Conflict and Civicness Research Group at LSE

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Peace and Conflict Resolution Evidence Platform

SECURITY SECTOR GOVERNANCE IN UKRAINE

The Key Considerations for Policy Makers in 2023

Policy Brief

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The Peace and Conflict Resolution Evidence Platform (PeaceRep) is a research consortium led by the University of Edinburgh Law School. Our research is rethinking peace and transition processes in the light of changing conflict dynamics in the 21st century.

PeaceRep’s Ukraine programme

PeaceRep’s Ukraine programme is a multi-partner initiative that provides evidence, insight, academic research and policy analysis from Ukraine and the wider region to support Ukrainian sovereignty, territorial integrity and democracy in the face of the Russian invasion. PeaceRep’s Ukraine programme is led by the London School of Economics and Political Science (LSE) partnering with the Kyiv School of Economics (KSE) in Ukraine, the Leibniz Institute for East and Southeast European Studies (IOS) in Germany, the Institute of Human Sciences (IWM) in Austria and Jagiellonian University in Poland. Through our collaboration with KSE we work closely with researchers, educationalists and civic activists in Ukraine to ensure that policy solutions are grounded in robust evidence and are calibrated to support democratic outcomes.

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About the Authors

Dr. Polina Beliakova is a scholar of civil-military relations and international security based at Dartmouth College's Dickey Center for International Understanding. Her academic and policy research focuses on civilian control of the military, security force assistance programs, and democratic governance with a regional focus on Ukraine, Russia, and Israel. Being proficient in Ukrainian, Russian, Hebrew, and English, Dr. Beliakova collects data through expert interviews, archival research, and the analysis of open-source materials. Her research was published in Foreign Affairs, POLITICO, the Washington Post, War on the Rocks, Texas National Security Review, and Comparative Political Studies.

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Introduction

This brief offers insights into the current challenges to Ukraine's security sector governance (SSG), gleaned from examining Ukraine's track record of security sector reform (SSR) since independence in 1991, with a particular focus on reform progress since the Russian incursion of 2014 and the impact of reform successes and failures on the current war. We find, in brief, that Ukraine, with international support, has overcome past inertia and made remarkable security sector reform progress since 2014. However, reform successes have been focused around immediate combat needs, and major weaknesses that create long-term vulnerabilities – issues with civil-military relations, professional military education, and defense sector corruption – remain.[1]

Our recommendations focus on the ways that the Ukrainian government, civil society, and external supporters can mitigate these persistent weaknesses and plan now to address post-conflict governance risks. Finally, we explore how Ukraine's experience offers insights for states similarly threatened.

[1] In a forthcoming PeaceRep research report we offer an extended analysis of the key points introduced here.

Security Reform Successes and Failures

Interestingly, Ukraine's 1991 independence prompted one major security sector reform – a dramatic decrease in military size. The remnant force largely concerned itself with bureaucracy. The political reality that shaped security sector governance at the time was the swing amongst political leaders every few years toward or away from Russian influence. The Armed Forces of Ukraine (AFU) avoided entanglement in this dynamic partly by failing to update threat assessments (and consequently, doctrine, training, or acquisitions) to account for the potential threats from Russia, both conventional and sub-conventional. Essentially, military and civilian leadership had a tacit policy of mutual non-interference. The military had neither the coercive ability nor interest to interfere in politics, and in return civilian leaders left the military to manage itself. This dynamic was further encouraged by the fact that, historically, the institutions used to control violence (and repress internal dissent) within Ukraine were the Ministry of Internal Affairs (MVS) and the Security Service of Ukraine (SBU) rather than the military. Consequently, civil society efforts at a security reform focused on these internal institutions, with notable victories in pushing the government to formally join various European human rights compacts and some successful popular mobilization around specific instances of abuse, but at best a moderate impact on day-to-day institutional practice until 2014.

By contrast, in other post-Soviet states, especially the Baltics, popular pressure for military reform was much greater and more able to overcome institutional opposition in large part because reform was a pre-requisite for joining NATO (a stepping-stone toward EU membership). This was a widely-shared goal that external donors supported generously. In turn, deployment in NATO joint operations pushed these states to update their threat assessments, doctrine, and force structures to address modern unconventional conflicts.

Lack of military reform had significant consequences for Ukraine's ability to counter Russian aggression in 2014. However, remarkable (though incomplete) reform progress between 2014-2022 illustrates the gains possible when government, civil society, and external donors share goals and coordinate activities. The early months of conflict in 2014 went poorly. The internal security services (SBU and MVS) were mandated to maintain domestic security, but did not have the capacity or capabilities to repel a major Russia-initiated sub-conventional assault. The military at first did not understand its role in this new kind of conflict, which the government labeled an "anti-terrorist operation" (ATO), putting it outside of the military's area of expertise. This mismatch led to confusion and insubordination from troops lacking training or experience with counterinsurgency or population-centric tactics. Lack of interoperability with the SBU, which was formally in charge of the ATO, was also a major issue.

However numerous actors quickly stepped into the gap. Willing volunteers formed fighting units (so-called volunteer battalions) to fill in the vacuum on the front lines. Civil society groups, mobilized during the 2014 Revolution of Dignity, also took an unusual role in supplementing procurement and supply for troops. External donors started supplying significant aid and designing train-and-equip programs to address combat needs. The government also solidified popular support by responding to civil society demands to address widespread human rights abuses of by law enforcement during the Revolution. They disbanded the riot police and initiated police reform (with considerable success in major population centers, though far less impact in peripheries) to break from Soviet coercive practices.

In the east, during the early months of the Russian incursion in 2014 volunteer fighters directly engaged in combat. The government consequentially decided in late 2014 to bring these forces into the official chain of command, insisting that they sign contracts

and accept supervision. This success highlights the importance of shared mission – in similar conflicts where a government perceived to be illegitimate/ineffective tries to exert control, militia forces (distrustful and focused on community defense) generally resist. The government has since solidified control and developed a new legal and institutional framework of Territorial Defense Forces (TrO) allowing the volunteers to join the reserve troops, receive training, and mobilize quickly. This reform significantly eased the process of integrating and deploying the reserve troops when they were badly needed in 2022. It also protected the flow of foreign assistance, partially assuaging concerns about arms and equipment diversion to unofficial and unaccountable forces.

Unsurprisingly, between 2014 and 2022 the most successful reforms were those contributing to immediate combat needs:

- Creation/training of Special Operations Forces;
- Creation/training of the National Guard;
- Reform/expansion of an NCO corps; and
- Creation of civil-military coordination units (facilitating protection of and communication with civilians in conflict zones)

These reforms were facilitated by a combination of government will, intensive donor assistance, and civil society coordination and technical assistance, both domestic and international.

Attempts to address systemic and long-term institutional issues were less successful, notably:

- Reform of professional military education (PME);
- Matching NATO standards of civilian control of the military; and
- Increasing transparency and anti-corruption efforts in defense procurement.

This is unsurprising – all the of these reforms threaten the long-term military equities and are easily deprioritized during active combat.

With Russia's fullscale invasion in 2022, immediate combat needs increased exponentially. The dividends from previous reforms are apparent – they created or bolstered Ukrainian strengths that are fortunately pitted against key Russian weaknesses. First, the AFU's reliance on NCOs and other troops to understand commanders 'intent and independently advance goals has played well against the Russian military's inflexible top-down structure. The new Territorial Defense Forces and National Guard have been successful in preparing volunteers for service, making sure they are effectively deployed, and coordinating with regular AFU forces to maximize combat effectiveness.

Trainings in civil-military engagement and of special forces have helped Ukrainian troops communicate, cooperate with, keep the trust of conflict-affected communities, and even develop clandestine resistance networks in the occupied territories. Meanwhile, Russian attempts to assume governance in occupied areas have met extensive popular resistance, and untrained and reluctant Russian conscripts have proved an ineffective fighting force. Finally, the Ukrainian government's engagement with civil society means that these groups' considerable efforts are bent toward shared goals, fill in deficiencies (such as procurement oversight) of official forces, and help maintain popular support for the way that the war is being waged. Further, these successes, combined with relationships developed since 2014 have helped make the case for increased external support.

However, it is clear that the conflict is likely to be prolonged, significantly increasing the risk that Ukraine's long-term security sector weaknesses may threaten success in both the war and follow-on reconstruction efforts. Research suggests that lack of career paths and professional military education has hurt the military's ability to retain key personnel. Moreover, the uncertain battlefield rotation times and the recent cut on soldier's wages creates additional tensions in security sector governance. Patriotism in the face of threat is likely to work

against voluntary departures, but an unreformed system makes it difficult for the AFU to replace combat losses with qualified personnel, and threatens retention of experienced forces needed in post-or-frozen conflict scenarios. Lack of sustained commitment to civilian control – the Minister of Defense before the current incumbent rolled back civilian oversight – threatens Ukraine's compliance with the NATO and OSCE standards. Persistent corruption and lack of transparency in defense procurement drains scarce resources, weakens popular trust, opens an avenue for Russian infiltration, and acutely threatens donor support.

Recommendations: Improving Security Sector Governance During the War

Ukrainians and supporters must decide how to build on reform gains while countering the most dangerous remaining weaknesses. Our key recommendations are:

- **Initiate a comprehensive SSG risk assessment.** The government, external donors, and civil society actors should jointly engage in an on-going security sector governance risk assessment specifically geared toward ensuring full implementation of remaining reform priorities, sustaining past gains, responding quickly to emergent governance challenges, and maintaining trust and cooperation amongst all actors. This process should encourage codification of key changes, most critically around PME (matching training to current and future battlefield needs), the defense acquisition process/other military industrial issues, and establishing robust parliamentary and other civilian oversight mechanisms (including investments in civilian capacity/expertise). Momentum behind reforms challenging institutional equities fades after conflict, increasing the urgency of locking in change.

- **Establish lasting donor presence, bolster donor expertise.** External donors engaged in long-term advising and training missions should develop expertise and contextual knowledge of the Ukrainian security sector based on on-going exposure. Often, personnel are rotated in and out quickly, with a focus on military over civilian policy advisors. To judge reform implementation, as well to assess the political context surrounding reform efforts, a longer term civilian presence is essential.

- **Deepen civil society engagement.** Both the government and externals recognize the role of civil society. For government, this involves building legal frameworks and official consultative mechanisms such that civil society engagement is automatic, not optional and that civil society activists don't face the risk of prosecution for their activities. Donors in turn must break from purely gov-to-gov engagement and develop relationships with civil society groups, who remain (especially where provided with targeted capacity building) most capable of detailed and up to date security sector monitoring and oversight. Finally, civil society organizations themselves must strive to consult widely with one another throughout Ukraine, both to build consensus around key reform goals and to ensure that peripheral regions (especially conflict-impacted areas) are represented.

- **Push through defense industry and procurement reforms.** Despite the ongoing war, Ukraine is embarking on reforms in defense industry and procurement. The government, international partners, and civil society should continue to prioritize increasing transparency, accountability, and effectiveness in arms production and acquisition. The key challenges in this process are the lack of competent personnel to implement and oversee the reforms and the transparency-security dilemma in which disclosing military acquisitions increases the vulnerability of Ukraine's defense industry. Civil society and Ukraine's international partners should devote special efforts to filling the expertise gap and further advancing the defense sector and procurement reforms.

Recommendations: Post-war Reconstruction

Beyond these recommendations, there are other specific steps that Ukraine and allies should begin planning for to facilitate post-war reconstruction, though clearly the outcome of the war, on a spectrum from frozen conflict along current lines of control to a complete return to 1991 borders, will determine the shape of specific plans.

- The government must plan to **prevent a post-war security vacuum in any territory** liberated from Russian control, but especially areas that have experienced on-going conflict and/or occupation since 2014. Especially given the volume of weapons likely present in these areas, such a vacuum is likely enable vigilante action (especially to address wartime grievances), escalating feuds, and the growth of organized crime networks. At the same time, day-to-day service provision is a role the military should avoid. The government, assisted by donors, must develop a post-war plan including targeted training, clear division of roles and responsibilities, and joint planning between different services active in these regions. Critically, this plan should be developed transparently in consultation with national and (critically) local civil society to ensure local appropriateness, legitimacy and cooperation.

- Establishing long-term security in these regions recovering from prolonged occupation will further require **transparently addressing wartime harms through some type of truth, justice, and accountability process.** Reestablishing government institutions and trust between citizens and security providers (especially police) will involve a process of vetting, lustration, as well as hiring and training new forces. Experience suggests these processes are most successful with extensive local participation.

- More broadly, Ukraine must act to **strengthen government legitimacy** and decrease vulnerability to corruption and subversion throughout the nation by extending the post-2014 police reforms that have proved partially successful in Kyiv to all parts of the country.

- The government should **begin consultation and planning in order to reconfigure the AFU and the broader Defense Forces for post-war reality** (with donor support). The threat from Russia will continue, but Ukraine cannot and need not sustain its forces at their current size. Instead, the government will need to plan for a much smaller but highly trained and capable core force, supplemented by advanced intelligence capabilities and numerous well-trained reserves (including the veterans) to be swiftly mobilized if necessary. The implementation of this plan would require considerable legal and institutional preparation that should commence before the war is over.

- Simultaneously, **donors should seek to blunt the impact of mass post-conflict demobilization,** possibly by subsidizing military payrolls such that shrinking forces to a sustainable size is a gradual process. Notably, other post-conflict states that have used similar strategies to avoid the economic and other risks that come with rapid demobilization have proved far more stable than those that haven't. More generally, donors should coordinate to provide extensive economic assistance (the Marshall Plan is a relevant

analogue) geared toward rebuilding infrastructure and creating jobs and other opportunity. Experience suggests that these forms of support are extremely sound investments in regional security, stability and economic health, and also that donors should coordinate before the conflict ends and support for assistance wanes.

Lessons from Ukraine for Other Vulnerable States

Finally, Ukraine's experience highlights security sector governance lessons for states similarly threatened and the external allies who support them. These states:

- Should **thoroughly update their threat assessments** (doctrine, training, etc.), with particular attention to clarifying force roles and responsibilities for conventional and unconventional warfare. Donors can assist, but assessments should be done with as much domestic transparency and consultation as possible. The broader the constituency that believes that the military/other forces focus on pertinent threats, the greater the support for their mission.

- Should **develop in advance legal and institutional capacity to coordinate citizen militias**, volunteers, etc., (i.e. National Guard systems) to facilitate joint training with conventional forces, and perform basic vetting.

- Give **high priority to countering security sector corruption** (as should external supporters). Corruption is the greatest and most persistent of Ukraine's security weaknesses, but the pervasive corruption-related weaknesses of the Russian military in conflict are an even more compelling illustration of this need.

- Donors should **make investments in civil society security policy capacity** in targeted states, and discourage repressive action against civil society/media actors working on security reform issues. These investments protect crucial mechanisms for security sector accountability, anti-corruption, and the domestic political capacity to push for SSR.

About PeaceRep

PeaceRep is a research consortium based at The University of Edinburgh. Our research is re-thinking peace and transition processes in the light of changing conflict dynamics, changing demands of inclusion, and changes in patterns of global intervention in conflict and peace/mediation/transition management processes.

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Cover Image: Soldiers at the hoisting of the State Flag of Ukraine in liberated Kherson; Official photographs taken by the Office of the President of Ukraine, 2022.

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