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No Longer a Mésalliance: How Well Prepared are NATO and Ukraine for Each Other?

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Ex-ececutive Summary

In recent years, Ukraine has been increasing its military interoperability with NATO through joint military training and drills, as well as implementation of NATO standards in its national legislation. The supply of Western arms since February 2022 and Ukraine's enhanced rapprochement with NATO in the materiel sphere have also led to a the change of mindset and philosophy on the use of weapons in Ukraine's armed forces. Today, Ukraine is the only country with substantial battle experience with Russia and its armed forces have arguably developed into the strongest in Europe, bar Russia. Ukraine has adapted and developed its military resilience rapidly and with great agility. In addition, the full-scale invasion has paused some but promoted other reforms in the defence and security sector.

This dispels one of the popular objections that Ukraine is still technically unprepared to join NATO, narrowing down some partners' reluctance regarding Ukraine's accession to the genuine geopolitical reason – fear of Russia. However, a number of factors demonstrate that sceptics are running out of road. The electorates of NATO member states support Ukraine's accession, Russia has been weakened and is not interested in unleashing a third world war, and formalization of NATO membership proved to be time-consuming, which excludes immediate application of Article 5.

Introduction

After 18 months of full-scale war, Ukraine has proved itself to have one of the most powerful armies in Europe, which no longer allows Ukraine's NATO accession to be considered a mésalliance[1]. Having gained unique and invaluable combat experience, Ukraine will greatly strengthen NATO as a new member. Nonetheless, there is still no consensus on Ukraine's NATO membership. Discussions on the topic have intensified ahead of the Vilnius 2023 NATO summit, highlighting mismatched expectations on both sides.

In response to the largest act of aggression in Europe since the Second World War, the 2022 Madrid NATO Summit approved a strong new Strategic Concept and invited Sweden and Finland to join. The Ukrainian government made it clear that it expects the Vilnius summit to be no less ambitious and bring Ukraine closer to membership. Meanwhile, Ukraine's expert community and civil society give voice to an even more progressive position – over 80 think tanks and NGOs have signed an appeal for an invitation to Ukraine to join NATO to be issued at Vilnius.[2]

The European Parliament and some national parliaments have adopted resolutions supporting a similar call, while some member states remain sceptical about such a drastic upgrade

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1   Global Firepower ranks the Ukrainian armed forces as the 15th in the world in 2023. In Europe, only the UK, France and Italy are ahead of Ukraine. Global Firepower, "2023 Military Strength Ranking". https://www.globalfirepower.com/countries-listing.php

2   European Pravda, "Appeal of Ukrainian Civil Society Organizations to NATO Leaders ahead of Vilnius Summit", 26 June 2023. https://www.eurointegration.com.ua/eng/articles/2023/06/26/7164414/

in Ukraine-NATO relations.[3] The western expert community is also torn between the idea of an immediate invitation for Ukraine and creative alternatives, such as effective security assurances/guarantees for Ukraine or an arms supply pact.

Many of those unwilling to open NATO's doors to Ukraine often reference the country's lack of readiness to join NATO in terms of reform and military interoperability. Sweden's and Finland's experiences of Euro-Atlantic integration have shown that these two issues are crucial to being welcomed into the Alliance.[4] This report assesses both issues and compares how well Ukraine and NATO are prepared for each other.

Is Ukraine Ready for NATO? Military Interoperability and NATO Standards

NATO is a politico-*military* alliance with no armed forces of its own. Interoperability between the armed forces of its member states is therefore important for them to be able to understand each other easily and operate together on the battlefield effectively. Thus, military compatibility between members is often referred to as one of the essential preconditions for Ukraine joining NATO. Even today, after Ukraine's military has demonstrated its capabilities at their best, sceptics still express concerns that the Ukrainian military system does not meet NATO standards.

In practice, Ukraine had been working to enhance its interoperability with NATO through a wide range of instruments long before the full-scale invasion (and Ukraine first announced its desire to join NATO in 2002). This has included joint military drills under the Partnership for Peace (PfP) programme since 1994, adoption of NATO standardization documents within the Planning and Review Process (PARP) and Partnership Goals (PGs) since 1995 and intelligence sharing and participation in NATO operations planning within the Enhanced Opportunities Partnership (EOP) since 2020, to name just a few. Russia's full-scale invasion in 2022 has not impeded but contributed to the upscaling of this process.

Military training and joint exercises with NATO member states used to be and remain key instruments in helping the Ukrainian armed forces adopt Alliance's best practices and ways of waging war. Prior to the full-scale invasion, Ukrainian personnel regularly participated in joint military drills on land and sea with NATO members, most notably in Rapid Trident, Trident Juncture, Sea Breeze, Defender Europe, Coherent Resilience and Cossack Mace.[5] In addition, since 2015 NATO member states are reported to have trained tens of thousands of Ukrainian soldiers to help Ukraine resist Russian aggression.[6] By February 2022, for example, US instructors had trained over 27 000 Ukrainian personnel in Joint

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3   European Parliament, "Parliament calls on NATO to invite Ukraine to join the alliance",15 June 2023. https://bit.ly/3CMzlj8; In spring-summer 2023, invitation for Ukraine to join NATO already at Vilnius summit was supported by the parliaments of Poland, Lithuania, Estonia, Latvia, Czechia, Sweden, Finland.

4   Marianna Fakhurdinova, New Europe Center. "Scandinavian recipes: How is the experience of integration of Sweden and Finland into NATO useful for Ukraine?", 14 Sep. 2022 https://bit.ly/46t94UK

5   Alyona Getmanchuk, Segiy Solodkyy and Marianna Fakhurdinova. New Europe Center. «Route to membership. Why should Ukraine have a roadmap to NATO accession?», 7 June 2021. https://bit.ly/3Dop9Pc

6   NATO, "Press conference by NATO Secretary General Jens Stoltenberg with President of Ukraine Volodymyr Zelenskyy in Kyiv", 20 Apr 2023. https://www.nato.int/cps/en/natohq/opinions_214039.htm

Multinational Training Group-Ukraine (JMTG-U),[7] British instructors 22 000 in Operation ORBITAL,[8] and Canadian instructors over 18 000 in Operation UNIFIER.[9] According to some western officers, by 2020 Ukrainian commandos already "looked, smelled and tasted like Western Special Operations Forces".[10]

Since February 2022, the scale and scope of such training have increased dramatically in terms of both quantity and quality. Today, Ukrainian personnel undergo basic military and medical training, master western weapon systems and equipment, and learn how to carry out combat operations in field, forest and city conditions, either bilaterally in NATO member states or under the EU umbrella. Although vague due to the sensitivity of the topic, some numbers are publicly available. In particular, as of February 2023 international instructors had trained 10 000 Ukrainian soldiers as part of the UK-led Operation INTERFLEX, established in July 2022 as the successor to ORBITAL.[11] In April 2023, over 16 000 were reported to have been trained by the EU Military Assistance Mission Ukraine (EUMAM), which was established in October 2022.[12] By June 2023, 11 000 Ukrainian personnel had been trained by the United States in combined-arms manoeuvre and staff training.[13] Together, these are positive results that can still be improved on given that the total number of Ukraine's Armed Forces personnel is approximately 700 000 (up from 250 000 before February 2022).[14]

Another way to enhance interoperability with the armies of the NATO member states is by *implementation of NATO standards* in Ukraine. In practice, this means passage of national legislation that sets a particular military standard, based on NATO Standardization Agreements (STANAGs). Ukraine had been doing this for quite some time before the invasion. The main instrument for ensuring the transition is the Ukraine-NATO Partnership Goals document, which identifies a priority set of standards to be implemented by Kyiv. Some examples of NATO standards include requirements for military and special equipment; allied joint doctrines for land and maritime operations, for medical planning; and NATO glossaries of terms and definitions etc.

As of 1 June 2023, Ukraine had implemented 282 NATO standards in its legislation, which is 25 per cent of existing standards.[15] Of these, 173 were adopted within PGs as priority standards (79%) while 109 were adopted at Ukraine's own initiative. It is important to note that no NATO member state has implemented 100 per cent of NATO standards, since this is both impossible and unnecessary.[16] Some standards are irrelevant to particular states (e.g.,

7   The New York Times, "Russia-Ukraine War U.S. to Expand Training for Ukrainian Forces", 15 Dec 2022. https://bit.ly/3NPeqlD

8   GOV.UK, "UK to offer major training programme for Ukrainian forces as Prime Minister hails their victorious determination", 17 June 2022. https://bit.ly/3NQNBh0

9   Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland "Operation ORBITAL", 1 May 2020. https://uk.mfa.gov.ua/en/partnership/881-ukrajina-velika-britanija/operaciya-orbital

10   Politico, "Ukraine's 'iron general' is a hero, but he's no star", 4 Aug 2022. https://bit.ly/447NK5C

11   Independent, "UK has helped train 10,000 Ukrainian volunteer soldiers", 16 Feb 2023. https://bit.ly/3CLYomt

12   European Pravda, "Over 16,000 Ukrainian Soldiers Have Already Trained as Part of the EU Mission", 21 Apr 2023. https://www.eurointegration.com.ua/eng/news/2023/04/21/7160307/

13   U.S. Department of Defence, "Nations Step Up With New Ukraine Military Assistance", 5 June 2023. https://bit.ly/430PA6O

14   BBC News, "Ukraine aims to amass 'million-strong army' to fight Russia, says defence minister", 11 July 2022. https://www.bbc.com/news/world-europe-62118953

15   Ministry of Defence of Ukraine, "Implementation of NATO standards and other guidance documents". https://bit.ly/3JBJD9v

16   Alyona Getmanchuk and Marianna Fakhurdinova. "Ukraine and NATO standards: progress under

those related to the storage of nuclear weapons or the actions of the navy in the Arctic), and sometimes national standards are recognized as superior to NATO's. In addition, NATO standards are revised on a regular basis, which influences the tempo of their implementation as new entries appear while others expire (for example, 66 NATO standards and 41 national Ukrainian standards were cancelled in 2021[17]).

Before Russia's full-scale invasion, implementation of NATO standards in Ukraine merely concerned *operational* (planning, conduct of military operations) and *administrative* (terminology, military ranks) domains.[18] The massive supply of western arms to Ukraine, however, launched Ukraine's alignment with NATO in the *materiel* sphere. In 2022, Ukraine became world's third largest arms importer, with main suppliers being NATO members: the USA (35%), Poland (17%), Germany (11%), the UK (10%) and Czechia (4.4%).[19] It is fair to say that the acquisition of multiple types of equipment from 29 states does not necessarily ensure Ukraine's enhanced interoperability with NATO.[20] (This aim will finally be achieved when Ukraine's defence industry switches to the production of weapons and military equipment according to NATO standards.) Nonetheless, mastery of Western weapons has contributed to Ukraine's changing philosophy on the use of arms.

Long before 2022, Ukrainian experts and NATO officials noted that a ***change of mindset in the armed forces*** is one of the most important "NATO standards".[21] This means a decentralized style of military management (mission command), flexible personnel able to act on their own initiative, a human-centred approach etc. The current supply of western weapons to Ukraine contributes to the application of a more human-centred approach in the Ukrainian army, since it leads to the application of NATO guidelines on the use of weapons. While Russia applies Soviet storm tactics of "meat waves", or extensive use of manpower supported by few if any arms, Ukraine has moved a long way towards implementation of western military doctrines, notably that offensive operations will only take place if troops are supported by armoury.[22] In addition, combat tactics and the philosophy on the use of equipment are also changing. In contrast to the Soviet approach, which put the number of armaments at the centre, NATO emphasizes weaponry precision. This also leads to a more sophisticated approach to the maintenance, repair and overhaul of military equipment.

Apart from that, the work of Ukrainian military leaders has received widespread positive feedback from western allies. For instance, Valerii Zaluzhnyi, Commander-in-Chief of the Armed Forces of Ukraine, is considered to epitomize a new generation of professionally minded Ukrainian officers who speak English fluently, and have a Western management style

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Zelenskyy's presidency", 5 Apr 2021. https://bit.ly/3LcAS5y

17   Data obtained from the Ministry of Defence of Ukraine.

18   Alyona Getmanchuk, Kateryna Zarembo and Marianna Fakhurdinova. New Europe Center. "Ukraine and NATO standards: how to hit a "moving target"?, 10 July 2019. https://bit.ly/NATO_standards_ENG

19   SIPRI. "Trends in International Arms Transfers, 2022", March 2023. https://bit.ly/3CQwDJp

20   BBC News Ukraine. "All Western weapons for the Armed Forces of Ukraine: what Ukraine has received from its allies since the beginning of the big war", 4 Mar 2023. https://www.bbc.com/ukrainian/news-64761359

21   Alyona Getmanchuk and Marianna Fakhurdinova. "Ukraine and NATO standards: progress under Zelenskyy's presidency", 5 Apr 2021. https://bit.ly/3LcAS5y

22   Kyiv Post. "Russia Using 'Meat Wave' Tactics in Bakhmut: Ukrainian Captain", 25 Jan 2023. https://bit.ly/442xH8Q; Radio Svoboda. "How Western weapons hit the Russian army", 17 July 2022. https://bit.ly/3pgEa16

and the ability to delegate powers.[23] Even though the transition to a Western way of thinking is not yet overwhelming in the Ukrainian military, which still largely lacks mission command,[24] NATO partners recognize the increasing ability of new Ukrainian officers to adapt, think and act independently after the nine years of war and extensive training by NATO instructors.[25] During the full-scale war, Western partners have often been impressed by the ability of Ukrainian soldiers to rapidly master Western weapon systems and acquire new skills in training.[26]

Finally, Ukraine is not only increasing its own interoperability with NATO, but also ***helping to enhance NATO capabilities and develop standardization policy***. Since 2015, NATO personnel have not only been training and advising, but also learning from Ukraine's experience of waging the war in Donbas in joint training.[27] Ukraine has also become a rare testing ground for Western weapons, which are being tested under intense use in real combat conditions.[28] The Ukrainian side shares information with NATO member states on how effectively their weapon systems are performing in a full-scale war between two industrially developed nations, as well as more generally on Ukraine's combat experience and lessons learned. Even before the full-scale invasion, Ukrainian experts had long been involved in the development of NATO standards as members of NATO's standardization working groups, and in July 2022 Ukraine became an associate member of the Multilateral Interoperability Program (MIP). This will allow Ukraine to jointly develop and amend NATO standards with member states and partners in the Command, Control, Communications and Computers (C4) branch.[29]

NATO Norms and Principles: What Is on Ukraine's Reform Agenda?

Political interoperability, which includes tackling corruption, implementing civilian control and reforms in various spheres, has long been stressed by Ukrainian experts and NATO officials to be of equal importance for approximation with NATO as military interoperability. Ukraine's implementation of reforms has been on the agenda since 2014 and quite impressive

23   Financial Times. "'We hit them with slingshots': Ukraine's 'iron general' shows his mettle", 18 Nov 2022. https://www.ft.com/content/3801b2ff-1b27-4dc5-a490-6447522d5afd

24   Erik Kramer and Paul Schneider. War on the rocks. "What the Ukrainian armed forced need to do to win", 2 June 2023. https://warontherocks.com/2023/06/what-the-ukrainian-armed-forces-need-to-do-to-win/

25   Politico. "Ukraine's 'iron general' is a hero, but he's no star", 4 Aug 2022. https://bit.ly/447NK5C

26   Nico Lange, GLOBSEC. "How to beat Russia. What armed forces in NATO should learn from Ukraine's homeland defence". 16 Feb 2023. https://bit.ly/3pApSlw; CNN. "Ukrainian troops impress US trainers as they rapidly get up to speed on Patriot missile system", 22 Mar. 2023. https://edition.cnn.com/2023/03/21/politics/ukraine-troops-training-patriot-missile-system/index.html; Yahoo News. "Ukrainian pilots outperformed stated Pentagon expectations over two weeks in a flight simulator at a U.S. air base", 18 May 2023. https://bit.ly/3Nvr73D

27   US Department of Defence. "Defense Officials Hold Media Brief on the Training of Ukrainian Military", 4 May 2022. https://bit.ly/3pjo7j5

28   CNN. "How Ukraine became a testbed for Western weapons and battlefield innovation",16 Jan 2023. https://bit.ly/4326dPp

29   Government portal, Ministry of Defence of Ukraine. "Ukraine has become an associate member of technology cooperation programme of NATO armed forces, - Oleksiy Reznikov", 12 July 2022. https://bit.ly/3CPh4l9

progress has been made in different fields. Among the successful examples in the EU basket that arealso important for integration into NATO are the setting up of anti-corruption infrastructure, some advances in Ukraine's reform of the judicial system etc. Those carried out with the support of NATO partners include reorganization of the General Staff to a typical NATO J-structure, reform of the sergeant corps, making defence planning analogous with NATO and the establishment of new military ranks in line with NATO's. Sceptics sometimes argue that other important reforms in the defence and security sector have been stalled by the full-scale war, and thus Ukraine's NATO accession should be postponed until "after the war", but this is not entirely true, since Kyiv is making gradual progress in these fields as well, despite the invasion.

One such example is ***defence procurement reform***, which Ukraine managed to formalize in 2020 when the respective law was passed entailing an array of positive changes to the defence procurement system in Ukraine.[30] Implementation of the new law was supposed to contribute to competition and reduce the risk of corruption in defence procurement by reducing secrecy, and substituting the old system of state orders with a free market model.[31] However, further implementation of reform, such as working out of the necessary bylaws by the Ministry of Strategic Industries and the creation of the paramount register of defence product suppliers,[32] was interrupted by the outbreak of war in 2022.

Russia's full-scale invasion has put the reform on hold as, for understandable security reasons, the government has totally classified defence procurement.[33] At the beginning of the invasion, such secrecy helped to ensure, for example, that warehouses of defence products, as well as military personnel were protected from Russian strikes, but it also decreased procurement transparency. Currently, suppliers and customers mainly conclude direct contracts without competition, no reporting is available, and no planning of defence procurement takes place.

Nonetheless, in the first year of major warfare, especially after the Ministry of Defence (MOD) was accused of purchasing food for military personnel at inflated prices, questions began to be raised about lifting some of the secrecy surrounding non-lethal defence procurement.[34] As a result, parliament in cooperation with some reputable Ukrainian think tanks drafted (and then passed) a new law obliging the MOD to publish information on procurement contracts on the Prozorro website (Ukraine's tender platform). As of May 2023, 10 000 reports had been made public. While the new law cannot ensure a 100% absence of corruption, it can reduce corruption risks as it makes information on procurement prices public, which is the best watchdog for officials. In the spring of 2023, the government also adopted a resolution on official publication of exhaustive information on defence procurement in wartime after victory.[35]

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30   Verkhovna Rada of Ukraine, Law of Ukraine "On Defence Procurement", https://bit.ly/3NlCOd6

31   Marianna Fakhurdinova, European Parvda. "Test of genuine intentions: why defence procurement reform is important for relations with NATO", 2 June 2020. https://www.eurointegration.com.ua/articles/2020/06/2/7110595/

32   NAKO, "Defence procurement 'register of contractors': slow, non-transparent and very important", 20 Sep. 2021. https://bit.ly/3CNjMYo

33   Resolution of the Cabinet of Ministers of Ukraine "Some Issues of Defence and Public Procurement of Goods, Works and Services under Martial Law", 28 Feb 2022. https://zakon.rada.gov.ua/laws/show/169-2022-%D0%BF/ed20220303#Text; Resolution of the Cabinet of Ministers of Ukraine "Peculiarities of Defence Procurement for the Period of Martial Law", 11 Nov2022. https://zakon.rada.gov.ua/laws/show/1275-2022-%D0%BF#n17

34   ZN.UA, "Base rats from the Ministry of Defence during the war make more money on food for the armed forces than in peaceful times", 21 Jan 2023. https://bit.ly/3Jz5ZZp

35   Resolution of the Cabinet of Ministers of Ukraine "On Amendments to the Resolution of the Cabinet

These steps demonstrate that even amid a full-scale war, Ukraine is taking measures to adhere to NATO best practices, and that the government is open to cooperation with civil society. Another example of positive developments in this field is the start of managing a transition in defence procurement. Historically, the MOD was mainly responsible for defence procurement in Ukraine. According to NATO best practices, however, this should be carried out by a specialist procurement agency. Ukraine's Defence Procurement Agency was created in July 2022, and it officially received powers to commence its activities in May 2023.[36]

Finally, NATO has expressed an interest in capacity building with the new agency, reviewing Ukraine's defence procurement system and allocating funds from the Comprehensive Assistance Package for Ukraine to further implementation of reform. This cooperation began in March 2023 at the level of the NATO-Ukraine Joint Working Group on Defence Reform (JWGDR). Further cooperation between Ukraine and the NATO Support and Procurement Agency (a NATO Prozorro of sorts) has also been discussed. (In 2019–2020, Ukraine undertook some procurement within the NSPA.) Cooperation with Norway and the UK has also been established in this area.

Democratic control over the military is another NATO norm to which Ukraine adheres. This usually has three components. The first is a civilian MOD led by a civilian minister, which was introduced in Ukrainian legislation in 2018,[37] and has not been affected by the full-scale invasion, despite some attempts by officials. Minister in office Olexiy Reznikov has no military background. The temptation to hand over the ministry to the military might seem reasonable amid a major war, but the logic behind this norm is to preserve the democratic structure and keep the military out of politics.

Potential reshuffles in the Ukrainian MOD, as well as a return to a military minister, were discussed in the early spring of 2023, after the media coverage of defence procurement prices. However, the active stance of Ukrainian civil society, arguing that the Defence Minister must be civilian so as not to push the state into military leadership, meant that the idea of amending legislation was not considered by parliament.[38] A person with a military background was appointed as one of the Deputy Ministers, but preservation of the norm of a civilian minister can be viewed as a success story so far.

The two remaining components of democratic oversight are parliament and civil society. The Verkhovna Rada has some instruments for pursuing control over the military – there is a special parliamentary committee, which forms the legislative framework and has the right to approve budgets and procurement plans in peacetime. However, some experts believe that this component of civilian control can be improved and developed. Civil society is also engaged in the process and think tanks dealing with defence and security sector reform regularly assist with drafting legislation (on defence procurement law, bylaws on Defence Procurement Agency functioning etc.) and also act as watchdogs of the government.

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of Ministers of Ukraine No. 1275 dated 11 November 2022", 9 May 2022. https://zakon.rada.gov.ua/laws/show/465-2023-%D0%BF#Text

36   Resolution of the Cabinet of Ministers of Ukraine "Certain issues of defence procurement by the state customer service", 16 May 2023. https://zakon.rada.gov.ua/laws/show/494-2023-%D0%BF#Text

37   Verkhovna Rada of Ukraine, Law of Ukraine "On National Security of Ukraine", 2018. https://bit.ly/442zqLB

38   Ukrainska Pravda, "Civilian or military minister of defence?", 16 Feb 2023. https://bit.ly/3NwPjD3

In the spring of 2023, the MOD demonstrated openness and readiness for dialogue when the Public Anti-Corruption Council and the Change Support Office were created under the ministry's umbrella to ensure transparency and cooperation with civil society, and to assist the MOD with its internal transformation.[39] The Change Support Office, which involves reputable activists and experts, is sometimes informally referred to as a "reincarnation of the Reforms Office", the advisory body that existed inside the MOD in 2015–2020 but was abolished by military Minister Andriy Taran.

Reform of the Security Service of Ukraine (SBU) was also among NATO's recommendations to Ukraine before the full-scale invasion. It aimed to deprive the SBU of functions inherited from the Soviet era, such as pre-trial investigation and economic counterintelligence, while also reducing staff numbers and stripping employees of their military ranks. Instead, the reform envisaged strengthening the SBU's counterintelligence functions, as well as boosting the fight against terrorism and the protection of state secrets.

The first step towards transforming the SBU to a purely counterintelligence body was taken in 2018, when a new Law on National Security redistributed functions in the field of security and defence. Following numerous consultations with international partners and Ukrainian experts, a further draft law was negotiated, supported by NATO, the EU and the US, and passed its first reading in January 2021. The law was almost ready for its second reading in the autumn of 2021 but Russia's full-scale invasion stalled the reform. However, unlike in the cases of defence procurement or civilian oversight, the war created issues over the feasibility of SBU reform at this point.

Today, the SBU is playing an important role in the de-occupation of Ukrainian territories, and is investigating war crimes and national security crimes such as high treason and collaboration. Compared to 2021, the number of crimes that the SBU is dealing with has increased by 400 times. Russian soldiers are reported to have committed 80 000 war crimes in Ukraine.[40] Thus, the issue of SBU reform is not currently on the agenda, since questions around functions' delegation remain unclear. The State Bureau of Investigation, which was initially supposed to acquire the SBU's investigative function, does not currently have enough capacity (investigators) to deal with thousands of crimes. In addition, the transition cannot take place amid a full-scale war, as this would lead to the loss of investigative efficiency.

After the war is over, Ukraine, under the oversight of civil society and international partners, will return to SBU reform and transfer of the atypical functions to the new body. However, a temporary pause in reform at this point should not be considered an impediment to Ukraine being invited to join NATO.

Is NATO Ready for Ukraine?

Over the years, NATO has provided numerous reasons for not inviting Ukraine to join. At the 2008 Bucharest NATO summit, the official reason for not giving Ukraine (and Georgia) a Membership Action Plan (MAP) was the low level of public support for NATO accession.

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39   Ministry of Defence of Ukraine, "Press conference by the Minister of Defence on the establishment of the Change Support Office and the Public Anti-Corruption Council", 27 Apr 2023. https://bit.ly/3pnLisk

40   Radio Svoboda, "Prosecutor General's Office has registered about 80,000 potential war crimes - Kostin", 19 Apr 2023. https://bit.ly/3NP7hlg

(Indeed, before 2014 barely 20% of Ukrainians were in favour of this step.[41]) After 2014, numerous attempts by Ukrainian officials and experts to raise the issue of Ukraine's potential NATO membership were received with scepticism and the argument that the country must proceed with reforms and enhance its interoperability with NATO. However, it should be acknowledged that references to Ukraine's lack of readiness were often (although not always) driven by geopolitical logics. Not provoking Russia would be a more honest explanation of partners' reluctance to invite Ukraine to join NATO.

This paper has provided a brief overview of Ukraine's successes in defence and security reform, as well as its increasing interoperability with partners. Despite the full-scale war and some internal obstacles, the state has made a huge progress in these domains. In addition, public sentiment towards membership has changed dramatically. In the first eight years of the war with Russia (2014–2022), support ranged between 45% and 55%, while after the 2022 invasion it skyrocketed to 82% (80% in the south and 72% in the east).[42] This chapter aims to provide counterarguments to other popular geopolitical caveats to Ukraine's NATO membership, worked out by the New Europe Center team:[43]

"Inviting Ukraine to join NATO will provoke Putin". Throughout its history, Ukraine has learned that nothing provokes Russia more than an attempt not to provoke Russia.[44] The decision not to grant a MAP to Ukraine and Georgia did not prevent Russia from attacking both states in 2008 and 2014, and weak sanctions by western partners after 2014 as well as the unfair Minsk agreements did not prevent Russia's full-scale invasion of Ukraine in 2022. By contrast, a strong NATO commitment to respond decisively to Russia's potential use of nuclear weapons in Ukraine prevented Putin from doing so in the autumn of 2022. The Russian state only understands the language of force, as Finland's NATO accession proved. Initial vocal threats were not followed-up with Russian action, just as previous NATO expansions to include the Baltic states and Poland were also de facto accepted by Russia without countermeasures. Thus, barely coping with the Ukrainian army on the battlefield and facing early signs of internal destabilization (the 24 June 2023 Prigozhin coup attempt), Russia will look for ways to avoid confrontation with 31 NATO members.

"A country at war cannot join NATO". When using this argument, people are often unknowingly referring to a 1995 Study on NATO Enlargement. Yet, if one reads it thoroughly, the document suggests that the decision to invite a particular country to join is made on a case-by-case basis, and the key criteria for states with ethnic disputes or external territorial disputes is their settlement by peaceful means.[45] The case of Ukraine should be the subject of no doubts at all, since Ukraine is using its legitimate right to defend itself against aggression and has made numerous attempts to resolve the war with Russia by peaceful means since 2014. No other official NATO document lists criteria for (or limitations on) new countries joining.

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41   Alyona Getmanchuk, Segiy Solodkyy and Marianna Fakhurdinova. New Europe Center. «Route to membership. Why should Ukraine have a roadmap to NATO accession?», 7 June 2021. https://bit.ly/3Dop9Pc

42   Rating Group, "Twentieth national poll. Foreign policy moods", 23 Jan 2023. https://bit.ly/3JznA3m

43   New Europe Center. "Why should Ukraine be invited to join NATO?", 30 May 2023. https://bit.ly/44m4TrS

44   Alyona Getmanchuk, Atlantic Council. "Why fear of provoking Putin is the most provocative policy of all", 17 June 2022. https://www.atlanticcouncil.org/blogs/ukrainealert/why-fear-of-provoking-putin-is-the-most-provocative-policy-of-all/

45   "Study on NATO Enlargement", 3 September 1995. https://bit.ly/46nkJnU

"Societies in NATO member states do not support Ukraine's NATO membership". European leaders sometimes tend to underestimate the progressive sentiments of their populations and might mistakenly refer to an unwillingness by their electorate to take some bold decisions. This was the case with Ukraine's EU candidacy, which in contrast to popular belief was widely supported by European societies back in June 2022.[46] Recently, 70% respondents in the US, 56% in France, 55% in the Netherlands, 53% in Italy and 50% in Germany who expressed an opinion supported the idea that Ukraine should be invited join NATO as soon as possible.[47]

"Ukraine should concentrate on integration with the EU, which also has a security component". While some refer to Article 42.7 of the Treaty on European Union as comprising a firm commitment to assist member states under attack, there is still concern that Article 5 of the NATO Washington Treaty is more solid and more binding. Sweden and Finland's decision to join NATO demonstrates that EU membership is not enough to guarantee security. The EU is not equipped with the command structures required to coordinate the forces of its member states, which are also less capable and smaller in size than US forces. In addition, the EU's sophisticated accession procedure, as well as the experience of other candidate states, prove that Ukraine's path to EU accession is likely to be rather long.

"An invitation to Ukraine would lead to destabilization, a direct military confrontation with Russia and unleash of a third world war". The option of leaving Ukraine out of NATO would rather contribute to continued ambiguity, grey areas and destabilization in Europe. Moreover, the invitation itself does not immediately lead to the application of Article 5 to the invitee country. The cases of Finland and Sweden have shown that NATO accession does not happen overnight, and the processes can take some time. Thus, an invitation for Ukraine to join NATO would not automatically make NATO party to the war, but would send a strong political signal to Russia. Moreover, Article 5 does not apply to some of the territories of current member states, such as Hawaii and Guam (US), the Falkland Islands (UK) and Réunion Island (France), among others.[48] Should some Ukrainian territories remain temporarily occupied by the time all NATO members have ratified their accession protocols, a similarly creative solution could be found regarding application of Article 5 to Ukraine.

In this context, it is also worth noting that for Ukraine, NATO membership is largely, but not exclusively, a matter of security guarantees. *A mere invitation to join even without application of Article 5 at this stage* is seen as a tool for achieving a wider number of goals.

First, it would accelerate the end of the war. Due to the MAP's irrelevance, only an invitation to join could be considered a genuinely strong NATO response to Russia's genocidal war, numerous war crimes, ecocide and nuclear blackmail in Ukraine. It would send a clear signal to Russia that Ukraine no longer belongs in its sphere of influence and underline that the collective West does not perceive Ukraine's NATO membership to be a bargaining chip in possible future negotiations.

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46   Leonid Litra, New Europe Center. "Public opinion in Germany, France and the Netherlands. How do these countries see EU aspirations of Ukraine and Russian war", 16 June 2022. https://bit.ly/3MW0Rxc

47   Leonid Litra, New Europe Center. "Public opinion in Germany, France, Italy, Netherlands, and the USA. How do these countries support Ukraine and its NATO aspirations?", 18 May 2023. https://bit.ly/3CNEOpE

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

Second, it would have a hugely transformative effect on the societal mood in both Ukraine and Russia. Inviting Ukraine to join NATO during the paramount Ukrainian counteroffensive would significantly strengthen morale in the Ukrainian military and wider society. At the same time, an invitation for Ukraine to join NATO might reduce the motivation of Russian military personnel and lead to an increase in surrenders or desertions, which have gradually been on the rise.[49] Moreover, Ukraine's invitation to join NATO would bury Russian society's imperialistic ambitions, which would be a first step towards democratic transformation in Russia.

Third, it would contribute to future reconstruction and recovery in Ukraine. An invitation to Ukraine to join NATO would send a powerful signal that Ukraine is a secure place for foreign investors willing to participate in post-war reconstruction, and for Ukrainian displaced persons. According to various polls, the vast majority of Ukrainian refugees (77–85%) would be willing to return home, with the key precondition being an appropriate security situation.[50] European states currently host around 5.9 million Ukrainians. The easiest way to contribute to their return would be to ensure that Ukraine is a safe place go back to.[51]

Conclusions

Ahead of the Vilnius NATO summit, and after nine years of Russia's war against Ukraine, the following observations should be considered. As the poorest European country, weakened after the Revolution of Dignity and by the nine-year war on its territory, Ukraine has since 2014 still managed to build up its defence capabilities, increase its interoperability with NATO and resist Russia's full-scale invasion. Now the Ukrainian state is not only functioning amid a full-scale war, but also implementing important reforms that bring it closer to the EU and NATO.

Today, Ukraine is de facto performing NATO's primary purpose and function: it is defending European states from Russia. Thus, an invitation for Ukraine to join NATO should be perceived not as a threat, but as an investment in European security and a stable future – Ukraine has an important role to play in future deterrence of Russia.

Not inviting Ukraine to join NATO would contribute to continued uncertainty, grey areas and destabilization. It would also mean that Russia still had a de facto veto power over NATO membership, which would motivate it to invade Ukraine in future. Finland's NATO accession, followed by the lack of response from Russia, has demonstrated that NATO enlargement is a threat not to Russia's security, but to its imperialism.

Taking everything mentioned above into consideration, it is time for NATO member states to finally take decisive action and begin a credible process of inviting Ukraine into membership as soon as possible.

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49   Radio Svoboda, "Russian servicemen surrender more often ahead of Ukrainian counter-offensive - representative of the headquarters for prisoners of war", 20 Apr 2023. https://bit.ly/3r3cw8j

50   UNHCR, "One year after the Russian invasion, insecurity clouds return intentions of displaced Ukrainians", 23 Feb 2023. https://bit.ly/3JxTIUZ; and Rating Group, "Eighteenth national poll: psychological markers of the war", 17 Oct 2022. https://bit.ly/444icgM

51   UNHCR, "Ukraine Refugee Situation - Operational Data Portal", 19 June 2023. https://bit.ly/3pjnDJN

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