UKRAINE AND NATO STANDARDS:
PROGRESS UNDER ZELENSKYY'S PRESIDENCY

Alyona Getmanchuk,
Marianna Fakhurdinova
The publication was produced with the support of the Black Sea Trust for Regional Cooperation — a Project of the German Marshall Fund of the United States. The views and opinions expressed in this paper are those of the authors and do not necessarily reflect the position of the Black Sea Trust for Regional Cooperation — a Project of the German Marshall Fund of the United States.

The authors express their gratitude for the assistance in preparing the discussion paper to Oksana Osadcha, Olaf Wiedenfeld, Arthur Pereverziev, Georgiy Tolkachov, Andriy Zagorodnyuk, Leonid Holopatiuk, Mariana Bezuhla, as well as representatives of the Ministry of Defense who wished to remain anonymous.
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Alyona Getmanchuk
Marianna Fakhurdinova

April, 2021
EXECUTIVE SUMMARY

During Volodymyr Zelenskyy’s presidency, Ukraine has shown quite a positive momentum in the implementation of NATO standards. For comparison, in June 2019, 196 standards and guidance documents were adopted, whereas in January 2021 this figure reached the mark of 292. Thus, since Volodymyr Zelenskyy took office, approximately one hundred new NATO standardization agreements have been implemented, i.e., one third of those implemented in the previous period from 2014 (nominally from 2004) to 2019. If kept going, the momentum of the last year and a half could allow Ukraine to adopt at least 90 percent of the current standards of the Alliance in approximately 13–14 years.

Besides, it was during this period, for the first time since the introduction of NATO standards in Ukraine, that the relevant legal framework appeared in the country, and the process of implementing the standards itself became public. At the same time, the voluntary nature of the implementation process of NATO standards allows for misreading regarding the tempo and scope of their application in Ukraine. Furthermore, the level of understanding of NATO’s standardization process remains quite modest: in political rhetoric, standards of the Alliance are still identified with its norms, principles and practices (for example, with democratic civilian control of the armed forces). In regard to Ukraine’s integration to NATO, it would be advisable to talk separately about military interoperability, which is achieved by the appropriate level of standardization, and political interoperability that is measured by Ukraine’s implementation of the norms, principles and practices of the Alliance. The latter, in turn, are mostly practices of democratic societies.
UKRAINE AND NATO STANDARDS:
Progress Under Zelenskyy's Presidency

FOREWORD

In 2019, the New Europe Center presented a discussion paper Ukraine and NATO Standards: How to Hit a “Moving Target”? This was our first thorough attempt to assess the real level of the implementation of NATO standards in the Ukrainian Armed Forces, whilst also offering recommendations on how this process could be made more effective. Given the high level of political mythologizing of the phrase “NATO standards” in Ukrainian discourse, we also had to explain the essence of this, mostly quite technical, concept.

After the presentation of the study, we at the New Europe Center were positively surprised by the number of materials and comments published as a follow-up to our paper. We were also pleased to note that following the presentation, the information on the status of the implementation of NATO standards became public (at the time of preparing the study, we had to make a special request to the Ministry of Defense to obtain relevant data).

At the same time, realizing that the implementation of NATO standards is a long process, we decided to assess the progress made in a dynamic perspective, taking our first study, whose presentation coincided with the beginning of Volodymyr Zelenskyy’s presidency, as the starting point. Thus, our current analysis is also an attempt to summarize the challenges and obstacles faced by the process of implementing NATO standards during the sixth president’s tenure.

Why do we pay so much attention to NATO standards? First, we are deeply convinced that the implementation of NATO standards can significantly enhance the combat capability of our Armed Forces, and thus Ukraine’s defenses in general, which is a vital factor in the face of a constant external threat. Evidence that the implementation of NATO standards has a positive impact on the capabilities of the Armed Forces is furnished by the fact that more than 70 countries have recently shown interest in NATO standardization policy, which by far exceeds the number of members of the Alliance and countries interested in entering it in the future.

Second, the implementation of NATO standards is one of the important dimensions of Ukraine’s rapprochement with the Alliance, membership in which remains the ultimate goal of Ukraine’s Euro-Atlantic integration, as enshrined in the Constitution of Ukraine and reaffirmed in Ukraine’s 2020 National Security Strategy. Without the introduction of NATO standards, there is no interoperability; in turn, the absence

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The introduction of a large number of NATO standards and a high level of interoperability do not guarantee membership in the Alliance, but it opens up new opportunities for deepening relations with NATO. This is confirmed by Ukraine's receiving the status of an Enhanced Opportunities Partner (EOP), which is part of the Partnership Interoperability Initiative. The importance of the issue of interoperability for the Alliance is evidenced by the fact that the 2010 NATO Strategic Concept recognizes the standardization and interoperability of the armies of NATO member states as the basis of the Alliance's security. Even more telling is the statement on the occasion of the 70th anniversary of NATO's standardization policy made by Deputy Secretary-General Mircea Geoană, in which he called standardization part of the DNA and identity of the Alliance. In turn, NATO Secretary-General Jens Stoltenberg believes that interoperability is even more important today than before, with even more advanced technologies embedded in the Alliance's military capabilities.

In the new analysis, we have attempted to answer the following question: what is the dynamic in the implementation of NATO standards over the last period of almost two years, i.e., during the presidency of Volodymyr Zelenskyy. We have also examined whether the process of implementing NATO standards has become more professional or whether it largely remains mired in political speculation without a proper understanding of NATO standards by all stakeholders in terms of the Alliance's standardization policy rather than their Ukrainian interpretation. Finally, we have briefly reviewed Ukraine's progress in implementing the Alliance's norms, principles and practices, and outlined the main challenges and impediments that thwart the process of achieving interoperability with NATO.
INTEROPERABILITY: MILITARY AND POLITICAL

As early as the first month of his presidency, Volodymyr Zelenskyy stated that the introduction of NATO standards and procedures in the activities of the Armed Forces was to begin in 2020. He also warned that this work "should not be an imitation but rather a real step in reforming the Ukrainian army in accordance with the standards of the North Atlantic Alliance." Such a statement, setting a reference point for the implementation of NATO standards from 2020, could be regarded as a signal that everything that had happened earlier in this area was a kind of an imitation game.

In fact, the issue of adopting NATO standards in Ukraine should be traced back at least to 1995, when Ukraine, within the framework of the Partnership for Peace Program, joined the Planning and Review Process (PARP). Since joining the PARP in 1995, Ukraine has only taken a break once: due to the beginning of Russia's armed aggression in 2014, we temporarily suspended our participation in the Planning and Review Process but resumed it in September 2015. That is, formally speaking, the process of implementing NATO standards continued even during the so-called "non-alignment" period under Viktor Yanukovych's presidency.

It is within the framework of the Planning and Review Process that Ukraine-NATO Partnership Goals are determined every two years. These, in turn, serve as a guideline for Kyiv on what and how many NATO standards should be adopted urgently. For example, it was envisaged that 219 NATO standards and guidance documents would be adopted during 2018–2020.

For countries aspiring to become NATO members in the future (Ukraine is one...
of those aspirant countries, along with Georgia and Bosnia and Herzegovina), participation in the PARP is an important prerequisite for being granted a Membership Action Plan (MAP)\(^8\).

At the beginning of Volodymyr Zelenskyy's presidency, Ukraine had already implemented 196 NATO standardization agreements and guidance documents out of a total of about 1,200 existing instruments of the Alliance. The percentage being higher than that implemented by some NATO members, the result achieved was reasonably successful.

A tangible problem that remains unresolved in the implementation of NATO standards is the lack of understanding of what should be regarded as NATO standards, on the one hand, and what should be treated as the Alliance's norms, principles and practices, on the other. Different interpretations complicate a unified assessment of the standards implementation process.

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The available analysis gives grounds to argue that such discrepancy occurs mainly for two reasons, the first being the lack of understanding of NATO's standardization policy as such and the second being convenience in communication. NATO standards remain a political metaphor in Ukraine, used to most accurately describe the state of Ukraine-NATO relations, when the implementation of NATO standards is equated with a genuine integration into the Alliance, and statements about the transition to NATO standards are classified as evidence of the political will to rapprochement with the Alliance. Accordingly, statements about the impossibility of the transition to such standards are viewed as reluctance to proceed towards such rapprochement. These generalizations of standards, norms and practices have become so frequent that representatives of the Ministry of Defense in their communication on standardization are forced to clarify: "NATO standards in their classical sense." Although the relevant law of Ukraine, adopted in the first month of Zelensky's presidency, defines the “NATO standard” as a "standard developed, adopted and published by the North Atlantic Treaty Organization"\(^9\).

In their own right, representatives of the Alliance argue that the term “NATO standards,” despite its frequent usage not only in Ukrainian media but also in Ukrainian official documents, is not in

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\(^8\) Interview with a NATO representative, March 1, 2021
itself correct enough. Therefore, it is strongly encouraged that it be avoided in official documents\textsuperscript{10}. At the same time, it should be noted that in both the Alliance’s terminology and political rhetoric, the term “NATO standards” is rare but not unheard of. However, it is only used to denote standards in their classical sense – in terms of military interoperability\textsuperscript{11, 12}.

The term “NATO standards,” despite its frequent usage, is not correct enough in Ukrainian interpretation.

Be that as it may, in the “classical” sense, NATO standards should be regarded as a set of normative documents on standardization, which should be divided into two key groups\textsuperscript{13}:

- **Allied Standards or Allied Publications (AP – Allied Publications, MP – Multinational Publications) and standards of individual NATO member states.** These are the Alliance’s internal documents, which set the standard itself, intended to be directly applied by the military authorities of NATO countries, specific organizations and units;

- **Standardization Agreements (STANAG) and Standardization Recommendations (STANREC).** Standardization agreements confirm the agreement of the states ratifying them to introduce a certain standard (either in whole or in part, with or without reservations) in order to meet interoperability requirements. At the same time, the Standardization Agreement may cover one or more standards, which is why there are about 2,000 NATO standards and about 1,200 agreements.

A certain lack of awareness in Ukraine also exists concerning the scope of NATO standards. Quite often, both in public discourse and at the level of political statements, NATO standards are primarily reduced to material aspects, particularly, ensuring the needs of military personnel. Notable in this regard is the following statement of the President of Ukraine: “Ukraine seeks, not only in words but in deeds, to bring our army closer to NATO standards. This applies to all areas of defense, including military administration, logistics, training, armaments and, most importantly, decent livelihoods for the military and their families”\textsuperscript{14}. Given President

\textsuperscript{10} Interview with a NATO representative, March 1, 2021
\textsuperscript{12} “Joint press point by NATO Secretary General Jens Stoltenberg and the Prime Minister of Ukraine, Denys Shmyhal”, NATO, February 9, 2021, https://www.nato.int/cps/en/natohq/opinions_181350.htm?selectedLocale=en
\textsuperscript{13} “List of current NATO standards”, NATO Standardization Office, https://nso.nato.int/nso/nsdd/listpromulg.html
\textsuperscript{14} Speech by President Volodymyr Zelenskyy at the solemn meeting on the occasion of the 28th anniversary of the Armed Forces of Ukraine, December 5, 2019
Zelensky’s “human-centered” approach to his policies in general, it is not surprising that he emphasizes the material dimension when it comes to implementing NATO standards.

At the same time, it should be noted that material, or technical, standards, related to the provision of the armed forces with all the necessary supplies to perform tasks, ranging from military equipment and weapons to fuel, ammunition and food, account for 52% of all available standards. Another 47% are operational standards for the planning, preparation and conduct of military operations and drills. Finally, only 1% is administrative standards (financial management, military ranks, terminology).

In Ukraine, NATO standards are most often confused with the Alliance’s norms, principles and practices, which are no less – and in some cases even more – important for successful Euro-Atlantic integration and, unlike standards, are defined by the Alliance’s guidance documents. The latter include decisions, policies, memoranda of the North Atlantic Council and NATO’s top governing bodies, etc. First of all, these norms and principles concern the cornerstone of any country’s integration into NATO – democratic civilian control of the defense forces. Moreover, representatives the Alliance believe that democratic civilian control is a principle of a democratic society as a whole, not just of NATO as an international organization.

Nonetheless, it is worth distinguishing other norms, practices and principles, which are often also included in NATO standards in Ukraine, namely:

- ensuring transparency in management decisions at all levels;
- increasing the efficiency of existing anti-corruption bodies;
- introducing the defense planning process in the field of defense in accordance with Euro-Atlantic principles and approaches;
- gender policy.

Thus, whereas the introduction of NATO standards concerns, above all, military interoperability, Ukraine’s transition to the norms and principles of the Alliance relates to the political interoperability of Ukraine and the Alliance, whose importance is clearly emphasized by NATO representatives.

In addition to confused notions, there is still some misunderstanding of

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15 NATO Standardisation Office, https://nso.nato.int/nso/
16 Interview with a NATO representative, March 1, 2021
17 “NATO Standards for the Security and Defense Sector: Understanding and Perception”, a joint project of “Ukraine to NATO” magazine and the NATO Information and Documentation Center in Ukraine, January 2021, https://issuu.com/u_nato/docs/un__1_2021_for_issuu_1?fbclid=IwAR2510f9zi37DuJQyQ2vmJlu92OGH9DxicbbQy7x1qP0Kc2ULuXx67XN4
**Infographic 1.** Ukraine and NATO standards: terminology and examples of standards

**The term «standard» is used in Ukraine not only regarding NATO military standards or standards of the Alliance’s Member States, but also in terms of norms, principles and practices of the Alliance or its Member States, which is not quite correct.**

### NATO STANDARDS

A set of normative documents on standardization:

- **Allied Standards** (AP – Allied Publications, MP – Multinational Publications) and standards of individual NATO member states are the Alliance’s internal documents, which set the standard itself.

- **Standardization Agreements (STANAGs) and Standardization Recommendations (STANRECs)** confirm the agreement of the states ratifying them to introduce a certain standard.

- **Standards-Related Documents (SRDs):** implementation guides, catalogues or national data, etc.

### ALLIANCE’S NORMS, PRINCIPLES AND PRACTICES

- Democratic civilian control of the defense forces;
- Ensuring transparency in management decisions at all levels;
- Increasing the efficiency of existing anti-corruption bodies;
- Introducing the defense planning process in the field of defense in accordance with Euro-Atlantic principles and approaches;
- Gender policy.

### EXAMPLES OF STANDARDS:

- Introduction of operational symbols and colors, which are used in the development of the Alliance’s maps;
- Adoption of a list of military ranks of commissioned and non-commissioned officers equivalent to the ranks of NATO member states;
- Harmonization of the military uniform and expansion of its list for all possible conditions of performing military service.

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The infographic was produced with the support of the Black Sea Trust for Regional Cooperation — a Project of the German Marshall Fund of the United States. The views and opinions expressed in this infographic are those of the authors and do not necessarily reflect the position of the Black Sea Trust for Regional Cooperation — a Project of the German Marshall Fund of the United States.

**Sources:** Data obtained from the Ministry of Defense of Ukraine and NATO Representation to Ukraine.
the process of implementing NATO standards in terms of the number of standards being implemented. It is a popular opinion in Ukrainian discourse that for successful Euro-Atlantic integration, Ukraine must implement ALL NATO standards. The discussion heated up after a statement by Andrii Taran, the then newly appointed Minister of Defense of Ukraine, who spoke about the adaptation of the armed forces to all NATO standards as an ambitious but unattainable goal¹⁹. Regardless of the apparent problem with the wording, the minister, in fact, stated what is blindingly obvious for standardization experts: not only is it impossible to implement all NATO standards (of which there are nearly 2,000) but also unnecessary, inasmuch as not all of them are relevant in Ukrainian realities (for instance, those related to the storage of nuclear weapons, the actions of the navy in the Arctic, etc.). In addition, NATO standards are reviewed on a regular basis (every three years); at times, new entries are added, while others expire. Therefore, their number is constantly changing, which is why it makes sense to talk about achieving NATO standards as a moving target. At the same time, this is not a major obstacle, as the Alliance, for the most part, keeps its work on alterations to existing documents open to partners, thus informing them of such changes in advance. What is more, a partner country may, if it so desires, be involved in the development of standards and influence their content within the relevant working group of the NATO Military Committee.

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It is not only impossible, but also unnecessary to implement all NATO standards (of which there are nearly 2,000).

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Finally, some national standards are recognized as not inferior to NATO standards and do not require revision (in Ukraine, for instance, these are those related to potable water quality). The fact that compliance with all NATO standards is not the norm even for leading states members is evidenced by the fact that no country of the Alliance has achieved the mark of 100%, although in some, including Germany (91%), Great Britain (83%), France,

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Norway (81% each), Canada (76%), the degree of the implementation of standards is very high\textsuperscript{20}.

Another issue is that the pretense of the non-binding character and irrelevance of the implementation of all NATO standards can hamper progress towards achieving interoperability. That is why constant public attention to this issue is needed, including our regular assessments of the implementation of NATO standards over a certain time frame.

\textbf{No country of the Alliance has achieved the mark of 100\% implemented NATO standards, although in some the degree of implementation is very high: Germany (91\%), Great Britain (83\%), France, Norway (81\% each), Canada (76\%).}

\textsuperscript{20} Information obtained from the Ministry of Defense.
UKRAINE AND NATO STANDARDS: Progress Under Zelenskyy's Presidency

NATO STANDARDS UNDER ZELENSKYY’S PRESIDENCY

**NATO STANDARDS IN THEIR “CLASSICAL” SENSE**

After the transition of power in Ukraine in 2019, Euro-Atlantic integration is still positioned as a key priority of Ukraine’s foreign policy (along with European integration), and the process of introducing the Alliance’s standards is ongoing. In particular, during the presidency of Volodymyr Zelenskyy, a number of practical and regulatory steps have been made in the process of introducing NATO standards.

In the first month of his tenure, in June 2019, the Verkhovna Rada passed a law which separated military standards from national ones and which clearly defined the relevant terms, namely “military standardization,” “military standard,” “NATO standard,” etc. In the same document, the Ministry of Defense was identified as an institution that would be responsible for the legal and regulatory framework of relations – i.e., for the development of necessary documents in the field of military standardization.

Later on, within the period specified by the law, in early 2020, Ukraine finally received the legislative framework for the process of the implementation of NATO standards. What is referred to is the drafting by the Ministry of Defense of Ukraine of such important documents as the Regulation on Military Standardization (hereinafter referred to as the Regulation) and the Procedure for the Development, Adoption, Amendment, Cancellation, Resumption, Promulgation, Introduction and Application of Military Standards (hereinafter referred to as the Procedure). Although these documents contain separate minor contradictions and shortcomings, their emergence is definitely a positive step.

In early 2020, Ukraine finally received the legislative framework for the process of the implementation of NATO standards.

The significant added value of these documents, for instance, is that they for the first time systematized and defined the mechanism for the introduction of military standards in Ukraine and divided the spheres of responsibility between standardization operators. Specifically, the Office of the Standardization, Codification and Cataloguing of the Ministry of Defense was entrusted with the functions of the

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23 Interview with a representative of the Ministry of Defense, March 1, 2021
military standardization agency. Thus, one specific institution was made responsible for coordinating activities on military standardization and the implementation of the relevant policy.

Another positive change in the process of introducing NATO standards since the last study of the New Europe Center was published is the fact that the reporting on the introduction of NATO standards has become public. A relevant section was created on the website of the Ministry of Defense, which presents the information on the progress in introducing the Alliance standards in Ukraine (the information is updated every 6 months).

Since the last study of the New Europe Center was published the reporting on the introduction of NATO standards has become public.

Currently, work is also underway on the creation of an official website of the military standardization agency, which will publish reports on the implementation of the Military Standardization Program (a document that stipulates three years of work on developing military standards and introducing NATO standards) and an annual plan for the assessment of military standards. However, at the time of writing, the report on the implementation of the Program of the Ministry of Defense of Ukraine on Military Standardization for 2019–2021 was not published. According to the ministry, relevant reports will be published based on the results of the implementation of the Military Standardization Program for 2021–2023. The military standardization agency also has a fund of military standards, which provides information services through making standards publicly available (including through their publication on websites), providing information on the validity or abolition of certain standards, etc.²⁴

Other technical measures carried out during the last year and a half in the process of implementing NATO standards and guidance documents include the following: the partial implementation of the Annual National Programs (ANP) under the auspices of the NATO-Ukraine Commission for 2019 and 2020, which contained important provisions on standards; the development of the ANP for 2021; the approval of the Military Standardization Program of the Ministry of Defense of Ukraine for 2021–2023; the approval of an updated Matrix for the Division of Responsibilities for Cooperation with NATO in the Field of Standardization.²⁵

With regard to quantitative indicators, as of January 2021, Ukraine implemented a total of 292 NATO standards and guidance documents

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by developing 317 national documents (among which there were 205 operational, 86 substantive and 26 administrative)\textsuperscript{26}. In percentage terms, Ukraine has already implemented about 19\% of NATO standardization agreements. As compared to member states of the Alliance, as of early 2021, only about 22\% of NATO standardization agreements were implemented in Montenegro, 29\% in Albania, whereas North Macedonia did not even reach the mark of 1\%. As for NATO partner countries, Austria achieved a result similar to that of Ukraine, implementing 14\% of the total number of standards\textsuperscript{27}. These data reveal that Ukraine is making remarkable progress in introducing NATO standards, even without being a member of the Alliance.

As of January 2021, Ukraine implemented a total of 292 NATO standards and guidance documents.

In order to actually measure the rate of progress in this process during Volodymyr Zelenskyy's presidency, it should be noted that as of June 2019 (the time of publishing the last New Europe Center's study), 196 standards and guidance documents of the Alliance were introduced in Ukraine. It will be recalled that the process of achieving interoperability with NATO formally began with Ukraine's accession to the PARP in 1995, and the first standardization agreements implemented in our country date back to 2004. However, their number was extremely small (not more than one or two dozen), and the real breakthrough in the implementation of standards did not occur until 2014. The authors believe that this is due to a number of reasons, such as the beginning of Russia's armed aggression against Ukraine in 2014; the inclusion of the need to implement NATO standards in Ukraine in a number of important documents\textsuperscript{28}; the emergence of a clear list of standards to be adopted in NATO-Ukraine Partnership Goals, etc. Thus, it can be assumed that about 200 standards were introduced in the period from 2014 (nominally from 2004) to 2019.

Over the last 1.5 years, almost 100 new documents have been implemented, which is a third of the number of standards introduced in the previous period. This, in fact, indicates acceleration in the implementation of standards during Volodymyr Zelenskyy's presidency. It is, however, fair to say that the foundations for this progress and the first successful steps were taken during Petro Poroshenko's tenure. The gradual acceleration in the implementation of standardization agreements may be caused by the fact that the process of implementing NATO standards in Ukraine is becoming more systematic and


\textsuperscript{27} Information obtained from the Ministry of Defense of Ukraine

UKRAINE AND NATO STANDARDS:
Progress Under Zelenskyy's Presidency

Infographic 2. Ukraine and NATO standards: level of implementation in the Alliance's member states

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Sources: Data obtained from the Ministry of Defense of Ukraine and NATO Representation to Ukraine.
orderly. Let us assume that if the current pace of implementation is maintained, Ukraine will implement at least 90% of the existing standards of the Alliance in approximately 13–14 years. Obviously, however, this is a rough estimate, as many of the above-mentioned factors should be borne in mind: the absence of need to implement ALL NATO standards, different amounts of time needed for the scrutiny and implementation of different standards, etc.

Over the last 1.5 years, almost 100 new documents have been implemented, which is a third of the number of standards introduced in the period from 2014 (nominally from 2004) to 2019.

At the same time, when it comes to working with the Alliance's standards, it is appropriate to talk not only about the implemented but also the processed (scrutinized) documents. As has already been mentioned, the implementation of NATO standards is voluntary. Therefore, after processing a certain standard, a country may deem it inappropriate to transpose it into national law for a number of reasons. However, the standard has already been processed and thus no longer can be classified as pending.

To assess how successful Ukraine's results are at the present stage, it is advisable to distinguish between the number of the implemented standards within the Partnership Goals, a kind of a benchmark for setting priority standards, and the number of so-called "initiative" standards implemented by Ukraine outside the Partnership Goals.

Of the 219 NATO standards and guidance documents to be processed under the Partnership Goals for 2018–2020, as of early 2021, Ukraine has processed 192 normative documents, i.e., 87% of those identified jointly with the Alliance, which is quite a positive result. Of the processed standards on which a positive decision was made on the feasibility of implementation, two thirds have been implemented so far. These include 128 standards; 52 are in the process of implementation, 12 will not be implemented. For comparison, as of June 2019, Ukraine introduced half as many (59) normative documents in the framework of the Partnership Goals.

That said, the Partnership Goals package is not the only source of standards to be processed, particularly because individual partnership goals do not guarantee the full implementation of the standards they set out. According to the Regulation, among customers and contractors of military

31 Certain standards identified for adaptation within the Partnership Goals may cover a sphere which is wider than the partnership goal itself. In such a case, the standard will be introduced not in whole but in the part related to the concrete goal.
standardization there is a list of entities ranging from structural units of the Ministry of Defense of Ukraine, the General Staff of the Armed Forces of Ukraine and military authorities directly subordinate to them, to other military formations and military authorities established in accordance with the laws of Ukraine. The rationale for setting new norms for the processing of standards may be different: Ukraine implements standards within the framework of the Defense and Technical Cooperation Roadmap, through the NATO-Ukraine Comprehensive Assistance Package, based on research findings, participation in NATO exercises or working groups on standardization, etc. Thus, the adaptation of standards outside the Partnership Goals does not take precedence over others; it mostly takes place on an ad hoc basis. However, this process suggests that Ukraine is closely cooperating with the Alliance. As of July 2019, 137 standards were introduced outside the Partnership Goals of Ukraine, and at the beginning of 2021 there were 164 such standards.

At the same time, as has been noted above, it is not entirely correct to apply a quantitative approach when assessing the implementation of NATO standards in Ukraine. Certain standards are abolished by NATO without replacement, which in turn influences fluctuations in the pace and number of standards implemented. Thus, during 2020, five NATO standards that had been introduced in Ukraine outside the Partnership Goals were abolished without replacement. At the same time, the Alliance is developing new standards and changes in their number may lead to certain distortions in the figures indicating the percentage of standards introduced in Ukraine. For instance, whereas in July 2019 the number of existing NATO standardization agreements stood at 995, in January 2021, this figure rose to 1,066. As a result, the number of NATO standardization agreements in force has increased in parallel with the number of agreements implemented in Ukraine during the period under review. Accordingly, the percentage of implemented standards has seen only modest growth.

The quantitative assessment also seems irrelevant in light of the fact that the introduction of 100% of the Alliance’s standards, as has been mentioned earlier, is neither realistic nor reasonable. Instead, it is more

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important to achieve a higher level of standardization of which NATO has three, to wit: compatibility, interchangeability and commonality. Sources from NATO note that these levels are not contingent on the number of standards implemented, as quality is more important than quantity.

Among the specific and understandable examples of the implementation of NATO standards are the introduction of operational symbols and colors, which are used in the development of graphic parts of NATO documents on operational and combat training. Currently, blue indicates our own and friendly troops, while red stands for enemies. Previously, the colors were used vice versa, thus being a source of misunderstanding. Ukraine has also adopted a list of military ranks of commissioned and non-commissioned officers equivalent to the ranks of NATO member states, with the introduction of the military rank of brigadier general. The military uniform has been harmonized, and its list has been expanded for all possible conditions of performing military service. At the same time, Ukraine has also adapted several dozen doctrines, guidelines and other instructions on the maintenance, education and training, logistics, planning and use of troops.

Since the implementation of the Alliance's standards is primarily aimed at improving interoperability between the armies of NATO member states and their allies, it is also appropriate in this regard to mention the readiness of the Armed Forces units to work together with the Armed Forces of NATO member states (through participation in joint peacekeeping operations or military exercises and training). Last summer, for example, a unit of the Special Operations Forces of the Armed Forces of Ukraine in Khmelnytskyi (140th separate center of the Special Operations Forces) received the Alliance's certification and is thus considered ready to participate in joint activities. Besides, it was included in the additional unit of NATO Response Force. Since 2021, our special forces have already taken up combat duty as part of these Forces. This marked the first time in history that a non-NATO country received such a certificate from NATO.
Last summer a unit of the Special Operations Forces of the Armed Forces of Ukraine in Khmelnytskyi received the Alliance’s certification. This marked the first time in history that a non-NATO country received such a certificate from NATO.

Nonetheless, this is not the only such example. The Alliance’s tool for certifying units for joint action is the Operational Capability Concept Evaluation and Feedback Program (OCC E&F). Currently, military units, subdivisions and ships representing all types of the Armed Forces of Ukraine are designated as participants in the OCC E&F, including the IL-76MD aircraft (involved in the Alliance’s transport operations, such as Northern Falcon), the An-26 Vita sanitary aircraft, engineering and airmobile companies, the frigate Hetman Sahaidachnyi, a separate special purpose center, etc.

Another important aspect is that the introduction of NATO standards, i.e., the transposition of relevant documents into the Ukrainian legal framework, is rather a bureaucratic procedure at the level of the Ministry of Defense. The paramount issue concerns the application of standards, i.e., their practical implementation. In accordance with the Regulation, military standards are not only introduced but also applied on a voluntary basis. This means that the introduction of standards into the legal framework does not guarantee that they will be applied in practice.

Military standards are not only introduced but also applied on a voluntary basis, which is a usual global practice.

On the one hand, voluntary application of standards is a usual global practice. For example, in the material sphere, compliance with standards does not guarantee long-term market competitiveness, and their voluntary application does not place strict limits on the manufacturer if he or she is able to produce products with above-average characteristics. On the other hand, in Ukrainian realities, voluntary implementation of standards may mean that in the absence of a directive or a direct order of the head, agencies performing a certain standard will most likely not use one or another standard (due to ignorance, reluctance, etc.). At the same time, in case of references to military standards in legislation, legal enactments and treaties, their

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40 “NATO Standards for the Security and Defense Sector: Understanding and Perception”, a joint project of “Ukraine to NATO” magazine and the NATO Information and Documentation Center in Ukraine, January 2021, https://issuu. com/u_nato/docs/un___1_2021_for_issuu_1?fbclid=IwAR25J0fgq2l37Du1QEy2vmilu92QGH99xrcbbQyyxIo1k2ULuxx87XN4
42 In addition, conformity with standards does not guarantee long-term market competitiveness. The same applies to common environments where competition takes place not so much at the level of norms or standards as on the level superior to them.
requirements automatically become mandatory\textsuperscript{43, 44}.

Technically, the Alliance’s assessment of the implementation of NATO standards is part of the Planning and Review Process (PARP). In accordance with the latter, experts of the Alliance prepare annual closed reports on the implementation of the Partnership Goals and the state of security and defense reforms, which are then submitted to the Ministry of Defense and other authorities responsible for their implementation. The last such assessment took place in 2019. It is noted that overall progress had been made in many areas, but none of the partnership goals had been fully achieved\textsuperscript{45}. In 2020, there was a technical break in the Alliance’s assessment due to the COVID-19 pandemic, but the process is expected to be resumed this year.

The last Alliance’s assessment of the implementation of NATO standards in Ukraine took place in 2019.

Other tasks specified by Ukraine in terms of the Alliance’s standards for 2021 include the establishment of a coordination center for the implementation of NATO standards in accordance with the 2020 NATO-Ukraine Annual National Program. This will help achieve the objective 5.1.1. of the 2020 ANP, worded as follows: “Ukrainian legislation is harmonized with that of NATO member states to ensure the full membership of Ukraine in NATO.”\textsuperscript{46}

Among the documents expected to be signed in the near future there are the 2021 Annual National Program and a new package of the NATO-Ukraine Partnership Goals for 2021–2023. The latter is to be adopted within a few months, in May or June this year, and will contain more than 50 partnership goals related not only to the Ministry of Defense and the General Staff but also a wider range of security and defense bodies of Ukraine. These are the Ministry of Internal Affairs, the National Guard, the Security Service of Ukraine, etc.

In 2021, the practical implementation of the Alliance’s standards will be carried out within the framework of the new Program of the Ministry of Defense of Ukraine on military standardization for 2021–2023\textsuperscript{47}, which provides for the adaptation of 62 NATO standards. This list contains standards scheduled for adaptation both within and outside


\textsuperscript{44} Commercial Code of Ukraine: https://zakon.rada.gov.ua/laws/show/436-15#Text

\textsuperscript{45} Interview with a NATO representative, March 1, 2021

\textsuperscript{46} Decree of the President of Ukraine №203/2020 “On the Annual National Program under the auspices of the NATO-Ukraine Commission for 2020”, https://www.president.gov.ua/documents/2032020-33861

the Partnership Goals (however, the number of standards may be increased after the new package of the Partnership Goals has been approved). The new Program will apply not only to the Ministry of Defense (the Armed Forces of Ukraine) but also to the National Guard of Ukraine.

**NORMS, PRINCIPLES AND PRACTICES OF THE ALLIANCE**

Given that in Ukraine NATO standards are often understood as both standardization agreements (STANAGs) and the Alliance's best practices and policies, we deem it appropriate to give a brief overview of what has been achieved during Volodymyr Zelenskyy's presidency in both areas. While we advocate a clear division in terminology, this note also deliberately focuses on NATO norms, principles and practices that also contribute to attaining interoperability with the Alliance, not only militarily but also politically.

In order to implement the necessary reforms, which have long been on the agenda of our bilateral relations with the Alliance, Ukraine has committed itself to approving five laws, a kind of a “Euro-Atlantic package.”

Thus, in order to implement the necessary reforms, which have long been on the agenda of our bilateral relations with the Alliance, Ukraine has committed itself to approving five laws, a kind of a “Euro-Atlantic package.” These include, in particular, the Law on Defense Procurement, the Law on Intelligence, the Law on the Reform of the Security Service of Ukraine, the Law on Parliamentary Control over Security and Defense and the Law on State Secrets and Classified Information. Although the need to pass these laws
has long been chanted like a mantra in NATO, it was not until relatively recently that the stalemate on these issues was unlocked.

For instance, the laws on defense procurement and intelligence were passed in July and September 2020, respectively, but talking about significant progress in this area would be premature. For the proper functioning and implementation of both laws, subsidiary legislation needs to be drafted, which has not been done to the full extent. However, whereas in the case of the law on intelligence the relevant agencies are more willing to reform and draft a large number of regulations, the situation with defense procurement looks extremely disappointing. The first procurements should have taken place with the entry into force of the law from January 1, 2021, while secondary legislation was to have been drafted within 4.5 months after the adoption of the law in July 2020. However, as of the end of March this year, the Ministry of Strategic Industries just completed the drafting of necessary regulations\(^\text{48}\) (with experts casting doubt on their quality\(^\text{49}\)), and the Ministry of Defense continued working on drafting secondary legislation of its own. The situation with the implementation of the law became threatening to the extent that the relevant public organizations were forced to sound the alarm, publishing a joint statement Failure to implement the Law on Defense Procurement threatens Ukraine’s course towards NATO\(^\text{50}\). Indeed, the Law on Defense Procurement will be applied simultaneously with the “old” Law on State Defense Order due to the lack of detailed procedures and procurement plans, the coexistence of the two documents can lead to statutory conflicts and contradictions.

\[\text{For the proper functioning and implementation of the laws on defense procurement and intelligence, subsidiary legislation needs to be drafted.}\]

At the same time, the defense procurement reform is closely intertwined with other reforms in the sector. This also concerns the creation of a defense products quality assurance system, an established practice in democracies; the creation of effective mechanisms to control the distribution and usage of defense resources, which is one of the important elements of democratic and civilian control over defense forces; and the corporatization of Ukroboronprom, which will pave the way for attracting investments and engaging with foreign companies,


\[\text{\textsuperscript{49}} \text{“Defense procurement reform is one step away from failure,” Artur Pereverziev, Censor.net, February 23, 2021: https://bit.ly/3cZlwAy}\]

\[\text{\textsuperscript{50}} \text{“Failure to implement the Law on Defense Procurement threatens Ukraine’s course towards NATO”, NAKO, February 24, 2021: https://bit.ly/3sP4yj}\]
particularly from NATO countries\textsuperscript{51}. These reforms are currently at a nascent stage or suspended. Specifically, the Cabinet of Ministers of Ukraine did not approve the State Quality Assurance System Concept, which makes it impossible to implement the NATO Standardization Agreement 4107 and further establish an authorized quality assurance body. As of March 2021, the draft law on the reform of Ukroboronprom, registered in early July 2020, is only being prepared for the second parliamentary reading due to an internal struggle between the authorities over who will control the financial flows of the successor company\textsuperscript{52}. Nonetheless, these reforms are crucial for the further development of relations with the Alliance. For example, the corporate management system of state-owned property in the defense industry is one of the most important indicators of interoperability with NATO. In fact, it is about how “field-based interaction” between member states or partners of the Alliance is funded.

It was not until recently that Ukraine managed to break the stalemate in the Security Service reform, which envisages, in particular, depriving the body of its investigative functions concerning economic crimes\textsuperscript{53}. However, the process is also not a simple one-shot task. After the first reading, several hundred amendments were made to the bill, which were submitted not in electronic form but on paper for stalling purposes. At the same time, the first version of the bill, which expands the powers of the service and contains human rights violations, has been met with mixed reviews from experts\textsuperscript{54}.

Ukraine is also yet to reform its state secret protection system by drafting a Law on the Protection of Classified Information (a new version of the Law on State Secrets\textsuperscript{55}). The Law on Amendments to Certain Laws of Ukraine on Ensuring Effective Implementation of Parliamentary Control was adopted in late 2020.

Finally, two important elements of defense reform that are worth mentioning with regard to Ukraine’s relations with the Alliance are the development of the military

\textbf{The corporate management system of state-owned property in the defense industry is one of the most important indicators of interoperability with NATO.}

\textsuperscript{51} Draft Law on Peculiarities of Reforming State-Owned Defense-Industrial Complex Enterprises. \url{http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=69418}
\textsuperscript{52} “Reforms in the defense industry. How to move from intentions to results”, Hlib Kanievskiy, State Watch, March 23, 2021: \url{http://bit.ly/3czV1q}
\textsuperscript{54} “Special service without borders and control: what is wrong with the draft law on the SBU”, Yevhen Zakharov, Yevropeiska pravda, February 8, 2021, \url{https://www.eurointegration.com.ua/articles/2021/02/8/7119460/}
\textsuperscript{55} Resolution of the Verkhovna Rada of Ukraine “On the Plan of Bill Work of the Verkhovna Rada of Ukraine for 2021”, \url{https://zakon.rada.gov.ua/laws/show/1165-IX#Text}
command and control system (C2) and democratic civilian control of the defense forces. In 2019, Stepan Poltorak, the then Minister of Defense of Ukraine, signed Order №141 “On the transformation of the system of joint command of defense forces and military administration in the Armed Forces of Ukraine”\(^56\). The document aimed to create an effective system of joint command of defense forces and military administration in the Armed Forces of Ukraine based on the principles and “standards” adopted by NATO member states. In 2020, the above-mentioned order was declared implemented and no longer valid, despite the fact that the reform was not fully implemented and Ukraine is facing new tasks in this area that need to be fulfilled\(^57\). These include the development of proposals for detailing the powers and areas of responsibility between the Ministry of Defense and the Armed Forces (their distribution is prescribed in the Law on National Security of Ukraine) as well as a comprehensive defense management review in the Ministry of Defense and the Armed Forces with the involvement of high-level advisers from NATO member states\(^58\).

**Two important elements of defense reform in the context of Ukraine’s relations with the Alliance are the development of the military command and control system (C2) and democratic civilian control of the defense forces.**

As regards **civilian democratic control of the defense forces**, one of its elements was meant to be the civilian Minister of Defense, a common practice in NATO countries\(^59\). At present, however, the minister, who must formulate policies that meet societal needs and properly involve the Armed Forces in the decision-making process, does not make full use of this tool. At the same time, there is the problem of the lack of understanding of the democratic control concept by the senior military leadership and the related issue of the eroding subordination of the Armed Forces of Ukraine\(^60\). There is a need to build up a clear system of how civil society, the parliament and the government will control the defense forces, in line with the best practices of NATO member states.

Other examples of the implementation of the Alliance's best practices and norms in the Ukrainian security and defense sector

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\(^59\) In accordance with the Law on National Security of Ukraine, from the beginning of 2019, the Ministry of Defense must be led by a civilian.

\(^60\) In accordance with the Law on National Security of Ukraine, the Armed Forces of Ukraine comply with both the Minister of Defense and the President.
include a relative progress in transferring the General Staff and operational bodies of military administration to the J-structure (partially prescribed in separate NATO standards); defense planning by analogy with the Alliance; reforming the non-commissioned officers corps of the Armed Forces according to NATO “standards” (reforming the sergeant rank system, improving the financial support system, resolving the housing issue)\textsuperscript{61}, etc.

CHALLENGES AND IMPEDIMENTS

Answering the question regarding the basic challenges for implementing NATO standards in Ukraine, the representatives of Ministry of Defense laconically note: "war, lack of knowledge of foreign languages, the need for significant investment in the defense industry". According to our own analysis, we would recommend to also pay attention to other obstacles and challenges.

- **Confusion of terms.** The term "standard" is used in Ukraine not only regarding NATO military standards or standards of the Alliance's member states, but also in terms of norms, principles and practices of the Alliance or its member states, which is not quite correct. For instance, civilian Minister of Defense, civilian democratic control of the defense forces or modern methods of military personnel management are not military standards enshrined in the relevant documents, but rather principles or established practices of the member states of the Alliance.

- **Insufficient number of specialists with the appropriate level of foreign languages knowledge involved in the NATO standards processing.** The interlocutors of the New Europe Center pointed out this problem in 2019, when the then research was being prepared. The Ministry of Defense continues to publicly emphasize on it in 2021. The thing is that a poor knowledge of English language among the relevant officials leads to the increasing of the amount of time spent on NATO standards implementation. Although the specific goal of advancing the proficiency of one of the official languages of the Alliance is listed in a few documents, it is still quite challenging to track and systematize changes in this process. Clear monitoring of the language proficiency by servicemen does not exist, employees are fired and begin to hold other positions etc. At the same time, according to the subjective estimates, this problem will exist until at least 90% of servicemen involved will know one of the official NATO languages at the minimum level necessary for the ability to work with Alliance documents.

- **Irrational use of human resources.** The increase of time spent on implementation of NATO standards are related not only (and maybe not so much) to the low level of language proficiency, but also to the irrational

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63 These are the Ukraine-NATO Partnership Goals package for 2018–2020 and the draft Government Medium-Term Action Plan.

64 Meaning Standardised Language Profile (SLP) 2222 according to STANAG 6001.
Infographic 3. Ukraine and NATO standards: challenges and impediments for implementing NATO standards in Ukraine

use of personnel with the appropriate level of language proficiency and the necessary professional training in the process of standards implementation. This problem is directly related to the lack of transformation of approaches and professional culture in force defense command systems. It also implies the insignificant number of the new employees working in the appropriate bodies (managerial positions are mostly occupied by the representatives of the "old cohorts"), and the lack of opportunities for career development of representatives with new approaches, experience of internships in prestigious educational institutions in the NATO member states, with a proper understanding of how the armed forces of Alliance's member states function.

- **The need for significant investment for implementation of NATO standards.** For instance, re-equipment of defense-industrial complex enterprises, as well as enterprises of other forms of ownership when it comes to material standards; or education, training and preparation of servicemen and units, when it goes about operational and administrative standards.

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ABOUT NEW EUROPE CENTER

The New Europe Center was founded in 2017 as an independent think-tank. Despite its new brand, it is based on a research team that has been working together since 2009, at the Institute for World Policy. The New Europe Center became recognized by offering high-quality analysis on foreign policy issues in Ukraine and regional security by combining active, effective work with advocacy.

The New Europe Center's vision is very much in line with the views of the majority of Ukrainians about the future of their country: Ukraine should be integrated into the European Union and NATO. By integration, we understand not so much formal membership as the adoption of the best standards and practices for Ukraine to properly belong to the Euroatlantic value system.

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