







ROUTE TO MEMBERSHIP

WHY SHOULD UKRAINE HAVE A ROADMAP TO NATO ACCESSION?







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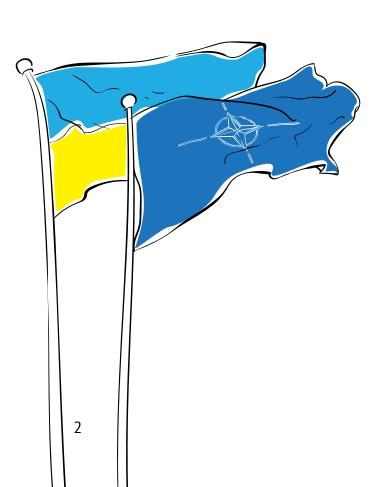


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At the moment, there are good reasons to give consideration not only to the Alliance's open-door policy but the proposed roadmap for Ukraine's future membership (sort of Ukraine's Compatibility plan with NATO) as NATO develops its Strategic Concept for 2030. Such a roadmap would confirm the destination point set within the Bucharest Summit as to Ukraine and Georgia's future membership in the Alliance and allow the sides to determine Ukraine's best route towards this point through the implementation of a certain array of reforms.

The approval of such a "route" is important for several reasons. First of all, it will provide a powerful boost to Ukraine's pro-reform forces, just as the Visa Liberalization Action Plan with the European Union did years before, launching Ukraine's most important anti-corruption reforms. Ukraine's recent experience in conducting reforms demonstrates that even due to the current level of partnership with NATO Ukraine managed to launch an array of important transformations: from having a civilian defense minister, to start of the first in the years of independence in-depth reform of special services. Second, such a Compatibility plan would send a serious signal to Russia that its policy of instigating conflicts in order to block the integration of neighboring countries to NATO will no longer be effective. Therefore, Russia will lose an important argument for provoking and maintaining conflicts in the post-Soviet

space. It is also important to remember that Russia's attack on Ukraine — and occupation of 7% of its territory — happened when Kyiv was officially non-aligned.

Such a roadmap might include a Membership Action Plan, but given the excessive toxicity of this instrument, and the overall uniqueness of the cases of Ukraine and Georgia, it might be the self-sufficient document, created by analogy with MAP or rely on another, already existing instrument. This instrument could be a reinforcement of existing Annual National Programs, which were conceived as the basis for the Membership Action Plan at the moment of its creation in 1999, and have similar structures to the MAP. NATO could make a first step in this direction by recognizing that Ukraine has all the practical tools for potential membership in the Alliance, as was done in the communiqué on Georgia following the 2016 Warsaw Summit.

Such a roadmap would not contain clear time parameters, but it should prepare Ukraine to join the Alliance once the relevant political preconditions for this step arise both on the part of Ukraine and, no less, on the part of NATO. It is high time the Alliance consider the risks not only of future NATO expansion, including Ukraine (and Georgia), but especially the risks of future non-inviting of these states to join the Alliance, which in the long-run may be no less serious.



CONCLUSIONS

It is time to determine Ukraine's path to membership. In 2008 at the Bucharest summit, Ukraine received a firm promise of its future NATO membership. Russia's aggression against Ukraine, begun in 2014, exposed the futility of the "do not provoke Moscow" approach due to the lack of pathway forward to membership for Ukraine. As NATO develops its strategic concept for the next decade, Ukraine deserves to see the Alliance's open-door policy put into practice by receiving a roadmap — sort of Ukraine's Compatibility plan with NATO¹. Such a roadmap could be based on clear reform plan, whose implementation would allow Ukraine to accede to the Alliance — through the Membership Action Plan or without it — as soon as the appropriate preconditions arise on the part of both Ukraine and NATO.

Ukraine in NATO adds value to transatlantic security. Today, neither Ukraine, nor NATO itself question the important role Ukraine plays in strengthening global security. Among Ukraine's most important contributions to global and Euro-Atlantic security are the renunciation of nuclear weapons, pandemic assistance (air transportation),

participation in all major NATO missions, experience in combating hybrid threats, real and active combat experience, defense spending more than 2% of GDP, and a widespread Ukrainian commitment to NATO's democratic values.

NATO as a driver of reforms.

Providing Ukraine a clear roadmap to Alliance membership (Ukraine's Compatibility plan with NATO) will increase the speed of adoption of the country's reform agenda. NATO integration will allow Ukraine to complete reforms launched as a condition of its visa-free regime with the EU. Ukraine's roadmap to NATO could be at the heart of a new conditionality approach: with more successfully implemented reforms come increased chances of membership.

Rapid pace of military
interoperability with the
Alliance. Ukraine is showing real
momentum strengthening its
military interoperability with NATO,
evidenced, in particular by the overall
level of implementation of NATO
standardization agreements. Today
about 19% of all existing Alliance
agreements have been implemented
in Ukraine, close to or even more than

European Pravda, New Europe Center, Anti-Corruption Action Center, Network for the Advocacy of National Interests ANTS, Center for Global Studies Strategy XXI, "Compatibility plan with NATO. What the Alliance should do for real changes in Ukraine", 20 May 2021, https://www.eurointegration.com.ua/articles/2021/05/20/7123357/



in some new NATO member states (for example, North Macedonia).

- Ukrainians support NATO membership. In the last seven years, the number of Ukrainians who support NATO has remained high (roughly half of Ukrainians support NATO integration). This indicates a conscious, irreversible choice by Ukrainians, rather than a temporary reaction in the face of Russia's external threat. In 2008, Ukraine was denied a MAP, in part because of the low level of NATO support among its population.
- **Enhanced Opportunities Partnership** does not stand in conflict with receiving a roadmap for membership. Today, Ukraine sits on two parallel tracks with NATO — as a partner country and as an aspirant country. **Enhanced Opportunities Partnership** (EOP) is a format of cooperation on the partner track, which cannot stand in the way of other formats that will bring Ukraine closer to membership in the Alliance. Furthermore, the EOP envisages countries achieving military interoperability first, for Ukraine future membership in NATO political interoperability is similarly important.
- To NATO not necessarily through MAP. The topic of Membership Action Plan has become too mythologized and toxic. The Annual National Programs which Ukraine carries out

are nearly identical to Membership Action Plan. New circumstances could prompt NATO to make a unique political decision allowing a country to join the Alliance on the basis of the roadmap of reforms offered by us (Ukraine's Compatibility plan with NATO) or assessments of Annual National Programs, having previously significantly improved both the ANPs themselves as a reform plan with clear priorities and indicators, and a mechanism for monitoring their implementation by NATO.

- Russia will de-facto lose the NATO veto power in the event of Ukraine (and Georgia) joining the Alliance. Indecision on the part of NATO as to Kyiv and Tbilisi's membership prospects only gives Russia the belief that it has a veto power over NATO's borders now and in the future. The existence of occupied territories should not be an obstacle on the path to membership, as it will only encourage third parties to create artificial conflicts in other countries pursuing cooperation with the Alliance. Ukraine's pursuing sufficient diplomatic efforts to resolve Russianinspired conflicts should also be considered positively.
- NATO's non-enlargement is no guarantee of a peaceful Russia. It is critical to remember that Russia began its war against Ukraine when as a matter of national



policy — Ukraine was a non-aligned state. Today, Moscow in no way contributes to the settlement of conflict in the Transnistrian region of the Republic of Moldova, even though Moldova declared its neutrality in its Constitution. Not inviting Ukraine and Georgia to the Alliance increases the likelihood of Russian aggression against both states, as Moscow will realize that Kyiv and Tbilisi lack guarantees of security support.

Membership with amendments.

Opponents of Ukraine and Georgia's NATO integration often bring up the 1995 Study on NATO Enlargement, which allegedly closes the doors to the Alliance for countries with ongoing "territorial disputes". At the same time, the seventh paragraph of this study emphasizes that there is no fixed set of criteria for inviting new member states — the decision is made strictly on a case-by-case basis. Also, historically, NATO has invited new member states while clarifying or amending NATO's protocol of adoption. This was the case with Turkey in 1951. Appropriate interim solutions could be reached with respect to the Article 5 implications.



INTRODUCTION

Future membership in NATO as a key security priority for Ukraine is a conscious and natural choice, one that is enshrined in the Ukrainian Constitution as well as its National Security Strategy. It has overwhelming support among political elite as well as a significant portion of Ukrainian society across various regions of Ukraine. This choice is also confirmed by the slow, but noticeable and wideranging transformations which bring Ukraine closer to standards, norms and principles of the Alliance.

From the NATO perspective, Ukraine's future membership (as with Georgia) in the Alliance was confirmed in the declaration of the Bucharest Summit in 2008. Although NATO recognized Ukraine as an aspirant country in 2018, it became a de-facto candidate for membership in 2008 after the Bucharest declaration, stating that Ukraine and Georgia would become members of NATO.

At the same time, 13 years have passed since the summit first opened the Euro-Atlantic prospects for Ukraine, however Ukraine has yet to proceed to the next, and final stage of integration before membership — an invitation to implement a NATO Membership Action Plan (MAP). Thus, despite the

fact that when the MAP instrument was introduced at the Washington Summit in 1999 it was clearly stated, "The Membership Action Plan is available to all² declared aspirants on the basis of self-selection"³.

Moreover, the subjects of Ukraine's future membership in the Alliance generally and an invitation to implement a Membership Action Plan in particular remain extremely toxic within the Ukraine-NATO dialogue. Ukraine and the Alliance are speaking, to a certain degree, two different languages: Ukraine — that of integration, NATO — that of partnership. This is because Ukraine self-identifies as a candidate for membership above all else, and NATO sees Ukraine primarily as a partner.

In 2008, the Bucharest Summit addressed three key arguments as to why Ukraine and Georgia failed to increase cooperation with NATO toward a Membership Action Plan. First — this would create additional security pressures in the region due to the hostile reaction of Russia (relevant

² Highlighted by the New Europe Center.

The White House archives, "NATO Summit: Membership Action Plan Fact Sheet", https://clintonwhitehouse5.archives.gov/WH/New/NATO/fact5.html/



for both Ukraine and Georgia).

Second — countries with unresolved conflicts may not be NATO members (at the time, meaning conflicts on Georgia's territory). Third — a majority of citizens of applicant countries should support joining NATO, otherwise such decisions will be viewed as undemocratic (at the time, this argument focused primarily on Ukraine, as NATO support in Georgia has always been high).

Among the other concerns most commonly raised in NATO as to the further practical steps towards membership in the Alliance is that Ukraine is reforming too slowly and up until yet has not fulfilled the criteria for membership in the Alliance. The inability to present Ukraine a MAP has lately been justified by the fact that Ukraine only recently became an Enhanced Opportunities Partner (EOP), so it should focus on the successful fulfilment of this particular instrument.

The preparation of a new NATO 2030 Strategic Concept presents an opportune moment to not only reaffirm the Alliance's open-door policy, but also launch a fair and impartial debate on how this policy can be put into practice in the case of Ukraine (and Georgia as well).

In our view, the preparation of a new NATO 2030 Strategic Concept presents

an opportune moment to not only reaffirm the Alliance's open-door policy, but also launch a fair and impartial debate on how this policy can be put into practice in the case of Ukraine (and Georgia as well).

Within this discussion we attempted to answer the following questions:

- To what extent does the stated goal of NATO membership contribute to the reform process in Ukraine? What has already been completed thanks (or partially thanks) to Kyiv's cooperation with the Alliance?
- Are the risks of potential Russian escalation in the event of Ukraine's invitation to NATO significantly greater than the risk provoked by not inviting Ukraine to join NATO in the future?
- Why is Enhanced Opportunities Partner (EOP) status not an alternative to a roadmap for Alliance membership?
- Should the MAP remain a nonnegotiable step towards NATO membership for Ukraine and Georgia, or given the level of toxicity of this topic as well as the unique cases of Ukraine and Georgia, do we need a different instrument or strengthened existing ones?
- How stable is support for Ukraine's membership in the Alliance within Ukrainian society?



We will not approach the topic of Ukrainian NATO membership in the short-term, realizing that few conditions have been satisfied within Ukraine or the Alliance for this to happen. Instead, it is important for us that not only Ukraine but also the Alliance be prepared for such a step as soon as the appropriate preconditions appear.

Within this discussion, we will not approach the topic of Ukrainian NATO membership in the short-term, realizing that few conditions have been satisfied within Ukraine or the Alliance for this to happen. Instead, it is important for us that not only Ukraine but also the Alliance be prepared for such a step as soon as the appropriate preconditions appear. At this stage, Ukraine could be offered a certain roadmap for Ukraine's future NATO membership — a kind of Ukraine's Compatibility plan with NATO.









REFORMS: MADE WITH NATO



"Reform is the only path, the best way towards further Euro-Atlantic integration," observed **NATO Secretary General** Jens Stoltenberg in April 2021⁴. Ukraine also understands clearly the importance of reforming to move closer to NATO. The statement that it is not an army that joins NATO, but an entire country, became almost an idiom in Ukraine since it began its integration into the Alliance.

The conceptual difference between Ukraine and NATO, on the other hand, remains the relationship between reforms and further steps towards membership in the Alliance, including an invitation to implement a Membership Action Plan. While Brussels has traditionally insisted on a sequential process — first reforms, then MAP and membership, Kyiv is convinced of the effectiveness of a different approach: reforms can go hand in hand with the implementation of a Membership Action Plan or other roadmap of reforms, which can be the basis for the decisions on membership to be made.

Ukraine's logic is based on its own experience — the tremendous progress

in the implementation of reforms since 2014 was made possible mainly through close cooperation with international partners. Only clear motivation and a common goal can unite Ukrainian proreform forces and motivate Ukrainian state institutions to demonstrate tangible results. The clearest example of such an approach since 2014 was the European Union's proposed Visa Liberalization Action Plan (VLAP), the implementation of which paved the way for Ukrainians to travel to the European Union visa-free. This plan helped set in motion a number of reforms, as the value of visa-free travel was clear and obvious to ordinary Ukrainians — they could benefit from this progress and thus supported and expected to receive it as soon as possible. This forced politicians publicly declaring a pro-European position to vote for and implement "visafree reforms" (including anti-corruption ones that were unpopular among political elites), even against their will.

At present, Ukrainians understand the benefits of joining NATO within the context of strengthening Ukraine's defense capabilities. Therefore, providing a clear roadmap for Alliance membership, based on a list of concrete reforms, can become an additional motivating factor for their implementation. The conditionality of "more successful reforms lead to a greater chance of membership"

⁴ NATO, "Joint press point by NATO Secretary General Jens Stoltenberg and the Foreign Minister of Ukraine, Dmytro Kuleba", 13 April 2021, https://www.nato.int/cps/en/natohq/opinions_183016.htm



can accelerate the overall implementation of reforms in Ukraine.

The conditionality of "more successful reforms lead to a greater chance of membership" can accelerate the overall implementation of reforms in Ukraine.

The experience of the Baltic states and Central Europe also shows that obtaining a NATO Membership Action Plan has had a positive impact on the reform process in these countries. Estonian analysts note that the reforms carried out in their country were implemented "through the incentive of membership, pressure from supporting states, tough feedback and assessment from NATO, and the determination and cooperation of the Baltic States"⁵. Moreover, the reforms carried out positively changed the society's attitude towards further changes, allowing the government to carry out other unpopular — yet necessary — internal transformations.

Romania also made significant progress in the fight against corruption from the moment it was first inspired to join the Alliance, said Heather A. Conley, Deputy Assistant Secretary of State for European and Eurasian Affairs responsible for U.S.-Romanian bilateral relations. Romania's "greatest national security vulnerability" was corruption as well as "the top obstacle to the country's NATO accession". Cooperation with partners on the path to EU and NATO membership has helped Romania make extraordinary progress in this sphere. The decision to invite Romania to begin NATO accession talks "provided a major boost to national self-confidence" and "unleashed the positive energy" towards further implementation of reforms7.

Croatia's Head of Mission to NATO, Davor Božinović, also noted that his country had made significant reform progress within MAP: "when Croatia took the responsibility to reform, NATO took the responsibility to provide advice in that process and guide Croatia to membership status within the framework of the Membership Action Plan"⁸.

Currently, the main tool for implementing reforms in Ukraine with the support of the Alliance is Ukraine's Annual National Program, which since 2009 has replaced the NATO-Ukraine Annual Target Plans. The latest ANPs in Ukraine are identical in structure to the Membership Action Plan, i.e., they could

^{5 &}quot;Defence reform in the Baltic states: 12 years of experience", 17–18 June, 2003, https://www.dcaf.ch/sites/default/files/publications/documents/publication.pdf

⁶ Homeland Security Digital Library, "Romanian Anti-Corruption Process: Successes and Excesses", 14 June 2017

NATO, "Romania's challenge", 2003, https://www.nato.int/docu/review/2003/issue1/english/analysis.html

Konrad Adenauer Stiftung, "Transforming Society — Croatia's Way to NATO", 10 December 2007, https://www.kas. de/en/web/kroatien/laenderberichte/detail/-/content/transforming-society-croatia-s-way-to-nato1



become the same tool for implementing necessary reforms⁹.

The Annual National Programs (ANPs) in their current form cannot achieve their reform mission.

However, the ANPs in their current form cannot achieve their reform mission for a number of reasons. In particular:

- the lack of clearly defined and articulated priorities that would reflect the bilateral agenda of Ukraine and NATO (the current ANP covers almost all spheres of life and contains 475 priorities);
- a formal approach to the definition and meeting of deadlines;
- the lack of proper monitoring and control over implementation from NATO side;
- the lack of a connection between effective implementation of the ANP and the future membership in the Alliance.

A striking example, illustrating the abovementioned shortcomings of the ANP, is the block on reforming the Security Service of Ukraine (SBU). The 2020 Annual National Program contains rather vague tasks of reforming the Security Service with long-term deadlines. For example, "development of the regulatory framework for reforming the Security Service of Ukraine (deadline -2025)"¹⁰. However, the lack of clear wording on the powers of the Security Service (the document contains a clause on "legislative clarification of powers and tasks of the Security Service of Ukraine"11) leads to difference in understanding. Despite the fact that NATO's recommendations regarding the SBU reform are rather clear and refer to the deprivation of powers in the sphere of fight against corruption and economic crimes, reduction of the investigation functions, demilitarization, civilian oversight, etc., its representatives interpret the ANP's clause on "clarification of powers" as a need to expand these powers through amending the Security Service's reform bill¹².

Both the Alliance and Ukraine emphasize that Ukraine's rapprochement with NATO requires, above all, reforms in the defense, anti-corruption and

The Ukrainian Annual National Programs are as close as possible in content and principles to the NATO Membership Action Plan and have the same structure, consisting of five chapters: I. Political and Economic issues; II. Defense / Military issues; III. Resource issues; IV. Security issues; V. Legal issues

Office of the President of Ukraine, "Decree of the President of Ukraine №203 / 2020. On the Annual National Program under the auspices of the NATO-Ukraine Commission for 2020", 26 May 2020, https://www.president.gov.ua/documents/2032020-33861

Office of the President of Ukraine, "Decree of the President of Ukraine №189 / 2021. On the Annual National Program under the auspices of the NATO-Ukraine Commission for 2021", 11 May 2021, https://www.president.gov.ua/documents/1892021-38845

¹² Interview with the anticorruption reform expert, 17 May 2021



judicial spheres, as well as development of democratic institutions 13 14. Much has already been done in Ukraine to ensure democratic development, as well as to achieve political and military interoperability with NATO. It is important to note that these steps have been taken also through cooperation with NATO, which once again confirms the positive impact of integration into the Alliance on Ukrainian internal transformations. For instance, certain reforms and changes in the structure of the Ministry of Defense and the Armed Forces took place at the time of closer cooperation between Ukraine and the Alliance¹⁵.

What are the main reform achievements of Ukraine, realized due to the cooperation and support of NATO?



Avoidance of the use of Ukraine's armed forces for political goals. Ukraine's armed forces were not called upon

neither in 2004 during the Orange Revolution, nor in the Revolution of Dignity in 2014 against peaceful protesters. Many believe that Ukraine's long-term cooperation with the Alliance has had an influence on separating the army and politics¹⁶.



Civilian as Minister of Defense.

It was thanks to cooperation with NATO that the following norm was introduced in

Ukraine — the Ministry of Defense was now to be led by a civilian, in line with widely-accepted practice of NATO member states¹⁷. Previously this post was usually held by members of the military. A civilian Minister of Defense is an element of civilian democratic oversight over the state's defense forces. Although Ukraine still needs to build a clear system of public, parliamentary and government control over the military, the introduction of new rules on the appointment of civilian defense ministers was a necessary first step this process, as well as to changing Ukraine's worldview.



Launch of Ukroboronprom reform and defense industry review. Ukraine undertook

wide-ranging reform of the concern Ukroboronprom (UOP)¹⁸ in accordance with the guidelines of the Organization for Economic Cooperation and Development (OECD)¹⁹ — the reform

NATO, "Joint press point by NATO Secretary General Jens Stoltenberg and the Prime Minister of Ukraine, Denys Shmyhal", 9 February 2021, https://www.nato.int/cps/uk/natohg/opinions_181350.htm?selectedLocale=en;

¹⁴ Cabinet of Ministers of Ukraine, "Prime Minister and the NATO Secretary General tackle further steps towards Ukraine's Euro-Atlantic integration", February 9, 2021, https://www.kmu.gov.ua/news/premyer-ministr-ta-gensek-nato-obgovorili-podalshi-kroki-na-shlyahu-yevroatlantichnoyi-integraciyi-ukrayini

Defense Express, "29 years of security and defense of Ukraine: from the legacy of the USSR to NATO", August 24, 2020, https://defence-ua.com/army_and_war/bezpeki_ta_oborona_ukrajini_vid_nasliddja_srsr_do_nato-1473.html?fbclid=IWAR3bSmJNh1ufGDWJ61aewt-TetjBrW0fB08Pu6-UludYn13a2bDQrZZmlXY

Interview with NATO representative, 27 April 2021

Verkhovna Rada of Ukraine, Law of Ukraine "On National Security of Ukraine", https://zakon.rada.gov.ua/laws/ show/2469-19#Text

An association of multi-product enterprises in various sectors of the defense industry of Ukraine

Verkhovna Rada of Ukraine, "Draft Law on Peculiarities of Reforming Enterprises of the State-Owned Defense-Industrial Complex", http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?pf3511=69418



focus on the reorganization of the defense industry in a fair and transparent manner. Corporatization of the concern is to create the conditions for attracting investments and beginning work with foreign companies, particularly from NATO-member countries. The corporate system of state-owned property management in the defense industry is one of important indicators of interoperability with NATO. Recently Ukraine also completed a review of its defense industrial complex, which took place with the active participation of NATO advisors.



Positive changes in Ukrainian Armed Forces (UAF):
J-structure, Sergeant Corps, military ranks. Ukraine has

made relative progress transforming the General Staff and military command of the UAF to J-structure — the typical structure of NATO staffs.

Ukraine has made relative progress transforming the General Staff and military command of the UAF to J-structure — the typical structure of NATO staffs.

Ukraine is pursuing structural reorganization of the General Staff by creating departments which will handle specific issues — for example, J-1 management issues, J-2 intelligence, J-3 operational activities, etc.²⁰ This allows military units of Alliance members and Alliance partners to actively interact in joint operations or exercises. Regardless of the fact that much work remains to be done to fully implement the necessary changes in the Ukrainian Armed Forces, as this concept is completely new for Ukrainians, the launch of the reform is a positive step. An important example of the implementation of NATO norms in the Ukrainian security and defense sector has been the reform of the Sergeant Corps of the UAF in line with NATO best practices — reforming the officer's command structure, improving compensation as well as addressing housing concerns, etc²¹. In 2020, Ukraine established new military ranks within senior officers in line with military ranks adopted in NATO member states²², while in 2021, Ukrainian military ranks were transferred to NATO military rank codes²³. Furthermore, positive changes have been observed in the issues of military medical care and education.

J-structures that have already been created or will be created in the General Staff of the Armed Forces of Ukraine: J-1 — personnel issues, J-2 — intelligence, J-3 — operational activities, J-4 — logistics, J-5 — defense planning, J-6 — communications and information systems, J-7 — training of troops, J-8 — resources and finances, J-9 — civil-military cooperation.

²¹ UKRINFORM, "Reform of the sergeant corps took place with the participation of experts from the Project Office of the Ministry of Defense", April 21, 2020: https://www.ukrinform.ua/rubric-polytics/3009914-reforma-serzantskogo-korpusu-vidbuvalas-za-ucastu-ekspertiv-proektnogo-ofisu-minoboroni.html

Verkhovna Rada of Ukraine, Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Concerning Military Ranks of Servicemen", https://zakon.rada.gov.ua/laws/show/680-20#Text

²³ АрміяІnform, "What is the "NATO code" for a sergeant, or of the introduction of STANAG 2116", 6 January 2021, https://armyinform.com.ua/2021/01/yakyj-kod-nato-v-serzhanta-abo-pro-zaprovadzhenyj-stanag-2116/





Decrease in secrecy: public and defense procurement.

Increased transparency across various sectors, particularly public and defense procurement, in line with best practices of NATO member countries is one of the key conditions of the Alliance to candidate countries. For example, NATO welcomed the creation of the open electronic system of public procurement, ProZorro, in which government customers announce tenders for the purchase of goods and services, and business representatives compete for the opportunity to supply the state. In addition to the fact that open tenders in principle began to be carried out in Ukraine, which was not the case prior to 2014 and contributed to the flourishing of corruption, the principle of "everyone sees everything"

At NATO's suggestion, Ukraine has also launched reform in the field of defense procurement — the relevant law was adopted in 2020, and work is currently underway on bylaws. The reform will contribute competition and development, as well as the reduction of corruption risks in defense procurement. In 2015 Ukraine joined the NATO Support and Supply Agency, a NATO ProZorro of sorts, and can

has finally prevailed in the sphere of

government tenders. In addition, the

has resulted in savings of US\$4.7 Billion

from the Ukrainian budget since 2016²⁴.

introduction of the ProZorro system

now purchase defense supplies from NATO partners without the use of intermediaries, and at lower overall prices — what is occurring in fact is the Euro-Atlantic integration of Ukraine's defense industry. The first purchases were made through this system in 2019. At the same time, with the goal of further distancing Ukraine from the Soviet culture of complete secrecy, the Alliance supported Ukraine's initiative to amend the legislation on the protection of state secrets, which provides for the development of specific declassification procedures and is currently being drafted in parliament²⁵.



Services. Thanks in large part to NATO. Ukraine has finally

to NATO, Ukraine has finally begun transforming the

Ukrainian Security Service (SBU). The reform envisions the removal of SBU's uncharacteristic authority to combat corruption and economic crimes. In May 2021, the government decided to establish the Bureau of Economic Security of Ukraine, which deprives the SBU of full powers in the field of economy and eliminates the tax police.

Despite significant internal resistance, Ukraine was able to initiate reform only because NATO invested a great amount of long-term political capital to see it succeed.

UAReforms, "Anticorruption Policy", https://uareforms.org/reforms/anticorruption=policy

Resolution of the Verkhovna Rada of Ukraine "On the Plan of legislative work of the Verkhovna Rada of Ukraine for 2021", https://zakon.rada.gov.ua/laws/show/1165-IX#Text



Despite significant internal resistance, Ukraine was able to initiate reform only because NATO invested a great amount of long-term political capital to see it succeed — the reform has become one of the so-called 5 "Euro-Atlantic Laws", which the Alliance prioritized in its relations with Ukraine, as well as one of the key conditions for Ukraine's further integration with the Alliance. The reform also began to be communicated more actively by the NATO leadership at the top level. During his call with Volodymyr Zelenskyy, Jens Stoltenberg remarked that SBU reform will accelerate Ukraine's Euro-Atlantic path²⁶. The beginning of the SBU reform is an example of how the policy of conditionality between Ukraine and NATO works in practice. Another example is the law on intelligence, which was adopted in 2020 at the recommendation of the Alliance. This law took the place of an outdated 2001 law, which did not correspond to modern conditions, and laid the groundwork for more effective interaction between Ukraine's intelligence agencies in the face of Russian aggression.

There are also a number of reforms where NATO has not played the major role among international partners, but has contributed to this process.



New anti-corruption institutions. After 2014, a number of institutions were formed tasked with fighting

public sector corruption, the most important and successful of which are the National Anti-Corruption Bureau of Ukraine (NABU) and the Special Anti-Corruption Prosecutor (SAP). Prior to the establishment of these institutions, Ukraine had **no such organization**, and anti-corruption affairs frequently led to fighting between political opponents. The six years since the founding of NABU and SAP have effectively ended the era of immunity for Ukraine's top officials more than five hundred individuals were brought to account, among them mostly high-ranking officials²⁷. In 2020 alone, UAH 1.9 billion was returned to the state as a result of criminal proceedings by NABU and SAP²⁸. The establishment of NABU and SAP were among the preconditions for visa liberalization between Ukraine and the European Union, which is once again highlighting the effectiveness of conditionality mechanism — being rewarded for completing reforms.



Launch of the High Anti-Corruption Court (HACC). The greatest, if perhaps the only, Ukrainian judicial reform

achievement²⁹. The creation of the HACC was a condition stipulated by the IMF;

Office of the President of Ukraine, "Pleased to hear that NATO's door is open for Ukraine" – Volodymyr Zelenskyy during a conversation with Jens Stoltenberg", 25 February 2021, https://www.president.gov.ua/news/radij-chuti-sho-dveri-nato-dlya-ukrayini-vidchineni-volodimi-66777

National Anti-Corruption Bureau of Ukraine, https://nabu.gov.ua/

²⁸ National Anti-Corruption Bureau of Ukraine, "Report: the second half of 2020", https://nabu.gov.ua/report/zvit-druge-pivrichchya-2020-roku

Interview with an expert on judicial reform in Ukraine, 29 April 2021.



however, NATO had also expected Ukraine to carry out the court's establishment³⁰. The Anti-Corruption Court was formed with the goal of keeping the work of NABU and the SAP from being buried in courts of general jurisdiction; its jurisdiction includes the investigation of cases of the National Anti-Corruption Bureau on corruption among high-ranking officials. The greatest achievement in the establishment of the HACC was the selection of justices on the basis of an open competition with the involvement of Public Council of International Experts. Scaling this approach across the entire judiciary with priority on the cleansing of judicial self-government bodies — the Supreme Council of Justice and the High Judicial Qualifications Commission with the involvement of international experts — could be a key to successful judicial reform³¹.

Unprecedented E-declarations and control over party finances. Since 2016, Ukraine has introduced an

unprecedented system of electronic declaration of income, property and assets of all government officials as well as members of their families³²; this was one of the main expectations of the Alliance in 2015³³.

Since 2016, Ukraine has introduced an unprecedented system of electronic declaration of income, property and assets of all government officials as well as members of their families; this was one of the main expectations of the Alliance.

Such a detailed electronic declaring for civil servants has become one of the key anti-corruption tools in Ukraine. It not only increased openness and transparency, but also introduced legal liability for non-declaration of income and illicit enrichment. The National Agency for Prevention of Corruption (NAPC), established in 2015 and renewed in 2019-2020, among the key functions of which is the ensuring of the formation and implementation of state anti-corruption policy, monitors and verifies declarations. Among the other important areas of the agency's responsibilities are monitoring the financing of political parties³⁴. Recently, the NAPC began to prosecute political parties for inaccurate information in financial statements. As a result, the agency initiated the suspension of funding for several parliamentary parties.

Thus, Ukraine does have success stories of reforms implementation in various spheres. However, it is fair to say that

UKRINFORM, "Deputy Prime Minister: NATO expects Kyiv to establish Anti-Corruption Court", 29 March 2018, https://www.ukrinform.ua/rubric-polytics/2431623-vicepremer-nato-cekae-vid-kieva-stvorenna-antikorupcijnogo-sudu.html

Dzerkalo Tyzhnia, "President Zelenskyy's Last Judgment: Two Years of Promises and No Progress," April 7, 2021, https://zn.ua/ukr/internal/strashnij-sud-prezidenta-zelenskoho-dva-roki-obitsjanok-i-zhodnoho-prohresu.html

The electronic register of declarations of civil servants, provided by the law "On Prevention of Corruption", was launched in 2016 and is considered by anti-corruption experts as one of the most important achievements on the path of reforms in the country. https://public.nazk.gov.ua/

³³ Verkhovna Rada of Ukraine, Decree of the President of Ukraine "On Approval of the Annual National Cooperation Program Ukraine-NATO for 2015", https://zakon.rada.gov.ua/laws/show/238/2015#Text

The National Agency on Corruption Prevention, "About NACP", https://nazk.gov.ua/uk/pro-nazk/



most of them have been implemented owing to the support of international partners and the conditionality mechanism — within the framework of Visa Liberalization Action Plan (VLAP) with the EU, cooperation with the International Monetary Fund (IMF), but also cooperation with NATO.

At the same time, the implementation of reforms is not stable and sometimes faces internal resistance. For example, there are attempts through other courts to block the litigations of highlevel corruption in HACC; parliament is trying to dismiss the NABU director in violation of current law and curtail the NAPC's powers to control the use of public funding by parties; the Constitutional Court of Ukraine has decriminalized false declarations etc. Representatives of civil society believe in the power of conditionality in the context of enhanced integration into NATO. Providing Ukraine a roadmap with a clear membership perspective can be a very effective communication tool in terms of advancing reforms in Ukraine³⁵.

Providing Ukraine a roadmap with a clear membership perspective can be a very effective communication tool in terms of advancing reforms in Ukraine.

European Pravda, New Europe Center, Anti-Corruption Action Center, Network for the Advocacy of National Interests ANTS, Center for Global Studies Strategy XXI, "Compatibility plan with NATO. What the Alliance should do for real changes in Ukraine", 20 May 2021, https://www.eurointegration.com.ua/articles/2021/05/20/7123357/



Infographic 1. Ukraine, NATO and reforms







UKRAINE IN NATO — THREAT OR ADDED VALUE TO TRANSATLANTIC SECURITY



Article 10 of the Washington Treaty establishing NATO emphasizes that member states may invite any European state, "in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area" 56.

Ukraine has always sought to contribute both to global security in general and to the security of the Euro-Atlantic area in particular. In the past, Kyiv could be blamed for its lack of commitment to democratic development at certain times (especially during the presidencies of Leonid Kuchma and Viktor Yanukovych), and Western observers' critical remarks regarding Ukraine's slow reform process were and remain partly justified. However, Ukraine's steps to participation in initiatives aimed at strengthening Euro-Atlantic security have always been beyond reproach.

At various historical moments,
Ukraine could be criticized for
non-adherence to democracy,
slow reforms, but the state's
steps to participation
in initiatives aimed at
strengthening Euro-Atlantic
security have always been
beyond reproach.

Even before becoming a NATO aspirant country, Ukraine proved its usefulness to transatlantic stability in its participation in key NATO missions. It can be assumed that there is no doubt in the Alliance regarding the value and experience Ukraine could contribute to the transatlantic community as a NATO member. However, the reality is somewhat different — some allies worry that the risks of Ukraine's NATO membership outweigh the benefits.

The main issue lies in the fact that these risks do not depend on the efforts of Kyiv; the key challenge is the Russia's threats. Some in the Alliance believe that rapid rapprochement with Ukraine (particularly inviting Ukraine to a MAP) could cause even more

NATO, "The North Atlantic Treaty", 4 April 1949 https://www.nato.int/cps/en/natohq/official_texts_17120.htm



destabilization in the region — enough to restart the "hot war" phase of Russia's military action directed against Ukraine.

NATO's official statements have repeatedly and unequivocally voiced support for Ukraine's significant contribution to Euro-Atlantic security. "Allies highly value Ukraine's significant contributions to Allied operations, the NATO Response Force, and NATO exercises. We welcome these efforts which demonstrate Ukraine's commitment and capability to contribute to Euro-Atlantic security," reads a joint statement of Ukraine-NATO from 2019, already after the start of the Volodymyr Zelenskyy presidency³⁷. A similar assessment can be found also in older documents (for example, in the declaration of the Riga Summit of 2006³⁸ or in a NATO 2010 declaration³⁹).

What exactly is Ukraine's contribution to regional and transatlantic security and what is the potential added value of Ukraine to the Alliance? Here are just a few examples to which — it should bear mentioning — this contribution is not limited and obviously will not be limited in the future:



One of NATO's fundamental task is to protect "safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law"40. Ukrainians have twice demonstrated their enduring adherence to democratic development by preventing the establishment of an authoritarian regime by corrupt authorities — thanks to the Orange Revolution of 2004 and the Revolution of Dignity of 2013-14. Earlier, it was Ukrainians' vote in the December 1991 independence referendum that was a turning point in the collapse of the Soviet Union, NATO's strategic adversary (90% of Ukrainians then voted in favor of an independent Ukraine.)

It was that same commitment of Ukrainians to democracy and their public opposition to authoritarianism that led to the undisguised dissatisfaction of neighboring Russia, the successor state to the USSR. Democratic transformation in Ukraine is perceived by Moscow as a sort of western intervention in Russia's sphere of influence. The Kremlin

³⁷ NATO, "NATO-Ukraine Commission Statement", 31 October 2019, https://www.nato.int/cps/en/natohq/official_texts_170408.htm?selectedLocale=en

NATO, "Riga Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Riga", 29 November 2006, https://www.nato.int/cps/en/natohq/official_texts_37920.

NATO, "Lisbon Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Lisbon", 20 November 2010, https://www.nato.int/cps/en/natohq/official_texts_68828. htm?selectedLocale=en

⁴⁰ NATO, "The North Atlantic Treaty", 4 April 1949 https://www.nato.int/cps/en/natohq/official_texts_17120.htm



fears the process of democratization in the post-Soviet space, and even more so that successful societal and economic transformations related to the democratic course may provoke revolutionary changes in Russia itself. Therefore, Russia seeks not so much to stop NATO military expansion (most likely, no one in Moscow believes in the possibility of war with the Alliance) as much as stand in the way of the expansion of these values across one of the largest democracies in the region, Ukraine.

Currently, the Ukrainian model is an example for other countries in the region to follow — the Republic of Moldova, Georgia, Belarus, and even some more distant countries (e.g., Kazakhstan⁴¹). Ukraine thus plays an important role in advancing democratic processes across the post-Soviet space. The defeat of Ukrainian democracy would be a tangible challenge to the entire Euro-Atlantic area.

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Such a scenario would eventually lead to Russia's return to the old Soviet

borders and form a much longer front of confrontation with NATO than it was during the Cold War.



After the fall of the Soviet Union in 1991 Ukraine inherited the world's third-largest nuclear arsenal: 176 intercontinental ballistic missiles with 1272 strategic nuclear warheads, 168 strategic aviation aircraft and 1491 cruise missiles, which are capable of carrying nuclear warheads, 2883 tactical nuclear warheads⁴². Thus, Ukraine became a member of the club of nuclear powers and caused serious concern across the world. In 1994, Kyiv earned via the Budapest Memorandum security assurances (which in Kyiv were interpreted as security guarantees) in exchange for the renunciation of nuclear weapons. In 2010, under Obama-Biden Administration in the US, Ukraine abandoned about 200 kg of enriched Uranium (enough to make nuclear weapons)43. In 2014, one of the signatories to the Budapest Memorandum — Russia — attacked Ukraine without declaring war. Other signatories found themselves helpless to stop Moscow's aggression.

New Europe Center, "Ukraine's regional "soft power". Changes during the presidency of Volodymyr Zelenskyy", 8 July 2020, http://neweurope.org.ua/en/analytics/m-yaka-syla-ukrayiny-v-regioni-shho-zminylos-za-prezydentstva-

⁴² Ukrainian Military Pages, "Transfer of nuclear charges, ballistic missiles to the Russian Federation and destruction of the infrastructure of the 43rd Missile Army – TSK report", 11 June 2019, https://www.ukrmilitary.com/2019/06/tsk-dodatok3.html

Reuters, "Last enriched uranium rumbles out of Ukraine", 12 March 2012, https://www.reuters.com/article/us-nuclear-ukraine-idUSBRE82P09L20120326



Ukraine remains committed to building global security without nuclear weapons, although there are still many outraged voices who complain that the world's leading nuclear powers have not fulfilled their obligations under the Budapest Memorandum. Moreover, the ideas for restoring nuclear status are regularly voiced44. In the 1997 Charter on a Distinctive Partnership between Ukraine and NATO, the Alliance recalls "the commitments undertaken by the United States and the United Kingdom, together with Russia, and by France unilaterally, which took the historic decision in Budapest in 1994 to provide Ukraine with security assurances as a non-nuclear weapon state party to the Treaty on Non-Proliferation of Nuclear Weapons (NPT)."45



Since the start of the COVID-19 pandemic Ukraine has made real contribution to Euro-Atlantic security, delivering by its planes medical supplies to NATO member states at the most critical moments of the pandemic. Part of the aerial transportations by Ukrainian planes — above all the AN-124—was carried out within the framework of the NATO program for strategic transportation *SALIS* (*Strategic Airlift Interim Solution*). In the first half of 2020 alone, Ukrainian aircraft transported about 950 tons of medical cargo⁴⁶. Participation in the SALIS program in general, and particularly in times of acute crisis, is a concrete example of how Ukraine can not only be a net recipient of transatlantic security, but also an invaluable contributor⁴⁷.

From 2016 to 2018, 60% of SALIS shipments were provided by Russia, and about 40% by Ukraine. The withdrawal from the SALIS program of the Russian "Volga-Dnepr" group of companies in 2018 has highlighted the unique value of Ukrainian aviation services in the context of strategic air transportation, serving the interests of both NATO and the EU⁴⁸.

In addition, since 2008 the military transport aviation of the Ukrainian Air Forces has been providing assistance in the framework of the special operation *Northern Falcon*, aimed at securing

⁴⁴ UKRINFORM, "Ukraine has two options: NATO or armaments and possibly nuclear status – Ambassador Melnyk", 15 April 2021, https://www.ukrinform.ua/rubric-polytics/3228317-ukraina-mae-dva-varianti-nato-abo-ozbroenna-i-mozlivo-adernij-status-posol-melnik.html

⁴⁵ NATO, "Charter on a Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine", 9 July 1997, https://www.nato.int/cps/en/natohq/official_texts_25457.htm

⁴⁶ Ukrayins'kyy interes, "Ukrainian planes transported almost a thousand tons of medical aid to NATO countries", 9 June 2020, https://uain.press/news/ukrayinski-litaky-vidpravyly-majzhe-tysyachu-tonn-meddopomogy-do-krayin-nato-1/259635

⁴⁷ Atlantic Council, "Coronavirus pandemic: Ukraine flies to the rescue", 16 April 2020, https://www.atlanticcouncil.org/blogs/ukrainealert/coronavirus-pandemic-ukraine-flies-to-the-rescue/

⁴⁸ BBC, "The Russian operator of the largest transport aircraft refuses to cooperate with NATO", April 18, 2018, https://www.bbc.com/russian/news-43817401



the Danish Ministry of Defense's Arctic station in northern Greenland. This is a joint Ukrainian-Danish operation of transporting fuel and other cargo from the US Air Force base in Tula to the Danish polar station "Nordo", carried out by military transport aircraft IL-76MD of the Air Force of the Armed Forces of Ukraine annually⁴⁹.



Ukraine is the only NATO partner country which has taken part in all major allied operations and missions. Ukraine has not ceased the cooperation in this area, even though the state should have focused primarily on countering Russian aggression.

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Currently, Ukraine is participating in allied missions in Afghanistan and

Kosovo and is preparing to join the NATO mission in Iraq as well as the NATO operation Sea Guardian⁵⁰. Participation in the missions and operations of NATO are among the important indicators of the contribution of member states and partners in supporting transatlantic security. Since 1992, close to 45,000 Ukrainian soldiers have taken part in international peacekeeping and security operations (mostly UN missions, but also NATO initiatives.)⁵¹ Ukraine ranks seventh in the number of total peacekeepers among European countries (after Italy, France, Spain, Ireland, the United Kingdom and Germany) and 43rd overall worldwide⁵².



Ukraine's valuable experience of waging hybrid war as well as counteracting cyberattacks of Russia can be very useful to many member states who also find themselves the target of such activities today. In 2016 at the NATO Warsaw Summit, the Ukraine-NATO platform against hybrid warfare was introduced⁵³. Within the framework of

⁴⁹ Denmark in Ukraine, Ministry of Foreign Affairs of Denmark, "Ukrainian-Danish fuel transportation operation "Northern Falcon 2019" has started, https://ukraine.um.dk/en/about-us/news/newsdisplaypage/?newsid=4f2accb6-2531-4fd6-a59f-9df5cc94c9c0

Mission of Ukraine to NATO, "Ukraine's participation in international peacekeeping and security operations led by the Alliance, NATO Response Force and exercises", 26 October 2020, https://nato.mfa.gov.ua/ukrayina-ta-nato/uchast-ukrayini-u-mirotvorchih-operaciyah-pid-provodom-alyansu

Ministry of Defense of Ukraine, "Participation of the Armed Forces of Ukraine in international peacekeeping and security operations", https://www.mil.gov.ua/diyalnist/mirotvorchist/

⁵² UN, "Contribution of Uniformed Personnel to UN by Country", 31 March 2021, https://peacekeeping.un.org/sites/default/files/01-summary_of_contributions_36_mar2021.pdf

NATO, "Relations with Ukraine", 1 December 2020, https://www.nato.int/cps/en/natohq/topics_37750. htm?selectedLocale=uk



the platform, high-level conferences for the exchange of respective experience were held in 2017–18. Research and expert consultations, both open and private, between Ukraine and NATO member states demonstrate the Alliance's deep interest in this topic. Ensuring the effective operation of the NATO-Ukraine platform to study the experience of combatting hybrid warfare is one of the key of the Ukraine-NATO Annual National Programs⁵⁴.

The exchange of this experience could take place in the framework of joint exercises or even international competitions. For example, Ukraine regularly participates in joint exercises with allies: Sea Breeze, Rapid Trident, Joint Juncture, Defender Europe, Coherent Resilience, Cossack Mace-2021 etc.⁵⁵ In 2020 Ukraine received an invitation from the American side to take part in the multinational tank platoon competition Strong Europe Tank Challenge-2021⁵⁶.



Exchange of Ukraine's combat experience, gained in its war with Russia, as well as increased combat capability of Ukrainian army can add value to the Alliance and strengthen its overall security.

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Ukraine is one of the few countries in the Euro-Atlantic area that, despite not being a member of the Alliance, adheres to the amount of annual defense spending of at least 2% of GDP⁵⁷. In 2020, Ukraine's defense spending was 3% of GDP, and the total security and defense budget was 5.45%. The defense budget has become the largest since Ukraine's independence. According to Stockholm International Peace Research Institute (SIPRI), Ukraine has seen a steady increase in military spending since 2014⁵⁸. Thus, it can be said that Ukraine as an aspirant is

Office of the President, "Annual National Program under the auspices of the NATO-Ukraine Commission for 2020", https://www.president.gov.ug/documents/2032020-33861

Ministry of Defense of Ukraine, "One for all and all for one", 7 April 2021, https://bit.ly/3fMiQHJ

Defense Express, "Combat experience for help: Ukrainian tankers prepare to defeat their NATO counterparts", 26 January 2021, https://bit.ly/3ceLIHZ

⁵⁷ For information: in 2014, only three NATO countries met the criterion of 2% of GDP expenditure: the United States, Greece and the United Kingdom. As of 2021, eight more countries have joined the top three: Romania, Estonia, Latvia, Poland, Lithuania, Slovakia, France and Norway. 19 countries still have time to reach the appropriate level – 2024 is set as the deadline for this indicator.

SIPRI has a slightly different method of calculating military expenditures. According to the center, Ukraine's military expenditures in 2014 amounted to 2.2% of GDP; in 2015 – 3.3%; in 2016 – 3.2%; in 2017 – 2.9%; in 2018 – 3.2%; in 2019 – 3.5%; in 2020 – 4.1%. https://bit.ly/3yEboXT



already committed to one of the key commitments made by NATO member states at the Alliances' Welsh Summit in 2014.



One of the NATO criteria for aspirant countries and future member countries is military interoperability with the Alliance. Ukraine already at this stage of NATO integration demonstrates quite good dynamics in the implementation of the Alliance's standardization agreements (see Section 4 for additional details). Given the voluntary nature of the implementation of standardization agreements for Allies, Ukraine, by implementing NATO standards at the level of individual member countries, demonstrates a responsible attitude to the Alliance's standardization policy and the ability to take steps towards rapprochement with NATO at its own initiative⁵⁹.



⁵⁹ New Europe Center, "Ukraine and NATO standards: progress under Zelenskyy's presidency", 5 April 2021, http://neweurope.org.ua/en/analytics/ukrayina-i-standarty-nato-shho-zrobleno-za-prezydentstva-zelenskogo/



Infographic 2. Ukraine's contribution to Transatlantic security







In public statements, Alliance leaders have repeatedly stressed that Russia has never, and will never, have a veto power over the NATO decision-making process⁶⁰. At the same time, diplomats from NATO member states informally admit that the Russia's threats remain the primary concern for the Alliance with respect to Ukraine and Georgia.

More outspoken however are independent analysts from NATO member countries, who are well-versed in the moods in government circles across NATO⁶¹. Many believe that NATO should not grant membership to Ukraine precisely because it would be inheriting a conflict with Russia at the same time. Experts also refer to the Alliance's Study on NATO Enlargement, which allegedly does not provide membership for those countries which have "ethnic disputes or external territorial disputes"⁶².

There is an opinion in some NATO countries that the enlargement of the Alliance to include Ukraine would inevitably lead to a new round of Russian aggression. Consequently, there are fears that inviting Ukraine into NATO presents more risks than

opportunities. We will attempt to analyze another, no less important, side of the problem — what might be the consequences for the region and Euro-Atlantic security from non-enlargement of NATO.



NATO's decision not to provide Ukraine (and Georgia) a clear roadmap to membership will indirectly illuminate Russia's right to view the post-Soviet space as its area of privileged interest. Even if a new period in international relations allows for a temporary restart of relations between Russia and key Western countries, this restart will only hold until the next crisis. Russia has acted and will continue to act in the post-Soviet space as if it is "at home", because it has yet to accept the sovereignty of the countries which attained their independence 30 years ago. NATO's continued strategic uncertainty regarding membership for Georgia and Ukraine will only serve to support Russia's confidence in its veto power over NATO's future borders.

⁶⁰ Kyiv Post, 'Stoltenberg: Russia has no right to veto Ukraine's membership in NATO', 13 April 2021, https://www.kyivpost.com/ukraine-politics/stoltenberg-russia-has-no-right-to-veto-ukraines-membership-in-nato.html

⁶¹ Carnegie Europe, 'Judy Asks: Should NATO Admit Ukraine?', 15 April 2021, https://carnegieeurope.eu/strategiceurope/84332?fbclid=IwAR3zj8eL6NaGk4063_TgP-bZYY5MI46IP2int7H1C9ZF1vm3nAel6_kFeQ

NATO, 'Study on NATO Enlargement', 3 September 1995, https://www.nato.int/cps/en/natohq/official_texts_24733.htm



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A change in the Kremlin approach is only possible if radical changes are made within Russia itself or as a result of respective change at the global level. The inclusion of Ukraine and Georgia in NATO is one of such transformations on the international arena. Ukraine would negotiate with Russia not simply as an individual actor, weekend by numerous crises and external aggression, but as a country with the backing of three dozen allies. NATO membership can balance Ukraine's negotiating position and give its voice greater weight.



The occupation of Crimea began when Ukraine held the status of a non-aligned country — at the time, this status precluded future NATO membership. Ukrainian leadership refused a military response to Crimean annexation, in particular, due to calls from its western partners "not to give in to provocations." To a certain extent, the decision not to expand NATO feels analogous to the appeals of Western countries in 2014 for Ukraine "not to

provoke Russia." The non-provocation of Russia in the past did little to protect the world from its aggressive actions.

The decision not to expand NATO feels analogous to the appeals of Western countries in 2014 for Ukraine "not to provoke Russia." The non-provocation of Russia in the past did little to protect the world from its aggressive actions.

It is clear that Moscow did not seriously believe in the West's harsh reaction to the seizure of Ukrainian territory seven years ago (Moscow counted on that the "punishment" would be limited to tough political statements), as Russia already had similar experience in case of its 2008 war in Georgia. At that time, Western countries (including the United States) made harsh statements, promising even to exclude Russia from the G8, however this eventually resulted in a reset of relations between Moscow and Washington in early 2009.

If we are to analyze the statements and actions of Russia, they may give the false impression that by its aggressive actions Moscow only acts in a reactionary fashion, following established precedent, and does not initiate the violations of the international law. Russia only recognized South Ossetia and Abkhazia after Western countries did so with Kosovo. Russia used troops against Ukraine in 2014 because — it claimed at the time — it was reacting

BBC Ukraine, "Britain called on Ukraine not to succumb to provocations", 4 March 2014, https://www.bbc.com/ukrainian/politics/2014/03/140304_hague_urges_ukraine_rl



to revolutionary events supported by the West.

However, such a narrative, which occasionally evokes sympathy even among independent observers in France, Germany, or the United States, is pushed mainly by Russia itself. Other examples of Russian abuses, which had nothing to do with NATO's interests, are worth discussing. The first operation floating the idea of separatism in Crimea was carried out by Russia in the mid-1990s (during the Yuri Meshkov presidency of the Republic of Crimea). At that time, no one in Ukraine seriously considered NATO integration. In 1991, Russian Armed Forces also took part in the occupation of part of the territory of the Republic of Moldova — a conflict which remains unresolved. In the 1990s Russia delayed negotiations with Ukraine in every possible way and refused to ratify the so-called "Great Treaty", which defined the inviolability of state borders. Russia took all these steps without any reference at all to NATO's "aggressive policies". Furthermore, the Republic of Moldova long ago declared itself a neutral country in the hopes this would alter Moscow's policy and restore the country's territorial integrity and sovereignty, but this has not happened.

As such, it cannot be ruled out that the aggressive policy of today's Russian leadership will continue regardless of whether NATO pursues enlargement or non-enlargement. However, if Ukraine and Georgia do not join the Alliance, the risk of aggression will be markedly higher, as Russia will understand that Kyiv and Tbilisi do not have any security

guarantees. The accession of Ukraine and Georgia to NATO could solve two key issues. First, Russia will have to — once and for all — accept the finality of the collapse of the Soviet Union, and NATO enlargement must put an end to any residual hopes of the Kremlin that the Union might be restored in some modified form. Second, Russia will be forced to realize that Ukraine and Georgia can receive strong support once granted membership.



The institutional inclusion of Ukraine to the Euro-Atlantic political and security space may provide the active part of society with efficient tools for advocating decisive reforms, the goal of which would be improving the welfare of citizens, and mobilizing politicians for their implementation. A prosperous, reformed Ukraine could become the strongest lever of influence, not only in ongoing negotiations with Russia, but for widerranging alterations, including in particular influencing democratic processes across the whole post-Soviet space.

A prosperous, reformed Ukraine could become the strongest lever of influence, not only in ongoing negotiations with Russia, but for wider-ranging alterations, including in particular influencing democratic processes across the whole post-Soviet space.



Freezing NATO's ambitious enlargement process could also jeopardize reform processes as a whole in Ukraine and Georgia. Populist forces, inspired by "closed doors", will play on angry sentiments and frustrations of voters who tied their hopes to NATO and EU, and counted on Western support in exchange for Ukraine's contribution to Euro-Atlantic security.

RISK OF NON-ENLARGEMENT NO. 4:
RUSSIA WILL CONTINUE
TO SUPPORT CONFLICT IN
COUNTRIES SEEKING NATO

MEMBERSHIP

In 1995, NATO published a document outlining the preconditions for the Alliance's further enlargement, the title of which was the Study on NATO Enlargement. Opponents of Ukraine's and Georgia's inclusion in the Alliance frequently reference this text, interpreting that states having territorial disputes have no right to join NATO. Article 6 of this study in reality provides that states which have ethnic disputes or external territorial disputes must settle them by peaceful means in accordance with OSCE principles. Resolution of such disputes would be a factor in determining whether to invite a state to join the Alliance.64

It is obvious that Russia does not have an interest in the resolution of conflict in Georgia and Ukraine, as this would resolve a key obstacle to their joining the Alliance. However, are Ukraine and Georgia truly ineligible to join on the basis of this study? First clarification: although the 1995 study played an important role in NATO enlargement, it is worth remembering that it was developed more to provide recommendations than a binding set of principles (there is no mention of this in the founding North Atlantic Treaty)⁶⁵.

The second observation: the study focuses on external territorial disputes. Ukraine does not have any external territorial disputes; it has the Moscowinspired conflict and territories occupied by Russia. Third observation: the principle itself does not state that a country with territorial disputes does not have the right to membership, but rather it emphasizes that the country must commit to resolving such a conflict peacefully.

From the beginning, Ukraine utilized maximum of diplomatic means at its disposal to resolve the Russian-led conflict — it took the initiative to create new mechanisms for peaceful settlement (for example, the OSCE SMM). There is no reason to claim that Ukraine provoked the conflict or avoided diplomatic efforts to resolve it.

There is no reason to claim that
Ukraine provoked the conflict with
Russia or avoided diplomatic efforts
to resolve it.

NATO, 'Study on NATO Enlargement', 3 September 1995, https://www.nato.int/cps/en/natohq/official_texts_24733.htm

The study is mentioned only in the 1997 NATO Madrid Declaration, https://www.nato.int/cps/en/natohq/official_texts_25460.htm?mode=pressrelease



Moreover, the Ukrainian authorities remain in constant dialogue with individual NATO member states, keeping them informed on the progress of negotiations over the occupied territories.

> However, the main argument lies in Article 7 of this study, "There is no fixed or rigid list of criteria for inviting new member states to join the Alliance. Enlargement will be decided on a caseby-case basis..."66. It is this clarification which is fundamental. It outlines that NATO countries will take into account all the pros and cons of enlargement in each individual case.

Admitting new members while clarifying and amending the protocol of adoption would neither be unprecedented for NATO. This was the case with the accession of Turkey to the Alliance in 1951, when the North Atlantic Treaty was clarified so as to extend Article 5 to Turkey⁶⁷. In 1963, the "former French

departments in Algeria" were withdrawn from the treaty⁶⁸.

These examples demonstrate NATO's ability to amend its founding document. In the case of Ukrainian and Georgian membership, interim decisions deemed appropriate could also be provided for, such as precluding Article 5 from applying to the occupied territories^{69 70}. In addition, NATO has members with full rights for whom Article 5 does not apply on the entirety of their territory. And those are the co-founders of the Alliance: the USA and the United Kingdom: Article 5 does not apply to Hawaii, Guam and the Falkland Islands respectively⁷¹.



RISK OF NON-ENLARGEMENT NO. 5: RUSSIA WILL CONTINUE ITS POLICY OF INTERVENING IN THE AFFAIRS OF NATO MEMBER STATES

Russia will likely continue its intervention in the affairs of NATO member states whether NATO chooses to enlarge or not. However, weak decisions by the Alliance will only encourage Russia to pursue further hybrid interventions and only

⁶⁶ NATO, 'Study on NATO Enlargement', 3 September 1995, https://www.nato.int/cps/en/natohq/official_texts_24733.htm

⁶⁷ CVCE.eu, "North Atlantic Treaty – The Greece-Turkey Protocol", 22 October 1951, https://www.cvce.eu/en/obj/north_atlantic_treaty_the_greece_turkey_protocol_london_22_october_1951-en-1417f67e-0ef3-497f-a564-3e8e8b48e45d.html

⁶⁸ NATO, "The North Atlantic Treaty", 4 April 1949 https://www.nato.int/cps/en/natohq/official_texts_17120.htm

⁶⁹ New Europe Center, 'NATO Reflection Process 2030. Joint Expert View from Ukraine and Georgia', 2020, http://neweurope.org.ug/wp-content/uploads/2020/11/NATO-Reflection-Process-2030_eng_ok_web-1.pdf

Luke Coffe, The Heritage Foundation, 'NATO Membership for Georgia: In U.S. and European Interest', 29 January 2018, https://www.heritage.org/defense/report/nato-membership-georgia-us-and-european-interest

Luke Coffey and Alexis Mrachek, Atlantic Council, "End the Russian veto on Georgian accession", 14 October 2020, https://www.atlanticcouncil.org/content-series/nato20-2020/end-the-russian-veto-on-georgian-accession/



delay the need for a tougher response from the West.

Weak decisions by the Alliance will only encourage Russia to pursue further hybrid interventions and only delay the need for a tougher response from the West.

In the last several years, NATO member countries have faced the following aggressive actions of Russia, which are mostly hybrid in nature (though Russia officially denies its involvement):

- Cyber-attacks on government authorities (Estonia, 2007; Germany, 2015)
- ➤ Attempt to influence the U.S. presidential election (2016; 2020)
- ➤ Interference in German politics through disinformation attacks, the so called "Lisa case" (2016)
- ➤ Interference into the presidential election in France (2017);
- ➤ Murders or assassinations of citizens of the United Kingdom (2006; 2018)
- ➤ Explosions at ammunition depots in the Czech Republic (2014)
- ➤ Financing of protests in Greece to block North Macedonia's NATO accession (2018)

This list is hardly exhaustive. Moreover, may still be many cases not known

to the public (as in the case with the ammunitions depot explosions in the Czech Republic, which only became widely known and attributed to Russian special services seven years later). Cooperation between Ukraine and NATO member states on the fight against Russia's hybrid influence is already underway. Certainly, in the future the scale of cooperation between Kyiv and the Alliance will only grow. Membership in NATO could increase the overall level of trust between Ukraine and the NATO allies, and would allow for the regular exchange of sensitive information, increasing the Alliance's capacity to counteract hybrid provocations by Russia. This should, however, be preceded by the adoption of a relevant legal framework in Ukraine and the adoption of best practices of NATO member countries as to the secure exchange of such information, its protection.

In general, it is important to emphasize that Ukraine views membership in NATO as first and foremost a tool for joining the democratic Euro-Atlantic landscape, which on one hand would allow for further reforms, and on the other would allow Ukraine to continue contributing to international security. As for Russian aggression, Ukraine's NATO integration would be a preventive measure. In this way, Kyiv would like to prevent any potential encroachments by Moscow. Certainly, in this scenario Ukraine could count on Article 5 protection, were Russia to resort to aggression.

However, it should be emphasized that Article 5 does not provide for an unconditional and unambiguous



response. It does mean that an armed attack against one or more countries in Europe or North America should be seen as an attack against all members. Thus, every member country, with regard to individual or collective self-defense, as provided in Article 51 of the UN Charter, may assist the party or parties, with "such action as it deems necessary".

All this suggests that NATO countries must determine their reactions, and their scale, on a case-by-case basis. During an era of hybrid warfare, reactions should be asymmetric and non-military as well. This means that military response seems to be optional according to NATO's founding documents, but even more so today considering the changing character of war. NATO's value, dating back to the times of the Cold War, lied first of all in deterrence: even the Soviet Union did not dare to test the Alliance's strength with military provocations. NATO holds the same value today.

NATO's fundamental goal is to defend the democratic Euro-Atlantic space. The failure to do so not only undermines the Alliance's reputation but will prove its futility. Within NATO there is complete consensus on the source of modern threats. Russia's unwavering approach will force NATO to interaction with Ukraine and Georgia either way, with or without enlargement. However, Ukraine and Georgia, as NATO members will

make changes in Russia's perception of the subjectivity of Kyiv and Tbilisi, which, on the contrary, could have a deterrent effect on the authorities in Moscow.



While NATO hesitates to expand and doesn't seek to provoke Russia, Moscow is steadily expanding its military and security infrastructure in Eastern Europe (by increasing its influence in Belarus) and militarizing Crimea.

While NATO doesn't seek to provoke Russia, Moscow is steadily expanding its military and security infrastructure in Eastern Europe by increasing its influence in Belarus and militarizing Crimea.

Further militarization of the peninsula and the transfer of the Caspian flotilla to the Black Sea indicate the Kremlin's intention to strengthen its dominance in the Black Sea region and especially the Eastern Mediterranean, which is considered an important "geopolitical hub of the Eurasian continent"72. Thus, Russia has created two offshore outposts capable of cutting NATO's eastern flank — the Belarusian one in Central

⁷² Mikhlin, A.A. et al, "Voennaya mysl" (Russia), №6, "New challenges and threats to Russia's national interests in the Mediterranean region", 2020, https://cyberleninka.ru/article/n/novye-vyzovy-i-ugrozy-natsionalnym-interesam-rossii-v-sredizemnomorskom-regione/viewer



Infographic 3. Risks of not inviting Ukraine to NATO





Europe and the Crimean one in the Black Sea. Moreover, Russia has an advantage in the Arctic in the northern sector of NATO's eastern flank and the deployment of Russian Armed Forces in the Eastern Mediterranean (Syria) on NATO's southern flank. Therefore, NATO's security architecture needs to be strengthened on the eastern flank, both through an increase in the Alliance's military presence in Norway and the Baltic States, as well as the involvement of Ukraine.

Ukraine could become a NATO buttress in the center of the eastern flank, forming a "stability triangle" with Poland and Romania⁷³. EU and NATO member states are aware of the importance of developing new approaches to the wider Black Sea region, but there is still a lack of both respective Strategy and practical steps. The latter could include constant patrols, assistance in the modernization

of ports in the countries of this region, development of port infrastructure in general, fight against cyber-attacks, countering aggressive Russian intervention and etc.⁷⁴.



⁷³ Interview with Ukrainian expert, May 2021

⁷⁴ Bertelsmann Stiftung, 'Antagonismen in der Nachbarschaft der Europäischen Union', 2020, https://dgap.org/en/events/geopolitical-ambitions-black-sea-and-caspian-region



ENHANCED PARTNERSHIP IS NOT AN OBSTACLE TO DEEPER INTEGRATION

One of the arguments against Ukraine continuing its NATO integration is Ukraine's relatively recent invitation to become the Enhanced Opportunities Partner. Despite the importance of this status, it should not preclude further steps towards Ukraine's rapprochement with NATO — be it through MAP or another instrument aimed at future membership in the Alliance.

First, the very name, Enhanced Opportunities Partner emphasizes that the status is designed for partners of the Alliance. Ukraine, having become the sixth Enhanced Opportunities Partner (in addition to Georgia, Sweden, Finland, Australia and Jordan), reaffirmed its importance to the Alliance as a Partner.

Meanwhile, Ukraine has been, since 2018, an official aspirant to membership in the Alliance. Although in reality Ukraine (like Georgia) was recognized as a candidate for Alliance membership much earlier, in 2008 after the declaration of the Bucharest Summit, which contained text affirming that Ukraine and Georgia would become members of NATO. The fact that Ukraine is considered not only a partner, but also as a candidate for membership, has been confirmed in many NATO statements, where Ukraine is referred to as a candidate. In particular, in February 2021, NATO Secretary General

Jens Stoltenberg stated word for word: "Ukraine is recognized as a candidate for NATO membership"⁷⁵.

As such, Ukraine today sits on — a fact that bears constant reminding in Kyiv, Brussels, as well as all member capitals — two parallel tracks with NATO: one as a partner and another as an aspirant. While, through partnership, Ukraine has new, enhanced opportunities for interaction through the EOP, its NATO candidacy has hit a serious pause. The only step forward in this process since Ukraine was invited in December 2008 to implement the Annual National Programs was NATO's recognition of Ukraine as an aspirant country.

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Secondly, being among the Enhanced Opportunities Partners is aimed at strengthening military capability. Here, Ukraine is already showing positive change. This is also evidenced by figures from implemented NATO standardization agreements: today, Ukraine has adopted

⁷⁵ NATO, "Joint press point by NATO Secretary General Jens Stoltenberg and the Prime Minister of Ukraine, Denys Shmyhal", 9 February 2021, https://www.nato.int/cps/en/natohq/opinions_181350.htm



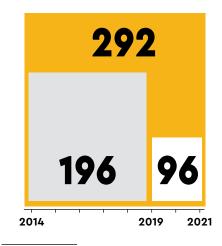
about 19% of all existing agreements in NATO, close to or even more than in some new Allies (including North Macedonia). According to a study by the New Europe Center⁷⁶, over the past year and a half, Ukraine has increased its pace implementing NATO standards — during this period it implemented about a third of all previously implemented standardization agreements (96 of 292), although technically Ukraine had the opportunity to do so back in 1996, after joining the Planning and Review Process (PARP) under the Partnership for Peace.

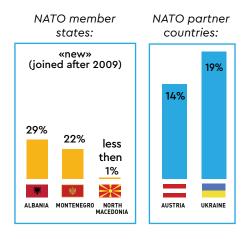
The high level of interoperability of some Ukrainian units with their counterparts in NATO member countries is highlighted by the fact that for the first time in the history of the Alliance a unit from a non-NATO country, specifically Special Operations Forces from Khmelnytsky (140th Special Operations Center) received a certification for preparedness

to take part in joint Alliance activities. In 2019, the unit was added to the set of NATO Response Force (NRF), and since 2021 Ukrainian special forces have already participated in combat duty as part of these forces⁷⁷.

At the same time, Ukraine clearly understands the fact that military compatibility alone is not enough to achieve NATO membership. Political compatibility is also needed, meaning not only the implementation of NATO standardization agreements, but also the norms, principles, practices and policies of the Alliance. The EOP alone is unable to cope with this role, as it is primarily aimed at strengthening military interoperability through increasing the number of joint military exercises and achieving enhanced information exchange. What is needed is a document similar to the Membership Action Plan, which will clearly set out the possibilities

Figure 1. NATO standardization agreements implemented as of early 2021





New Europe Center, "Ukraine and NATO standards: progress under Zelenskyy's presidency", April 2021, http://neweurope.org.ua/analytics/ukrayina-i-standarty-nato-shho-zrobleno-za-prezydentstva-zelenskogo/

[&]quot;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=IwAR25J0fqZI37Du1QEy2vmilu9Z0GH9DrxicbbQvyx1aPI0Kc2ULuXx87XN4



of achieving military interoperability, as well as political interoperability⁷⁸. In the Membership Action Plans structure only two chapters — military and security — directly apply to the tasks set by Ukraine as the Enhanced Opportunities Partner, the rest require more comprehensive reforms in other areas.

Furthermore, in its capacity as an Enhanced Opportunities Partner, Ukraine intends to focus on the Black Sea region, following the example of two other Enhanced Opportunities Partners — Sweden and Finland — using this status to enhance security in the Baltic Sea. That is to say, the EOP can have its own rather limited scope (cooperation primarily at the level of defense and security agencies) as well as a clear geographic focus (Black Sea Region).

At the same time, it is worth remembering that Ukraine's efforts to strengthen its integration track does not mean diminishing the importance of the partnership track in the form of being among the Enhanced Opportunities Partners; since Ukraine's invitation to the EOP, it has developed and proposed 5 pages of detailed propositions to the Alliance's Secretary General on EOP's implementation plans, from increased participation in joint exercises and training to strengthening Ukrainian representation across NATO structures. The need for such detailed proposals stems from the understanding that each partnership with NATO is unique, and earlier such detailed packages of proposals designed specifically for

Ukraine did not exist. The fact that these proposals were signed by the President of Ukraine highlights the amount of political attention given to this topic at the highest levels.

Ukraine's efforts to strengthen its integration track does not mean diminishing the importance of the partnership track in the form of being among the Enhanced Opportunities Partners.

In Kyiv, both government officials and political experts understand that at the completion of its first cycle as an Enhanced Opportunities Partner (in 2023), it would be important to demonstrate to NATO partners that Ukraine can use the formats and tools provided by the Alliance to gradually move closer to NATO.

⁷⁸ Membership Action Plan (MAP), 24 April 1999, https://www.nato.int/cps/en/natohq/official_texts_27444.htm





SUPPORT FOR NATO MEMBERSHIP AS A CONSCIOUS SOCIETAL CHOICE



In 2008 German
Chancellor Angela Merkel
remarked, "A country
should become a NATO
member not only when
its temporary political
leadership is in favor
but when a significant
percentage of the
population supports
membership."⁷⁹

As is known, that year at a summit in Romania, Germany and France blocked the submission of a Membership Action Plan for Ukraine and Georgia. The low level of popular support for Ukraine's accession to NATO was one of the main arguments at the time.

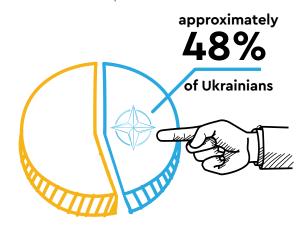
Today, the situation has changed dramatically; after Russian aggression in 2014, the number of Ukrainians supporting Ukraine's membership in NATO has increased drastically. Almost half of Ukraine's citizens (48%) would vote in the next referendum for Ukraine's to join NATO⁸⁰. 28% of Ukrainians oppose this, while the remainder are undecided or would not vote. In the event of an actual referendum, a majority of Ukrainians

who would show up to vote, would do so in favor of joining the Alliance.

Almost half of Ukraine's citizens (48%) would vote in the next referendum for Ukraine's to join NATO.

A poll conducted by Info Sapiens in Autumn 2020, commissioned by the New Europe Center, also confirmed this figure: 48.4% of Ukrainians are in favor of NATO membership. Although in Donbas and Southern Ukraine a majority of Ukrainians

Figure 2. Number of Ukrainians in favor of NATO membership



⁷⁹ AFP, 'Merkel against NATO membership for Georgia, Ukraine', 10 March 2008, https://www.terradaily.com/reports/ Merkel_against_NATO_membership_for_Georgia_Ukraine_999.html

The poll was conducted by the sociological group "Rating", commissioned by the Center for Analysis and Sociological Research of the International Republican Institute throughout Ukraine (except for the occupied territories of Crimea and Donbas) from 13 to 21 March 2021, https://www.iri.org.ua/sites/default/files/editor-files/Прес-реліз_MPI_mpaвень17.pdf



still oppose NATO, there are still positive trends to be seen. In Ukraine's southern oblasts as well as non-occupied Donbas, 26.3% of people support joining the Alliance, 22.6% are in favor of cooperation without becoming a member, and 11.2% are undecided (60% in total)81. The authors of this study note that those who support cooperation with NATO but not accession, are an area of opportunity. These citizens could be persuaded if receive additional information. The key takeaway is that even in Ukraine's eastern and southern regions, NATO is seen as a partner with which cooperation ought to be strengthened.

The same poll showed that younger respondents in these regions were more likely to support Ukraine's Euro-Atlantic integration. The highest level of support for Ukraine moving closer to NATO was among respondents aged 18–29 (63%), while the most critical of Ukraine's NATO accession were respondents aged 60+ (56.2%)⁸². The Ukrainian consensus on NATO is simply a matter of information and time; the older generations are influenced in their thinking by a fair amount of the Soviet or further Russian propaganda.

Importantly, the number of supporters of Euro-Atlantic integration nationwide has increased gradually in recent years. For example, in March 2005, 43.3% of the

population supported voting for NATO accession in a hypothetical referendum83. One year prior (in the midst of Russian aggression against Ukraine), 36.7% of citizens supported joining the Alliance. Prior to the occupation of Crimea and hostilities in Donbas, the greatest level of support for a NATO pathway was 32% in June 2002. Recall that this corresponded to Ukraine's first public declaration of its desire to join NATO (on May 23, 2002). Five days later began the Alliance's summit in Rome, during which the Russia-NATO Council was established; there was a clear change in the air in relations between Moscow and the West, and subsequently Kyiv sought not to be left behind the new global trends. Generally, over the last two decades in which sociologists polled public attitudes towards NATO, support for joining the Alliance rarely exceeded 20%, with an absolute minimum amount of support in 2005. What do these numbers mean?

First, Ukrainians have historically sought a balanced foreign policy taking into account the interests of key global actors as well as, of course, Ukraine. Russia played a significant role in this regard. One can look at attitudes over time; when cooperation between Russia and the NATO Alliance was established, Ukrainian support for NATO actually grew in Ukrainian society. It is thus unfair to assume that Ukraine's interests

[&]quot;Center for International Security", Analytical report on the results of the sociological survey "Perception of NATO in Donbas and Southern Ukraine", February-March 2021, https://intsecurity.org/Zvit_NATO_Pivden_Donbas.pdf?fbclid=IwAR3QruAuGSdvf9Eyoc1fVJgVlcVbGhfkExQh8OYPyjtr-pe5KJCQu50eNmY

⁸² Ibid

These data are the results of the sociological research conducted in different years by the Razumkov Center. The corresponding schedule can be found in Sergiy Solodkhy's analytical document "NATO and Ukrainians. Does public opinion matter?" (2015; page 37) at the link: https://bit.ly/34iYII7



in joining NATO are associated with anti-Russian sentiment (as is often posited in Russia). The 2002 poll shows, in fact the opposite; at first Russia moved closer to NATO and Ukrainian sentiment reacted to the new reality. As soon as Russia's relations became confrontation with the West (primarily the United States), the decline in support for NATO in Ukraine was immediately noticeable. This happened in particular during the presidency of Viktor Yushchenko (his presidency marked the time of lowest public support for Euro-Atlantic integration).

Secondly, Russian aggression has become the most convincing argument for many Ukrainians on the country's NATO course. Those Ukrainians who, until 2014, believed that joining NATO would provoke a harsh reaction from Russia were confronted with a new reality. They understood that neither non-aligned status nor a careful foreign policy could save Ukraine from the insidious aggression leading to the occupation of a part of its territory. Accordingly, it was Russia who destroyed the last argument of those Ukrainian having advocated neutrality or been undecided regarding Ukraine's NATO membership.

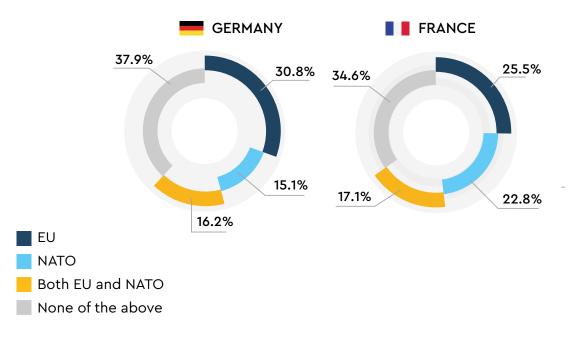
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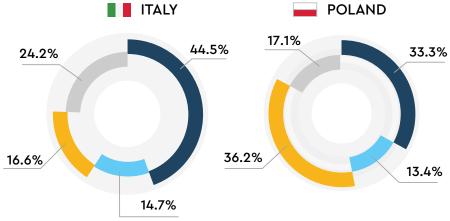
Russia misleads the world, when it insists it must respond to Ukraine's hostile foreign policy. Ukraine first declared its intention to join NATO only when Moscow itself moved closer to the Alliance than it ever had before. It was only later that Ukrainian society reacted to Russia's aggression in 2014.

Third, the stability of support for Ukraine's NATO course is a testament to the sustainable nature of Ukraine's foreign policy preferences. Among observers of Ukraine-NATO relations there have always been many skeptics, doubting the sustainability of Ukraine's security approaches. In the past, Ukraine's NATO path has taken unexpected turns. Ukraine's announcement of interest in joining NATO in 2002 was itself a surprise. Before the Alliance had an opportunity to consider the wishes of Ukrainians, Ukraine had already removed the respective goal from the Military Doctrine. The return to Euro-Atlantic policy under Viktor Yushchenko has met with ambiguous statements by other influential politicians. After 2010, Ukraine announced a policy of so-called "nonalignment". However, 2014 radically changed the strategy of Ukraine's political leadership. Today, Ukraine's commitment to NATO and EU integration is enshrined in Ukraine's Constitution, which shows the consolidated political will of an absolute majority of Ukrainian Members of Parliament. Moreover, assumptions that President Volodymyr Zelenskyy would put the brakes on Euro-Atlantic integration turned out to be



Figure 3. What is Ukraine's perception in the EU? Ukraine's membership in EU and NATO (Cases of Germany, France, Italy, Poland).





wrong. A change of president did not affect the vectors of Ukraine's foreign policy.

It remains important for Ukraine to communicate to NATO member countries its contribution to international security, including those whose views might be taken into account as governments consider approving an enlargement decision. At the same time, many residents of member states approve of the idea of Ukraine eventually becoming a member of the Alliance. Respective polling in Italy, France, Poland and Germany commissioned by the New



Europe Center in 2020⁸⁴ showed that Poland is most in favor of Ukraine's NATO membership, with 49.6% in support, followed by France at a fairly high rate, 39.9%. Germans and Italians remain more cautious in this regard, roughly a third of residents (31.3%) support Ukraine's NATO accession⁸⁵.

These figures illuminate the central point — in recent years popular support for Ukraine's NATO integration has reached a high and stable level. What is more, support for this idea, especially among young people (even in Ukraine's East and South, which have historically been the most vulnerable to Russian narratives), shows that it is only a matter of time before there is an absolute national consensus on Ukraine's Euro-Atlantic integration. Some Ukrainians who oppose NATO integration often explain their position with skepticism; that their opinions on integration are irrelevant, because the Alliance will not come to Ukraine's support anyway. It can be reasoned that statements which vocalize clear signals about Ukrainian membership would only increase the level of support for NATO accession. Support for the concerns and expectations of Ukrainian people from NATO allies will emphasize the democratic nature of the organization and a responsible approach to defense

and expansion of the security space, based on respect for international law.



[&]quot;What is Ukraine's perception in the EU?", The opinion poll was conducted in France, Germany, Italy and Poland by the sociological agency Kantar Profiles Division at the request of New Europe Center. Overall, over 4,000 respondents aged between 18 and 65+ answered six questions, including one open question. Respondents represent their countries proportionally based on gender, age and regions. All the answers were collected on an internet- based survey taking place from 22 to 29 September 2020. http://neweurope.org.ua/analytics/yak-spryjmayut-ukrayinu-v-krayinah-yes/

⁸⁵ Ibid.





TOWARD NATO VIA MAP OR WITHOUT IT?

The NATO Membership Action Plan was created as a practical, and to some extent technical, tool to help aspirant countries better prepare for membership in the form of "active advice, assistance, and practical support" from the Alliance. It was not created as a checklist of necessary criteria for membership, the fulfillment of which would quarantee NATO accession. Which leaves the decision to begin negotiations on a country's NATO accession to be handled on a case-by-case basis, in accordance with article 10 of the North Atlantic Treaty, paragraph 8 of the Madrid Summit Declaration, and the Washington Summit Declaration86.

The first serious discussion about Ukraine's accession to the Membership Action Plan took place in 2004 at NATO's Istanbul Summit, two years after Ukraine formally declared its intention to become a NATO member made by a decision of Ukraine's National Security and Defense Council. However, according to the accounts of Ukraine's then-negotiators, the Alliance was primarily concerned with making sure that Ukraine's 2004 presidential election was democratic.

Until 2008, when Ukraine as well as Georgia declared their intentions of receiving a MAP at the Bucharest Summit, this format of cooperation was only known to academics and specialists.

Prolonged public discussions of the cases of both these countries among NATO allies themselves, as well as Russia's thinly-veiled resistance, have hyperbolized and even mythologized this practical tool. The phrase "MAP for Ukraine" has almost become synonymous with "war with Russia", although in reality — and it must be reiterated — Russia began its war with Ukraine after Ukraine had declared a nonaligned status, not when it announced its intention to obtain a MAP or NATO membership. However, today only the name of the MAP is well known, less understood is what it actually entails.

The phrase "MAP for Ukraine" has almost become synonymous with "war with Russia", although in reality — and it must be reiterated — Russia began its war with Ukraine after Ukraine had declared a non-aligned status, not when it announced its intention to obtain a MAP or NATO membership.

The Bucharest Summit Declaration states that MAP is the next step for Ukraine and Georgia on their path to NATO membership. However, in the same declaration, leaders of NATO member states delegated the right to resolve the issue of Ukraine and Georgia's MAP

NATO, "Membership Action Plan", 24 April 1999, https://www.nato.int/cps/en/natohq/official_texts_27444.htm



applications to the Foreign Ministers⁸⁷, who later decided to invite both countries to implement Annual National Programs (ANPs).

Annual National Programs covering political, economic, military, resource, security and legal issues were considered as one of four key elements of Membership Action Plan ratified at the Washington Summit of 199988. The other three elements a NATO feedback tool and annual assessment by the North Atlantic Council, a coordination mechanism for security assistance from NATO and its member countries, and enhanced defense planning, including setting and reviewing planned targets — are all in one way or another present in Ukraine. Specifically, Ukraine undergoes an annual assessment within the framework of the ANP, and coordination of security assistance occurs through the Comprehensive Assistance Package⁸⁹ 90, which was adopted at the Warsaw Summit in 2016. Another issue all together is that the MAP has quickly evolved to a single document, absorbing all the above components and in essence duplicating the structure of the ANP. Thus, the ANP was essentially a prototype of the modern Membership Action Plan as we know it today.

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In the case of Ukraine, history may repeat itself; the ANP can once again become a prototype, or even a substitute, of the Membership Action Plan, but only if this instrument is sufficiently strengthened, in terms of setting clear priorities for reforms and indicators for their successful implementation as well as monitoring of NATO's implementation of the program. Despite the titanic efforts of government agencies to prepare this document, it does not yet meet the task of "communicating the changes made by the state on its path to NATO", which it should meet according to the Alliance representatives⁹¹. Therefore, as noted in the first chapter, the ANP cannot serve as an effective reform plan.

A political decision on the possibility of joining the Alliance based on the assessments of reinforced Annual National Programs (or, for example, on the basis of a new, self-sufficient format – a kind of Ukraine's Compatibility plan with NATO in the form of a reforms roadmap) would add significant motivation to the reforms' implementation. It would also remove from the agenda for the nearest years an irritant that MAP became in the

NATO, "Bucharest Summit Declaration", 3 April 2008, https://www.nato.int/cps/en/natolive/official_texts_8443.htm

⁸⁸ NATO, "The Washington Declaration", 1999, https://www.nato.int/docu/pr/1999/p99-063e.htm

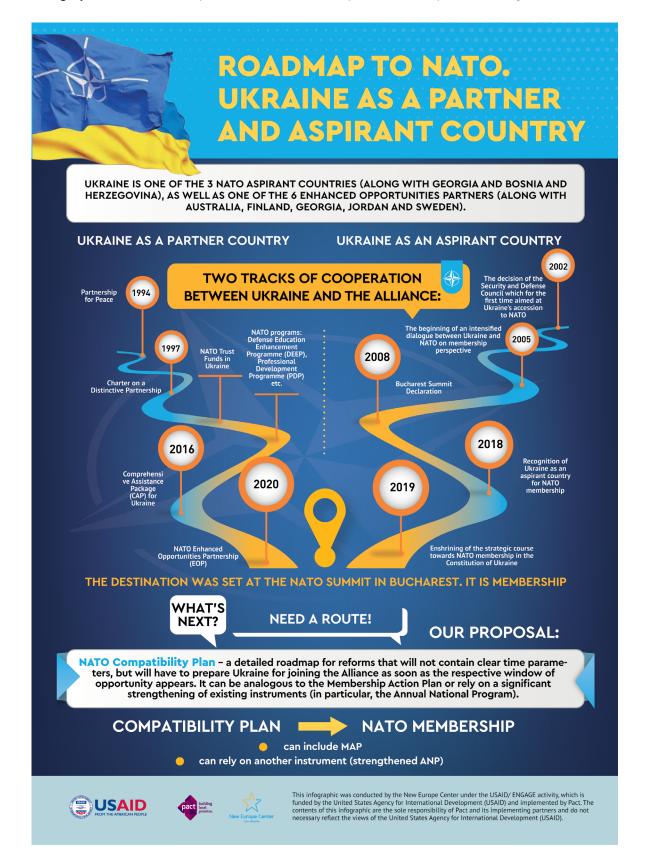
Interview with a representative of the Government of Ukraine, April 2021

⁹⁰ NATO, "Comprehensive Assistance Package for Ukraine", https://nato.mfa.gov.ua/storage/app/sites/115/Docs/1149-16-factsheet-cap-for-ukraine-en.pdf

Interview with a representative of NATO Headquarters, May 2021



Infographic 4. Roadmap to NATO. Ukraine as a partner and aspirant country





case of Ukraine and Georgia due to excessive public attention. Following the Warsaw Summit in 2016, a revealing communiqué on Georgia was adopted, stating "as an aspirant country, Georgia has all the practical tools to prepare for NATO membership" 12 It is worth noting that Ukraine currently has the same practical tools as Georgia, and so such a political declaration would still be appropriate in the case of Ukraine.

In addition, the absence of a MAP as an intermediate stage would take weight away from the argument on the risk of escalation on the part of Russia between Ukraine and Georgia's receipt of the Membership Action Plan and the membership in the Alliance itself. As the MAP does not provide any security guarantees, this instrument in itself could neither protect either country from aggression and could seriously undermine the Alliance's unity and credibility⁹³.

NATO, "Warsaw Summit Communique", 9 July 2016, https://www.nato.int/cps/en/natohq/official_texts_133169.htm

⁹³ Radio Liberty, "Putin did not attack to avoid falling into the world's meat grinder". Interview with Yevhen Marchuk, 26 April 2021, https://www.radiosvoboda.org/a/interview-yevhen-marchuk-viyna-rosia-ukraina/31221089.html



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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