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Partnership Plus: On the Future of the NATO-Ukraine Relationship

Markus Kaim

The aftermath of the political turmoil in February and the Russian annexation of Crimea in March leave Ukraine politically, economically and militarily weakened. A lack of cohesion within Ukrainian society and centrifugal forces in its regions only serve to complicate matters even more. The country will require foreign assistance, not least in guarding its territorial integrity and political sovereignty. Here there is an important role for NATO. It is currently unclear what thoughts should guide the Alliance as it realigns its relationship with Ukraine.

From the Western perspective, the question of what security support or ties NATO is prepared to grant Ukraine can remain open for a while longer. But procrastination comes easy as the Ukrainian government has announced that seeking NATO membership is not presently a priority.

Ukraine has not benefited from non-alignment. Its membership of a "security no-man's land" between NATO and Moscow did not have the predicted stabilising effect during the crisis. In view of these facts, the NATO governments have no alternative but to revise their ideas about order and security on the Alliance's eastern periphery.

On the State of NATO-Ukraine Relations

Relations between Kiev and the North Atlantic Alliance have been lacking sub-stance and dynamism in recent years. Both sides share responsibility for the absence of a clear development perspective. Although NATO formally continued its open door policy launched at the Bucharest summit in April 2008, under which Ukrainian membership is formally possible, it refrained from pursuing that option at the behest of individual members (above all Germany and France) and out of consideration for Russia.

On the other hand, after taking office in 2010 President Viktor Yanukovych officially renounced Ukraine's accession plans and replaced them with a policy of non-alignment. Relations with NATO were to continue below the membership threshold.

Since then both sides have downgraded their relationship to a largely technical level, on the basis of the Charter on a Distinctive Partnership signed by NATO and

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Kiev in 1997. The Charter forms the political foundation for concrete collaboration in the NATO-Ukraine Commission. In recent years cooperation involved two main areas: firstly, Ukrainian contributions to NATO crisis management operations, principally in Kosovo but also Afghanistan, which were intended to enhance interoperability between Ukrainian and NATO forces; and secondly, reform of Ukraine's security sector to bring it up to Western standards.

NATO's Immediate Response to the Crisis

The NATO foreign ministers agreed in Brussels on 1 April 2014 to continue the policy of technical cooperation below the level of membership. They reiterated their responsibility to Ukraine and announced "immediate and longer-term measures in order to strengthen Ukraine's ability to provide for its own security". Although they cited the existing partnership format, they failed to mention the open door policy instituted in 2008. The agreed measures are also rather vague: NATO intends to lend support to the reform of the Ukrainian armed forces, and NATO experts travelled to Kiev in April to assess "tactical military equipment" and "critical infrastructure". But despite expectations in Kiev, NATO has to date excluded direct military support such as arms deliveries. Through this cautious approach, NATO members hope to demonstrate immediate solidarity with Ukraine without offering Russia any pretext for further escalation, in order to avoid disrupting diplomatic efforts to contain or resolve the crisis.

A Paradigm Shift on Security

Two fundamental tenets that had guided Western security policy with respect to Ukraine and Russia have been challenged or negated by the Russian annexation of Crimea, namely:

1. The 1994 Budapest Memorandum and the anchoring of neutrality in Ukrainian law in 2010 suffice to guarantee the country's political sovereignty and territorial integrity.

2. By refraining from pursuing Ukrainian membership, NATO secures Russia's cooperation in questions of international security in general and in the Euro-Atlantic space in particular.

The question of what pillars NATO's future Ukraine policy will be built upon is still open. Four thoughts should guide the decision-making process:

1. The primacy of self-determination

Whatever is presently discussed in Western capitals, the right of the Ukrainian population to freely choose its security orientation must be placed firmly front and centre once again. As Western governments work to reach an understanding with Russia on the ethnic/territorial conflict in Eastern Ukraine, this must not be permitted to create a situation where a "concert of great powers" agrees or excludes alliance options – and thus stake out spheres of influence – over the heads of the Ukrainians. Western governments cannot accuse Russia of being stuck in outdated nineteenth-century foreign policy notions while at the same time themselves seeking to assign Ukraine a specific security status or granting Moscow a veto over the question of Kiev's alignment.

2. "Finnish model" rather than "Finlandisation"

Certain US academics have floated the idea of a *Finlandisation* of Ukraine, in the sense of neutrality anchored by treaty or (depending on the proposal) even in the constitution. This status, according to its proponents, would take account of Russian concerns and interests and to that extent have a de-escalating and stabilising effect.

Such proposals build on Finland's security status during the Cold War, which was characterised not only by formal non-alignment, but also by political equidistance to Moscow and Brussels/Washington. As the price of its territorial integrity Finland ultimately accepted strong Soviet influence,

manifested for example in the Finno-Soviet Treaty of Friendship, Cooperation, and Mutual Assistance of 1948. After Russia's annexation of Crimea in violation of the 1994 Budapest Memorandum, any basis for a Finlandisation of (the rest of) Ukraine has evaporated. Preserving the territorial status quo, as the principle upon which Finlandisation would have to rest, is not exactly the essence of current Russian policy.

Instead, the *Finnish model* is a conceivable option for Ukraine, concretely Helsinki's security policy since the 1990s. Although Finland remains outside all military alliances, it is not neutral politically. During the past two decades Finland has left no doubts as to its security orientation and Western ties. Helsinki has participated very actively in NATO's Partnership for Peace programme since 1994, and cooperates through the Nordic Defence Cooperation with the NATO members Denmark, Norway and Iceland (as well as Sweden). Finally, Finland has been a member of the EU since 1995, participates in the CFSP/CSDP, and is obliged by the solidarity clause in the Lisbon Treaty to come to the aid of any member-state that suffers a terrorist attack in its territory. Continuing non-alignment, deeper cooperation with NATO members and a clear Western political orientation could potentially form the three decisive pillars of future Ukrainian security policy.

3. Full NATO membership: preserve the status quo

While it might appear tempting to respond to Russia's actions in Crimea and Eastern Ukraine by reviving or forcing the option of full NATO membership for Ukraine, there must be doubt as to whether the NATO states possess the political will and military capacity to honour the mutual defence clause.

Two other arguments are much more significant. In the present situation, Moscow would perceive such a move by NATO as a deliberate escalation, and probably in response terminate all cooperation towards containing or resolving the Ukraine crisis,

as pursued by the OSCE and other mediators. Not least, such a step also risks further exacerbating the already discernible political polarisation of Ukrainian society. In that context it would appear advisable for NATO to leave the option of full membership for Ukraine to one side for the moment. But at the same time there is no reason to fall behind the Bucharest assurances of 2008. That would call into question NATO's credibility and signalise to Russia that the alliance was willing to cave in to Russian pressure.

4. Export stability

There is a danger of Ukraine losing more territory to Russia through secession or annexation, the state monopoly of armed force eroding even further, or the country spiralling into civil war. Such scenarios would have immediate security implications for Ukraine's four NATO neighbours: Poland, Slovakia, Hungary and Romania. Indirectly, the destabilising effect of such a development would affect all the Alliance's members. The main task in the coming months will therefore be to reassure the eastern members that the alliance's security promises remain valid, while exporting stability and security to its eastern periphery. The objective must now be to seek institutional and political arrangements to contain intra-Ukrainian strife and the Moscow/Kiev conflict as rapidly as possible. The longer-term objective must be to offer Ukraine a stable security anchoring. The alternative would be a politically fragile and disorientated country functioning as a source of permanent instability.

For a Partnership-Plus Format

NATO already maintains a formalised cooperation arrangement with Ukraine, which needs to be upheld in modified form. While this has to date concentrated on supporting the country's internal transformation, NATO's ambition must now reach out further to encompass (re)building and strengthening the country's security forces.

In view of the circumstances outlined above, the Ukrainian government will not initially be able to depend on external security promises. Instead it will have to ensure its own political sovereignty and territorial integrity. NATO can provide assistance in two respects:

Militarily NATO should continue to support reform of the defence sector and push for the political and financial choices that are necessary to create effective armed forces. The upcoming large-scale Western aid payments should be tied to progress on good governance. Joint manoeuvres, support in training Ukrainian armed forces and access to modern defensive weapons systems should complement the aid package.

Politically the Alliance should upgrade the NATO-Ukraine Commission. Article 4 of the NATO Treaty provides for consultations if a member believes its territorial integrity, political independence or security to be threatened. Even without full membership, an analogous arrangement for Ukraine would be an important sign of NATO's willingness to secure security and stability on its eastern periphery.