

## **WAYS TO CONSOLIDATE ALLIED SUPPORT ON THE PROSPECTS OF UKRAINE'S MEMBERSHIP IN NATO IN THE RUN-UP TO THE VILNIUS SUMMIT**

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### **Introduction**

In 2008, the NATO summit in Bucharest decided that Ukraine would one day become a member of the Alliance. At the time, the outcome looked modest, as Kyiv was counting on a decisive step from NATO—granting Ukraine a Membership Action Plan (MAP). The political stance of France and Germany, who wanted to avoid confrontation with the Kremlin, stood in the way. A few months after the summit, Russia launched an armed aggression against Georgia, which led to skeptical assessments of Kyiv's Atlantic prospects in the Western political circles. Subsequently, Ukraine turned to the path of non-bloc status. For a long time, NATO preferred to ignore Kyiv's return to the Euro-Atlantic path in 2014. The restoration of the informal "aspirant status" took place only in 2018, but was rather symbolic, since it was a return to the "status quo" of the times of the Bucharest Summit.

However, Russia's full-scale aggression has radically changed the security architecture of the European continent. The new geopolitical reality necessitates a radical renewal of the paradigm of Ukraine-NATO relations. This process may begin soon—at the Vilnius Summit of the Alliance, which will take place on July 11–12, 2023.

### **MAP as a missed opportunity**

Ukraine officially applied for NATO membership on September 30 last year. However, Kyiv's initiative was met with a rather cautious response within the Alliance. On the same day, NATO Secretary General Jens Stoltenberg reminded that the decision to admit a new member must be made by consensus by all NATO states<sup>1</sup>. Washington took a cautious stance: U.S. Secretary of State Anthony Blinken called for no deviation from the existing procedure

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<sup>1</sup> Stoltenberg on Ukraine's accession to NATO: any democracy in Europe can apply (in Ukrainian), URL: [<https://www.bbc.com/ukrainian/news-63095505>]

for admission to the Alliance<sup>2</sup>, and U.S. Assistant to the President for National Security Affairs Jake Sullivan noted that Ukraine's membership in NATO was not timely<sup>3</sup>.

Despite the outright reluctance of Western European capitals and the United States to talk about specific parameters of Ukraine's membership in the Alliance in the context of the ongoing war, the Ukrainian leadership has consistently integrated the issue of Ukraine's membership into the global discourse on the postwar security architecture in Europe.

An important area of constructing relations with NATO for Ukraine at the current stage is the revision of the membership algorithm. Since the Bucharest Summit in 2008, the MAP has been considered a mandatory step in the process of Ukraine's accession to NATO. Thus, the Bucharest Summit Declaration states that "MAP is the next step for Ukraine and Georgia on their direct way to membership. Today we make clear that we support these countries' applications for MAP".<sup>4</sup>

The inertia of this position can be traced in the geopolitical opinion of Western expert circles on the eve of the NATO summit in Vilnius. For example, Franklin D. Kramer, former Assistant Secretary of Defense for International Security Affairs, expressed the opinion that "offering a membership action plan is the most effective and appropriate response to the challenge Russia presents".<sup>5</sup> Ambassador Daniel Fried notes that "a best-case outcome (of the Vilnius summit) would be to offer Ukraine a Membership Action Plan".<sup>6</sup> At the same time, an analysis of publications whose authors refer to the MAP topic shows that this concept is not a fixed constant in numerous interpretations of Western experts. The general leitmotif is that the Vilnius Summit should pave the way for Ukraine's real progress towards NATO, and the new reality shaped by the full-scale war prompts a revision of the established ideas about the role of the Alliance in deterring Russia.

The expedited consideration of Finland and Sweden's applications and the rearmament of the Ukrainian Armed Forces in accordance with NATO standards give reason to hope for a change in the membership algorithms of the Alliance. Official Kyiv actively defends the thesis that the MAP has always been a political justification rather than a procedural necessity or legally binding instrument. "The issue of the MAP has been removed from the agenda because we have updated and submitted an application", Foreign Minister Dmytro Kuleba said on

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<sup>2</sup> U.S. Secretary of State comments on Ukraine's application for NATO membership (in Ukrainian), URL: [<https://www.eurointegration.com.ua/news/2022/09/30/7147863/>].

<sup>3</sup> The White House believes that Ukraine's accession to NATO is "not on time" (in Ukrainian), URL: [<https://suspilne.media/287410-ne-na-casi-bilij-dim-vvazae-so-vstup-ukraini-v-nato-treba-rozkladati-v-insij-cas/>].

<sup>4</sup> Bucharest Summit Declaration, URL: [[https://www.nato.int/cps/uk/natohq/official\\_texts\\_8443.htm?selectedLocale=en](https://www.nato.int/cps/uk/natohq/official_texts_8443.htm?selectedLocale=en)]

<sup>5</sup> NATO should offer Ukraine a membership plan now, URL: [<https://www.atlanticcouncil.org/blogs/new-atlanticist/nato-should-offer-ukraine-a-membership-plan-now/>]

<sup>6</sup> To Secure Peace in Europe, Bring Ukraine into NATO, URL: [<https://www.justsecurity.org/85423/to-secure-peace-in-europe-bring-ukraine-into-nato/>]

April 5 at a briefing following a meeting of the NATO-Ukraine Commission<sup>7</sup>.

In March-May 2023, the Office of the President of Ukraine signed a number of bilateral declarations with NATO countries to support the European integration aspirations of Kyiv as part of President Zelenskyi's international visits. So far, 18 NATO countries have expressed support for Kyiv's European integration aspirations. The declarations signed with the leaders of France, Germany, Italy, and the Joint Statement of the Ukraine-Northern Europe Summit (Finland, Denmark, Iceland, Norway, and Sweden) refer to the 2008 Bucharest Summit decision that the MAP would be the next step for Ukraine and Georgia on their path to membership. At the same time, there is no mention of the Bucharest Summit in the bilateral declarations with Lithuania, Poland, the United Kingdom, Latvia, Iceland, Slovenia, and Estonia. It is worth noting that back in early October 2022, the presidents of Romania, Latvia, Lithuania, Poland, North Macedonia, Slovakia, Montenegro, the Czech Republic, and Estonia issued a statement in support of Ukraine's application, saying: "We strongly support the decision of the 2008 NATO Summit in Bucharest on Ukraine's future accession".<sup>8</sup> Thus, the Ukrainian authorities managed to effectively expand the space for discussions on Ukraine's alternative path to NATO, which would bypass the MAP format.

### **Security guarantees: is the "Israeli model" relevant for Ukraine?**

From the point of view of the Ukrainian authorities, the best signal to Russia at the NATO Summit in Vilnius would be to start the procedure of inviting Ukraine to join the Alliance and guaranteeing Ukraine's security prior to membership. According to Ihor Zhovkva, Deputy Head of the Office of the President of Ukraine, the absence or weakness of a response to Ukraine's application could send a clear signal to the aggressor country that NATO is still unable to make serious strategic decisions. The Office of the President of Ukraine believes that during the Vilnius summit, it is expedient to start thinking practically about making a political decision on the algorithm for when Ukraine will be able to start its NATO accession procedure<sup>9</sup>.

However, Western European countries are committed to providing long-term support for the needs of the Defense Forces of Ukraine (DFU) in terms of weapons and military equipment, as well as training. The West is not ready to link military assistance to Ukraine's membership in NATO. Instead, the idea of the so-called "Israeli model" of security for Ukraine has been integrated into the public discourse. For example, Kurt Volker, the U.S. government's Special

<sup>7</sup> Minister of Foreign Affairs of Ukraine: MAP issue in NATO is off the agenda as we have submitted an application (in Ukrainian), URL: [<https://interfax.com.ua/news/political/902030.html>].

<sup>8</sup> 9 European countries have already declared that they support Ukraine's membership in NATO (in Ukrainian), URL: [<https://www.unian.ua/politics/zayavka-ukrajini-na-vstup-v-nato-9-krajini-yevropi-pidtrimali-shlyah-do-alyansu-11997600.html>].

<sup>9</sup> Ukraine's path to NATO—from Bucharest to Vilnius: five main tasks for Kyiv at this year's NATO summit (in Ukrainian), URL: [[https://tsn.ua/exclusive/shlyah-ukrayini-do-nato-vid-buharesta-do-vilnyusa-p-yat-golovnih-zavdan-kiyeva-na-cogorichnomu-samiti-alyansu2331532.html?fbclid=IwAR2cNI1B9fF\\_15YI1x70faz4OoDMPZpsVox\\_EiMxWKlccipC6\\_cw2yf5hVRp4](https://tsn.ua/exclusive/shlyah-ukrayini-do-nato-vid-buharesta-do-vilnyusa-p-yat-golovnih-zavdan-kiyeva-na-cogorichnomu-samiti-alyansu2331532.html?fbclid=IwAR2cNI1B9fF_15YI1x70faz4OoDMPZpsVox_EiMxWKlccipC6_cw2yf5hVRp4)].

Representative for Ukraine Negotiations in 2017-19, expresses the following perspective: “One idea is a massive armament program to make Ukraine a “porcupine”—too difficult to attack and swallow. This could be combined with a bilateral security guarantee from the United States—such as with Israel—or other individual NATO and non-NATO member states.”<sup>10</sup> This approach refers to security guarantees for Ukraine that will be in place before Ukraine joins the Alliance. However, the draft agreement on security guarantees does not provide for commitments regarding Ukraine’s future membership in NATO.

It is worth noting that the example of Israel points to a security model that is being implemented outside the Alliance. For example, Israel was granted the status of a Major Non-NATO Ally back in 1987. At the same time, Israeli politicians perceive a hypothetical membership in the Alliance as a factor that would hinder Tel Aviv’s military operations in the Middle East.

Israel’s security model is based on military, technical and financial assistance from the United States. Today, about 16% of the Israeli Defense Ministry’s budget comes in the form of American military aid. The United States-Israel Security Assistance Authorization Act of 2020 set the bar for financial support at “not less than” \$3.3 billion annually until 2028<sup>11</sup>. These terms were previously approved in the current intergovernmental Memorandum of Understanding for the period 2019–2028, according to which the United States is to provide \$38 billion in military assistance to Israel<sup>12</sup>.

The partnership with the United States provides advanced technological capabilities to the Israeli army. U.S. military assistance to Israel is aimed at maintaining a “qualitative military edge” (QME) over the armies of neighboring countries<sup>13</sup>. The rationale for the QME concept is that Israel must have a technological advantage to compensate for its strategic weaknesses—a compact territory and small population compared to the alliance of potential adversaries in the region. Therefore, the U.S. arms sales policy has traditionally allowed Israel to be the first to gain regional access to U.S. defense technologies. The United States also provides regular funding for Israeli and U.S.-Israeli missile defense programs in the amount of at least \$500 million per year<sup>14</sup>.

The United States has consistently contributed to the development of Israel’s national defense industry, which has helped Tel Aviv secure its position in the top league of global arms exporters. Registration in the United States allows Israeli companies to both develop business with the U.S. military and enter into U.S.-funded agreements with the Israeli government. For example, Elbit Systems of America (Fort Worth, Texas), a subsidiary owned by Israeli Elbit

<sup>10</sup> Why Ukraine Should Be a Member of NATO, URL: [<https://www.kyivpost.com/opinion/15231>].

<sup>11</sup> U.S. Foreign Aid to Israel, URL: [<https://crsreports.congress.gov/product/pdf/RL/RL33222/44>].

<sup>12</sup> The United States and Israel sign an agreement on record military aid to the Israeli state, URL: [<https://ukrainian.voanews.com/a/israel-us-military-aid/3510418.html>].

<sup>13</sup> U.S. Foreign Aid to Israel, URL: [<https://crsreports.congress.gov/product/pdf/RL/RL33222/44>].

<sup>14</sup> Ibid.

Systems, acts as a procurement agent for the Foreign Military Financing (FMF) and Foreign Military Sales (FMS) programs<sup>15</sup>.

It should be noted that, de facto, the “Israeli model” is already being applied to Ukraine through the mechanism of the Ukraine Defense Contact Group (unofficially called the Ramstein format), which, as of now, involves more than 50 countries. It is important to note that all NATO countries are involved in the work of the Ramstein in one form or another, so this format is already acting in practice as a tool to guarantee Ukraine’s security at the Alliance level.

Each Ramstein meeting is a milestone step towards strengthening the capabilities of the Ukrainian army by providing modern weapons, technical assistance, and joint exercises. According to U.S. Secretary of Defense Lloyd Austin, as of May 2023, the “Contact Group has promised to provide Ukraine with \$65 billion in security assistance”<sup>16</sup> (including the cost of weapons already transferred to the Ukrainian side). Thus, over the year of its operation<sup>17</sup>, the Ramstein format has accumulated military resources in support of Ukraine that are more than 13 times higher than the annual budget that was provided for the Armed Forces on the eve of Russia’s full-scale invasion.

In May of this year, the Ramstein format gained support at the level of international organizations, including the G7<sup>18</sup>. Given the participation of NATO countries in the work of the Contact Group, it is advisable to enshrine the Ramstein mechanism in official NATO documents, in particular in the declaration following the Vilnius Summit. The main goal is to establish at the Alliance level that the Ramstein format is the basis of the future security model for Ukraine. In this way, Ukraine will receive NATO’s support for a long-term mechanism for implementing security guarantees that can strengthen Ukraine’s defense capabilities even after joining the Alliance. At the same time, such a step on the part of NATO will avoid direct involvement in the war, which is the basis of the Alliance’s strategy.

### **Kyiv Security Compact at the heart of NATO’s guarantees**

A security model similar to the Israeli one was developed in September 2022 by the head of the Office of the President of Ukraine, Andrii Yermak, and former NATO Secretary General Anders Fogh Rasmussen. This is the Kyiv Security Treaty or Kyiv Security Compact (KSC). According to the draft, security guarantees will be in effect until Ukraine joins NATO.

<sup>15</sup> Elbit Systems of America, URL: [<https://elbitsystems.com/major-subsiaries/>]

<sup>16</sup> U.S. and allies pledge \$65 billion in military aid to Ukraine—Pentagon chief, URL: [<https://interfax.com.ua/news/general/912461.html>]

<sup>17</sup> The first meeting of the Ramstein group took place in late April 2022.

<sup>18</sup> “We stress the importance of the Ukraine Defense Contact Group in coordinating military and defense assistance by each country provided in line with its national circumstances,” G7 Leaders’ Statement on Ukraine, URL: [[https://www.g7hiroshima.go.jp/documents/pdf/230519-01\\_g7\\_en.pdf](https://www.g7hiroshima.go.jp/documents/pdf/230519-01_g7_en.pdf)]

The security guarantees should be affirmative and clearly formulated; they will outline a number of commitments undertaken by the group of guarantors together with Ukraine. They should be binding on the basis of bilateral agreements, but united in a joint strategic partnership document called the Kyiv Security Compact.

The main aspects of international guarantees according to the draft KSC can be summarized in the following provisions:

- Financial assistance and direct investment to support the national defense budget and infrastructure rehabilitation;
- Support and development of the new defense industrial base of Ukraine;
- Transfer of technology, military equipment, ammunition and services;
- Conducting regular exercises of the Ukrainian armed forces;
- Launching a program of cooperation on cyber defense and security, and on countering cyber threats;
- Enhanced cooperation in the field of intelligence, including the ongoing exchange of intelligence and the establishment of regular cooperation between the intelligence services of Ukraine and the guarantor states<sup>19</sup>.

In the run-up to the Vilnius summit, the debate revived over the possibility of NATO providing Kyiv with security guarantees, following the example of Finland and Sweden, before Article 5 could be invoked in relation to Ukraine. President Zelenskyi first stated that Ukraine expects certainty on the security guarantee package from the NATO Summit in Vilnius on March 10, 2023<sup>20</sup>. Subsequently, during the visit of Secretary General Jens Stoltenberg to Kyiv, the Ukrainian leader confirmed this position.

According to our assessment, it is extremely unlikely that NATO will be able to agree on a consolidated position on providing Ukraine with collective security guarantees before Kyiv regains control over the sovereign territory of Ukraine and in the context of active hostilities. Moreover, it is worth noting that NATO did not provide collective security guarantees (similar to Article 5 of the North Atlantic Treaty) to Stockholm and Helsinki after the two Scandinavian countries were invited to join the Alliance at the Madrid Summit.

The guarantees for Sweden and Finland are primarily a form of demonstration of political support in the context of Moscow's reaction and blocking of accession by some Allies. Written guarantees were provided only by the UK. Mutual agreements stipulate that if any

<sup>19</sup> Kyiv Security Compact (in Ukrainian), URL: [[https://www.president.gov.ua/storage/j-files-storage/01/15/93/cf0b512b41823b01f15fa24a1325edf4\\_1663050954.pdf](https://www.president.gov.ua/storage/j-files-storage/01/15/93/cf0b512b41823b01f15fa24a1325edf4_1663050954.pdf)]

<sup>20</sup> President Zelenskyi: Ukraine will wait for security guarantees before joining NATO at the Vilnius summit (in Ukrainian), URL: [<https://www.radiosvoboda.org/a/news-ukraina-harantii-bezpeky-samit-nato-zelenskyi/32312193.html>]

country faces an attack, they would “upon request from the affected country assist each other in a variety of ways, which may include military means”.<sup>21</sup> At the same time, the White House did not publicize the content of the U.S. guarantees to Sweden and Finland, and Western European capitals limited themselves to declarations of support for Stockholm and Helsinki.

In addition, the conditional guarantees of Sweden and Finland are preventive in nature, and they cover a rather narrow time frame that will be required to coordinate Sweden’s application with the Turkish and Hungarian parties. These circumstances significantly ease the burden of political responsibility and the potential risks of direct escalation with Russia. However, even this was not enough to formulate a collective NATO response to a potential threat to countries in “transit” to the Alliance.

Therefore, the analogy of Sweden and Finland’s guarantees can be applied to Ukraine only if the latter receives an invitation to join NATO. At the same time, these guarantees are not formed into a stable system of agreements or support packages approved at the legislative level in the parliaments of NATO member states, but are more of a symbolic step in specific political circumstances.

Thus, Sweden and Finland’s guarantees are bilateral in nature. A similar principle is enshrined in the KSC. However, the advantages of the KSC are its transparency (the text is publicly available) and adaptability to Ukraine’s security needs. Moreover, joining the security guarantors of Ukraine will not require a collective decision of NATO in a situation where some countries may oppose it (in particular, Türkiye and Hungary). Therefore, in preparation for the NATO summit in Vilnius, it is appropriate for Ukraine to focus on advocacy for the KSC. NATO’s support for the project should result in an invitation to NATO member states and partners to join the KSC as guarantors.

## Conclusions

In sum, on the eve of the Vilnius Summit, there is a complex, but generally favorable environment for achieving Ukraine’s main goal on the path of Euro-Atlantic integration—an invitation to become a NATO member.

Ukraine, having proved its commitment to democratic values and the Euro-Atlantic community through its heroic struggle against barbaric Russian aggression, having long-term and fruitful relations with the Alliance, having come a long way in meeting the criteria and standards of membership, and at certain stages having received mixed assessments from NATO members, in particular at the 2008 Bucharest Summit, has every reason to hope for an

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<sup>21</sup> UK pledges to back Sweden and Finland against Russian threats, URL: [https://www.theguardian.com/politics/2022/may/11/uk-pledges-to-back-sweden-and-finland-against-russian-threats-nato]

invitation to join the North Atlantic Treaty Organization.

At the same time, given the peculiarities of NATO's functioning, especially the mechanism of collective responsibility for the defense of members (Article 5 of the North Atlantic Treaty), Ukraine understands that an immediate decision to grant membership in the Alliance before the victory over Russia (end of the active phase of the war with Russia) may not be supported by some member states.

Therefore, at the Summit in Vilnius, it is advisable to officially launch negotiations on Ukraine's accession to NATO, to enshrine in the final Summit Declaration NATO's readiness to provide security guarantees to Ukraine on the basis of the Kyiv Security Compact, which will be in force until Ukraine joins the Alliance, and to determine the procedure and algorithm for accession during negotiations between Ukraine and NATO members in the horizon of 2023.

A separate track at the Summit should address the issue of meeting Ukraine's urgent defense needs to counter Russian aggression, including through the development and strengthening of the Ramstein format (Ukraine Defense Contact Group).

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