internal conflict, the leading role of the Armed Forces (as the case was in Dagestan after several days of the Ministry of Interior operation) should not be ruled out. Exactly for this mission the Armed Forces, the Ukrainian Government and the population in general are less prepared. The absence of the special joint training of the Armed Forces and other power structures (under their command) for the purpose of internal conflict localisation causes concern. Ukraine pays no attention to the experience of its neighbours (Romania, Russia, Turkey) where such training is conducted on a regular basis.

### **8.6 Dealing with this Issue Requires Political Will**

Legal regulation of the issue of internal functions of Ukraine's Armed Forces would bring benefits, such as more efficient and better co-ordinated elimination of the aftermath of emergencies, the prompt localisation of possible internal conflicts, the establishment of the Armed Forces as an institute of stability within the state, and the experience of co-operation between the Armed Forces and other power structures, central and local authorities. Finally, the possibility to use the Armed Forces exclusively on legal grounds, under strict civilian control, would promote the international reputation of Ukraine.

The issue raised is complex and versatile. Today, thoughts of internal functions of the Armed Forces may be psychologically unacceptable. This is natural in a situation where most citizens do not trust the state leadership. But we have what we've got: this leadership (elected by the people!) will decide the complex problems of the society. **I do not suggest turning Ukraine into a police state. I do not suggest putting the Army above the state either. On the contrary, strict limits should be set. But they**

**should be set; one cannot any longer hope that the problem will be solved of itself. Unless raised issues are regulated by the law, and reliable preventive mechanisms are created, the head of the state may be tempted to solve complex internal problems with the Army's backing. This cannot be allowed. Neither should one pretend that Ukraine is immune to internal conflicts. In this context the aforesaid proposals should be heard by those who are working out the draft of the new Military Doctrine.**

Finally, two important observations. *First*, the experience of Ukraine and other countries proves that the public trusts even-tempered and well-trained professionals rather than 18 year-old youths in the uniform that may easily be provoked to use arms. The former are drafted to man Ukrainian peacekeeping units operating under the auspices of the UN, or to fight terrorists in Chechnya. So, the gradual transition to professional Armed Forces remains a priority. *Second*, without strong feedback and the establishment of civil society in Ukraine, we will have problems, irrespective of whether country leaders respect the law or violate it.

## CONCLUSIONS AND PROPOSALS

The main results of the study may be summarised briefly as follows:

1. The Military organisation in its present alarming condition reflects immaturity of civil-military relations in Ukraine. It is important for Ukraine to take advantage of the current situation when there is no urgent military threat. This time must be spent efficiently for achieving a broad consensus on the following issues: what Ukraine needs the Armed Forces for; how much would be enough to satisfy these requirements; what price tag is affordable for society today and in future; what ought to be done in order to meet any credible threat when it indeed appears.

2. Preconditions for the successful military reform do exist in Ukraine. The situation requires an adequate response on the part of the highest civilian leadership of the state. Cosmetic measures are not needed, but resolute and dynamic military reform. It is important that the decisions be based on realistic assessments, and limited resources be channelled towards solving of truly priority problems, so that the difficulties of reform do not last long.

3. The biggest challenge for Ukraine is to define and agree upon the fundamental policy issues. Ukraine's Parliament has already made important steps in this direction, adopting the Constitution and National Security Concept of Ukraine. In spite of numerous gaps, these are quite balanced documents. One of the further steps must be the development of Ukraine's National Military Strategy.

4. The further existence of the Army, in its present structure and strength (400 thousand), leads to its degradation. The peacetime manpower ceiling of the Armed Forces should be set at 200-220 thousand men, including 150-170 thousand militaries.

5. Strengthening of civilian control over the military, broad involvement of NGO and the public will make it possible to determine the course of reform and provide public support for the authorities. Outside experts should play an important part in the military policy development process. This is essential for sound policy-making which is in tune with the public. This way the Government also confirms its commitment to public accountability in the military sphere. Open discussions on military issues will provide MPs with detailed information, increase their knowledge in military matters, and help to overcome the information monopoly of the military.

6. Ukraine ought to deepen its involvement into the very same debate within a framework of the «Partnership for Peace» programme, on a bilateral basis with leading NATO countries and CIS partners, and through NGO-led activities. Although sometimes challenging, these meetings (seminars, conferences) expose Ukrainian military and civilian experts to criticism of their foreign colleagues.

7. The issue of internal functions of the Army should be fixed by legislator. New provisions should not suppose any revolutionary change, neither should they transform Ukraine into kind of 'police state'. They must be considered only together with a strong notion of civilian control over military.

8. The author recommends the following three strategic goals for Ukraine's Armed Forces: «Defence of Ukraine, its sovereignty, territorial integrity and inviolability of its borders»; «Contribution to military-political stability in the region and in the world»; «Contribution to internal stability of Ukraine». In author's view, to achieve these strategic goals, the Armed Forces must be ready to fulfil 34 specific military functions presented in Section 6.

9. Since professional military officers still dominate the Ukrainian MOD, competent civilian personnel are needed for administering them and providing proper oversight. An active way of educating such personnel is to establish research centres for international and strategic studies at civilian universities, where specialists could conduct expert analysis, formulate proposals and promote training of future specialists. The state should support the creation of such centres.

10. In future, only a civilian should be appointed the Minister of Defence of Ukraine. At present, while the Minister is a military man, a post of First Deputy Minister of Defence (Military Policy) should be established, and filled by a civilian.

11. The institute of civilian servants at key posts of power structures should be established. Civilian heads of power structures, their deputies, heads of directorates and main departments (logistics, maintenance, finance, administration, education and training, research, international co-operation, etc.) should be appointed. The plans for the regular training of civilian specialists, occupying posts in state bodies and involved in the settlement of defence issues, should be worked out immediately, with the aim of practical implementation of that proposal.

12. Civilian control should not be confined to obtaining information about the situation in the Armed Forces; it should envisage responsibility of the civilian leaders for the Military organisation's functioning. Military reform should be planned and implemented under the direct (not only general) supervision of the civilian leaders of the state. The executive in charge of military reform in Ukraine should be nominated.

13. The Cabinet of Ministers and the NSDC of Ukraine should more actively participate in determining the military reform strategy. NSDC meetings should review doctrinal plans of the Military organisation's development; budget proposals for the funding of power structures should be examined annually in order to correct the disproportion in the funding of individual military formations, and to provide for the accomplishment of priority tasks. The Chief of the General Staff should be a member of the NSDC of Ukraine.

14. The White Book «Ukraine's Defence Policy» should be published annually, as envisaged by instructions of the President of Ukraine in 1997.

15. Role of the Verkhova Rada's is critical: without the legislative support and adequate funds, none of the programmes will be implemented. This process requires regular consultations and discussions on the baseline proposals in Parliamentary committees. Regular open parliamentary hearings of military issues should be arranged; the information and analytical support for the relevant committee of the Verkhovna Rada should be improved, to provide for its better substantiation.

## T-MATRIX TECHNIQUE AS AN INSTRUMENT

The T-matrix technique was presented by the author for the first time in 1995 during a US-Ukrainian seminar on defence planning held in US Naval War College. The technique is centred on the so called three-dimensional T-matrix (see tables below). Because of its straightforward and simple design, this ‘magic matrix’ provides a useful instrument for the analysis of complex systems and issues, as required for political decision-making at a generalist rather than expert level.

### How To Fill in And Use the T-matrix?

The author uses the top-down approach of the technique to produce a list of military *functions* based on the objective of promotion and protection of Ukraine’s national *interests* and of (re)distribution of them among the military *structures* of the country. To do this, one needs to proceed from right to left within the T-matrix (Table 1) in the following sequence.

**Step 1:** write the national *interests* into the right top part of the matrix (as an example, see five notional national interests #1, 2, 3, 4, 5 in Table 1).

**Step 2:** translate – through a prism of threat assessment – these national interests into a list of *military functions* that assure their promotion and protection from threats. Then write these functions into the central part of the matrix (as an example, see 15 notional functions #1.1 - 5.4 in Table 1). Two points are important in the process. First, the enumeration of the functions reflects their affiliation with specific national interests: promotion and protection of the national interest #1 in the aforesaid example ‘requires’ two military functions – #1.1, 1.2; national interest #2 – four military functions #2.1, 2.2, 2.3, 2.4; national interest #3 – three military functions #3.1, 3.2, 3.3 and so forth. Second, there is an interdependency here. Obviously, some (if not most) of the military functions ‘work’ for promotion and protection of not only their ‘main’ national interest (reflected by the ● mark in a corresponding column), but some other national interests as well (reflected by ○ marks in other columns).

**Step 3:** distribute (redistribute) the military functions among the military *structures*. This process is displayed in the left top part of the T-matrix. Two kinds of marks (● and ○) have similar meaning here. If there is only one ● mark in the corresponding row (on the left), that means only one military structure is supposed to fulfil a function (see function #4.1 for the Ministry of Interior in Table 1). It also means, there is no redundancy or overlapping of functions between different structures. On the contrary, numerous marks in the left part of the T-matrix indeed display such a redundancy. In some cases (see function #5.1 in Table 1) two different military structures (the Border Troops and Ministry of Interior, here just to give an example) are ‘empowered’ to do exactly the same, that predetermines their rivalry in fighting for a share of the budget.

## T-MATRIX TECHNIQUE: TOP-DOWN APPROACH

**Legend:** AF - Armed Forces; BT - Border Troops; MI - Ministry of Interior;  
ME - Ministry of Emergency; SS - Security Service;

- - main relationship (dependency);
- - secondary relationship (dependency)

Table 1

Military Structures					Military Functions	National Interests				
A	B	M	M	S		#1	#2	#3	#4	#5
F	T	I	E	S						
●	○	○	○	○	1.1	●		○	○	○
○		●		○	1.2	●			○	
○	○				2.1	○	●	○		○
					2.2		●	○		○
		●	○		2.3		●		○	
●			○		2.4	○		●		○
●	○		○		3.1		○	●		○
		●	○		3.2		○	●	○	
				○	3.3		○	●	○	○
		●			4.1	○			●	
	○			○	4.2			○	●	○
○	●	●			5.1	○			○	●
○		○	●		5.2		○		○	●
		○	●		5.3				○	●
	○			○	5.4		○	○		●

This is an example of synthesis, since the procedure not only helps to generate the military functions, but also determines an appropriate military structure for them. Taken together these functions and structure help to produce a new vision of Ukraine’s Military organisation.

### Distinctive Features of the T-matrix Technique

The T-matrix technique has many useful characteristics. As the most important of them one can relatively easy recognise the following six ones.

**First**, the T-matrix has three dimensions and therefore allows to break a complex system down into a set of three elements. Taken together, these elements may represent different processes, such as strategy development, mission planning, business planning, decision-making and so on. The following are examples of clusters of the related elements at a particular level.

Interests	¾	Functions	¾	Structures
Objectives	¾	Missions	¾	Resources
Priorities	¾	Roles	¾	Modules
Goals	¾	Capabilities	¾	Units

**Second**, the T-matrix is a «two-way street» technique. It allows to conduct both analysis and synthesis. Table 1 gives an example of top-down approach in use of the technique.

One can also proceed in an opposite direction, from left to right of the T-matrix. In this case, it is necessary to fill the left part of the matrix (see Table 2) with the names of existing (present) military structures. Their military functions [from the corresponding laws and regulations] ought to be written in the central part of the matrix with corresponding numbering and marking (on the left). Then a projection of these functions to Ukraine's national interests (written in the top right part) will show what interests are not protected against threats (gaps in functions) and what military functions are unnecessary (redundancy in functions). From the example below it is obvious, that (a) function #6 of the Border Troops (marked BT.6) can be deleted as unnecessary – it neither promotes, nor protects any national interest; (b) national interest #5 (see Table 2) is not protected against the threats, despite the existence of many military structures. Thus, the technique allows to use both top-down and bottom-up<sup>34</sup> analysis and synthesis, and both objective-based and capability-based planning procedures.

**Third**, the T-matrix provides a multi-level procedure. This characteristic is very important. Using the top-down approach (see table 1), one can proceed much further than the given example shows. Indeed, that was only the first and the highest [macro] level. At this level one deals with such broad categories as national interests, military functions, and military structures. Meanwhile, this macro level provides the foundations for the second, third and further levels.

At the first [macro] level one can separate [from the left column of the T-matrix] the Armed Forces' military functions (column marked AF). Then one can repeat the same process, but at a lower level. To do this, one needs to put these *functions* in the top right box of the next T-matrix, translate them (in the central part) into a list of *capabilities* required and then determine (in the left part) the appearance of the main *structural elements* of the Armed Forces.

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<sup>34</sup> In some cases the titles can confuse a reader. In fact, «The Bottom Up Review» (1992-1993), well advertised in the USA, was rather top-down review, despite its title.

## T-MATRIX TECHNIQUE: BOTTOM-UP APPROACH

**Legend:** AF - Armed Forces; BT - Border Troops; MI - Ministry of Interior;  
ME - Ministry of Emergency; SS - Security Service;

- - main relationship (dependency);
- - secondary relationship (dependency)

Table 2

Military Structures					Military Functions	National Interests				
A	B	M	M	S		#1	#2	#3	#4	#5
F	T	I	E	S						
●					AF.1	●		○	○	
●				○	AF.2			●	○	
●	○				AF.3	○	●	○		
●	○				AF.4			○	●	
	●		○		BT.1		○		●	
	●				BT.2		○	●	○	
	●			○	BT.3		○		○	
	●			○	BT.4	○			●	
	●			○	BT.5		●	○		
○	●				BT.6					
○		●			MI.1		○		○	
		●			MI.2	●			○	
			●	○	ME.1		○	○	●	
			●	○	ME.2	○	●		○	
				●	SS.1	○			○	
○			○	●	SS.2		○	○		

If one defines the capabilities in broad terms (like land warfare, anti-submarine operations, air traffic control) then the top left box will contain such structures as military services, military branches, operational commands, main military departments, etc. If at the following level one goes further and defines the capabilities in more specific, 'smaller' force/support packages and modules (like battlefield interdiction, close air support, offensive counter-air operations, sea transport, signal intelligence), then the top left box will also be more specific. It will contain army divisions, mobile brigades, artillery battalions, fighter squadrons, battleships, marine brigades, and other similar elements.

At each level, one may extract from the left part of the matrix the necessary column and put its elements into the right top box of the next [lower level], matrix, to figure out what is needed to get the result. Going through branches of the 'tree,' one is able to follow the general track and produce the results that will match the original objectives.

**Fourth**, the T-matrix technique provides completeness, insufficiency, and redundancy checks. Indeed, at each level of detailing there is an opportunity to define the main relationship (● mark in the matrix) and secondary relationships (○ marks in the matrix), i.e. see the completeness, insufficiency or redundancy of next level

elements to fulfil the previous level functions. Certainly, for different reasons one may tolerate insufficiency or/and unnecessary redundancy, i.e. duplication of functions of existing structures. The technique allows not only to find the deficiencies and shortcomings, but also relate them to specific objectives (not achieved) or resources (wasted).

**Fifth**, the technique is simple enough to understand, its use does not require time consuming training. In fact, the technique helps to put one's thoughts (ideas, proposals, plans) in order. Moreover, through the T-matrix one sees the whole 'big picture' which in itself is extremely important, especially for politicians and civilians who lack a military-professional background and detailed, operational expertise.

**By using the technique one can present MPs, for example, with a military budget in an appropriate format that allows them to see the interrelationship between objectives (defined), specific military functions (to support those objectives), and means (to be funded within the budget limits). In this case each parliamentarian's proposal to cut the military budget could be evaluated in terms of functions (not fulfilled) or objectives (not achieved).**

**Sixth**, the T-matrix technique has many computer-based applications. The corresponding data base provides much more opportunities in weighing different dependencies, comparing available alternatives, optimising corresponding structures, and visualising results in an understandable manner.

To conclude, **the three-dimensional T-matrix technique addresses the problem of democratic civilian control over military by facilitating accountability (in terms of both policy and finance). The idea is to address the military reform problem based on a systematic, methodical analysis centred on the technique. By tackling the problem this way, one gets a blueprint for an appropriate and sustainable military effort. In addition, the process will generate information and insights that will not only make the exercise itself 'transparent', but will also lay the groundwork for continuing scrutiny of decisions, actions and resource allocations, thus satisfying the essential requirement for democratic civilian control over the whole military sphere.**