



House of Commons
Defence Committee

**Russia and Ukraine
border tensions:
Government Response
to the Committee's First
Report**

**Third Special Report of
Session 2021–22**

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The Defence Committee

The Defence Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Ministry of Defence and its associated public bodies.

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Third Special Report

On 6 July 2021 the Defence Committee published its First Report of Session 2021–22, *Rusisa and Ukraine border tensions (HC 167)*. The Government's response was received on 3 September 2021, and it is appended to this report.

Appendix: Government Response

The House of Commons Defence Committee (HCDC) published its First Report of Session 2021–22 Russia and Ukraine border tensions on 6 July 2021 (HC 167 report).

The Government welcomes the Committee's report. Our response is set out below. The Committee's conclusions and recommendations are highlighted in bold, with the paragraph numbering in brackets referring to their location within the report. The Government's response to each, follows in plain text.

Introduction

1. **The UK, working with NATO allies and the Organization for Security and Co-operation in Europe (OSCE), should encourage Ukraine, Russia and the separatists in the Donbas region to enforce the ceasefire and additional measures agreed in July 2020 by the Minsk Trilateral Contact Group. (Paragraph 5).**

The Government welcomes the Committee's recommendation. The UK continues to press the need for all parties to uphold the July 2020 strengthened ceasefire. We will continue to work with our Allies and Partners to call on Russia to uphold the OSCE principles and commitments that it freely signed up to and which it is violating through its ongoing aggression against Ukraine. Ukraine has made clear its commitment to the ceasefire and to peace. We urge the Russian Government to engage constructively in the Normandy format and to fulfil its obligations under the Minsk agreements.

2. **The UK, working with NATO allies and other UN Member states, should insist Russia lifts restrictions on the movement of foreign vessels in the Black Sea, particularly in the Kerch Strait, which is in violation of the UN Convention on the Law of the Sea (UNCLOS) and Russia's agreement with Ukraine on maritime cooperation in the Sea of Azov and the Kerch Strait. If Russia does not comply with UNCLOS rules, the UK should support Ukraine's efforts to seek resolution through the dispute mechanism under Part XV of the UNCLOS, either through the International Tribunal for the Law of the Sea or to the International Court of Justice or an arbitral tribunal. (Paragraph 13)**

The Government notes the Committee's recommendation. The UK has consistently stood with Ukraine in opposing all instances of Russian aggression towards Ukraine, including Russia's illegal annexation of Crimea. We will continue to work with our Allies and partners to defend the Rules-Based International System and the institutions that uphold them.

We are committed to asserting Freedom of Navigation where it is challenged. We call on Russia to stop interfering with the navigational rights of Ukrainian and international ships,

and to allow free and unhindered passage of through the Kerch Strait and the Sea of Azov. The Carrier Strike Group deployment demonstrates the UK's enduring commitment to NATO and our support for NATO missions in the Black Sea region, including to advance regional security, stability and freedom of navigation.

3. The 1 May deadline, by when Russia said it would pull back additional troops exercising on the border with Ukraine, has passed; the UK, working with NATO allies and other OSCE Member states, should insist Russia withdraws all its additional troops and equipment from the border with Ukraine and from the Crimea. There are legitimate concerns about the underlying nature of Russia's actions. (Paragraph 16)

The Government notes the Committee's recommendation. The build-up of Russian military forces near the Ukrainian border and in Crimea indicated a troubling escalation in an ongoing campaign of aggression towards Ukraine. The UK is concerned that Russia has not fully withdrawn all troops and equipment and remain clear that this threatening and destabilising behaviour is unacceptable.

Russia's motivation

4. The large scale of the Russian military build-up is unusual for a normal exercise, but our evidence suggests that based on where troops are positioned in Crimea, it is unlikely to be a preparation for a full-scale Russian invasion of Eastern Ukraine. (Paragraph 33)

The Government notes the Committee's view. The build-up of Russian troops along the Ukrainian border and in Crimea was unusual, escalatory and did not reflect normal exercise routine. We will continue to carefully monitor the situation and hold Russia to account for this type of destabilising activity.

5. Russia has a right to deploy troops on its own territory but also has a duty to regional security and stability to be transparent about military exercises and military activity close to her borders, as set out in Section 1 of the OSCE's Helsinki Final Act on exchange of military information on exercises. (Paragraph 34)

The Government agrees that Russia has clear obligations to notify the OSCE of training exercises and significant movements of troops. These are long established mechanisms to increase transparency and build confidence. We are disappointed that Russia did not, and still chooses not to, engage constructively in using the OSCE processes available to provide necessary transparency. We call on Russia to uphold the OSCE principles and commitments that it freely signed up to.

6. Russia prefers to keep the West in the dark about its military activities and the strategic goals, which underpin them. However, it is unlikely that Russia would want to provoke further Western economic sanctions or military assistance to Ukraine. (Paragraph 47)

The Government notes the Committee's view. The UK worked closely with the EU, US, Australia and Canada to impose costs on those facilitating Russia's illegal annexation of Crimea and Sevastopol through sanctions. We continue to work closely with international partners to ensure that sanctions and military assistance to Ukraine remain in place as long as Russia's illegitimate control of the peninsula continues.

7. Russia has several probable motives for escalating tensions on the border with Ukraine, driven by regional insecurities and President Putin's willingness to engage in power politics. Russia is using its military for coercive diplomacy, to pressure the Ukrainian Government to make concessions in the political settlements for the Donbas and to test Western allies' resolve to come to Ukraine's aid. (Paragraph 48)

The Government notes the Committee's view. The UK continues to support Ukraine's sovereignty and territorial integrity, within its internationally recognised borders and territorial waters. Our commitment to the stability and security of Ukraine remains steadfast, as outlined in the Integrated review and Defence Command paper. We are undeterred by the Russian build-up and remain unified in our position with Allies and Partners.

The international response

8. Russia must honour its commitments under the Vienna Document as an OSCE participating State and fully co-operate in OSCE meetings to support confidence and security-building measures and de-escalate conflict. The UK should, with its Allies, use the OSCE mechanisms in the Helsinki Final Act to hold Russia to account, and if necessary, bring the dispute before the OSCE's Court of Conciliation and Arbitration. (Paragraph 51)

The Government agrees with the Committee that Russia must honour its commitments under the Vienna Document as an OSCE participating State. The Vienna Document is a key confidence and security building measure to build transparency and reduce risk. It is incumbent on all participating States, including Russia, to abide by the letter and spirit of the Document, and the international norms it commits us to. The Helsinki Final Act clearly states the fundamental principles of respect for the territorial integrity of any State and the prohibition of any use of force to change borders. By its use of force against the territorial integrity of Ukraine, Russia has clearly violated international law and contravened these principles. We continue to call on Russia to use the OSCE processes and mechanisms available, including through responding to valid questions raised under Chapter III of the Vienna Document and to which Russia has not provided satisfactory answers to date.

9. The UK, with the US, should insist Russia stand by the international agreements it has signed up to and its commitment, made in 1994, to respect Ukraine's sovereignty and territorial integrity. (Paragraph 53)

The Government agree with the Committee's recommendation. The Political, Free Trade and Strategic Partnership Agreement signed with Ukraine on 8 October 2020 reaffirms the UK's commitment to the security assurances enshrined in the Budapest Memorandum of 5 December 1994. We will continue to work closely with the US to insist that Russia stands by the agreement that it freely signed up to and which it is violating through its ongoing aggression against Ukraine.

10. In contrast to Georgia's response in 2008 to send in troops to counter Russian aggression, Ukraine has demonstrated restraint and sought to resolve the escalating situation through political and diplomatic channels. (Paragraph 59)

The Government agrees with the Committee. We fully supported Ukraine's use of the Vienna Document to de-escalate the situation and request greater transparency from Russia on its military activity. The restraint shown by Ukraine is to be commended, including efforts to de-escalate and President Zelenskyy's commitment to finding diplomatic solutions.

11. The UK's presidency of the G7 is an opportunity for the UK to demonstrate global leadership in security, diplomacy and conflict resolution, consistent with its expressed strategic intentions set out in the Integrated Review. (Paragraph 66)

The Government agrees with the Committee's view. G7 Leaders met in Cornwall from the 11-13 June and the situation in Ukraine was discussed and referenced in paragraph 52 of the Summit Communique. The UK will continue to use its position in the G7 to demonstrate global leadership in security, diplomacy and conflict resolution.

12. UK Ministers should continue to support and encourage Ukraine to seek peaceful resolution to the conflict with Russia, through political settlement and implementation of the Minsk agreements. (Paragraph 67)

The Government welcomes the Committee's recommendation. The UK will continue to fully support the Minsk agreements and the peaceful resolution of the conflict in full respect of Ukrainian sovereignty and territorial integrity within its internationally recognised borders, including its territorial waters. We support the work of the Trilateral Contact Group and the Normandy Four in this regard.

13. The UK Government should continue to work closely with Ukraine, NATO and other allies to monitor the situation on the ground, share intelligence and plan a co-ordinated approach for joint action to promote collective security in the region. (Paragraph 68)

The Government agrees with the Committee's recommendation. During the Russian military build-up we led efforts with international Allies and Partners to ensure a cohesive situational understanding and a unified response. This included a meeting of the Ukraine QUINT Defence Ministers on 7 April 2021 where they shared understandings of the situation, agreed to closely monitor and continue to call on Russia to de-escalate. We continue to work with our partners and Allies to defend our common values, counter shared threats and build resilience in the region. Transparency, intelligence sharing, and coordination continue to be vital to success.

We have continued to use NATO as a forum to coordinate joint action to promote Ukraine's regional security. Foreign Minister Kuleba visited NATO in April to brief the NATO-Ukraine Commission on the military build-up, and the Secretary General engaged bilaterally with President Zelenskyy on the developments. Leaders also discussed the border tensions at the 14 June NATO Summit. The Summit Communiqué commended Ukraine's restraint and diplomatic approach, called on Russia to reverse its military build-up and destabilising activities in and around Ukraine, and welcomed further cooperation between NATO and Ukraine.

14. The UK and NATO must push back on Russia's narrative, that Ukrainian membership of NATO, and NATO enlargement in general, would present a threat to Russia's security, pointing out, for example, that Russia, not Ukraine or NATO, has taken or supported activities that destabilise the region. (Paragraph 71)

The Government welcomes the Committee's recommendation. Russia, not NATO, has taken and is continuing to support activities that destabilise the region. NATO is a defensive Alliance, and will continue to strive for peace, security and stability in Euro-Atlantic area. Its purpose is to protect and guarantee the security of its territory and citizens. At the June NATO Summit, Leaders once again reaffirmed that the Alliance does not seek confrontation and poses no threat to Russia.

NATO already provides substantial support to Ukraine through their Comprehensive Assistance Package. We continue to look for opportunities to further support the NATO-Ukraine partnership, including the increased opportunities for cooperation created through Ukraine's Enhanced Opportunity Partner status.

UK military support to Ukraine

15. We welcome the new Memorandum of Intention for naval projects with Ukraine and endorse the UK Government putting in place a much longer-term package of support, beyond the conclusion of Operation Orbital in 2023, to assist Ukraine in building up the capability and resilience of the Ukrainian armed forces, particularly the navy. We would like to receive annual updates on the progress of the naval capabilities enhancement programme. (Paragraph 83)

The Government welcomes the Committee's view and request. The UK and Ukraine have a close Defence relationship, and we will continue to strengthen this partnership to help deter shared threats including through capacity and capability building efforts. The Memorandum of Implementation (MOI) signed on 21 June demonstrates the commitment of the UK Government and UK Industry to enhance Ukrainian Naval capabilities. Contractual work has begun to implement the projects which will support the longer-term capacity and resilience of the Ukrainian Navy.

The Department will provide annual updates on the progress of the naval capabilities programme to the Committee.

16. The UK and NATO should continue to maximise efforts to help Ukraine reform to meet NATO standards and to become more interoperable with NATO and its equipment, for example through regular joint training exercises. (Paragraph 89)

The Government agrees with the Committee's recommendation. The Integrated Review and the Defence Command Paper reinforce our continued commitment to Euro-Atlantic security and to helping build Ukraine's resilience to Russia's aggressive tactics through capacity building of their Armed Forces, and security and Defence reforms. As a leading member of the Ukrainian Defence QUINT we are proactively working to ensure that Ukraine can make the most of its Enhanced Opportunities Partner (EOP) status and increase its interoperability with NATO and its equipment.

To further Ukraine's interoperability, the UK regularly participates in NATO and bilateral exercises with Ukraine, such as Exercise SEA BREEZE and Exercise COSSACK MACE. Operation ORBITAL, the UK's enduring deployment to Ukraine, also facilitates training exercises between the UK and Ukraine while the Maritime Training Initiative provides opportunities to enhance interoperability between our maritime forces.

To further Ukraine's Defence reform, the UK provides a Special Defence Advisor (SDA), who is embedded in the Ukrainian MOD. The SDA facilitates an assistance programme focused on Defence reform and institution-building, as well as strategic communications, procurement and anti-corruption drives. The UK also supports Ukraine's defence reform through its provision of a UK representative to the Ukraine Defence Reform Advisory Board (DRAB), currently former Vice Chief of the Defence Staff, General Sir Gordon Messenger.

17. We believe the UK Government's response to the Ukraine crisis, demonstrates a commitment to the overarching themes for Global Britain set out above in the Integrated Review and the Defence Command paper. This can be evidenced in UK military aid, intelligence sharing, vocal political and diplomatic support for Ukraine, and the carrier strike deployment, as part of a co-ordinated approach alongside NATO allies. (Paragraph 95)

The Government welcomes the Committee's view. The Integrated Review and Defence Command Paper reinforce our commitment to Euro-Atlantic security (including Black Sea security), and to helping build Ukraine's resilience to Russia's aggressive tactics through the UK's Operation ORBITAL.

The UK provided vocal political and diplomatic support for Ukraine. On 2 April, the Defence Secretary and Foreign Secretary both spoke to their Ukrainian counterparts to voice the UK's concern about the increase in Russian military activity and to reaffirm the UK's commitment to Ukraine's sovereignty. On 5 April, the Prime Minister spoke to President Zelenskyy to express our significant concerns. The Prime Minister reaffirmed the UK's unwavering support for Ukraine's sovereignty and territorial integrity and expressed his solidarity with Ukraine's government in the face of this destabilising activity.

The UK will continue to work with our partners to defend our common values, counter shared threats and build resilience in the Eastern European neighbourhood.

18. However, Britain's global ambitions now include a tilt to the Indo-Pacific, with the Government promising to deepen engagement by our armed forces and establish a greater and more persistent presence there as well. (Paragraph 96)

The Government's enhanced focus on the Indo-Pacific is a positive effort to keep a pace with shifting global dynamics and ensure the UK is positioned to realise the opportunities and manage the risks.

19. The Integrated Review identifies Russia as "the most acute direct threat to the UK". The UK Government should clarify how its global ambitions, in particular its proposed tilt to the Indo-Pacific, will be balanced with deterring the threat from Russia to UK security in the Euro-Atlantic region. (Paragraph 97)

The UK is not deprioritising any regions and will remain a strong and reliable ally to our international partners. Our traditional allies and interests are no less important. We are fully committed to Euro Atlantic security and as Global Britain will be more engaged than ever before, including in the Indo-Pacific region. In an era of constant competition, we will rebalance our force to provide a more proactive, forward deployed, persistent presence, whilst being ready for managing crises at scale. We will continue to compete with and campaign against our adversaries' sub-threshold activities, and understand, shape and influence and global landscape. Defence will carefully manage its policy, processes and well-honed planning mechanisms designed to preclude over-stretch.

The actions of the Russian State pose an acute and direct threat to the national security of the UK. We have shown in recent years that the UK takes the threat from the Russian State extremely seriously and have responded to and called out Russian aggression wherever it occurs.

Lessons learnt

20. We commend the UK Government for their role in intelligence sharing and monitoring the situation in the Donbas and Crimea. (Paragraph 110)

The Government welcomes the Committee's view. We will continue to share information with Allies to increase a unified understanding of events and avoid miscalculation and continue to monitor the situation.

21. The International community has reacted quickly and united behind a clear message to Russia that the world is watching and there will be consequences for illegal military action. Lessons have been learnt from the Georgia crisis in 2008 and the Ukraine crisis in 2014, primarily that the international response must be decisive and unanimous in the face of Russian aggression. (Paragraph 111)

The Government agrees with the Committee. A pattern of Russian aggression for over a decade undermines Russia's claim that it is a responsible international partner upholding the Rules Based system. We will continue to work with our Allies and partners to learn from our collective experiences and continue to deter and maintain a robust international response to Russia's malign activity.

22. The UK and NATO must decide what their red lines are and the appropriate action which could be taken, if Russia crosses a red line. (Paragraph 112)

The Government notes the Committee's recommendation. The response of the UK and our international partners to Russia's military build-up has been clear and proportionate. Alongside Allies we will deter threats across a wide spectrum and protect our people. Since 2014, NATO has undertaken the biggest reinforcement of deterrence and defence in a generation, having agreed a new concept for Deterrence and Defence of the Euro-Atlantic Area, and adapting its structures and capabilities to deter present and emerging threats.