

The Groningen Model United Nations 2017



The North Atlantic Council

(North Atlantic Organization, "NATO-Ukraine Commission,"

http://www.nato.int/cps/en/natohq/topics_50319.htm (retrieved: 8-1-2017).)

Strengthening NATO Relations with Ukraine

Welcome Letter

Dear Delegates,

We are delighted and honoured to welcome you to this year's North Atlantic Council (NAC) of GrunnMUN 2017. The North Atlantic Treaty Organization (NATO) is the largest military alliance in world history and is just as vital in the current day as it was at its inception in 1949. Within this context, our committee session will debate the topic of "Strengthening NATO Relations with Ukraine". This topic presents delegates with an issue that fundamentally affects NATO as an organization and relates to many of its founding principles. By working together to write a comprehensive resolution, delegates will have the opportunity to further improve their skills in negotiation, debate, conflict resolution, and the application of research.

Furthermore, we hope that delegates will find this background paper helpful and informative in aiding and guiding their research. Nevertheless, we would like to emphasize that this background paper should merely serve as basis for further research. Delegates are strongly encouraged to formulate desired policies and outcomes, as well as to identify possible alliances, already prior to the conference.

If there are any questions or comments, please do not hesitate to contact us. We look forward to meeting you all at GrunnMUN 2017!

Kind regards,

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Introduction

The endeavour to strengthen NATO-Ukraine relations gives rise to many challenges, as many legal, economic and political challenges abound. To name but a few, Ukraine's dependency on Russia, as well as the question of whether the Alliance is willing to let Ukraine become a member of NATO, complicate the matter. In order to adequately address this urgent issue, delegates will therefore have to work towards a comprehensive and politically viable solution with unanimous support in the council.

The History of NATO-Ukraine Relations

The continuing alliance between Ukraine and NATO dates back to 1992; four months after Ukraine's declaration of independence. Since the onset of the Russia-Ukraine crisis, NATO-Ukraine relations have further solidified.¹ The 2014 Euromaidan revolution triggered a change in government which ousted former, Russian oriented President Victor Yanukoych and installed the more westward oriented President Petro Poroshenko.² Subsequently, conflict broke out in the Crimean Peninsula which ultimately resulted in the Russian annexation of Crimea.³ In response, NATO declared that it would continue its support for Ukraine against what it perceived as Russian aggression against the territorial integrity of Ukraine.⁴ This support was reiterated during the Wales summit in 2014, at which NATO condemned "Russia's aggressive actions against Ukraine" and stated that these activities challenged NATO's vision of a free and peaceful

¹ North Atlantic Treaty Organization, "Joint press point with NATO Deputy Secretary General Rose Gottemoeller and the Prime Minister of Ukraine, Volodymyr Groysman", accessed January 30, 2017; North Atlantic Treaty Organization, "NATO Relations: Ukraine", accessed January 30, 2017, http://www.nato.int/cps/en/natohq/opinions_140847.html; http://www.nato.int/cps/en/natolive/topics_37750.htm

² BBC, "Profile: Ukraine's President Petro Poroshenko", accessed January 30, 2017; Max Fisher, "Ukraine's parliament just threw President Yanukovych under the bus. That's great news.", accessed January 30, 2017, <http://www.bbc.com/news/world-europe-26822741> https://www.washingtonpost.com/news/worldviews/wp/2014/02/20/ukraines-parliament-just-threw-president-yanukovych-under-the-bus-thats-great-news/?utm_term=.bdb6d4a37860

³ BBC, "Ukraine crisis: Putin signs Russia-Crimea treaty", accessed January 30, 2017, <http://www.bbc.com/news/world-europe-26630062>

⁴ North Atlantic Treaty Organization, "Relations with Russia," accessed January 30, 2017, http://www.nato.int/cps/en/natolive/topics_50090.htm

Europe.⁵ Furthermore, Member States supported sanctions by the European Union and the G7 against Russia.⁶ Lastly, NATO committed itself to continuing its support for Ukraine's implementation of wide-ranging reforms through the *Annual National Programme* (ANP). The programme has been renewed in 2016 and aims at strengthening defence and security reform of Ukraine, as well as cooperation in international security.⁷ The ANP can be seen as a roadmap for the development of Ukrainian civil and military structures in order to ensure that they match the standards of NATO and can equally be viewed as first step towards a membership in NATO.⁸

Current Key Sectors of Cooperation

Defence and Security Sector Reform

Ukraine has sought support from NATO in its efforts to transform its military into a more professional and more mobile army. A comprehensive review launched in 2014 aimed at bringing the Ukrainian military up to NATO standards. This reform is supported by NATO through the *Joint Working Group on Defence Reform* (JWGDR), and the *Planning and Review Process* (PARP) platform.⁹

Both JWGD and PARP are responsible for setting the objectives in regards to the coordination and implementation of practical measures of cooperation between Ukraine and NATO in the field of armaments.¹⁰ Within the mechanisms of JWGD and PARP, the creation of the new *Comprehensive Assistance Package for Ukraine* sets out key initiatives of cooperation. The prime objective of these is to reform Ukraine's Armed Forces and to achieve their interoperability with NATO

⁵ North Atlantic Treaty Organization, "Wales Summit Declaration," accessed January 8, 2017, http://www.nato.int/cps/en/natohq/official_texts_112964.htm

⁶ *Ibid*

⁷ Press Center Ukraine, "President of Ukraine approved Annual National Program of NATO-Ukraine cooperation for 2016," accessed January 8, 2017, <http://nato.mfa.gov.ua/en/press-center/news/44717-prezident-zatverdiv-richnu-nacionalynu-programu-spivrobotnictva-ukrajina--nato-na-2016-rik>

⁸ Interfax Ukraine, "Ukraine-NATO Annual National Program to prepare country for membership in Alliance," accessed January 30, 2017, <http://en.interfax.com.ua/news/general/322814.html>

⁹ North Atlantic Treaty Organization, "Relations with Ukraine," accessed January 8, 2017, http://www.nato.int/cps/en/natolive/topics_37750.html

¹⁰ *Ibid*

forces by 2020.¹¹ Moreover, these mechanisms have reaffirmed the current cooperation schemes which include but are not limited to:

- Capacity Building and Civil Control
- The Defence Education Enhancement Program (DEEP), which is designed to improve and restructure military education and professional training of the Ukrainian fighting force. This is implemented through five education facilities in Ukraine, where soldiers and Non-Commissioned Officers, in particular, receive training.¹²

Financial support initiatives

Aside from the aforementioned mechanisms regarding security and defence, NATO also provides financial initiatives to support Ukraine. The key



Figure 1: "Infographic of one of the mentioned Trust Funds, C4 Trust Fund"¹³

¹¹ North Atlantic Treaty Organization, "Comprehensive Assistance Package for Ukraine", accessed January 8, 2017, http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2016_09/20160920_160920-compreh-ass-package-ukraine-en.pdf

¹² North Atlantic Treaty Organization, "Relations with Ukraine", accessed January 8, 2017, http://www.nato.int/cps/en/natolive/topics_37750.html

¹³ Mission of Ukraine to NATO, "Ongoing NATO Trust Fund Projects in Ukraine (Infographics)", accessed January 31, 2017, <http://nato.mfa.gov.ua/en/press->

mechanism of financial support can be found in the *Trust Funds Promoting Security - Defence Sector Reform and Capability Development*. In this context, the following five core trust funds have been established to support Ukraine's security and defence sectors:¹⁴

- (1) Command, Control, Communication and Computers (C4) Trust Fund
- (2) Logistic and Standardization Trust Fund
- (3) Cyber Defence Trust Fund
- (4) Military Career Management Trust Fund
- (5) Medical Rehabilitation Trust Fund

Membership Action Plan and a Bid for Membership?

On December 29th, 2014, Ukrainian President Petro Poroshenko signed a law cancelling Ukraine's non-bloc status. Effectively this signalled Ukraine's intention to pursue membership of NATO.¹⁵ In early 2017, President Poroshenko further stated that he was planning to conduct a national referendum on this matter. However, no concrete steps in this regard have been taken so far.¹⁶ Regardless of the developments in Ukraine, its eventual success will also depend on whether Ukraine can live up to NATO's requirements for membership.

Requirements for Membership

The legal basis for new memberships is set out in Article 10 of the Washington Treaty, which allows for an 'open door' policy to non-members who have the intention of joining NATO. However, Member States must agree unanimously in order for a new member to join the coalition.¹⁷ Although Article

[center/photos/1957-ongoing-nato-trust-fund-projects-in-ukraine-infographics](#)

¹⁴ North Atlantic Treaty Organization "NATO's support to Ukraine", accessed January 8, 2017, http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2016_07/20160627_1607-factsheet-nato-ukraine-support-eng.pdf

¹⁵ EuroNews, "New year new hope as Ukraine paves way for NATO membership", accessed February 8, 2017, <http://www.euronews.com/2014/12/30/new-year-new-hope-as-ukraine-paves-way-for-nato-membership>

¹⁶ Al Jazeera, "Nato Calls Russia Stop Violence In Ukraine", accessed February 8, 2017; Esther King, "Ukraine Mulls Referendum on Nato Membership", accessed February 8, 2017, <http://www.aljazeera.com/news/2017/02/nato-calls-russia-stop-violence-ukraine-170202054257166.html> <http://www.politico.eu/article/ukraine-mulls-referendum-on-nato-membership>

¹⁷ The North Atlantic Treaty, accessed February 16, 2017, http://www.nato.int/cps/en/natohq/official_texts_17120.htm

10 of the Treaty does not stipulate any specific requirements on the eligibility of a potential member state, a soft law or guiding principle of *The 1995 Study on NATO Enlargement* highlights several indicators and pre-requisites that current Member States should consider.¹⁸ Hence, the following guiding principles should be taken into account:

1. New members' commitment to the basic principle of democracy, individual liberty and the rule of law;¹⁹
2. Prospective members' ability to contribute militarily to collective defence and missions of the Alliance;²⁰
3. A commitment to democratic civil-military relations and institutional structures.²¹

Consequently, both Article 10 of the Washington Treaty and *The 1995 Study on NATO Enlargement* provide a somewhat legal structure in regards to the requirements for admitting new Member States to the Alliance. However, the guidelines serve as mere benchmarks or soft law. Ultimately, the decision lies with the Member States and requires a unanimous agreement.

Membership Action Plan Scheme

The *Membership Action Plan* (MAP) is a NATO program which advances, assists, and provides practical support for states wishing to be part of the Alliance. Nevertheless, a state's participation in the MAP program does not mean that it will become a member.²² Therefore, the MAP primarily aims at adapting national standards to NATO standards. To this end, it includes the following mechanisms:

- (1) Submission of a tailored Annual National Plan on future membership covering fields such as defence and security reforms;

¹⁸ North Atlantic Treaty Organization, "Study on NATO Enlargement", accessed February 8, 2017,

http://www.nato.int/cps/en/natohq/official_texts_24733.html

¹⁹ Article 70 of the 1995 Study on NATO Enlargement, accessed January 8, 2017,

http://www.nato.int/cps/en/natohq/official_texts_24733.html

²⁰ Article 75 of the 1995 Study on NATO Enlargement, accessed January 8, 2017,

http://www.nato.int/cps/en/natohq/official_texts_24733.html

²¹ Article 3 of the 1995 Study on NATO Enlargement, accessed January 8, 2017,

http://www.nato.int/cps/en/natohq/official_texts_24733.html

²² North Atlantic Treaty Organization, "Membership Action Plan (MAP)", accessed January 8, 2017,

http://www.nato.int/cps/en/natolive/topics_37356.htm

- (2) Feedback mechanisms provided by the North Atlantic Council, including annual meetings and progress reports of aspirant states;
- (3) Assessment of the level of security assistance needed and review of the aspirant state's defence planning and targets.²³

However, Ukraine is not currently part of the MAP, as only Bosnia and Herzegovina, Montenegro and Macedonia are participating in the programme.²⁴

Political Challenges to Ukraine's Accession to NATO

In addition to the aforementioned quasi-legal requirements for NATO membership, also political challenges persist. Firstly, even though the EU and NATO are supporting Ukraine through various measures, Ukraine remains dependent on Russia for large portions of its exports.²⁵ As a result, Ukraine's economy has suffered substantially from the sanctions imposed on Russia and the subsequent decline in trade.²⁶ If Ukraine wishes to become a NATO member in the near future it appears to be essential that it increases its financial, political, and military ties with other partners to prevent further economic decline. Questions surrounding this dependency need to be resolved if Ukraine and NATO are to deepen their relations.

Secondly, current NATO Member States must be willing to approve of Ukraine as a NATO member and have to accept the potential risks that may accompany this acceptance. After all, a considerable fear still exists amongst

²³ Jeffrey Simon, "NATO'S Membership Action Plan (MAP) and Prospects For The Next Round of Enlargement", Issue 58, 2000, pp. 8 accessed January 8, 2017,

²⁴ North Atlantic Treaty Organization, "Membership Action Plan (MAP)", accessed January 8, 2017,

http://www.nato.int/cps/en/natolive/topics_37356.htm

²⁵ Nicolai Petro, " Why Ukraine needs Russia more than ever", accessed January 8, 2017 ; Leonid Ragozin, "Ukraine Is Fighting Its Own Cold War" accessed January 8, 2017; Leonid Bershidsky, "How Ukraine Weaned Itself Off Russian Gas", accessed January 8, 2017, <https://www.theguardian.com/world/2016/mar/09/ukraine-needs-russia-nicolai-petro> <https://www.bloomberg.com/news/features/2017-02-06/ukraine-is-fighting-its-own-cold-war> <https://www.bloomberg.com/view/articles/2016-01-12/how-ukraine-weaned-itself-off-russian-gas> .

²⁶ Valentina Rop , "Russian Penalized Ukraine Because of Its Imminent Trade Deal With EU", accessed January 8, 2017, <https://www.wsj.com/articles/russia-penalizes-ukraine-because-of-its-imminent-trade-deal-with-eu-1450725567> ; Nicolai Petro, " Why Ukraine needs Russia more than ever", accessed January 8, 2017, <https://www.theguardian.com/world/2016/mar/09/ukraine-needs-russia-nicolai-petro>

Member States that Ukrainian membership of NATO could be seen as provoking Russia. While Anders Fogh Rasmussen, former president of NATO, stated that Ukraine as member of NATO is still a possibility, other voices are more critical.²⁷ For instance, Jean-Claude Juncker, the president of the European Commission, stated that it would take Ukraine at least 20 years before it could join the European Union or NATO.²⁸ This shows that, even though a large part of the European Union supports Ukraine, political burdens to a potential membership of Ukraine remain considerable.²⁹

Conclusion

Since the onset of the Russia-Ukraine crisis, relations between Ukraine and NATO have intensified. As discussed above, cooperation in key sectors has been strengthened and renewed through several mechanisms, such as the *Comprehensive Assistance Package for Ukraine*. Beyond that, Ukraine has declared its interest to become a member of NATO. However, the ultimate decision on a potential accession has to be taken by NATO. Member States will have to determine benchmarks for a potential accession process through the mechanisms presented under Article 10 of the Washington Treaty and the *The 1995 Study on NATO Enlargement*, while taking into account the persisting political challenges.

Questions a Resolution Must Answer (QARMAS)

1. Which areas, if any, of the current key sectors of cooperation should be strengthened?
2. How, if at all, can relations be intensified in order to benefit both Ukraine and NATO?

²⁷ Euronews, "Door to NATO remains open for Ukraine," accessed January 8, 2017, <http://www.euronews.com/2014/02/26/door-to-nato-remains-open-for-ukraine>

²⁸ Yves Herman, "Ukraine Stay out of the EU and NATO in 20 years", accessed January 8, 2017, <http://europe.newsweek.com/ukraine-stay-out-eu-and-nato-20-years-jean-claude-juncker-433388?rm=eu>

²⁹ Radio Free Europe, "Juncker says Ukraine not likely to join EU, NATO for 20-25 years," accessed January 9, 2017, <http://www.rferl.org/a/juncker-says-ukraine-not-likely-join-eu-nato-for-20-25-years/27588682.html>

3. In what ways can NATO aid Ukraine in overcoming the persisting political and legal challenges to a potential NATO membership?
4. What is the NAC's view on a potential NATO membership of Ukraine? If applicable, should Ukraine participate in the Membership Action Plan Scheme or are there alternative means towards membership?

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