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POLICY PLANNING WHITE PAPER: UKRAINE'S POST-RUSSIAN WAR SECURITY SECTOR

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Executive Summary

Russia's invasion of Ukraine in February 2022 necessitated a rapid and large-scale military response in Ukraine. This involved national efforts to mobilize the Ukrainian population and the solicitation of extensive international support in terms of military equipment and funding. Ukraine will benefit from preparing to consider, design, and operationalize an effective plan for transitioning its highly militarized, wartime society, to a post-war nation with appropriate security assurances, once the appropriate time is reached. Ukraine may consider approaching this through a process of Security Sector Reform (SSR).

This paper considers the key post-war security challenges that Ukraine will face as it implements Security Sector Reform. The complex array of armed actors operating within Ukraine, including Ukraine's armed forces, pro-Russian separatists and militias, and organized criminal networks, will require careful consideration as the Ukrainian government navigates how to reestablish security and best structure its security forces. Weapons availability and management will pose further risks to post-war security as a result of the massive influx of international military assistance since February 2022, particularly in light of Ukraine's historical issues with illicit weapons trafficking and the opportunities presented by any post-war security vacuum. Ukraine's economy has been enormously disrupted by the war and the country will require extensive economic reconstruction and rebuilding of infrastructure. While challenging, reconstruction and associated international funding and support poses opportunities for Ukraine to rebuild its security institutions and utilize the skills of demobilizing forces in building up the civilian economy. At the same time, the issues of institutional corruption and oligarchy in Ukraine will mean that efforts to rebuild Ukraine will need to embed strong anti-corruption measures in order to ensure that funding for reform and reconstruction is not misused.

This paper recommends Security Sector Reform as a means for Ukraine to best transition to a robust and defended post-war nation.

Specifically, it outlines an approach to Security Sector Reform in Ukraine, including reconfiguring Ukraine's post-war security landscape that suggests:

1. Undertaking a comprehensive assessment of the Ukrainian security sector. This assessment involves looking at military and civilian

forces, but also security and defense ministries, non-state forces, and other security-related organizations; and

2. Defining Ukraine's desired end-state and developing a strategic plan for Security Sector Reform. This recommended strategic plan includes a step-by-step approach to defining Ukraine's goals and objectives for reform. These goals may include restructuring Ukrainian security institutions and operational units and transitioning some military personnel into civilian security forces and into the civilian economy to fulfill essential post-war roles. The objectives can define specific requirements for implementing these goals.

This paper presents a process for implementing Security Sector Reform while navigating the key post-war security challenges that Ukraine will face. The process focuses on the dismantling, transfer, and reintegration of select military forces into the civilian security sector and civilian roles, the development of a clear process for disarmament and managing weapons in Ukraine, and the provision of rehabilitation services for demobilizing individuals.

A suggested process for funding Security Sector Reform is outlined to address the feasible operationalizing of this approach. Specifically, efforts to fund a Security Sector Reform process in Ukraine will likely need to involve four main stages: first, internal planning in Ukraine, including identifying funding goals, key ambassadors for a fundraising initiative, and relevant financial institutions; second, external fundraising, including the strategic coordination of fundraising efforts and the appointment of appropriate co-leadership from the international community; third, the approach to structuring Ukraine's funding appeals to Europe and the international community; and fourth, corruption controls, as Ukraine manages and distributes funding.

Ultimately, this paper proposes that Ukraine will face a number of post-war security challenges, and will, at some point, seek to transition out of its current highly militarized state. To do so, Ukraine will need a new security paradigm that includes both security assurances and supporting regional security mechanisms. Security Sector Reform provides Ukraine with a framework for doing so. The actions outlined in this paper can serve to support Ukraine in repurposing its military forces to best meet its post-war security and reconstruction needs, while maintaining a sufficient security structure in the face of potential future aggression and the continuation of conflict domestically.

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About the Public International Law & Policy Group Policy Planning Initiative

Statement of Purpose

This paper considers the key challenges that Ukraine will face when transitioning from a highly militarized, wartime society, to a post-war nation with appropriate security structures, and suggests a process of Security Sector Reform to achieve this transition. This paper outlines a recommended plan for implementing Security Sector Reform in Ukraine, as well as outlining an approach to funding these efforts.

Background

In February 2022, Russia launched a full-scale invasion of Ukraine, starting a war that has resulted in mass displacement, tens of thousands of casualties, and extensive destruction of Ukrainian property and infrastructure. The February 2022 invasion and ensuing war marks the escalation of a conflict predicated by turmoil in the region since the 2014 Russian illegal annexation of Crimea, and longer-term regional political and cultural relations.

Russia's invasion has prompted a massive expansion of Ukraine's military capabilities and a nationwide militarization effort in Ukraine. In the past year since the 2022 invasion, the Armed Forces of Ukraine have proven effective in halting and repelling Russian forces. The success of the Ukrainian military may be partially attributed to military reforms implemented between 2014 and 2022.¹ During the 2014 Russian invasion and annexation of Crimea, the Ukrainian military had only 6,000 combat-ready troops out of a total force of 130,000.² The Russian military and Russian-backed separatists defeated Ukrainian forces in the early stages of the 2014 conflict, and Ukraine relied heavily on newly formed volunteer and territorial defense battalions funded by private donations to support formal military forces.³ The situation spurred a range of military reforms; Ukraine expanded the size of the military to roughly 200,000 active-service personnel and

¹ Marc Champion, *Eight Years of Combat Hardened Ukraine's Army Into a Fighting Force*, BLOOMBERG, (Oct. 9, 2022), available at <https://www.bloomberg.com/news/articles/2022-10-09/secrets-of-why-ukraine-s-army-is-better-than-vladimir-putin-s-russian-military>; additionally, the Armed Forces of Ukraine were unable to repel Russian forces during the 2014 Russian invasion and annexation of Crimea, when Russian-backed separatist groups fomented an insurgency in Ukraine's eastern Oblasts.

² *Ukraine Reinstates Conscription as Crisis Deepens*, BBC, (May 2, 2014), available at <https://www.bbc.com/news/world-europe-27247428>.

³ Adrian Bonenberger, *Ukraine's Military Pulled Itself Out of the Ruins of 2014*, FOREIGN POLICY, (May. 9, 2022), available at <https://foreignpolicy.com/2022/05/09/ukraine-military-2014-russia-us-training/>.

900,000 reservists, increased military spending, and implemented institutional reforms following NATO standards.⁴

Additionally, the Ukrainian administration under Petro Oleksiyovych Poroshenko pushed to integrate and professionalize these various battalions in 2014-2015. As of the 2022 invasion, the vast majority of Ukraine's volunteer battalions, as well as the Territorial Defense Forces which serve as the organized reserve units of the Ukrainian army, are integrated into the formal Ukrainian military structure.⁵ In January 2022, in anticipation of a possible invasion, Ukraine also formed the Territorial Defense Force as a standalone reserve branch of the Ukrainian military, incorporating roughly 100,000 civilians and volunteer battalion members from the 2014 Russian invasion.⁶ As a result of these reforms and integrations over the past decade, a wide range of militarized groups make up Ukraine's military forces in 2023.

The manner and timeline in which Russia's war in Ukraine will end remain unclear. Despite this uncertainty, Ukraine will need to plan, prepare, and, ultimately, operationalize an effective transition from the highly militarized, wartime society, to a strong, secure, and stable post-war state with appropriate security assurances. Such efforts will require re-establishing and ensuring the continuity of the Ukrainian Government's monopoly of force in light of the proliferation of armed actors defending the country during Russia's war. This plan must equip Ukraine with effective military and civilian forces and strong security institutions that are capable of deterring future Russian aggression, rapidly mobilizing reserve forces, and managing internal conflict in the regions formerly annexed by Russia. A successful transition should also aim to establish a secure and stable domestic environment that enables Ukraine to focus on economic and social reconstruction, security and governmental reform, and, where appropriate and necessary, the reintegration of elements of its expanded military into the civilian sector. This reconfiguration will be key in ensuring that Ukraine is equipped to transition to a state of long-term peace and stability.

This paper draws upon expert insights and extensive research in order to provide guidance for Ukraine in approaching this transition. This paper notes several key post-war challenges that Ukraine will face, before defining the process

⁴ Valeriy Akimenko, *Ukraine's Toughest Fight: The Challenge of Military Reform*, CARNEGIE ENDOWMENT, (Feb. 22, 2018), available at

<https://carnegieendowment.org/2018/02/22/ukraine-s-toughest-fight-challenge-of-military-reform-pub-75609>.

⁵ This includes the likes of the Azov, Donbas and Aidar Battalions, and the Ukrainian Volunteer Corps.

⁶ Phillip M. Breedlove, John E. Herbst and Jerry Macarthur Hultin, *Giving Ukraine a Fighting Chance: More Support Needed for the Territorial Defense Force*, THE HILL, (Aug. 22, 2022), available at

<https://thehill.com/opinion/international/3610822-giving-ukraine-a-fighting-chance-more-support-needed-for-the-territorial-defense-force/>.

for tackling these challenges through a robust framework for Security Sector Reform and the repurposing of military forces to meet Ukraine's post-war security needs. Additionally, it outlines a process for funding a Ukrainian Security Sector Reform process. This section acknowledges that funding questions are critical, given the significant reconstruction investment that will be required as a result of the war's impact on the Ukrainian economy and infrastructure.

This paper considers that Russian forces, and their affiliated paramilitaries, will be removed from Ukraine, or demobilized, disarmed, and ultimately disbanded. Furthermore, it acknowledges this process within Russia will need to occur but does not attempt to provide guidance on the demobilization of the Russian armed actors. The focus of this paper remains on the important issue of Ukrainian Security Sector Reform and the reconfiguration of Ukraine's security landscape post-war.

Post-War Security Challenges

Regardless of how Russia's war in Ukraine ends, Ukraine will face a number of key challenges relating to its ability to manage security reform and reconstruction. These challenges will benefit from the implementation of a comprehensive plan for reforming and repurposing its security infrastructure and forces with the goal of establishing long term peace, security, and development. When the active fighting ends, Ukraine will need to navigate a complex armed actor landscape developed over eight years of conflict since 2014 and the risks posed by the radicalization of some of these actors; the massive influx of weapons and ammunition into Ukraine, the availability of these weapons when war ends, and Ukraine's historical issues with arms trafficking; institutional corruption and oligarchy; and the battered post-war economy and an enormous reconstruction bill that a recent assessment from the World Bank has estimated at \$630 billion.⁷ Ukraine will also continue to face the overarching threat of future Russian aggression, necessitating future Ukrainian efforts to balance security reform and a reconfiguration of its armed forces, with maintaining appropriate military capacity. The specific considerations necessitated by these challenges should factor into Ukraine's wider planning for security reform, the reconfiguration of its armed forces, and its wider reconstruction efforts.

⁷ Jakob Zirm, *Ukraine: Die Entwicklung von 15 Jahren ist ausgelöscht*, DIE PRESSE, (Dec. 3, 2022) available at <https://www.diepresse.com/6223189/ukraine-die-entwicklung-von-15-jahren-ist-ausgeloescht>.

The Complex Armed Actor Landscape

Ukraine is home to a complex armed actor landscape which has developed tremendously since February 2022. This landscape includes fully integrated volunteer and territorial defense force battalions, reservists, and civilian volunteers, as well as an increased number of regular military units. As a result, Ukraine's armed forces encompass actors with a range of priorities, objectives, and interests. Ukraine will need to be thoughtful in reconfiguring these forces and solidifying the government's monopoly of force following the war.

Beyond Ukraine's armed forces, pro-Russian separatists and militias, many of whom have received Russian backing, will continue to persist in Ukraine following the cessation of Russian aggression in Ukraine. The existence of these groups poses a risk for both Ukraine's efforts to solidify its monopoly of force across the country, and the post-war continuation of conflict by other means. These pro-Russian groups include the Donetsk People's Militia and Luhansk People's Militia, of the Donetsk People's Republic and Luhansk People's Republic respectively, which originated in Ukraine's Donbas region, the historical seat of pro-Russian separatist sentiment.⁸ The Parliament of Ukraine has recognized these groups, alongside similar formations, as terrorist organizations, and has called on the international community to follow suit.⁹ Kremlin-backed paramilitary organization the Wagner Group, which the US Treasury has designated as a "significant transnational criminal organization,"¹⁰ have also operated within the boundaries of Ukraine throughout the war.¹¹

Ukraine is also known historically for the presence of organized crime, particularly in these "pseudo-states" of the Donetsk People's Republic and Luhansk People's Republic, as well as Russian-occupied Crimea. Organized crime was already a challenge nationwide and particularly in the east and south prior to the 2014 annexation of Crimea, but has burgeoned since 2014. In some instances local criminals have moved into the war arena, exacerbating an already prevalent

⁸ PILPG SSR Policy Planning Working Group Work Product, in discussion with PILPG, September 2022-January 2023.

⁹ Statement of the Verkhovna Rada of Ukraine on Countering International Terrorism Supported by the Russian Federation, EMBASSY OF UKRAINE TO THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, (Jul. 29, 2014), available at <https://uk.mfa.gov.ua/en/press-centr/3837-statement-of-the-verkhovna-rada-of-ukraine-on-countering-international-terrorismsupported-by-the-russian-federation>.

¹⁰ Press Release, *Treasury Sanctions Russian Proxy Wagner Group as a Transnational Criminal Organization*, U.S. DEPARTMENT OF TREASURY, (Jan. 26, 2023), available at <https://home.treasury.gov/news/press-releases/jy1220>.

¹¹ Tanya Mehra and Méryl Demuynck, *Raising the stakes against the Wagner Group: From mercenaries to a designated terrorist group?*, INTERNATIONAL CENTRE FOR COUNTER TERRORISM [wagner-group-mercenaries-or-terrorist-group/](https://www.icct.org/terrorism/wagner-group-mercenaries-or-terrorist-group/).

link between organized crime and insurrection.¹² The institutionalization of the Donetsk People's Republic and Luhansk People's Republic has enabled criminal figures to embed themselves into these regimes. At the same time, the areas' separation from the rest of Ukraine, combined with the repercussions of Western sanctions, have allowed organized criminal actors to fill economic gaps, securing their importance in the regions.¹³

In order for Ukraine to establish a stable post-war security environment and transition its forces in a way that best meets its security needs, it will need to confront this complex actor landscape. This includes, but is not limited to making internal changes that involve reforming and reconfiguring its military institutions and armed and civilian forces; the removal of pro-Russian forces to within Russian borders; the demobilization and disarmament of separatist forces remaining in Ukraine; and government-led efforts to deal with actors involved in organized crime. Success within each of these Ukraine-led efforts to address the varied actors involved will allow the Ukrainian government to re-establish its monopoly of force within its borders, including in previously occupied territories.

Weapons Availability and Management

Ukraine has received billions of dollars' worth of military assistance from NATO and EU powers since the beginning of Russia's war in Ukraine.¹⁴ This has included the likes of long-range artillery systems and ammunition, anti-tank munitions, Multiple Launch Rocket Systems, and short-range air defense missiles.¹⁵ Only relatively recently have there been efforts to begin tracking these weapons. American military personnel began inspections to track US-provided weapons and ammunition in the latter months of 2022,¹⁶ and these efforts were undergoing expansion as of December 2022.¹⁷

¹² David Klein, *Report: In Crimea and the Donbas, Organized Crime Reigns Supreme*, ORGANIZED CRIME AND CORRUPTION REPORTING UNIT, (Jul. 15, 2022), available at <https://www.occrp.org/en/daily/16570-report-in-crimea-and-the-donbas-organized-crime-reigns-supreme>.

¹³ David Klein, *Report: In Crimea and the Donbas, Organized Crime Reigns Supreme*, ORGANIZED CRIME AND CORRUPTION REPORTING UNIT, (Jul. 15, 2022), available at <https://www.occrp.org/en/daily/16570-report-in-crimea-and-the-donbas-organized-crime-reigns-supreme>.

¹⁴ David Brown, Jake Horton & Tural Ahmedzade, *Ukraine weapons: What military equipment is the world giving?*, BBC, (Sept. 9, 2022), available at <https://www.bbc.co.uk/news/world-europe-62002218>.

¹⁵ Bureau Of Political-Military Affairs, *U.S. Security Cooperation with Ukraine Factsheet*, U.S DEPARTMENT OF STATE, (Jan. 18, 2023), available at <https://www.state.gov/u-s-security-cooperation-with-ukraine/>.

¹⁶ Courtney Kube and Phil McCausland, U.S. military inspectors in Ukraine to keep further track of weapons and equipment, NBC NEWS, (Nov. 1, 2023), available at <https://www.nbcnews.com/news/us-news/us-military-inspectors-ukraine-keep-track-weapons-equipment-rcna54891>.

¹⁷ Courtney Kube and Carol E. Lee, *Biden admin wants to boost efforts to track U.S. weapons in Ukraine, may send another handful of troops*, NBC NEWS, (Dec. 13, 2023), available at <https://www.nbcnews.com/politics/national-security/biden-weighing-send-us-troops-ukraine-track-weapons-rcna61078>.

While these weapons are crucial to Ukrainian efforts to defend its sovereignty, the potential availability of undocumented weapons post-war, as well as the transfer of weapons to criminal groups in a post-war Ukraine will pose a challenge to establishing long-term security in the country. Given the sheer magnitude of weaponry in Ukraine, the need to manage military arms when the war ends will extend beyond the customary tasks of collecting, documenting and controlling arms (which must also happen on a massive scale). Ukrainian efforts of weapons management must also involve transforming an intensely militarized theater of war including the removal of landmines, military fortifications and installations, and disposal of abandoned or destroyed equipment as well as extensive environmental cleanup.

Historically a major producer of weaponry within the Soviet Union, after the USSR's fall, Ukraine sold weapons across the globe and the country has long been viewed as a home to an "expansive illicit weapons trafficking network."¹⁸ Considering this history in light of the large influx of weapons and ammunition into Ukraine from the United States, the European Union, other NATO member states, and additional allies and partners highlights the risk of domestic and cross-border illegal arms trafficking in a post-war Ukraine. This risk is particularly relevant in the previously occupied territories where law and order must be reestablished. Although there is currently little evidence that cross-border illicit arms trading out of Ukraine has increased as a consequence of the war, such a risk of weapons trading and proliferation remain legitimate concerns for a post-conflict Ukraine.¹⁹ Risks regarding the continuation of armed conflict domestically may also be exacerbated by relatively extensive civilian gun ownership in Ukraine. It is important to note that Ukraine is the only country in the region, apart from Russia, that is not a state party to the Arms Trade Treaty.²⁰ This creates a gap which will seriously limit the ability to control potential post-war weapons deviation in Ukraine. Such a reality should be considered when envisioning a post-war plan for the management of weapons availability.

¹⁸ *Risk of weapons vanishing as over 20 countries send arms to Ukraine*, RESPONSIBLE STATECRAFT, (Mar. 7, 2022), available at <https://responsiblestatecraft.org/2022/03/07/big-risk-of-weapons-vanishing-as-over-20-countries-send-arms-to-ukraine/>; *Ukraine*, Global Organized Crime Index, available at <https://ocindex.net/country/ukraine>.

¹⁹ David Klein, *EU: Proposed Gun Laws Addresses Claims That Ukraine War is Leaking Illegal Arms*, ORGANIZED CRIME AND CORRUPTION REPORTING UNIT, (Nov. 2, 2022), available at <https://www.occrp.org/en/daily/16971-eu-proposed-gun-laws-addresses-claims-that-ukraine-war-is-leaking-illegal-arms>.

²⁰ Treaty Status, *Arms Trade Treaty*, available at <https://thearmstradetreaty.org/treaty-status.html?templateId=20988>.

The Post-War Economy

The economic disruption in Ukraine brought about by the Russian invasion has been extensive. The whole of Ukraine is affected, while those areas under direct Russian attacks and occupation have faced physical devastation to homes, industry, infrastructure and land. The fleeing of staggering numbers of civilians (whether to other parts of Ukraine or other countries), the mass forced relocation of civilians to Russia, and the virtual collapse of pre-war economic activity have brought about a baseline of economic and infrastructural devastation that in many cases has largely erased what was there before.²¹ Many of the cities and towns in Eastern and Southern Ukraine, where large numbers of Ukraine's fighters come from, are in ruin, and previous means of employment have been destroyed. The necessary militarization of society has also impacted regular economic production and consumption, as swaths of the workforce have joined the war effort. The economic devastation in Ukraine creates a difficult environment for Ukrainians to re-enter civilian life following the war.

Ukraine will need to engage in enormous reconstruction efforts when the war ends. The World Bank estimates that Ukrainian post-war reconstruction could cost up to \$630 billion, with the figure expected to rise as the war continues.²² However, the massive task of reconstructing Ukraine's post-war economy provides a number of opportunities for reform, growth, and the creation of robust economic foundations that can support wider efforts to build and maintain Ukraine's domestic and international security long-term. Targeted growth initiatives in the regions most affected by the war can create good economic conditions for fueling employment and private-sector growth.²³

Post-war reconstruction in Ukraine will require a whole-of-society approach. Employment in reconstruction efforts will pose a promising avenue for the employment and reintegration into civilian life of the huge numbers of the population mobilized in 2022, providing Ukraine with a way to establish adequate structures of support for transitioning groups. Ukraine-wide reconstruction also provides an opportunity to rebuild in ways that are closely aligned to EU standards, thus encouraging further international investment and growth, supporting

²¹ PILPG SSR Policy Planning Working Group Work Product, in discussion with PILPG, September 2022-January 2023.

²² Jakob Zirm, *Ukraine: Die Entwicklung von 15 Jahren ist ausgelöscht*, DIE PRESSE, (Dec. 3, 2022) available at <https://www.diepresse.com/6223189/ukraine-die-entwicklung-von-15-jahren-ist-ausgeloescht>.

²³ Irma Specht, *Practice note 4: Socio-Economic Reintegration of Ex-Combatants*, Strengthening The Economic Dimensions Of Peacebuilding Practice Note Series, INTERNATIONAL ALERT, p.2, (Sept. 1, 2010), available at https://www.enterprise-development.org/wp-content/uploads/InternationalAlert_ExCombatants.pdf.

Ukraine's political goals, and bringing Ukraine closer to the European security fold.

Institutional Corruption and Oligarchy

Ukraine has suffered from endemic institutional corruption since its independence from the Soviet Union in 1991, with perennially low scores from Transparency International's Corruption Perception Index.²⁴ Although reforms since 2014 have had some success in improving the situation, corruption remained a challenge in the Ukrainian legal and political systems prior to the 2022 invasion, and will be an important challenge to address in a post-war Ukraine.²⁵ High levels of corruption create problems for Ukraine both economically and politically. Corruption concerns will impact the confidence of Western investors in Ukraine, stymying reconstruction efforts, while public perceptions of rampant corruption will undermine trust in government and promote cynicism about the democratic process, potentially fueling political instability.²⁶

Establishing strict anti-corruption measures will be important in Ukraine's post-war reform and reconstruction effort. This is particularly important as Ukraine plans to solicit funding for these processes. European Commission president Ursula von der Leyen has made clear the importance of transparency from the Ukrainian government as they engage in a reconstruction and recovery program, in order to ensure corruption does not negatively impact their efforts.²⁷ The war has reportedly damaged the wealth of Ukrainian oligarchs, prime suspects in Ukraine's corruption problem. Furthermore, reconstruction will breed new opportunities for corruption, and perhaps even incentives for utilizing armed groups as auxiliaries for economic interests, as billions of dollars in investment and loans flood into Ukraine. Ukraine must thus ensure strict anti-corruption controls for the state institutions responsible for managing reform and reconstruction. These efforts could begin with the involvement of national and civil society anti-corruption bodies such as the National Anti-Corruption Bureau of Ukraine, the National Agency on Corruption Prevention and the Anti-Corruption Action Center,

²⁴ *Ukraine*, Transparency International, available at <https://www.transparency.org/en/countries/ukraine>.

²⁵ Philippe Leroux-Martin and Calin Trenkov-Wermuth, *Protecting Civilians in Ukraine Now — and After the War*, UNITED STATES INSTITUTE OF PEACE, (Apr. 21, 2022) available at <https://www.usip.org/publications/2022/04/protecting-civilians-ukraine-now-and-after-war>.

²⁶ Patrick Wintour, *Ukraine lays out \$750bn 'recovery plan' for postwar future*, THE GUARDIAN, (Jul. 4, 2022), available at <https://www.theguardian.com/world/2022/jul/04/ukraine-zelenskiy-lays-out-750bn-recovery-plan-for-postwar-future>.

²⁷ Patrick Wintour, *Ukraine lays out \$750bn 'recovery plan' for postwar future*, THE GUARDIAN, (Jul. 4, 2022), available at <https://www.theguardian.com/world/2022/jul/04/ukraine-zelenskiy-lays-out-750bn-recovery-plan-for-postwar-future>.

in order to build national capacity for longer-term anti-corruption efforts and embed measures into Ukraine’s post-war planning from the outset.²⁸

An Approach to Planning Security Sector Reform and Reconfiguring Ukraine’s Post-War Security Landscape

Security Sector Reform is a valuable process that Ukraine can use to transform and structure its post-war security sector to strengthen accountability, effectiveness, and respect for the rule of law. Security Sector Reform can provide a framework for Ukraine to conceptualize the important actors and issues in its security environment, and to plan for the most effective use of its available security resources in a way that establishes robust security assurances.²⁹ This section outlines the approach for implementing Security Sector Reform, before exploring the associated process and how this may support Ukraine in navigating the post-war challenges outlined.

Ukraine would benefit from aiming to: re-establish a nationwide monopoly of force; build safeguards against future Russian aggression, as well as domestic conflict; implement reconstruction programs; and enact reforms that address the challenges outlined above, including weapons proliferation, organized crime, and institutional corruption. Ukraine may wish to follow a two-stage approach to implementing Security Sector Reform. The first step will require that Ukraine assess its security environment to examine its existing security structures. The second step will require that Ukraine design a strategic plan for implementing Security Sector Reform and reconfiguring Ukraine’s post-war security landscape.

Undertaking a Comprehensive Assessment of the Ukrainian Security Sector

Following the conclusion of Russia’s war, Ukraine would benefit from launching a comprehensive assessment of its security sector. The overarching purpose of a Security Sector Reform assessment is to examine the security sector on a whole-of-government basis. For Ukraine, this process will be particularly important in developing a strategic plan and determining how to optimally utilize the manpower released by demobilization from military forces into civilian forces and the civilian economy.

A comprehensive assessment includes evaluating the operational military and civilian security forces, as well as the ministries that supervise those forces and

²⁸ Francis Shin, *Corruption Could Mean Ukraine Loses a Future Peace*, FOREIGN POLICY, (May 23, 2022) available at <https://foreignpolicy.com/2022/05/23/ukraine-aid-corruption-reconstruction/>.

²⁹ *Security Sector Governance and Reform Background*, THE GENEVA CENTRE FOR SECURITY SECTOR GOVERNANCE, (2009), available at https://securitysectorintegrity.com/security-sector-governance/security-sector-reform/#_ftn1.

their relationship to the executive and parliament, as well as non-state forces and security-related organizations such as militias and private security companies. The assessment would consider roles, missions, mandates, and the relationships between the various forces and the Ukrainian state. The assessment would also pay particular attention to units that were outside the national armed forces of Ukraine at the beginning of the conflict, prior to both 2014 and 2022.³⁰

Defining Ukraine's Desired End-State and Developing a Strategic Plan for Security Sector Reform

A comprehensive assessment of the security sector can be followed by the development of a strategic plan for Security Sector Reform to meet Ukraine's specific post-war needs. In order to do so, Ukraine would benefit from first defining its desired end-state after armed cross-border combat with Russia ends.

Regarding security, the Ukrainian government, alongside former NATO Secretary-General Anders Fogh Rasmussen, has published a draft set of security guarantees that Ukraine seeks from its allies.³¹ These outline Ukraine's desired end-state in terms of its food security, radiation and nuclear safety, energy security, and preventing future aggression. Furthermore, Ukraine's ambitions to join NATO are enshrined in its constitution, and it has been a candidate for accession to the EU since June 2022.³² Regarding reconstruction, Ukraine will likely seek to develop a safe domestic environment that is able to receive and utilize reconstruction funds effectively, and stable enough to encourage international investment to stimulate further economic growth beyond immediate reconstruction. Ukraine may also need to plan for the return of citizens to the civilian economy to engage in crucial post-war reconstruction and rebuilding activities. These goals will be critical in guiding the design of Ukraine's plans for Security Sector Reform.

Once Ukraine has carried out a comprehensive assessment and defined its desired end-state, the following outline for the strategic plan may be observed:

1. Statement of Conclusions from Comprehensive Assessment:

A strategic plan often begins with a statement of the conclusions from the comprehensive assessment. This statement would address: What is the current

³⁰ This would include the likes of the Azov Battalion, the Donbas Battalion, the Aidar Battalion, and the Territorial Defense Forces, among others.

³¹ Anders Fogh Rasmussen and Andrii Yermak, *The Kyiv Security Compact*, THE OFFICIAL WEBSITE OF THE PRESIDENT OF UKRAINE, (Sep. 13, 2022), available at https://www.president.gov.ua/storage/j-files-storage/01/15/89/41fd0ec2d72259a561313370cee1be6e_1663050954.pdf.

³² *Ukraine EU Enlargement Policy*, COUNCIL OF THE EUROPEAN UNION, available at <https://www.consilium.europa.eu/en/policies/enlargement/ukraine/>.

security situation in Ukraine? What institutions and operational forces does Ukraine need to consider in developing a strategic plan? What are Ukraine's requirements in regard to military, security, and civilian forces and manpower?

2. Overarching Goals for Strategic Plan:

The plan would next define the overarching goals for a Security Sector Reform process. These will likely involve restructuring Ukrainian security institutions and operational units, and repurposing and transitioning some military personnel into civilian security forces and the civilian economy in order to fulfill essential post-war roles. This outline would be cognizant of both the need to maintain robust military and security forces to deter future aggression and tackle domestic conflict and security, as well as the need to restore and rebuild civil society and the civilian economy. As the guiding principle, Security Sector Reform must seek to do no harm. This principle should be central to, and direct, the strategic plan.

3. Specific Objectives of the Strategic Plan:

Finally, plans often set forth specific and measurable objectives to achieve the overarching goals. In the context of the goals outlined here, these objectives will detail the requirements and activities of organizations and units that will be needed. For example, expand border control staff, expand police constabularies, remove land mines, and investigate war crimes. This would involve creating and enhancing civilian security units, such as civilian police constabulary and border control forces. Ukraine will also want to transition some personnel, particularly those with essential skills, back into civilian life, as it will require civilian manpower to staff programs dealing with the resettlement of displaced people, family reunification, unexploded ordnance removal, war crimes investigations and civil reconstruction. Ukrainian planners should make early efforts to identify where skills gained in military service can best meet the needs of the post-war civilian economy. The plan can also address the manner in which Ukraine will meet the vastly increased need to provide veteran services and the role that can be played by international technical assistance and financial support for the Security Sector Reform process.³³

³³ PILPG SSR Policy Planning Working Group Work Member, in discussion with PILPG, September 2022-January 2023.

A Process for Implementing Security Sector Reform - Navigating Ukraine's Post-War Security Challenges

This paper has outlined a number of key post-war challenges that Ukraine will face, as well as a two-step approach to implementing Security Sector Reform and reconfiguring Ukraine's security landscape that can be taken to address these challenges. This section explores the practical steps to implement Security Sector Reform, in light of the key challenges identified and the Ukrainian context.

Building From Existing Ukrainian Efforts

A Security Sector Reform-based approach to reforming Ukraine's security sector could build from existing Ukrainian efforts grounded in Ukraine's decades-long work with NATO on defense reform.

The NATO-Ukraine Commission, established in 1989, has worked through the NATO-Ukraine Joint Working Group on Defense Reform to pursue a range of initiatives in democratic oversight and civilian management of the armed forces, defense planning and policy development, and ministry management and administration. Following these efforts, in 2018, Ukraine's parliament adopted law no.8068 "On the National Security of Ukraine,"³⁴ that established a framework for strategic planning, governance and oversight of the security sector.³⁵ Other partnership efforts working to increase transparency in military affairs, such as the U.S Department of Defense State Partnership Program under which Ukraine is partnered with the California National Guard, may also provide a valuable foundation for reform.³⁶ In such partnerships, a high level of mutual trust and understanding has already been established, and long-term collaborative efforts to modernize Ukraine's defense capabilities may be built upon and expanded.³⁷

These pre-war efforts demonstrate Ukraine's commitment to reforms that lead them closer to "Euro-Atlantic integration"³⁸ and the government's readiness to

³⁴ Draft Law on National Security, VERKHOVNA RADA OF UKRAINE, available at http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=63531.

³⁵ Svitlana Musiiaka, *Against all Odds: Ukraine's Defence Reform Process*, GENEVA CENTRE FOR SECURITY SECTOR GOVERNANCE, (Jun. 29, 2022), available at <https://issat.dcaf.ch/Share/Blogs/ISSAT-Blog/Against-all-Odds-Ukraine-s-Defence-Reform-Process>.

³⁶ Jim Garamone, *Ukraine-California ties show worth of National Guard program*, NATIONAL GUARD, (Mar. 21, 2022), available at <https://www.nationalguard.mil/News/State-Partnership-Program/Article/2972128/ukraine-california-ties-show-worth-of-national-guard-program/>.

³⁷ *U.S. Security Cooperation with Ukraine*, U.S. DEPARTMENT OF STATE, (Feb. 3, 2023), available at <https://www.state.gov/u-s-security-cooperation-with-ukraine/>.

³⁸ Svitlana Musiiaka, *Against all Odds: Ukraine's Defence Reform Process*, GENEVA CENTRE FOR SECURITY SECTOR GOVERNANCE, (Jun. 29, 2022), available at <https://issat.dcaf.ch/Share/Blogs/ISSAT-Blog/Against-all-Odds-Ukraine-s-Defence-Reform-Process>.

continue efforts towards security reform and reconfiguration. This cooperation has been more extensive than with any other Partner for Peace country, although cooperation with NATO in regard to Security Sector Reform has thus far been limited to the defense ministry. While this paper does not take a position on Ukrainian NATO membership, in order to meet its post-war security needs, the focus of Ukraine's collaboration with NATO can be broadened to include the civilian ministries, operational forces, other relevant civilian components of the security sector, and additional post-war challenges that will be key to supporting Ukraine's goals.³⁹

Dismantling, Transferring and Reintegrating Select Military Forces into the Civilian Security Sector and Civilian Roles

When defining its desired end-state, Ukraine will outline its security and reconstruction goals. These goals will necessitate a process of dismantling, transferring, and reintegrating select military forces into the civilian security sector or civilian economy roles. This process will likely be overseen by Ukraine's Defense Ministry and the Ministry of Internal Affairs, and carried out by the Ukrainian military. There are options for how Ukraine selects those forces that are eligible and appropriate for transfer and reintegration. The process could be similar to the system devised by the United States following World War II (the Adjusted Service Rating Score system) in order to establish objective criteria for drawing down surplus personnel.

Under the Adjusted Service Rating Score system, soldiers were awarded a number of points based on how long they had served, military decorations, the number of campaigns they had taken part in, and the size of their families. Soldiers with a certain score were eligible for discharge and the number was reduced over time as demobilization went forward in an orderly manner.⁴⁰

The process could also focus on the dismantling and transfer of forces incorporated into Ukraine's national armed forces following both the 2014 conflict and the 2022 invasion, such as civilian volunteers, volunteer battalions, and territorial defense forces. Ukraine will also need to remain mindful of the risks associated with transferring entire military units into other security forces intact, such as the polarization of new forces in accordance with previous allegiances. The most successful transitions occur when individuals are incorporated into wider groups, trained alongside other units, and then transitioned into new forces.⁴¹

³⁹ PILPG SSR Policy Planning Working Group Member, in discussion with PILPG, September 2022-January 2023.

⁴⁰ PILPG SSR Policy Planning Working Group Member, in discussion with PILPG, September 2022-January 2023.

⁴¹ PILPG SSR Policy Planning Working Group Member, in discussion with PILPG, September 2022-January 2023.

Ultimately, Ukraine will need to plan for the way in which it determines the elements of its armed forces that are best suited to transfer into key post-war civilian security sector roles. There are a number of factors that they may consider in these efforts. Ukraine may wish to consider the creation of a military reserve force, comprising transferred active military units. Ukraine, and indeed Western allies, will not want to lose the extensive military training that has been developed across Ukraine's force, and the Ukrainian government would need to determine the extent to which it must preserve military skills in a reserve component through regular and structured training and meetings.

Efforts to preserve the developed military skills among Ukrainians would enable the safeguarding and maintenance of extensive military investment, while serving as a deterrence opportunity, equipping Ukraine with the capability to expand its military presence significantly and at pace, if ever needed. The creation of reserve forces also enables Ukraine to address the gap that can emerge between a government and demobilizing forces armed with military capability but who are perhaps not connected to their government's goals. Further, reserve forces enable an avenue for the financial support of transitioning forces through the continued payment of a military stipend.⁴²

Although Ukraine will continue to require a well-resourced military, it will also require extensive manpower to meet its civilian security and economic reconstruction needs. Throughout the war, civilian police have been important in supporting military efforts through the likes of establishing checkpoints, documenting evidence of possible war crimes and identifying unexploded ordnance.⁴³ These efforts will need to continue and expand following the conclusion of cross-border armed conflict with Russian forces. Armed civilian security forces will need to maintain security and manage borders in the previously occupied territories and border regions where domestic conflict and criminal activity is at risk to continue. These forces will also be required to support the re-establishment of Ukrainian political control in these territories. However, there are significant differences between the role of a combat soldier, and the work of a civilian police force. Ukraine would therefore benefit from planning for a well-timed transition between military and civilian security forces in order to avoid the development of police forces that behave like a paramilitary organization.

⁴² PILPG SSR Policy Planning Working Group Member, in discussion with PILPG, September 2022-January 2023.

⁴³ Hanna Arhirova, *Ukrainian police, broadcast services return to long-occupied Kherson after Russian withdrawal*, PBS, (Nov. 12, 2022), available at <https://www.pbs.org/newshour/world/ukrainian-police-broadcast-services-return-to-long-occupied-kherson-after-russian-withdrawal>.

There will be opportunities, across the reconstruction efforts in Ukraine, for dynamic group opportunities for individuals transitioning into the civilian economy. During planning, programs should be developed that raise awareness of the civilian applications of the skillsets held by military individuals, such as technical skills, building and construction experience, and demining. These programs should enable the identification and demobilization of skilled individuals, and their transition into appropriate civilian roles, providing highly supportive and incentivized structures for reintegration to aid the immediate and long term sustainability of such efforts. The way in which the Ukrainian military was formed, particularly post-2022 with widespread civilian volunteering and a nationwide attitude of strong national support, may prove a valuable incentivization tool for Ukraine's efforts here. Igniting that same patriotic sentiment may be helpful as Ukraine attempts to manage a smooth and obliging transition of military forces into the post-war civilian reconstruction efforts.

Developing a Clear Process for Disarmament and Managing of Weapons

Ukraine will require a strategy for documenting, collecting and managing weapons and ammunition post-war. This will be particularly important in Ukraine, due to the large influx of weapons into Ukraine from its allies, and the limited efforts to date to track these weapons. The goal will be to reduce the potential for violence and establish security in Ukraine by reducing the availability of weapons, as well as providing Ukraine with sufficient military deterrence against future aggression.

The UN Integrated Disarmament, Demobilization and Reintegration (“DDR”) Standards provides guidance to practitioners working on this process. The UN Standards identify four key components: operational planning, a weapons collection program, stockpile management, and disposal of collected materials. These standards provide a clear structure for guiding this process in Ukraine. However, the specific challenges in Ukraine surrounding arms trafficking and the risk of future conflict will shape the appropriate process for managing weapons in Ukraine.

The increased risk of firearms proliferation in Ukraine has heightened the need to increase security on the traceability of weapons.⁴⁴ Efforts to reform and restructure Ukraine's security sector into an appropriate post-war model should include robust cataloging of the existing weapons in the country, and any remaining weapons once front-line fighting concludes. This process would

⁴⁴ European Commission Press Release *Firearms: Updated rules to increase security and facilitate legal trade*, , (Oct. 27, 2022), available at https://ec.europa.eu/commission/presscorner/detail/en/IP_22_6427.

consider targeting specific weapons and equipment, including major weapons systems, landmines, and technical vehicles. It may not be within reasonable scope of a cataloging process to attempt to account for and then repurpose or decommission small arms or individual weapons, and associated ammunition, unless they are in bulk supply depots, or cantonment areas. Ukraine's best option for safeguarding against illicit weapons trafficking post-war is a broad weapons catalog and management program. These efforts would also benefit from built-in mechanisms to safeguard against the possible impact of corruption. Beyond the risk of illicit arms trafficking, corruption within a weapons cataloging and management program will risk undermining the democratic accountability of Ukraine's defense institutions. Building trust in Ukraine's reforming security environment will be important in ensuring the Ukrainian government's long-term monopoly of force.

This process would also include a plan for the safe storage and effective maintenance of these remaining, collected weapons for Ukraine's potential future use. A post-war arsenal of quality and well-maintained weapons and ammunition will serve as another component of Ukraine's efforts to deter future Russian aggression, alongside appropriately configured military forces, civilian forces and wider reintegration and reconstruction efforts.

Rehabilitation Services

A significant number of veterans suffer from mental and emotional trauma, disease, and physical injuries as a result of their participation in the conflict and there is no reason to expect Ukraine to differ in this respect.⁴⁵ When transitioning parts of a country's armed forces into civilian security forces or the civilian economy more broadly, it is key that those individuals who have been involved in or affected by armed conflict are assisted in the transition into civilian life. Veterans frequently require extended and often costly counseling, medical treatment and physical therapy in order to live productive lives. Veterans also require assistance in reconciliation with families, in overcoming addictions, and in approaching the challenges of civilian life.

Work on the reintegration and rehabilitation of demobilized former combatants in Ukraine will be led by the Ukrainian Ministry of Veterans Affairs. Under a program approved by the Cabinet of Ministers in June 2020, the newly created Ministry was authorized to provide assistance to Ukrainian veterans who

⁴⁵ Andriy Haydabrus , Mikel Santana-Santana, Yuriy Lazarenko, and Lydia Giménez-Llort, *Current War in Ukraine: Lessons from the Impact of War on Combatants' Mental Health during the Last Decade*, INTERNATIONAL JOURNAL OF ENVIRONMENTAL RESEARCH AND PUBLIC HEALTH, (Aug. 24, 2022), 19, 10536, available at <https://doi.org/10.3390/ijerph191710536>.

fought in the Donbas and participants in the Maidan Revolution. This included financial assistance, medical care, housing, education and training, and employment. It also included assistance to families of deceased service members and programs to honor veterans.⁴⁶

However, this effort was hampered by inadequate ministry capacity and funding and the lack of a comprehensive program for veteran reintegration. Veterans have faced difficulties accessing health care and job opportunities, and assistance in dealing with substance abuse, aggression, and suicidal tendencies. Communities were not prepared for reintegration, which led to discrimination against veterans, their isolation and gravitation toward politically extreme groups.⁴⁷

Rehabilitation is a key component of any reintegration process. This will be particularly relevant in Ukraine, due to the society-wide mobilization effort and the widespread direct and indirect effects of the war. Strong rehabilitation efforts support the aversion of mental health crises among post-war communities, as well as support the rebuilding of the civilian economy and quick reconstruction by enabling individuals to effectively reintegrate into civilian life. Ukraine has already begun efforts to this effect, including the ongoing development of a system of institutions and programs for transitioning soldiers to civilian life based on the standards of NATO member states; collaborating with the EU to develop veterans reintegration programs; and learning from Croatia's experience with the likes of psychological and medical assistance, pensions and employment assistance and support for families.⁴⁸ As this work develops, it will be important to keep in mind the value of soliciting international expertise in continuing to expand these efforts.

Collaboration with European Partners

Ukraine would benefit from assistance from its European partners to develop a comprehensive assessment and strategic plan for implementing Security Sector Reform and reconfiguring Ukraine's post-war security landscape. Security Sector Reform theory is well understood by a number of European countries that have similar institutions to those in Ukraine, such as interior ministries that manage internal security forces, justice ministries that manage courts and prisons, and

⁴⁶ Ukraine Government Portal Official Website, *Veteran Support Reform*, available at <https://www.kmu.gov.ua/en/reformi/bezpeka-ta-oborona/veteran-support-reform>.

⁴⁷ Julia Friedrich and Theresa Lutkefend, *The Long Shadow of Donbas: Reintegrating Veterans and Fostering Social Cohesion in Ukraine*, GLOBAL PUBLIC POLICY INSTITUTE, (May 10, 2021) available at <https://www.gppi.net/2021/05/10/the-long-shadow-of-donbas>.

⁴⁸ *Specialists of the Ministry of Veterans Affairs adopt the Experience of Croatian Experts in Creating a System of Transition for a Military Career to Civilian Life*, MINISTRY OF VETERANS AFFAIRS OF UKRAINE, (Sept. 13, 2022), available at <https://mva.gov.ua/en/news/specialists-ministry-veterans-affairs-adopt-experience-croatian-experts-creating-system-transition-military-career-civilian-life>.

national police forces and constabularies (gendarmeries). Similar institutions do not exist in the United States, which may limit America's substantive role in this process.

In past instances of countries requiring Security Sector Reform, a number of European countries have been drawn upon for their expertise in specific areas, which could form the basis for Ukraine's considerations for support. The Italian Carabinieri, Italy's national gendarmerie, frequently involved in countries emerging from conflict, led police development in Iraq from 2015-2022⁴⁹ as well as training of Afghanistan's National Security Forces and National Police until 2021.⁵⁰ Germany is an expert in border guards, immigration control, and similarly related issues, while France has often led on the training of and assistance to gendarmerie. The Geneva Centre for Security Sector Governance is a Swiss intergovernmental foundation-based think tank providing support to states in improving security sector governance and reform, and could be drawn upon to lead on Interior Ministry reform. This could be coordinated through the EU, which had a ministerial level police advisory group in Afghanistan. NATO, the EU and UN could serve as advisors to the Ukrainian planning team that would conduct an assessment and support on the development of the broader strategic plan, with the EU and NATO represented by individuals from various countries. However, it will be important for Ukraine to remain mindful that this approach can lead to dysfunction. Therefore, careful leadership of this coordination will be crucial in order to avoid duplication of efforts, contradictory priorities, poor capacity for interoperability, and the training of forces to different standards.

Security Sector Reform can be an extremely disruptive process as resources and manpower are transferred across organizations and sectors, and established structures change. Ukraine will also benefit from international support generally to manage adherence to the downsizing or transfer of forces and organizations and to ensure that the process does not result in a power struggle between internal institutions working to protect their own interests. Operational collaboration with European and other international partners should be embedded into Ukraine's wider strategic plan. This gives Ukraine the opportunity to devise solutions to these challenges in advance, and preemptively provide assurances and incentives to transitioning forces.

⁴⁹ *Italy*, THE GLOBAL COALITION, available at <https://theglobalcoalition.org/en/partner/italy/>.

⁵⁰ Elisabeth Braw, *For Not-Quite-Wars, Italy Has a Useful Alternative to Traditional Troops*, DEFENSE ONE, (Apr. 16, 2018), available at <https://www.defenseone.com/ideas/2018/04/todays-not-quite-wars-italy-has-alternative-traditional-troops/147457/>.

Funding Ukraine's Security Sector Reform

Planning and implementing the funding of Ukraine's Security Sector Reform, reconfiguration of forces, and economic reconstruction, can be approached in two key stages. The first stage will look at internal planning, and the second on external fundraising.

Internal Planning

The first stage for funding a Security Sector Reform process would focus on Ukraine's internal planning and strategizing efforts, prior to seeking external fundraising and support from the international community. Ukraine is an industrialized country with relatively strong institutions in comparison to many other post-conflict countries. The Ukrainian government is in a position to play a central role in Security Sector Reform and reconstruction, and will be the key decision makers in mapping out a plan for Ukraine's post-war development. This planning may be based around four key pillars: defense, finance, Ukraine's central bank, and trade and commerce. The heads of Ukraine's Ministry of Defense, Ministry of Finance, and the Ministry of Economy, as well as leadership from the National Bank of Ukraine, can be integral ambassadors, advisers and leaders for any reconstruction and reform in Ukraine. They would form the core team who have the ability to look within Ukraine's internal processes and infrastructure.

It will be important that Ukrainians shape the terms and types of funding. Already, as the war continues, it would be valuable for this core Ukrainian leadership team to engage in internal planning for three processes.

First, how to best structure the country's internal financial mechanisms in order to generate income domestically, including the development of stronger internal financial planning and plans for self-funding. This will involve identifying the likes of:

- What internal funding already exists in Ukraine and can be used to support these efforts, including assessing the revenue being generated now and in which industries; and
- How much revenue loss the government has experienced since the onset of war.

Second, the funding required to implement planned reconstruction and Security Sector Reform, remaining mindful of packaging plans in a way that instills internal and external confidence in the processes. This will involve determining the likes of:

- The explicit funding and support that is required;
- How the funding that is required should be spent, including designation of funds for internal security reform to support Ukraine’s efforts to meet its post-war security and reconstruction goals; and
- How funding will be managed and distributed.

Third, how to approach the international community regarding fundraising for these efforts. This will need to be mindful that funding Security Sector Reform may not be as appealing as reconstruction to international funders. There are a number of reasons that this may be the case: numerous development actors and Organization for Economic Co-operation and Development Countries have specific restrictions that prevent the use of development assistance for security-related activities;⁵¹ the political sensitivity of the security sector may result in local actors’ resistance to external assistance as a result of concerns around intelligence, security, misaligned strategic interests, and the danger of becoming or remaining dependent on external assistance for security and defense; security sector reform poses risks for both the recipient society and external funders or supporters, and past security sector reform efforts have caused outbreaks of violence in some contexts as well as risking a donor country’s credibility in both the recipient country and at home where, for example, donors must work with individuals who have committed or tolerated human rights abuses.⁵² Therefore, it may be valuable for Ukraine to separate these efforts out and clearly specify the funding that is linked to Security Sector Reform in its plan.

This internal planning process would bring Ukraine to a position of greater leverage when reaching out for international funding, support, and investment. This will equip Ukraine with effective plans for reaching its desired end state and a clear vision of its desired security structures.

⁵¹ For example, see: *Official development assistance – definition and coverage*, ORGANIZATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT COUNTRIES WEBSITE, available at <https://www.oecd.org/dac/financing-sustainable-development/development-finance-standards/officialdevelopmentasistancedefinitionandcoverage.htm>.

⁵² Steffen Eckhard, *The Challenges and Lessons Learned in Supporting Security Sector Reform*, FRIEDRICH-EBERT-STIFTUNG AND THE GLOBAL PUBLIC POLICY INSTITUTE, p.45, (Jun. 16, 2023), <https://library.fes.de/pdf-files/iez/12630.pdf>.

External Fundraising

The second stage of this process would focus on external fundraising. At this stage, the Ukrainian government would have developed a core team from the Ministry of Defense, Ministry of Finance, the Ministry of Economy, and the National Bank of Ukraine, who will engage with the international community in funding efforts. This team would lead the effort of seeking external funding and would be prepared to launch and reach out to the international community to obtain necessary support.

Ukraine would benefit from funding commitments that are finely tuned and well organized. There is value in the development of a multinational, coordinated funding effort that can garner visibility and tap into further resource opportunities across international organizations, and countries in an integrated and systematic manner. Piecemeal soliciting of funding commitments from individual contributors should be avoided. Ukraine will require large-scale funding, and soliciting this funding will be most efficient if Ukraine can focus its energies on fundraising among multinational partnerships of potential funders together.

Alongside the core Ukrainian team built in the first step of this process, an international or institutional focal point for coordinating international fundraising efforts would be helpful. The World Bank is one option for fulfilling this role, with the experience, political visibility, and resources to facilitate a multinational funding effort. An effective leader to facilitate the funding effort between Ukraine's team and the international community requires a number of key attributes. This will include possessing the stature and political acumen to navigate the reluctance to fund that will exist in some quarters, and the lack of resources in others. Global vision and an understanding of geopolitics will also be key in guiding the international community through the process. It will also be important that the joint Ukrainian and international leadership is clear on Ukraine's goals and plans. They must be able to effectively manage a potentially overwhelming influx of support and direction from the international community that does not align with Ukraine's plans.

Ukraine's Funding Appeal to Europe and the International Community

The various initiatives within Ukraine's plan can be funded in different ways and will all appeal to different donors across individual countries and other organizations. For example, Ukraine will need to establish a force to engage in extensive demining activities, and this type of movement may solicit the support of the large international demining movement for the provision of training and funding.

Ultimately, much of Ukraine's solicitation of funding and support may draw upon the international community's commitments to peace established in the founding of the United Nations and the entire post-World War II international structure. Beyond the emergency security dimension, the international community has an obligation to Ukraine as a sovereign state and the victim of an aggressive neighbor state. In this regard, Ukraine holds the moral and legal authority to solicit international support, and this may form the basis for its funding request. The extensive costs of Russia's war in Ukraine are the direct result of aggression which, Ukraine may reiterate, serve as a direct violation of the UN Charter and which the international community must not tolerate. An evolution from the provision of weapons, ammunition, and other military support, to the funding and provision of training for security reform and wider reconstruction, is a natural transition for the wider international community and particularly Europe's support for Ukraine. Ultimately, it is in Europe's own interest that Ukraine is a viable state that is not threatened by Russia or other aggressors, and European supporters will be cognizant of the benefits of bringing Ukraine closer to Europe through an economic, social, and security lens.

Managing Corruption

It will be important for Ukraine to embed anti-corruption controls into its plans for managing and distributing funds across the state institutions that will be responsible for managing Security Sector Reform and reconstruction. As reform and reconstruction efforts begin, Ukraine will receive vast sums of money that must be tracked and controlled to maintain the confidence of crucial international funders and investors. As reconstruction initiatives reopen or invigorate production industries and make use of valuable commodities, such as building materials and minerals, there will be new opportunities for corruption across Ukraine. Ukraine's internal core leadership team must plan for the careful management of Ukraine's post-war economy to prevent the reconstruction industry from becoming an easy environment for organized crime, oligarchic influence, and flourishing institutional corruption.

These efforts could begin with the involvement of national and civil society anti-corruption bodies such as the National Anti-Corruption Bureau of Ukraine, the National Agency on Corruption Prevention and the Anti-Corruption Action Center, in order to build national capacity for longer-term anti-corruption efforts and embed measures into Ukraine's post-war planning from the outset.⁵³

⁵³ Francis Shin, *Corruption Could Mean Ukraine Loses a Future Peace*, FOREIGN POLICY, (May 23, 2022) available at <https://foreignpolicy.com/2022/05/23/ukraine-aid-corruption-reconstruction/>.

Conclusion

This expert working group was developed in reaction to the reality that Ukraine will need to be prepared to consider, design, and operationalize an effective plan for transitioning a highly militarized, wartime society, to a state of armed deterrence. This paper recommends that Ukraine considers a process of Security Sector Reform in order to implement this transition, and outlines the key steps for Ukraine to follow. As a backdrop to this effort, Ukraine will also face a number of post-war security challenges, including navigating a complex armed actor landscape, dealing with widespread post-war weapons availability, reconstructing a battered economy, and safeguarding against institutional corruption and oligarchy in all efforts to rebuild and reform.

A successful Security Sector Reform process would seek to equip Ukraine with armed and civilian forces that are capable of deterring future Russian aggression, managing the post-war continuation of conflict domestically, and establishing a secure and stable domestic environment. These efforts enable Ukraine to focus on the interconnected efforts of economic and social reconstruction, security reform, and the reintegration of elements of its military into the civilian security forces and civilian economy. Ukraine will need to seek financing for these efforts, which will require a strategic and well-organized approach to internal and external fundraising.

PILPG Policy Planning Working Group: Security Sector Reform in Ukraine

This white paper is a work product of PILPG's Policy Planning Working Group on Security Sector Reform (SSR) in Ukraine. The SSR working group is one in a series of Ukraine policy planning working groups within PILPG's Policy Planning Initiative, co-chaired by Dr. Paul R. Williams and Alexandra Koch. These working groups provide practical guidance on specific policy questions Ukraine is likely to face in light of Russia's invasion in 2022.

The Security Sector Reform Working Group ran for three months and included former Ambassadors and Ministers, retired Major and Brigadier Generals, policymakers, and public international law experts with decades of experience across the globe. Participants' experiences span the UN, the World Trade Organization, the U.S. Department of Defense, and the U.S. State Department. The wealth of experience captured within this working group has allowed for a range of perspectives and contributions to be included in this policy paper.

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About the Public International Law & Policy Group Policy Planning Initiative

PILPG's Policy Planning Initiative supports the development of long term, strategic policy planning that is crucial to international accountability, global conflict resolution, and the establishment of international peace. The Initiative provides timely and accurate policy planning analysis and work product on pressing and future policy conundrums by leveraging PILPG's deep network of talent within the international legal and policy communities and experience with its *pro bono* clients globally. PILPG Policy Planning focuses on advising policymakers, policy shapers, and engaged stakeholders on pressing issues within the arenas of international law, war crimes prosecution, and conflict resolution efforts. This includes identifying and addressing gaps within existing policies, anticipating key conundrums and questions that will riddle future policy decisions, applying lessons learned from comparative state practice, and proactively producing and sharing work product to inform such policies, and avoid crisis decision making.