

A Policy of Heroes

Why Veterans Affairs is a National Security Concern for Ukraine &
How to move from a Soviet Pensioner's Model of Veterans Affairs
to a Citizen Soldier's

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Abstract: Part one of this article provides six reasons why veterans affairs is a national security imperative for Ukraine, and needs to be treated like one, which means with the urgency of any military or policy action that can directly impact the outcome of Russia's war of aggression against Ukraine. Part two identifies the numerical challenges of providing for Ukraine's veterans (and civilians) and identifies five policy options the Government of Ukraine should consider and purposefully adopt or reject as inapt or unfeasible in Ukrainian context, including guiding principles, and a veterans point system. Part three identifies seven cost neutral steps that can be taken to improve veterans services and outcomes, including the adoption of "good" process, which process will also mitigate the risk of corruption. The section also highlights the importance of a whole of society approach to veterans affairs. President Zelensky has called on the Government of Ukraine to start studying the experience of veterans in countries around the world. This paper is a modest response.

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Introduction

Words do not adequately capture the nature of Russia's war of aggression against Ukraine, referred to within Ukraine as "the full-scale invasion," to distinguish the 2022 invasion from the 2014 seizures of the Donbas and Crimea. The scale of criminal conduct is staggering: over 100,000 open war crimes investigations and counting, starting with the war of aggression itself followed by credible allegations of war crimes, crimes against humanity, and genocide.¹ The human consequences in Ukraine are staggering. The United Nations Office of the High Commissioner for Human Rights (OHCHR) has recorded 9,287 civilian deaths in Ukraine with another 16,384 civilians injured as of 16 July 2023; however, OHCHR "believes the actual figures are considerably higher."² United States officials assessed in May 2023 that 42,000 civilians had been killed since Russia's full-scale invasion.³

The geopolitical stakes are equally high. Ukraine fights for its territorial integrity and political independence, President Zelensky calling the conflict "our war of independence and freedom."⁴ By extension Ukraine is also the frontline of European security, democracy, and the rule of law. Ukraine's frontline soldiers are engaged in World War I warfare with 21st Century weapons, like drones. The Government of Ukraine (GOU) does not reveal its casualty figures, but some assessments place the number of killed in action at up to 17,000 and up to 110,500 wounded as of February 2023,⁵ figures that would be higher, perhaps much higher six months later and after the commencement of the Ukrainian counteroffensive. In short, Ukraine as a nation and a people has and will play a disproportionate role - and pay a disproportionate cost - in defining the shape of the 21st century to come.

It is not too early to start planning and implementing a Ukrainian veterans system commensurate with the scale and impact of the fighting; in fact, it is past due. Estimates place the number of veterans in Ukraine at 500,000 before the full-scale invasion and climbing to 1.5 million persons by 2024, with another one million persons serving in the Armed Forces.⁶ In Ukraine the treatment of veterans is an immediate national security concern as well as a humanitarian one.

Part one of this article explains why veterans services is an immediate national security issue for Ukraine. Part two of the article offers steps the GOU and other actors should consider taking now to address Ukraine's growing veteran

population. This starts with a clear and workable definition of the term “veteran” for the purpose of administering veterans benefits and resources.⁷ What is also needed is purposeful and timely policy choices about how to prioritize veterans services in a time of war and with limited resources. Part three of the paper emphasizes steps that should be taken that do not cost money, such as the importance of establishing timely and good process as well as a whole of society approach to veterans affairs.

The paper draws on the American experience and practice, not because it is necessarily the correct model for Ukraine, but in its scale and in its successes and failures it can serve as a model or metaphor for Ukraine, which can ill afford false starts. Indeed, President Zelensky stated in June 2023, “Please start studying the experience of the world in terms of economic and social integration, rehabilitation of veterans, and relevant state and municipal change in countries around the world.”⁸ This paper is a modest first step.

I. Why Veterans Affairs is an Immediate National Security Issue

Veterans affairs is a national security issue in Ukraine and needs to be treated like one, which means with the urgency of any military or policy action that can directly impact the outcome of Russia's War of Aggression against Ukraine and then provide for Ukraine's ongoing security.⁹ Here are six reasons why.

The Risk of Instability

A society of demobilized veterans can be a force for good, as the World War II GI Bill boom demonstrated in the United States. It can also result in instability if those veterans are alienated from society or government and subsequently mobilized as a political movement or military force. One can be sure that Russia will seek to undermine the GOU by fomenting unrest in Ukraine's veteran community using all the tools of hybrid warfare.

In American practice, one recalls George Washington standing down a potential mutiny at the aptly named Temple of Virtue in Newburgh, New York, in 1783. Officers unhappy at not receiving back pay and pensions threatened to mutiny and march on the Continental Congress in Philadelphia to demand their pay and perhaps seize power. With his carefully chosen words and theatric oratory, Washington saved constitutional government six years before the Constitution was written and ratified. In doing so, he also enshrined the principle of civilian control of the military.

Unfulfilled promises can prompt veterans to political and sometimes physical action. In May 1932, at the height of the Great Depression, the so-called "Bonus Army" of veterans (also known as the "Bonus Expeditionary Force" a play on the World War I (WWI) "American Expeditionary Force") marched on Washington to demand the immediate payout of a promised bonus for their World War I service. In 1924, Congress passed a one-time war bonus payable in most cases to WWI veterans in 1945 on their birthdays.¹⁰ The bill passed over President Coolidge's veto. In 1932, President Hoover continued to oppose the bonus on fiscal grounds. Up to 20,000 veterans and their families came to Washington to protest and pressure Congress to pass legislation allowing the immediate payment of the bonus. The veterans occupied several vacant federal buildings

and set up a shanty camp in the Anacostia region of the Capital. The events were peaceful until Washington officials ordered the federal buildings cleared. A police officer shot two veterans who later died of their wounds. President Hoover ordered the Army to clear the center of the city, but not the camp across the Anacostia River. Army Chief of Staff General Douglas MacArthur, acting in direct command of the operation, went further. Crossing the Anacostia River with tanks, cavalry, tear gas, and infantry with fixed bayonets, Army troops dispersed the veterans and their families and burned the BEF camp to the ground. An estimated fifty-five veterans were injured and sent to hospital.¹¹ Americans were generally appalled by the images of the Army using force against its own veterans seeking financial help. The event proved politically unpopular and is thought to have contributed to Hoover's resounding defeat by Franklin Delano Roosevelt in the pending 1932 election.¹² In 1936, Congress passed legislation, over President Roosevelt's veto, providing for the immediate payment of a \$1,000 bonus to each WWI veteran.¹³

Veterans Will Become the Core of Ukraine's Military Reserve

Russia is a continuous threat to its neighbors and will remain so. The full-scale invasion of February 2022 followed two earlier invasions, which followed a continuous effort to subvert Ukrainian government and society through hybrid means. We wish, and the Ukrainian people certainly wish, for an end to conflict, but as the proverb states, when the world is at peace, Ukraine would be wise to keep a sword by its side. Ukraine cannot afford to permanently demobilize its abled-bodied and able-minded veterans. It needs to keep them as a reserve force in readiness to secure Ukraine's future and deter the threat of future aggression. This requires a system of veterans affairs that both provides for the well-being of Ukraine's veterans but also invokes a continuing bond of loyalty and connection between veterans and the GOU.

Recruitment

A sustained war, and long-term security threat, requires a sustained source of military personnel. So do high casualty rates. Ukraine relies on a draft as well as volunteers. As is well known, men between the age of eighteen and sixty are not lawfully allowed to leave the country. Some men have left and do leave the country, perhaps because they have exemptions,¹⁴ because they left before the restrictions were put in place, or perhaps, because they paid a smuggler or paid a bribe to get across the border without detection.¹⁵

Studies of United States soldiers during the Afghanistan and Iraq Wars indicate

that soldiers enlist during time of war for varied reasons, including patriotism as well as for economic reasons. In the context of Ukraine, one imagines the call of patriotism to defend the country is compelling; Ukraine's soldiers are defending their territory and not engaged in warfare overseas.¹⁶ Studies of junior enlisted personnel in the U.S. Army indicate that a majority of enlistees are motivated by two pillars or motivations: institutional factors, like family tradition, honor, and patriotism and; professional factors, like pay, professional stability, training, and benefits.¹⁷ Other factors, like a military justice process that is considered fair and effective (or unfair and arbitrary) may be less influential but may nonetheless serve as an incentive or more likely a deterrent to recruitment.¹⁸ There is no direct metric that demonstrates so, but clearly a military that is demonstratively committed to caring for its veterans, and is capable of doing so, is more likely to recruit volunteers into service and do so on an ongoing basis.

Demographics

The challenge of sustaining a military force in combat and as a force in readiness is compounded by Ukraine's war-induced demographic challenges. There are 6-7 million Ukrainian refugees in Europe. A European Union (EU) Temporary Protection Directive has given these refugees the right to work and the opportunity to send their children to EU schools. Estimates vary, but generally indicate that 70% of these refugees are women and 30% children, not service age males. Many of these families are not expected to return to Ukraine "after victory" and one can anticipate that husbands, boyfriends, and brothers may join their families overseas, when and if allowed to do so. There are about five million internally displaced persons (IDP) in Ukraine, making military recruitment more difficult and perhaps uneven, and the provision of post-military services more complicated.¹⁹ By some estimates, Ukraine's population has fallen from 51 million at the time of independence in 1991 to a projection of from 33 million to 24 million by 2040 depending on projected rate of refugee return.²⁰ This makes the provision of care to able-bodied veterans more important as those veterans will serve as a reserve force in readiness to deter Russian aggression. It will also encourage recruitment and retention of the next generation of potential Ukrainian soldiers.

Economic Growth

As the post World War II economy in the United States demonstrated, veterans can be a boon to economic growth and development. The GI Bill²¹ transformed

American society by sending a generation of veterans to college, but what these veterans did afterwards is often overlooked as is the stimulus the bill's housing subsidy provided to the economy. Veterans transformed America's economy.²² The World Bank estimated in March 2023 that rebuilding Ukraine will cost \$411 billion over ten years.²³ That is over three Marshall Plans in today's dollars. Ukraine needs its demobilized veterans on the economic frontline of recovery. As the U.S. Department of Veterans Affairs (VA) website notes, most members of the U.S. military will spend far more time as veterans than as members of the armed forces. It is as veterans that many members of the military make their most significant societal contributions. This will likely be true in Ukraine as well.

Post Traumatic Stress Disorder (PTSD) and Guns

The U.S. VA estimates that 7% of U.S. veterans experience PTSD at some point in their lives. Additional VA estimates indicate that up to 29% of Iraq War veterans experience PTSD and 10% of Vietnam veterans. Assuming a conservative 7% rate of PTSD (the figure is certain to be higher)²⁴ that would suggest that approximately 35,000 Ukrainian veterans currently experience PTSD or one of the range of conditions generally referred to as PTSD, or 135,000 veterans if one uses the higher Iraq War rate of 29%. The number will grow as the number of veterans grows; moreover, the percentage is far more likely to fall in the range of the Iraq War, if not higher, which would place the projected number in 2024 at 435,000.

The numbers could be even higher depending on what one infers or concludes from the British experience on the Western Front during World War I, and the parallels between WWI trench warfare and the nature of warfare on Ukraine's eastern front. "Shell shock" now considered synonymous with Traumatic brain Injury (TBI) and a range of diagnosis identified with "PTS" and "PTSD" was not identified as a medical condition until 1915 and only reluctantly accepted by WWI military commanders, if at all. Accurate figures regarding the rate of "shell shock" in veterans of trench warfare are not available; however, some British estimates place the rate of "PTSD" at 40% of the casualties at the Battle of the Somme,²⁵ and from 10% to 20% of British soldiers wounded during WWI.²⁶

In addition, many civilians have PTSD as well, compounding the challenge. According to the World Health Organization (WHO), "One in five (22%) people who have experienced war or other conflict in the previous 10 years, will have depression, anxiety, post-traumatic stress disorder, bipolar disorder or schizophrenia. In applying these estimates to Ukraine, WHO expects

that approximately 9.6 million people in Ukraine may have a mental health condition."²⁷

Unfortunately, Ukraine lacks the full capacity to care for its veterans and civilian population with PTSD. This is not a critique; it is a concern. As the COVID pandemic demonstrated, there is a shortage of psychological care givers everywhere, including in the United States. "The U.S. only has enough mental health care professionals to meet 26% of the need of the population. The U.S. has an average of 30 psychologists and 16.6 psychiatrists per 100,000 people—and those numbers are even lower in rural communities."²⁸ The comparative figures for Ukraine are 1.0 per 100,000 for psychologists and 4.5 for psychiatrists.²⁹

Ukraine is also flush with side arms, in many cases issued without registration at the outset of the full-scale Russian invasion. This heightens the risk of violence and of suicide. Studies indicate that in the United States the suicide rate for veterans is higher than for non-veteran adults. In 2020, the U.S. suicide rate was 57.3% greater for veterans than non-veteran adults, with firearms involved 71% of the time.³⁰

II. The Challenge Ahead – Moving from a Soviet to a Democratic Model of Veterans Affairs

The scope and scale of the challenge of addressing the needs of Ukraine's veterans is daunting.

As earlier noted, the GOU does not provide casualty reports for reasons of operational security and, one imagines, in order to sustain morale. However, estimates, including those in documents that are part of the Discord leaks, estimate the number of Ukrainian military personnel killed in action at least at 17,000 as of February 2023.³¹ The number will likely grow, and has certainly grown, in non-linear fashion as Ukraine continues its counteroffensive over the 2023 summer into fall.

The number of wounded is generally estimated by medical and military experts as four times the number of killed in action.³² This reflects the nature of warfare in Eastern Ukraine – mines, artillery, and rockets – as well as the relative proximity of medical care during the golden hour after a soldier is wounded during which the odds of survival dramatically increase if stabilizing care is provided. It also reflects the courage of Ukraine's medics and doctors.

The nature of the combat has also resulted in a high rate of amputation. As of April 2023, an estimated 10,000 Ukrainians had undergone one or more limb amputations.³³ More recent estimates, derived from prosthetics firms, doctors, and charities place the number of Ukrainians, military and civilian, requiring one or more amputations as a result of war wounds, at between 20,000 and 50,000 as of August 2023.³⁴ One can infer that the number of amputations is increasing and doing so exponentially. "Of the soldiers in the U.S. Army wounded in action during World War II, about 15,000 (2.5%) required major amputations."³⁵ The Congressional Research Service has noted that while a higher percentage of wounded soldiers have survived during the post-9/11 combat than during previous U.S. wars, for each soldier who died in combat, those who were wounded received proportionally more disabling injuries than in past conflicts. The ratio of wounded who did not require amputation to those that did changed dramatically from 78.2 to 1 during WWI, 89.6 to 1 during WWII, 29.0 to 1 for Vietnam, 28.2 to 1 for Afghanistan, and 28.3 to 1 for Iraq. Further, a study of all recorded U.S. military casualties from Afghanistan and Iraq requiring evacuation out of theater or prohibiting the individual from returning to duty for

more than 72 hours from October 2001 to June 2006, indicated 70.5% involved major limb injuries and 5.2% of all serious injuries, and that 7.4% of major limb injuries resulted in major limb amputation or amputation at or proximal to the wrist or ankle joint.³⁶ These statistics do not indicate what the rate of amputation is in Ukraine, but what it does foretell is that the ratio will be high in proportion to the overall number of wounded, all the more so, given the nature of the conflict (artillery, missiles, and mines and persistent mines). Moreover, there are and will be a substantial number of civilian amputees.

In Ukraine, estimates place the number of veterans at approximately 500,000 today, with the possibility of another one million in the immediate future.³⁷ If one counts family members of veterans the number increases to 5 million. Erring on the conservative side, 1.5 million veterans out of a population of 35 million represents over 4% of the population. These figures do not appear dramatic in comparison to the Census Bureau's 2018 estimate that 7% of the U.S. population were veterans, with the largest group of veterans comprising Gulf War era veterans.³⁸ However, a more apt comparison and the reason Ukraine also looks to Croatia and Israel for comparative veterans populations, is threefold: the location of the combat in which the veterans participated; the percentage of the population within the armed forces at a given moment of time; and the timing of demobilization. The 7% U.S. VA figure is allocated over fifty years (i.e., going back to Vietnam and the Gulf War). Restated, at any given time a higher percentage of Ukraine's population - 3-4% - is serving in the military compared to .4% of the U.S. population. Moreover, the conservative 4% of the population as veterans figure identified above is a product of one decade and most of it the product of the past two years. Polling indicates that 80% of Ukrainians know someone in the armed forces. And many of those service members may be demobilized in the near future and in close proximity in time. A more parallel U.S. figure, therefore, might be that following the American Civil War when approximately 10% of the population were veterans of military age *demobilized at the same time*.

Next Steps

There are steps the GOU should consider taking now to immediately move Ukraine from a post-Soviet era pensioner's model of veterans affairs to a democratic citizen-soldier's model.

Defining Principles

Let's start with two principles that should relentlessly guide the treatment and

reintegration of veterans in Ukraine.

- First, as stated above, because veterans services and benefits directly relate to national security they should be prioritized that way, with national policy attention and resources. Getting veterans affairs “right” and doing so now, will help Ukraine achieve victory and maintain its security.
- Second, priority should go to veterans (and civilians) who bore the greatest cost of battle, especially those who were physically or mentally wounded in battle or harmed in service or, in the case of the fallen, their survivors. That requires a methodology and process to prioritize, adjudicate, and distribute finite resources.

Defining Veterans Status

A modern system of veterans benefits should start with defining “veterans status.” In Soviet times it was often said and understood that a “veteran” was anyone over a certain age, or who retired from a government job. At one time, this approach might rightfully have assumed that persons of a certain age had survived World War II and participated in it as combatants or civilians and were thus “veterans.” Not anymore. Nor can Ukraine afford to treat every person who has participated in defending Ukraine as a veteran for the purposes of veterans services and benefits.

Prioritizing Veterans Benefits

Priorities should be set as between veterans, not as a value choice, but as a fiscal and security necessity. There are a number of methodologies for doing so. One option is to use a point system to allocate benefits (or determine the order of demobilization) inspired by the system used by the United States to determine the order of demobilization at the end of the Second World War. The system, known as the “Adjusted Service Rating,” took into account six variables to calculate a score, which score determined the order in which a soldier was demobilized and sent home from the European or the Pacific theaters. The variables included:

- One point for each month in service in the Army
- Five points for each campaign
- Five points for a medal for merit or valor
- Five points for a purple heart
- Twelve points for each dependent child³⁹

The demobilization point model is one that might account for the myriad variables impacting service in Ukraine. However, in Ukraine such scoring might include additional variables relevant to the Ukrainian experience, such as whether a service member was/is:

- A Prisoner of War
- Tortured
- Sexually assaulted, and/or
- The sole or primary family provider
- Trained or needed for an essential post-victory service, like demining or government service.

A point system might also weight different factors in different ways. The U.S. WWII demobilization model, for example, was criticized for placing too much emphasis on veterans with children and not enough emphasis on time in combat. A newly arrived father with two children, for example, would earn more demobilization points than a combat veteran with a medal for valor and two purple hearts. Moreover, rear echelon personnel received the same number of points for time spent overseas as frontline combat troops.

Absolute definitions, such as those that distinguish between persons who served in uniform and persons who did not, might be used as well, but they run the risk of dividing too few resources between too many persons, including persons in less need than others. They also risk dividing a population into two groups, veterans and non-veterans, as opposed to recognizing the extent to which all of the population of Ukraine has “served,” and in many cases suffered, and thus in some way should be recognized for that service and treated for the consequences of that service.

One of Ukraine’s challenges is financial. In the United States somewhere between 3.9 million and 5.4 million veterans receive disability compensation, depending on which statistics are used.⁴⁰ This represents approximately 20-27% of all veterans with the average annual disability compensation payment listed at \$20,686 amounting to \$136 billion in 2022 and approximately half of total VA spending. Assuming only for the sake of illustration that 25% of Ukraine’s veterans are, or should be, eligible for service connected disabilities compensation that would equate to roughly 375,000 veterans based on the projected number of veterans in 2024. In U.S. dollars at U.S. rates that might equate to \$7.5 billion in disabilities compensation per year. Of course, these numbers are not accurate. They are solely intended to offer a sense of scale. The actual number of Ukrainian veterans warranting disability compensation

in the future is unknown, and the cost of living in Ukraine is significantly lower than in the United States as are annual wages. The average monthly wage in Ukraine is estimated at \$628 and in Kyiv at \$687, or \$7,536 and \$8,244 per year respectively.⁴¹ In contrast, the annual mean wage in the United States in 2022 for all occupations according to the Bureau of Labor Statistics was \$61,900.⁴² The point is not numerical, but one of scale and cost and the risk of raising the prospect of broken promises and unfunded mandates. A point system would help prioritize the distribution of limited resources and help shape and guide expectations.

Donor Support

Donor countries might also consider providing veterans assistance to Ukraine, including and especially those countries unwilling or legally prohibited from providing lethal assistance. In addition, the U.S. Department of Veterans Affairs (VA) should consider a more active role in assisting Ukraine establish a sustainable veterans system. At present, the VA is not organized for overseas outreach on veterans matters; neither is the Department of State. If, as this paper argues, the treatment of Ukraine's veterans is a national security issue, the U.S. government as well as the GOU should treat it as the national security issue it is and respond with commensurate resources and bureaucratic infrastructure.

Disability Planning and Accessibility

Using the figures identified above, one can estimate that no less than 10,000 veterans (as of April 2023) and likely tens of thousands more have lost at least one limb as a result of Russia's full-scale invasion. The number will certainly increase - likely exponentially - over time as military personnel and civilians encounter unexploded ordnance and mines, given the nature of the conflict, and the ratio of wounded to killed and the likely ratio of wounded with disabling injuries. As a party to the Convention on the Rights of Persons with Disabilities, Ukraine has an existing international legal obligation to "take all appropriate steps to ensure that reasonable accommodations are provided" to persons with disabilities. In addition, President Zelensky has called on Ukraine to adopt "a real national standard of a barrier-free environment" ... "that will allow every person with war trauma to enjoy the same space and opportunities as others."⁴³

However, societal access for the disabled will require a governmental bureaucracy and policy regarding access to public resources like buildings, courts, and transportation. In U.S. practice, disability accommodations are addressed by the Americans with Disabilities Act (ADA).⁴⁴ However, ADA

accommodations can be expensive. Ukraine will need to make purposeful choices about where and how to spend finite resources to accommodate persons with wartime (and other) disabilities. ADA experts in the United States could advise the GOU on the highest priority and most impactful and cost-effective steps that could be taken to accommodate persons with disabilities. Indeed, the ADA may be a good model for Ukraine, at least for private sector accommodations. Disabled individuals have a right to a “reasonable accommodation,” defined as accommodation that would not cause an undue hardship on the employer. What constitutes “undue hardship” depends on the financial resources of the employer, and accounts for national context. Thus, applied to Ukraine, Ukraine’s businesses and other entities would only be required to take steps that they could reasonably afford consistent with the ADA’s standards.

III. Good Process and Other Cost-Neutral Steps

Not every veterans service or benefit costs money. There are ways of improving the veteran outlook upon demobilization with limited additional resources.

Good Process; Not More Process

In government, good process invariably leads to better results. This is as true with veterans services and benefits as it is elsewhere. Good process is contextual, meaningful, and timely; not necessarily more process. What might good process look like when it comes to veterans services?

A. Records

Records are essential to any benefits system. However, in wartime military records are often incomplete or inaccurate. Soldiers are transferred from unit to unit, or location to location on an emergency basis with little documentation. Secret or clandestine operations go unrecorded. However, Ukraine has an advantage. It is one of the most digitized and digital literate societies. Many Ukrainians, for example, hold digital licenses and maintain their tax records on their cell phones. The GOU should prioritize creation of a digital platform to track military service and veterans benefits, provided one can do so without compromising operational security.

B. Advocacy

Government bureaucracy is invariably hard to navigate and this is true of veterans benefits.⁴⁵ An effective system of benefits includes mechanisms for advising and advocating on behalf of veterans. In the United States this is done collectively through national veterans organizations, many with regional and local outlets, like the Veterans of Foreign Wars and American Legion. Nongovernmental organizations also offer veterans individual advice on obtaining services and benefits. In addition, in the United States most law schools have veterans clinics that consist of supervised students who volunteer to assist veterans obtain the benefits they have earned, adjudicate disagreements about the level of benefits that they have earned, or who seek adjustment of their service status and records. Ukraine's strong civil society sector offers opportunities to advocate on behalf of veterans.

C. Adjudication

An effective process of benefits should also include opportunity to contest the award and level of benefits. In U.S. practice, this is viewed as an essential element of due process associated with democratic governance. The process due includes the opportunity to be represented by counsel, the opportunity to provide written evidence, and adjudication by an independent and impartial administrative law judge with appeal to a higher appellate court. Win or lose, the process recognizes the intrinsic value of the opportunity to be heard.

However, in Ukraine, a process of adjudication introduces additional entry points for corruption. Veterans might be required to pay “fees” to access the adjudicatory process in order to ensure receipt of earned benefits. Therefore, any adjudicatory process must include the reform of existing judicial mechanisms, the creation of new mechanisms, or an administrative model, such as a point system, that minimizes or eliminates the necessity or need for most adjudication.

D. Regional and Local Focus and Distribution

One advantage to good process, is that it helps to eliminate corruption and the risk that financial benefits will be intercepted or diluted between the point of appropriation and the point of intended distribution and receipt. Therefore, as much attention should be paid to regional and field offices as is paid to national level policy-making and implementation. There should also be safeguards in place to help ensure benefits reach their intended recipients. These safeguards might include an inspector general, an ombudsman, and whistleblower protections for civil servants administering veterans programs. A streamlined process of delivery is also essential, by which is meant one that moves resources directly from appropriation to delivery with single rather than multiple layers of bureaucracy.

Transition Training

When American service members retire or are demobilized, they are required to go through transition training, usually in person, but also online. This training includes programming on economic opportunities and review of applicable educational and health benefits. It also includes programming for spouses. Among other things, service members are taught how to write a resume and how to translate their military skills and experience into civilian employment virtues. A drone operator applying for a civilian job, for example,

might emphasize his or her ability to work on small and independent teams with great responsibility. In some cases, drone operators will also have relevant entrepreneurial experience, as some Ukrainian drone operators have designed, procured, and built their own systems.⁴⁶

In Ukrainian context, transition training might emphasize skills that will be needed in post-war Ukraine, provided those skills and tasks are appropriate in each individual educational and medical context. Ukraine, for example, is the “most mined” country in the world. Ukraine will require an extensive demining capacity as it is estimated that it will take Ukraine decades – if not longer – to clear minefields and unexploded ordnance when conditions permit.⁴⁷ This is a task suited to veterans with military skills and demonstrated patriotism, provided a veteran’s physical and mental state would not be harmed by the work.

As Ukraine continues on its path to EU membership and away from a post-Soviet model of governance, it will also need a cadre of civil servants at the national, regional, and local level. It is said that Ukraine is good at passing laws, but not as good at implementing them. That takes a committed, professional, and honest civil service. The veteran population would seem a good place to recruit a dedicated, patriotic, cadre of public servants committed to Ukraine’s future. In U.S. practice, veterans are given hiring preference for many government jobs.⁴⁸ Ukraine might do the same.

Similarly, veteran owned companies are eligible for preference in contracting with the government for certain goods and services.⁴⁹ Definitional choice and precision are important here, as contracting preferences for veterans can be diluted where law and policy permit non-veteran owned or operated companies to partner with veteran-qualified companies to obtain preferential contracts. The goal here, is not to suggest a particular policy outcome or preference, but for policymakers to make purposeful and informed choices understanding that any system of preferential treatment may be utilized (or manipulated) to benefit not just veterans but other entities working with veterans. Ownership or participation percentages and thresholds should be considered.

Commemoration

Commemoration and remembrance should not be overlooked as a source of stability and healing for any nation emerging from war, including its veterans. This can be seen in the U.S. reaction to the Vietnam Memorial, criticized at first for its design, but subsequently admired for its capacity to personalize the act of remembrance. The Wall of Remembrance of the Fallen for Ukraine in Kyiv is

reminiscent of the Vietnam Memorial with its individualized memorialization and recognition.

No location is more hallowed to U.S. veterans than Arlington National Cemetery, which offers veterans and their loved ones a focal point and national symbol around which to rally, remember, and reminisce. Indeed, Arlington Cemetery is one American symbol that seems to unite all Americans across perspectives and politics. The GOU is considering establishment of a national cemetery and system of military cemeteries throughout Ukraine to honor Ukraine's war dead. For the reasons stated in Part 1 of this article, the GOU should treat such a cemetery and system of cemeteries as a national security priority.

The GOU should also consider a national day of remembrance to honor veterans and their service. In the United States there are two such days. Veterans Day occurs on November 11, recalling its derivation as Armistice Day commemorating the end of World War I at the eleventh hour of the eleventh day of the eleventh month of the year 1918. The name of the day was changed in 1948 to also recognize the service of America's World War II veterans and subsequent veterans. General Omar Bradley, America's last five-star general, called Veterans Day a "national day of conscience." Memorial Day, which occurs on the last Monday in May, is another "day of conscience," intended more specifically to honor and remember the Nation's military war dead as well as those who died in service to their country. Because the day is a national holiday falling on the last Monday in May, the Memorial Day weekend is considered by many to mark the start of the summer vacation season. Thus, the day and the holiday has lost some of its identity as a day of remembrance.

A Whole of Nation, Whole of Society Approach

There is a tendency in the United States to consider veterans services and benefits as a state function. The veteran having served the government, the government should take care of his or her needs. This tendency might be pervasive in a post-Soviet system as well. However, one of the essential lessons of veterans affairs in the United States is that at its most effective, veterans care and services are a whole of society endeavor, or should be. The veteran did not just serve the government, but served the nation. In the United States, a whole of society approach to veterans services takes the form of veterans associations, veterans clinics, and non-governmental organizations taking the lead on many services.

Associations

Veterans associations are essential for at least two reasons. They are a source of ongoing camaraderie for service members who may feel alienated or alone following demobilization. Veteran peers may also be in a more accessible position to identify the emotional and physical needs of their comrades and persuade colleagues to seek help when needed. Associations also offer veterans a vehicle with which to mobilize politically and in concert with like-minded groups and thus magnify the impact of many persons speaking with one voice as advocates. U.S. veterans organizations, for example, have a long history of advocacy for disability rights and access including following the Vietnam War long before passage of the ADA in 1990.

U.S.-Ukraine Veterans Bridge

One way to steward limited resources is to ensure they are only utilized for validated programs and purposes. The U.S.-Ukrainian Veterans Bridge is a network of veterans organizations in Ukraine and the United States intended to share experiences and lessons in demobilizing from war and in effectively providing veterans services and benefits. Many leading U.S. veterans organizations are affiliated with “the Bridge,” which seeks to streamline and prioritize the provision of best practice advice and experience to counterpart organizations in Ukraine.

Private Donation

Private entities and donations can also fill gaps in government provided benefits and coverage. In some countries, like the United Kingdom, military alumni of brigades and regiments have paid for private insurance to allow service members to receive private medical care and cover gaps in medical coverage. This has the obvious benefit of fulfilling needs and doing so on a timely - as needed - basis, but the unintended consequence of providing an unequal or disproportionate allocation of benefits, with some units benefitting from wealthy benefactors and other units left unattended. The GOU might consider asking those wealthy Ukrainians who were overseas or exempt from military or security service following Russia’s full-scale invasion to contribute to the care of veterans through financial means.

Conclusion – A Policy of Heroes

A Ukrainian recruiting poster shows a military veteran in battle gear petting a dog. The poster states: “You can tell a person’s character based on how they treat animals.” Likewise, you can also tell a society’s character by how it treats its veterans. President Zelensky has declared that Ukraine will follow “a policy of heroes” when it comes to Ukraine’s veterans.⁵⁰ This will require resources. But it will also require a recognition that providing for Ukraine’s veterans is an immediate and vital national security concern and priority. Veterans affairs is not something that can wait “until victory.” It requires immediate attention. The good news is that Ukraine brings to this task three profound and positive attributes: a digital society, a vibrant civil society, and a remarkable sense of identity and resilience. It also has opportunity to learn from the success and failure of other veterans systems, including the United States. As the U.S.-Ukraine Veterans Bridge illustrates, America’s veterans stand ready to assist.

Endnotes

- 1 “Genocide” is defined in the Rome Statute as “any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:” including “(e) Forcibly transferring children of the group to another group.” Article 6, Rome Statute of the International Criminal Court, 17 July 1998, 2187 U.N..T.S. 38544. On 17 March 2023, the ICC announced that the ICC had issued an arrest warrant for President Putin, “in connection with alleged war crimes concerning the deportation and ‘illegal transfer’ of children from occupied Ukraine...” “The contents of the warrants are secret to protect the victims. Nevertheless, the judges decided to make the existence of the warrants public, in the interest of justice and to prevent future crimes.” United Nations Press release 17 March 2023. <https://news.un.org/en/story/2023/03/1134732#:~:text=%E2%80%9C9CThe%20contents%20of%20the%20warrants,and%20to%20prevent%20future%20crimes.%E2%80%9D> By its own admission, the Government of Russia has stated that it has transferred 728,000 children to Russia. “Russia’s Systematic Program for the Re-Education & Adoption of Ukraine’s Children,” A Conflict Observatory Report, 14 February 2023, *Yale School of Public Health Humanitarian Research Lab*, p.10. The Yale School of Public Health documented 6,000 cases of transfer as of 14 February 2023. The U.S. Permanent Representative to the United Nations has stated that 900-1.6 million Ukrainians had been deported to Russia. “Hundreds of Thousands of Ukrainians Forced to Russia, U.S. Claims,” *Politico*, 9 September 2022. <https://www.politico.com/news/2022/09/08/ukraine-forced-russia-deport-united-nations-00055394#:~:text=U.S.%20Ambassador%20Linda%20Thomas%2DGreenfield,900%2C000%20and%201.6%20million%20Ukrainians>.
- 2 United Nations Office of the High Commissioner for Human Rights, “Ukraine: Civilian casualties from 1-16 July 2023.” <https://www.ohchr.org/en/news/2023/07/ukraine-civilian-casualties-1-16-july-2023>
- 3 “Russian invasion kills 42K Ukrainian civilians since start of the war, US officials say,” May 21, 2023. <https://www.foxnews.com/world/russian-invasion-kills-42k-ukrainian-civilians-since-start-war-us-officials-say>
- 4 President Volodymyr Zelensky, Address to Joint Session of United States Congress, December 21, 2022.
- 5 The Discord leak referenced a U.S. military document dated February 21, 2023 estimating Ukrainian casualties at 15,500-17,000 killed in action with 106,500-110,500 wounded. Zolan Kanno-Youngs, “U.S. Says 100,000 Russian Casualties in Ukraine in Past 5 Months,” *The New York Times*, May 1, 2023. Isabelle Khurshudyan, “Zelensky says White House told him nothing about Discord intelligence leaks,” *The Washington Post*, May 2, 2023. The same reported assessment placed Russian casualties at between 35,000 and 42,500 killed and 150,500 to 177,000 wounded. A July 2023 study of inheritance data in Russia placed the number of Russian killed in action in a range of 40,000-55,000 with records of compensation payments indicating another 78,000 soldiers “wounded so gravely that they have left military service.” “A new study finds that 47,000 Russian combatants have died in Ukraine,” *The Economist*, July 12, 2023.
- 6 Conversation with representatives of Ukrainian Veterans Fund, June 2023. See also, Spirina Kateryna, Znoviak Vladyslava, Kirillova Yuliia, Velychko-Trifonyuk Ruslana, and Denys Gubashov, “Portrait of a Veteran in Russian-Ukrainian War 2014-2022,” Ukrainian Veterans Foundation, July-August 2022, citing the number of veterans of the Russian-Ukrainian War as of July 1, 2022, as 438,834. <https://veteranfund.com.ua/en/useful-info/portrait-of-a-veteran-in-russian-ukrainian-war/> The estimated number of active members of the Ukrainian Armed Forces comes from President Zelensky’s speech on Constitution Day, 28 June 2023, “The victorious Ukraine will be a country worthy of its heroes,” “Today, about a million of our people serve in the Defense and Security Forces of Ukraine.”
- 7 The UVF report, Portrait of a Veteran, Id., written before the full-scale invasion, defines “War veteran (further – Veterans)” as “persons who participated in the defense of the Motherland or in military operations on the territory of other states. War veterans include: combatants, war invalids, war participants.” At, p. 3.
- 8 President Volodymyr Zelensky, “The victorious Ukraine will be a country worth of its Heroes,” Speech at plenary session of the Verkhovna Rada on the occasion of the 27th anniversary of the adoption of the Constitution, 28 June 2023.
- 9 See, e.g., Open letter from 46 foreign policy experts presenting their views on Ukraine’s roadmap to NATO membership, including “creation of a medical rehabilitation system for wounded soldiers, as well as a system for soldier reintegration into civilian life and a comprehensive demining effort.” <https://www.politico.com/news/magazine/2023/07/05/ukraine-nato-open-letter-00104575>
- 10 The law authorized payments of \$1.25 for each day of service overseas and \$1.00 in the United States up to \$1,000. Veterans eligible for \$50 or less were eligible for immediate payment; others had to wait until 1945.

- 11 Participating in the action were Major Dwight Eisenhower, aide-de-camp to General MacArthur, and Major George Patton, executive officer of the 3d Cavalry Regiment who led 600 cavalry soldiers on horseback across the Anacostia River and into the BEF camp. For background on the Bonus March and related events see, Paul Dickson and Thomas Allen, “Marching on History,” *Smithsonian Magazine*, February 2003; “Bonus Expeditionary Forces March on Washington,” National Park Service, Anacostia Park. <https://www.nps.gov/anac/>; Jennifer Keene, 1932: The Bonus March, *Washington History*, Fall 2020.
- 12 Id.
- 13 Following Roosevelt’s election, in May 1933 a second smaller bonus march was organized to seek earlier payment of the WWI bonus. Roosevelt responded by signing an executive order authorizing the hiring of 25,000 veterans into the Civilian Conservation Corps and by sending his wife, Eleanor Roosevelt to meet with the veterans, prompting the quip “Hoover sent the Army, Roosevelt sent his wife.” Roy Jenkins, *Franklin Delano Roosevelt*, (Henry Holt 2003), p. 63; Dickson and Allen, *supra*.
- 14 Under Ukrainian law and decrees, military aged men are required to register for conscription; however, there are numerous deferments for mandatory conscription, including, men with three or more minor children; men independently raising a child up to 18 years old; guardians/adopters of minor orphans; civil servants; and skilled technicians in war-critical sectors. As reported in the *Kyiv Post* the “Criteria defining war criticality varied by sector. Draft-liable men employed in state cultural institutions, education and science institutions, physical education and sports facilities, social security agencies, television production and broadcast businesses, international representation offices and NGOs working in humanitarian aid may, among other things, also qualify for deferment, in case of ‘justified need,’ the UNIAN news agency reported.” <https://www.kyivpost.com/post/11701> In addition, certain military-aged men may go abroad for the purpose of fulfilling work duties including ship crew members, employees of railway transport, drivers of vehicles carrying out international transportation of goods and passengers, among others. <https://visitukraine.today/blog/1385/departure-of-men-abroad-in-2023-what-has-changed-for-military-servicemen> See generally, <https://zakon.rada.gov.ua/laws/show/2232-12#Text>
- 15 Media reports indicate that it can cost from \$1,000 to \$15,000 to smuggle a conscription eligible male out of Ukraine. There is also opportunity for corruption, including bribery, in whether and for how long conscription boards grant deferments to conscription or in issuing exemptions.
- 16 Compelling yes, but in many conflicts, compelling and otherwise, the initial surge to patriotism may diminish as time and casualties mount, requiring higher reliance on a draft. In U.S. practice, this was seen with World War I, World War II, Vietnam, and of course, the Civil War. The U.S. has relied on an all-volunteer force since 1973.
- 17 Helmus, Todd C., S. Rebecca Zimmerman, Marek N. Posard, Jasmine L. Wheeler, Cordaye Ogletree, Quinton Stroud, and Margaret C. Harrell, *Life as a Private: A Study of the Motivations and Experiences of Junior Enlisted Personnel in the U.S. Army*. Santa Monica, CA: *RAND Corporation*, 2018. https://www.rand.org/pubs/research_reports/RR2252.html. Also available in print form.
- 18 See, David Barno and Nora Bensahel, “Addressing the U.S. Military Recruiting Crisis,” *War on the Rocks*, March 10, 2023 (“... in a fall 2021 survey, 30 percent of Americans aged 16 to 24 said that the possibility of sexual harassment or assault was one of the main reasons they would not consider joining the U.S. military.”)
- 19 *Internally displaced persons*, Ministry of Reintegration of Temporarily Occupied Territories (Accessed Aug. 16, 2023 at 10:21 AM), (“Currently, the number of officially registered internally displaced persons in the country reaches 4.9 million people.”), <https://www.msp.gov.ua/timeline/Vnutrishno-peremishcheni-osobi.html>; *DTM Ukraine - Internal Displacement Situation Report - General Population Survey Round 13 (11 May - 14 June 2023)*, International Organization for Migration (IOM), Ukraine (Jul 25 2023), (IOM estimates there are 5.1 million IDPs as of June 2023), <https://dtm.iom.int/reports/ukraine-zvit-pro-situaciyu-z-vnutrishnim-peremischennyam-zagalne-opituvannya-naselennya>.
- 20 Kulu, H., Christison, S., Liu, C., & Mikolai, J. (2023). The war, refugees, and the future of Ukraine’s population. *Population, Space and Place*, 29, e2656. <https://onlinelibrary.wiley.com/doi/epdf/10.1002/psp.2656>
- 21 The Serviceman’s Readjustment Act of 1944, more commonly known as the GI Bill of Rights, or GI Bill, Public Law 78-346, June 22, 1944.
- 22 See, “75 Years of the GI Bill: How Transformative It’s Been,” January 9, 2019. <https://www.defense.gov/News/Feature-Stories/Story/article/1727086/75-years-of-the-gi-bill-how-transformative-its-been/> “By July 1956, when the bill initially expired, almost half of the 16 million World War II vets had gotten education or training through the GI Bill.” “By 1955, 4.3 million home loans worth \$33 billion had been granted to veterans, who were responsible for buying 20 percent of all new homes built after the war.”

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- 25 A.D. Macleod, Shell Shock, Gordon Holmes and the Great War, *Journal of the Royal Society of Medicine*, February 2004; 97(2): 86-89.
- 26 Macleod, supra endnote 22; “From shell-shock to PTSD, a century of invisible war trauma,” *PBS News Hour*, November 11, 2018.
- 27 World Health Organization, “Ukraine: WHO Special Initiative for Mental Health Situational Assessment,” July 2020. <https://cdn.who.int/media/docs/default-source/mental-health/who-special-initiative-country-report---ukraine---2020.pdf?sfvrsn=ad137e9>
- 28 Caitlin White, “Investing in a Diverse Mental Health Workforce is Critical in This Moment,” Boston Medical Health System, August 12, 2021. “Rural areas have an average of 9.1 psychologists and 3.4 psychiatrists per 100,000 people.” The updated underlying report provides a “percentage of need met” figure of 27.7%. Mental Health Care Health Professional Shortage Area, Kaiser Family Foundation, September 30, 2022. <https://www.kff.org/other/state-indicator/mental-health-care-health-professional-shortage-areas->
- 29 WHO, supra endnote 24.
- 30 U.S. Department of Veterans Affairs, “National Veteran Suicide Prevention, Annual Report 2022,” September 2022, p. 7.
- 31 Supra, endnote 5.
- 32 Ratio cited by members of the UVF, June 2023. But see Pew Research Center, *The Military-Civilian Gap: War and Sacrifice in the Post-9/11 Era*, Chapter: A Profile of the Modern Military, October 5, 2011, citing Pew Research Center analysis of Military Casualty Information, Department of Defense Personnel & Procurement Statistics, indicating that in the context of the U.S. conflicts in Iraq and Afghanistan more troops were surviving combat wounds than in previous conflicts at a 7.4 to 1 ratio (wounded to KIA) for Post-9/11 conflicts as compared to Vietnam 2.6-1; Korea 2.8 to 1; WWII 1.7 to 1; and WWI 1.8 to 1, p. 74. <https://www.pewresearch.org/social-trends/2011/10/05/war-and-sacrifice-in-the-post-911-era/>
- 33 Liz Cookman, “Ukraine’s 10,000 amputees and the struggle for artificial limbs,” *The Telegraph*, 19 April 2023.
- 34 Bojan Pancevski, “In Ukraine, Amputations Already Evoke Scale of World War I,” *The Wall Street Journal*, August 1, 2023. <https://www.wsj.com/articles/in-ukraine-a-surge-in-amputations-reveals-the-human-cost-of-russias-war-d0b-ca320>
- 35 Paul Dougherty & Marlene DeMaio, “Major General Norman T. Kirk and Amputee Care During World War II,” *Clinical Orthopaedics and Related Research*, June 6, 2014, p. 6, citing Peterson LT. Administrative Considerations in the Amputation Program. In: *Surgery in World War II, Orthopaedic Surgery in the Zone of the Interior*, U.S. Government Printing Office, Washington, D.C. 1970.
- 36 Lynn Stansbury, Steven Lalliss, Joanna Branstetter, Mark Bagg & John Holcomb, Amputations in U.S. military personnel in the current conflicts in Afghanistan and Iraq, *Journal of Orthopedic Trauma*, January 2008.
- 37 Supra, endnote 6.
- 38 “The changing face of America’s veteran population,” Pew Research Center, April 5, 2021, citing to Census Bureau data.
- 39 “The Points Were All That Mattered: The US Army’s Demobilization After World War II,” The National World War II Museum, August 27, 2020. Initially a service member needed 85 points for demobilization. <https://www.nationalww2museum.org/war/articles/points-system-us-armys-demobilization>

- 40 The VA statistic is 5.4 million (“Spending on Veterans in the Budget,” Peter G. Peterson Foundation, April 10, 2023, citing the Veteran Benefits Administration’s Annual Benefits Report for 2022); however, a Census Bureau report on veterans places the figure at “nearly 3.9 million,” and the Bureau of Labor Statistics placed the number at 4.9 million in August 2022. <https://www.census.gov/newsroom/press-releases/2021/veterans-report.html>; <https://www.bls.gov/news.release/pdf/vet.pdf>
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- 42 Bureau of Labor Statistics, May 2022 National Occupational and Wage Estimates United States. https://www.bls.gov/oes/current/oes_nat.htm#00-0000
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- 44 Americans with Disabilities Act of 1990, 42 U.S.C. §12101 (1990).
- 45 Ruth Igielnik, Pew Research Center, “Key findings about America’s military veterans,” November 7, 2019. “When asked to assess the job the VA is doing in meeting the needs of veterans, fewer than half (46%) of all veterans say the VA is doing an excellent or good job in this regard.”
- 46 Andrew Kramer, “Homemade, Cheap, and Lethal, Attack Drones Are Vital to Ukraine,” *The New York Times*, May 8, 2023.
- 47 Steve Brown, “Landmines and Explosive Remnants of War in Ukraine will take Decades to Clear,” *Kyiv Post*, March 18, 2023. Eve Sampson and Samuel Granados, “Ukraine is now the most mined country. It will take decades to make safe,” *The Washington Post*, June 22, 2023. <https://www.kyivpost.com/post/14439> <https://www.washingtonpost.com/world/2023/07/22/ukraine-is-now-most-mined-country-it-will-take-decades-make-safe/>
- 48 5 U.S.C. §2108.
- 49 38 U.S.C. §8129.
- 50 Zelensky, Heroes speech, supra endnote 7.