THE TALBOTT PAPERS ON IMPLICATIONS OF RUSSIA'S INVASION OF UKRAINE

For a secure and stable Europe, put Ukraine on a definitive path to NATO

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Executive summary

After gaining independence following the Soviet Union's 1991 collapse, Ukraine set about building relations with the West, including with institutions such as NATO. In 1994, Ukraine became one of the first states to join the alliance's Partnership for Peace. Three years later, Ukraine and NATO established a distinctive partnership.

From 2002 to 2008, Kyiv made bids to join NATO or secure a membership action plan, but each time fell short. In 2010, a new Ukrainian president had no interest in drawing his country closer to the alliance. However, government and public interest in NATO began growing in 2014 following the Maidan Revolution, Russia's illegal seizure of Crimea, and Russia's instigation of and direct involvement in the fighting in Donbas in eastern Ukraine. The February 2022 large-scale Russian assault locked in President Volodymyr Zelenskyy's desire to bring Ukraine into NATO.

At their July 2023 summit, NATO leaders expressed support for Ukraine's ultimate membership, though they did not outline a concrete plan for achieving that, stating they would "extend an invitation to Ukraine to join the Alliance when Allies agree and conditions are met." That language papered over serious differences, with many allies favoring an invitation to join, to which the United States and Germany were reluctant to agree. On the margins of the summit, G7 leaders committed to support Ukraine with arms and other assistance. That provides a sensible waystation, but a Ukraine that stands alone — even if armed by its Western partners — will prove a temptation for Russian aggression. That would mean less security and stability for Europe.

The United States has long defined a stable and secure Europe as a vital national interest, an objective naturally shared by NATO's European members. It is increasingly apparent that this will not be possible absent a stable and secure Ukraine. The United States and the West have

various options before them. They include the "Israeli model" (arming Ukraine to defend itself), individual security commitments (though apparently short of security guarantees that would entail sending their armed forces to Ukraine's defense), security commitments by the European Union or another institution, and NATO membership. The first two options would leave Ukraine on its own. The third is difficult to see in the near term. An invitation to Ukraine to join now or at the NATO summit scheduled to take place in Washington in July 2024 seems a bridge too far.

Membership entails the protection of Article 5 of NATO's founding treaty ("an armed attack against one or more" allies "shall be considered an attack against them all"). Were Ukraine at peace and in NATO, Russia's consideration of renewing hostilities would face the Kremlin with a tough decision: going to war again against Ukraine would mean war with NATO. Were Ukraine to enter the alliance while still in conflict with Russia, the onus for the decision on going to war would lie with NATO members. They thus far have not been prepared to commit their forces to Ukraine's defense, which is why some oppose offering an invitation to Kyiv to join. While there have been suggestions to modify Article 5's application to accommodate Ukraine's situation, those ideas threaten to dilute Article 5 and weaken the significance of NATO membership.

Accounting for these complexities and the desire to avoid a divisive argument over Ukraine in the run-up to the 2024 Washington summit, the United States and its allies should prepare the ground now so that next July they can announce accession talks with Ukraine. The goal of those talks, conducted in the NATO-Ukraine Council, would be to work toward a formal invitation for Ukraine to join at the earliest possible date. This would put Ukraine on a definitive path to membership, signaling NATO's commitment to Ukraine to both Kyiv and Moscow. It would also enhance Kyiv's bargaining position in any future negotiations with Moscow.

Building a distinctive partnership

After the Soviet Union's dissolution in 1991, Kyiv sought ties with the United States and Europe, in part to balance Ukraine's relationship with its large Russian neighbor. The relationship between Kyiv and Moscow counted numerous difficult issues, including the fate of Soviet nuclear weapons left in Ukraine and the division and future home of the Black Sea Fleet.

NATO created the North Atlantic Cooperation Council in late 1991 as a venue for discussion and cooperation with former members of the Warsaw Pact, and newly independent Ukraine joined shortly thereafter.[1] In January 1994, NATO leaders announced the Partnership for Peace (PfP), open to former Warsaw Pact and former Soviet states, which intended to bolster democratic reforms and encourage civilian control of the military. NATO leaders outlined PfP's objectives as to "forge new security relationships between the North Atlantic alliance and its Partners for Peace" and "expand and intensify political and military cooperation throughout Europe." NATO offered to consult with a partner that saw "a direct threat to its territorial integrity, political independence, or security."[2] Ukraine became the fifth country to join PfP.[3]

Washington soon began thinking about what might follow PfP, prompted in part by the desire among former Warsaw Pact members such as Poland to join NATO. By the summer of 1994, President Bill Clinton had decided to support NATO enlargement.[4] PfP offered the path to membership for those partners that wished to pursue it.

In October 1994, Ukrainian Deputy Foreign Minister Borys Tarasyuk told U.S. Deputy Secretary of State Strobe Talbott that he expected enlargement could happen soon and that Moscow would react badly; what, then, was the U.S. vision for Ukraine, caught between an enlarging NATO and an unhappy Russia? Talbott acknowledged Tarasyuk's point and noted that ways should be found to address Ukraine's concern that it not end up as a buffer state.[5]

In December 1994, the leaders of Ukraine, Russia, the United States, and the United Kingdom signed the Budapest Memorandum on security assurances for Ukraine. In that document, Russia, the United States, and the United Kingdom committed to respect Ukraine's sovereignty, territorial integrity, and independence and committed not to threaten or use force against Ukraine. These commitments were key to Kyiv's decision to give up the nuclear weapons left on Ukrainian soil when the Soviet Union collapsed; they made up the world's third-largest nuclear arsenal at the time.

The prospect of a rapid NATO enlargement unnerved the Ukrainian government, in part because Kyiv had not yet developed a firm idea beyond PfP for its own relationship with the alliance. In a January 1995 phone call, President Leonid Kuchma told Vice President Al Gore that he would like to see the enlargement course "be evolutionary, without a precise timeframe." Officials in Kyiv feared a hasty enlargement could reduce the "breathing space" that Ukraine needed to consolidate its newly gained independence. They wanted NATO to downplay enlargement's military aspects, with a view to not antagonizing Russia.[6]

In the summer of 1995, U.S. officials briefed their Ukrainian counterparts on the timeline for the enlargement process. NATO would use the second half of 1995 and the first part of 1996 to discuss the how and why of enlargement and begin to discuss only in the latter part of 1996 who might be considered for membership. U.S. officials shared several ideas for ensuring that

Ukraine did not end up in a gray zone between NATO and Russia: deepening bilateral U.S.-Ukraine ties (which became a strategic partnership in September 1996), strengthening Ukraine's links with key NATO members in Europe, and developing a special partnership between NATO and Ukraine, one that would parallel the NATO-Russia relationship that was in the works.[7]

In 1997, NATO and Ukrainian officials began working on a document establishing a special partnership between the alliance and Ukraine. Kyiv sought a standing NATO-Ukraine body for consultations and wanted something like the security guarantee in Article 5 of the NATO treaty. NATO could agree on the former but not the latter. Over the course of May 1997, the sides concluded the text of what became the "Charter on a Distinctive Partnership between the North Atlantic Treaty Organization and Ukraine."[8] Secretary General Javier Solana and Foreign Minister Hennadiy Udovenko initialed it at the end of May in Sintra, Portugal.[9]

NATO leaders gathered in Madrid in July to extend invitations to Poland, Hungary, and the Czech Republic to join the alliance. The next day, they watched as Solana and Kuchma signed the charter.[10] The charter set out principles for the development of NATO-Ukraine relations, including "the inherent right of all states to choose and to implement freely their own security arrangements, and to be free to choose or change their security arrangements, including treaties of alliance, as they evolve." The charter specified "areas for consultation and/or cooperation between NATO and Ukraine" and established the NATO-Ukraine Commission as a standing body to oversee NATO-Ukraine cooperation. It also noted that NATO members would support Ukraine's sovereignty, independence, and territorial integrity and that NATO and Ukraine would use the NATO-Ukraine Commission as a mechanism for consultations "whenever Ukraine perceives a direct threat to its territorial integrity, political independence, or security."[11]

How far to go with NATO?

In July 1998, one year after the NATO-Ukraine charter was signed, Solana visited Kyiv. He noted that the first year of the distinctive partnership had gone well, but the Ukrainian side needed to work harder on issues such as interoperability with NATO armed forces, defense sector reform, and civilian control of the military.[12]

In January 1999, three months before NATO's 50th-anniversary summit in Washington, National Security and Defense Council Secretary Volodymyr Horbulin suggested that the NATO-Ukraine summit to be held in parallel with the NATO summit release a statement supporting Ukraine's Westward course and reaffirming the alliance's "open door" policy. Kuchma's foreign policy advisor gave a different message: Kyiv did not want the question of Ukrainian membership to arise at the April summit and hoped that NATO would not name a group of future aspirant countries.[13] (In fact, NATO planned to launch membership action plans with nine aspirants.)

Regardless of Ukrainian desires, problems had emerged in practical cooperation between NATO and Ukraine, and Ukraine's corridor reputation in Brussels suffered. Ambassador Alexander Vershbow, the U.S. permanent representative to NATO, traveled to Kyiv in February to discuss steps to improve cooperation. He found the Ukrainians eager to suggest new areas of cooperation but cautioned that they should focus on doing fewer activities better.[14]

In March, Horbulin told a Kyiv conference on the NATO-Ukraine relationship that he was grateful that the alliance had adopted an open-door policy and that decisions about how far NATO-Ukraine relations would develop were for NATO and Kyiv to decide, an implicit rejection of any bid by Moscow to interfere. Horbulin nevertheless

noted that Ukraine could only reach a decision on membership when the Ukrainian public supported that, which was not the case.[15]

Shortly thereafter, NATO launched an air campaign against Serbia after months of mass ethnic cleansing by Serbian military and paramilitary forces against ethnic Albanians in Kosovo. That came just before Kuchma's planned travel to Washington for the April summit. He nevertheless chose to attend. Following the conflict, Ukraine contributed troops to the NATO-led Kosovo peacekeeping force. However, NATO's action had a strong negative impact on Ukrainian public opinion; only 6% of those polled supported it, with 82% opposed.[16]

False and failed starts at membership

In February 2002, First Deputy Foreign Minister Oleksandr Chalyi asked U.S. Ambassador to Ukraine Carlos Pascual what response a Ukrainian declaration on joining NATO would receive from the U.S. government. As Kyiv noticed Moscow moving to reinvigorate its relationship with NATO after the dust of the NATO-Serbia conflict settled, it appeared that Ukrainian officials calculated that they could adopt a more ambitious approach to the alliance. Washington replied that it would support a Ukrainian bid to join as long as Kyiv did the necessary work, which included democratic, economic, and military reforms.

In May, Russian President Vladimir Putin met Kuchma and told a joint press conference: "I am absolutely convinced that Ukraine will not shy away from the processes of expanding interaction with NATO and the Western allies as a whole. Ukraine has its own relations with NATO; there is the Ukraine-NATO [Commission]. At the end of the day the decision is to be taken by NATO and Ukraine. It is a matter for those two part-

ners."[17] Kuchma announced Ukraine's membership goal days later.[18] At the end of May, NATO and Russia agreed to deepen their relationship.

Ukraine's commitment to carry out the necessary reforms, however, appeared unclear. The NATO-Ukraine relationship was knocked off course later in 2002 when the U.S. government concluded that a recording was genuine in which Kuchma approved the transfer of Kolchuga air defense systems to Iraq. NATO downgraded the planned NATO-Ukraine meeting on the margins of the alliance's November 2002 summit from a summit to a foreign ministers' meeting.[19]

Ukraine's decision following the 2003 Iraq War to contribute troops to the Iraq stabilization force won Kyiv credit in Washington and NATO, even though concerns were growing in early 2004 about issues with Ukraine's upcoming presidential election. While NATO decided that Ukraine was not ready for a membership action plan, the allies did agree to hold a NATO-Ukraine summit on the sidelines of NATO's June summit in Istanbul. The NATO secretary general nonetheless noted concerns among allies about democracy in Ukraine.[20]

Subsequent events in 2004 showed that civil society was alive and well in Ukraine. Following an effort to steal the presidential election, Ukrainians took to the streets in a peaceful protest that became known as the Orange Revolution. Viktor Yushchenko won a court-ordered rerun and took office as the country's third president in January 2005. In February, he met with NATO leaders and stated that "we would like to see Ukraine being integrated into the European Union and into the North Atlantic Alliance." He tried to mollify Russia, noting that Ukraine's policy regarding NATO was not intended to affect the interests of other states.[21]

In 2006, Ukrainian officials began discussing with NATO a membership action plan (MAP). Curiously, Moscow did not take a strong public stand opposing Kyiv's MAP request. By the summer, expectations had grown that Ukraine

would receive a MAP when NATO leaders met in late November. However, in August, Yushchenko named Viktor Yanukovych, whom he had defeated in the post-Orange Revolution election, as prime minister. Yanukovych visited Brussels in September, making a stop at NATO headquarters, where he said the Ukrainian government would halt its MAP bid. Yushchenko was furious, but the cabinet backed Yanukovych.[22]

In January 2008, Yushchenko, alongside Ukraine's new prime minister and the speaker of the Rada (parliament), signed a "joint address" to NATO's secretary general requesting a MAP when NATO leaders met in April in Bucharest. President George W. Bush was inclined to support the request, but the U.S. government did not finalize its position until just before the summit. As a result, Washington did not lobby NATO allies in the run-up to the meeting. Bush planned instead to make a direct appeal to allied leaders in Bucharest.[23] That turned out to be a mistake.

In contrast to 2006, Moscow reacted viscerally to Ukraine's MAP request. Putin raised the prospect of targeting Russian missiles at Ukraine. Bush failed to persuade his counterparts in Bucharest. German Chancellor Angela Merkel and French President Nicolas Sarkozy, joined by several others, opposed Kyiv's request (as well as Georgia's parallel MAP bid). While punting on the MAP decision, the summit communique stated that Ukraine and Georgia "will become members."[24] That language undermined the MAP process, as it suggested that the "whether" decision regarding Ukraine's joining NATO had been made, but it offered no definitive path forward. The "will become members" language amounted to a consolation prize; NATO had not used such language before regarding countries that still had a long way to go in the aspirant process. Bucharest proved as near as Yushchenko could get in his bid to bring Ukraine closer to the alliance.

A turn away from NATO

Yanukovych narrowly won the presidential election in early 2010. He made normalization of Ukraine's frayed relationship with Russia his top foreign policy priority. As for NATO, his government favored cooperation but adopted a "non-bloc" policy (formalized in law by the Rada) that precluded seeking a MAP.

While the new Ukrainian president showed no desire to secure a MAP, he sought to deepen relations with the European Union. By the summer of 2013, an EU-Ukraine Association Agreement, which included a deep and comprehensive free trade arrangement and customs union as well as changes to Ukrainian laws and regulations to make them conform to EU standards, was ready for signature. Russian officials, for many years, at least until 2010, had indicated they did not care about Ukraine's relations with the European Union. In 2013, the Kremlin decided that it cared a lot, perhaps because it came to fully understand just how radically Ukraine would change if it implemented the association agreement. That would move Ukraine irretrievably out of Russia's sphere of influence. Moscow began threatening to ban imports from Ukraine and to raise the price of energy sold to Ukraine if Kyiv concluded the association agreement.[25]

Just before a November Ukraine-EU summit at which he was to sign the agreement, Yanukovych decided not to do so. That triggered the Maidan Revolution, as pro-Europe protesters took to the streets to show their unhappiness. After Yanukovych cracked down on the initial demonstrations involving tens of thousands, the protests swelled to hundreds of thousands and broadened to include opposition to Yanukovych's corruption and growing authoritarianism. In February 2014, the crisis came to a head. After Ukrainian security forces attacked demonstrators on Maidan Square, Yanukovych fled the country. Pending a new presidential election, the Rada

appointed an acting president and acting prime minister, who made clear their top foreign policy priority was to sign the association agreement with the European Union.

Almost immediately thereafter, Russian forces began moving to seize Crimea. Two months later, in April 2014, Russian security and military forces instigated and became involved in fighting in Donbas. These actions grossly violated numerous Russian commitments to respect Ukraine's sovereignty and territorial integrity, including in the 1994 Budapest Memorandum on security assurances for Ukraine and the 1997 Russia-Ukraine Treaty on Friendship, Cooperation, and Partnership.

This is one of the great ironies of modern Ukraine-Russia relations. In 2013, Russia had a Ukrainian neighbor in which the president had no desire to draw closer to NATO, the Rada had adopted a law on non-alignment that prohibited it, and the public showed little interest in doing so. Russian pressure on Yanukovych not to sign the EU association agreement set in motion a chain of events that changed all that. Yanukovych succumbed to Moscow's entreaties, igniting the Maidan Revolution that brought about his down-fall. Soon to come were a pro-NATO president and government, and repeal of the "non-bloc" law.

Ukraine's interest in membership grows

Businessman Petro Poroshenko won election as president in May 2014. He visited Brussels in June to sign the association agreement though seemed cool to the idea of drawing closer to NATO.[26] That likely reflected a judgment that, while deepening relations with the European Union enjoyed wide public support, doing some-thing similar with NATO could prove controversial when holding Ukraine together topped his list of priorities.

In September, Poroshenko met with NATO leaders in Wales, where NATO expressed support for Ukraine and called on Russia to withdraw its military forces, reverse its annexation of Crimea, and end its support for the fighting in Donbas. Notably, Poroshenko did not revive earlier Ukrainian requests for a MAP, commenting that the issue of NATO membership could arise only after Ukraine had completed needed reforms.[27]

Rada elections in October produced a coalition between Poroshenko's party and three other blocs that called for a pro-Western policy, including ultimately, membership in NATO. Two months later, Poroshenko's government proposed repealing the 2010 law on "non-bloc" status, and the Rada overwhelmingly — by a vote of 303 to 8 — did so. Poroshenko warmly welcomed the vote: "We corrected a mistake. ... There is no alternative to Euro-Atlantic integration."[28]

NATO continued to express support for Ukraine's sovereignty and territorial integrity, including at its July 2016 summit in Warsaw. Poroshenko met NATO leaders there, welcoming NATO's support. On the side, however, a Ukrainian official voiced frustration with NATO's reluctance to put Ukraine on a membership track: "Lack of prospective NATO membership for Ukraine has a negative impact on the security environment in the region. The West needs to make a very strategic, long-term choice and not look for any excuses today to turn away from Ukraine."[29]

As negotiations to get the Russians out of Donbas made no progress and Moscow refused even to discuss Crimea, Poroshenko placed greater emphasis on NATO. In July 2017, following a meeting with NATO Secretary General Jens Stoltenberg, Poroshenko said Ukraine would seek a MAP and voiced hope that the country could meet the alliance's criteria for membership as early as 2020. In February 2018, Poroshenko wrote Stoltenberg to reiterate Ukraine's interest in a MAP and "officially" set out Ukraine's aspira-tion to join the alliance.[30]

In February 2019, the Rada passed by a vote of 334 to 17 an amendment embedding in the country's constitution membership in the European Union and NATO as a strategic goal.[31] When signing the amendment, Poroshenko said achieving membership in the European Union and the alliance was his "strategic mission."[32] His public endorsement of NATO membership against the backdrop of his reelection campaign suggested he saw NATO as a winner with the electorate.

In the five years from the Maidan Revolution to early 2019, Ukraine's cooperation with NATO had broadened and intensified. In 2016, the alliance adopted a comprehensive package to help Ukraine develop its military and improve interoperability with NATO. NATO "trust funds" provided assistance in project areas such as command, control, communications, and computers; medical rehabilitation; and professional development for civilians in the defense and security sectors. Ukraine's annual national program, prepared each year in coordination with NATO, spelled out cooperative efforts for NATO-Ukraine work.[33]

Volodymyr Zelenskyy won the Ukrainian presidential election and took office in May 2019. In between his election and taking the oath of office, Zelenskyy's team floated trial balloons on conducting referenda on Ukraine's relations with Russia and on NATO membership. On his first overseas trip to Brussels in June, he met Stoltenberg at NATO headquarters. He confirmed that Ukraine would continue the "strategic course" adopted during Poroshenko's presidency: to become a full member of the European Union and NATO. Zelenskyy said NATO membership would be put to a referendum while noting that "Ukraine will definitely be in NATO."[34] Some worried that a referendum could prove a poison pill, but Zelenskyy's supporters responded that a referendum would lock in future political leaders and make it difficult for them to change course.

In June 2020, Ukraine joined the enhanced opportunity program aimed at deepening interoperability with the alliance. That September,

Zelenskyy took part in the opening of the Rapid Trident 2020 exercise in western Ukraine, which involved troops from 10 NATO allies and partner states. He cited the exercise's contribution to enhancing "the interoperability of our units and our partner nations of NATO."[35] The next month, Zelenskyy reiterated Ukraine's interest in a MAP, telling the BBC, "We have already become NATO's enhanced opportunity partner. We're going toward NATO." Ukrainian membership would be "a very important signal to Russia."[36]

In the summer of 2021, Zelenskyy voiced frustration at the slow NATO process of deciding on a MAP: "I would really like to get specifics — yes or no." During his September visit to Washington, Zelenskyy received a tepid response from President Joe Biden to his push for a MAP. Speaking later that month, Foreign Minister Dmytro Kuleba referred to the issue, noting that "there can be no endless integration. Everything must have its certainty and its clarity."[37]

Russia launched an all-out invasion on February 24, 2022. While Putin claimed that a major reason for the invasion was Ukraine's growing relationship with NATO, it had been nearly 14 years after the Bucharest summit, and the alliance still had not granted Kyiv even a MAP. In late March, Zelenskyy said Ukraine would consider accepting neutrality as part of a settlement with Russia, but it would need third-party guarantees and approval in a referendum.[38] However, that idea fell by the wayside as Ukrainian government and public attitudes hardened following the discovery of Russian atrocities in liberated towns such as Bucha and Irpin.

In late September 2022, Zelenskyy said Ukraine would seek "accelerated accession" into NATO. He argued that "De facto, we have already proven compatibility with Alliance standards. They are real for Ukraine — real on the battlefield and in all aspects of our interaction." Stoltenberg held out little hope for an early alliance decision, stating that "our focus now is on providing immediate support to Ukraine to help Ukraine defend itself against Russia's brutal invasion."[39]

In a welcome development for Kyiv, nine NATO members — the Czech Republic, Estonia, Latvia, Lithuania, North Macedonia, Montenegro, Poland, Romania, and Slovakia — published an October joint statement endorsing membership for Ukraine. However, U.S. National Security Advisor Jake Sullivan dismissed the issue as a question for "a different time," while Stoltenberg side-stepped it.[40] Canada expressed support for membership as well, but most other NATO members responded with silence.[41]

The 2023 Vilnius Summit

In 2023, in the run-up to NATO's July summit in Vilnius, the allies' attitudes seemed to move significantly in a pro-Ukraine direction, led by the Baltic and Nordic states as well as Poland, the U.K., and France, many of whom favored extending a membership invitation at the summit. In the end, NATO did not go as far as they or Ukraine wanted. Zelenskyy vented his frustration at NATO's draft language, decrying the lack of a time frame for Ukraine to receive an invitation or actually join the alliance as "absurd."[42] (The Ukrainian president and NATO leaders subsequently tried to patch things up.)

The final version of the summit communique reaffirmed that "Ukraine's future is in NATO," said Ukraine had moved "beyond the need for the Membership Action Plan," and noted that Ukraine "has become increasingly interoperable and politically integrated with the Alliance, and has made substantial progress on its reform path." The communique announced the establishment of the NATO-Ukraine Council, whose mandate would include advancing "Ukraine's Euro-Atlantic aspirations for membership." As for the "when" of membership, the communique stated, "We will be in a position to extend an invitation to Ukraine to join the Alliance when Allies agree and conditions are met."[43]

To some, this language seemed little improved on the Bucharest summit communique's "will become" a member language 15 years before. However, the sense was that this time, most NATO allies meant it. Still, U.S. and German officials reportedly joined together to block more forward-leaning language.[44] Some analysts claimed that NATO's 31 members had split 29 to 2, though that seems unrealistic; among other things, Hungarian Prime Minister Viktor Orbán has made clear his reluctance to put Ukraine on a membership path. Other allies who were less eager to invite Ukraine to join likely hid behind the U.S. and German positions.

Meeting on the margins of the NATO summit, the G7 leaders issued a declaration in which they committed to work with Ukraine on "specific, bilateral, long-term security commitments and arrangements." Those commitments aimed to ensure Ukraine had a "sustainable force capable of defending Ukraine now and deterring Russian aggression in the future" by provision of modern arms and support for Ukraine's defense industrial base, training, and intelligence-sharing.[45] (Some of the ideas suggested by the G7 leaders seemed to draw on the Kyiv Security Compact, proposed in September 2022 by the Working Group on International Security Guarantees for Ukraine headed by former NATO Secretary General Anders Fogh Rasmussen and head of the Ukrainian presidential office Andrii Yermak.[46]) Non-G7 countries were invited to join in providing commitments. In early November 2023, Cyprus became the 30th country to do so.[47]

Looking to the future — does Ukraine meet NATO standards?

Ukraine has made clear its interest in joining NATO. Does it meet the standards that the alliance expects of prospective members? Those entail not just defense reforms, including civilian control of the military, but also democratic and economic reforms. In June 2021, Biden said a MAP for Ukraine "depends on whether they meet the criteria. The fact is, they still have to clean up corruption. The fact is, they have to meet other criteria to get into the action plan."[48]

In 2021, many analysts would have agreed with Biden that the Ukrainians had more to do, including measures to reduce corruption, curb the outsized influence of the country's oligarchs, and reform the security services. The war and the prospect of EU and NATO membership should provide Kyiv with strong incentives to address issues related to corruption. Beyond that, Ukraine seems close to meeting the alliance's expectations for aspiring members. During Zelenskyy's presidency, the Ministry of Defense has been headed by civilians or officials who had served in the military but retired some time before. More broadly, the military has moved to adopt NATO norms and standards. Ukraine's military has long participated in alliance-led missions on land and at sea. It has developed into one of the strongest combat forces in Europe and has shown it can contribute to NATO security.

Ukraine also has met the democracy standard. One example: Ukraine has held six presidential elections since 1991. In four of those six elections, the incumbent sought reelection. In three of those four elections, the incumbent lost, and a peaceful transfer of power occurred. That is a rare record in the post-Soviet space.

Ukraine by law cannot hold elections when martial law is in effect, as it has been since early 2022. The country postponed parliamentary elections scheduled for 2023 and, if the war continues and martial law remains, will likely postpone the 2024 presidential election. While indefinite postponement of elections would not be healthy for Ukraine's democracy, some postponement makes sense. It is unclear how elections could be held in areas under Russian occupation and with large numbers of Ukrainian citizens living in refuge outside the country.

Civil society organizations have pointed out the logistical challenges and oppose holding elections now.[49] Although Zelenskyy's approval ratings have slipped in recent months, he remains a popular wartime president and would very likely win reelection if the ballot were held in early 2024. That may in part explain why leaders of the various parties in the Rada concluded a memorandum in mid-November saying elections should be postponed until after the war.[50] Even Kyiv Mayor Vitali Klitschko, who has expressed concern that Zelenskyy is becoming autocratic, believes he should remain in office until the war's conclusion.[51] Moreover, polls show the Ukrainian public favors postponement by a large majority.[52] Presumably, parliamentary and presidential elections could be quickly restored once the war ends and martial law is lifted, and temporary measures, such as the combination of Ukraine's main television networks into a single broadcasting group, could be terminated.

NATO members can use the newly-established NATO-Ukraine Council to explain exactly what Ukraine needs to do to meet alliance membership criteria. On November 29, meeting at the level of foreign ministers, the NATO-Ukraine Council issued a statement noting: "Ukraine reaffirmed its commitment to continued democratic and security sector reforms. Allies have provided Ukraine with recommendations for priority reforms. ... The Alliance will support Ukraine in making these reforms on its path towards future membership in NATO."[53]

One last question concerns public support. In April 2012, only 13% of Ukrainians favored joining NATO. In December 2014, following Russia's seizure of Crimea and involvement in the fighting in Donbas, the number climbed to 46%. Polls showed 53% supporting NATO membership in December 2019 and again in December 2021.[54] Support for joining the alliance sky-rocketed following Russia's February 2022 invasion: 73% in May 2022, climbing to 89% in May 2023.[55] Putin's invasion has made NATO very popular among Ukrainians.

U.S. and NATO's interests with Ukraine and Russia

For more than seven decades, the United States has defined a stable and secure Europe as a vital national interest. NATO European members naturally agree. Russia's assault on Ukraine has greatly diminished stability and security in Europe and the trans-Atlantic region. A Ukrainian defeat would further destabilize Europe. Moreover, Putin at times has described the Russian assault as aimed at restoring "historic" Russian lands. A Russian victory might embolden Putin to consider seeking to regain other lands lost when the Soviet Union collapsed in 1991 or that were once part of the Russian Empire (the Baltic states, Finland, and much of Poland). That would lead to a direct NATO-Russia clash.

Europe will not be stable and secure without a stable and secure Ukraine. Moreover, Ukraine's defeat and control by the Kremlin — thus far thwarted by the Ukrainians' extraordinary military resistance — would add significant resources to an expansionist Russia.

In recent years, Ukraine has made progress toward meeting Europe's standards, norms, and values. In parallel with its efforts to deepen its integration with NATO, in June 2022, Ukraine became a candidate for European Union membership.[56] While Kyiv has substantial work to do to meet EU criteria and faces opposition, at the moment, from Orbán and Budapest, it now has a membership perspective that it had sought for three decades. A stable, democratic Ukrainian state would be a good neighbor for NATO, the European Union, and NATO and EU member states, and a good eventual member of both organizations.

In the past, the United States and other Western countries have identified an interest in a positive and cooperative relationship with Russia. In spring 2021, the Biden administration set the objective, while supporting Ukraine's sovereignty and territorial integrity, of building a "stable and predictable" relationship with Russia.[57] Given Russia's war against Ukraine, Russian "suspension" of the 2010 New START Treaty and other steps to undermine the international arms control regime, and the general breakdown in relations between Washington and Moscow, that goal is currently out of reach. The conversation about building a new European security architecture is one in which that architecture is designed to defend against Russia, not include Russia.

Continued Western support for a stable and secure Ukraine will mean continued troubled relations with Russia. However, it is naïve to assume that allowing Putin to dominate Ukraine would persuade him to abandon his ambitions to assert Russian influence more broadly in Europe. On the contrary, doing that would have not just disastrous effects for Kyiv, it would raise major questions about what Russia might do next, creating new uncertainties in the Baltic region and Central Europe.

Options for Ukraine's security

The United States and other NATO members have provided significant support to Ukraine in its war of resistance against Russia. However, it increasingly appears that the war will be an

extended one. The United States and NATO have several options regarding whether and how to support Ukraine's security over the long term.

Do nothing more. Doing nothing further would greatly increase the prospects of and probably ensure a Russian victory. Ukrainians almost certainly would continue to fight. Asked in a May 2023 poll if ceding Crimea and the area of Donbas occupied by Russian and Russian proxy forces prior to February 24, 2022, was an acceptable price for peace, 62% said it was fully unacceptable, and an additional 19% said it was somewhat unacceptable. 63% of those asked opposed negotiations with Moscow.[58] A September poll showed 70% supporting fighting to victory (with 91% of those defining victory as the recovery of all territory occupied by Russia since 2014); 26% favored negotiations to end the conflict as rapidly as possible.[59] However, absent a continuing inflow of Western arms, ammunition, and funds, the Ukrainians' ability to resist would significantly diminish at a time when Russia has mobilized more manpower and placed its defense industry on a war footing.

The "Israeli model." Sufficiently arming Ukraine and providing it with other support to defeat the Russian military and then deter a future Russian assault has sometimes been referred to as the "Israeli model," the U.S. bilateral defense relationship with Israel.[60] That does not appear to be an apt comparison. First, Israel has its own nuclear arsenal as the ultimate guarantor of its security. Second, while Washington has provided Ukraine with an enormous amount of assistance over the past 21 months, the U.S. track record of support for Israel dates back more than 50 years; it includes some of the most advanced U.S. military equipment to ensure that Israel sustains a qualitative edge against its possible foes. Assistance for Ukraine, on the other hand, tends to include less-modern arms, for example, F-16s instead of F-35 fighter jets. Third, assistance for Ukraine has come into question in some quarters on Capitol Hill in a way that support for Israel has not. Finally, as events in Israel and Gaza demonstrate, Israel still faces episodic outbreaks of armed conflict.

Even if Western arms enabled Ukraine to defeat Russia and liberate its territory, and Kyiv had guarantees of a steady flow of weapons, ammunition, and intelligence support, the G7's proposed bilateral, long-term security measures by themselves would leave Ukraine without formal allies. A Ukraine alone would always pose a temptation for renewed aggression by the Kremlin, which might well calculate — correctly or incorrectly — that it could win in a renewed conflict. A Ukraine alone seems a prescription for continued instability and diminished security in Europe. Notably, for many years after the 2008 Bucharest summit that declared Ukraine would become a member, NATO de facto acceded to Russian concerns and did not put Kyiv on a membership track. Russia nevertheless seized Crimea and occupied part of Donbas in 2014 before launching in 2022 the largest, bloodiest conflict in Europe since World War II.

Individual security commitments. The G7 security commitments thus far appear to focus on the provision of arms and other types of assistance. Individual NATO members might go beyond that by offering Ukraine a security guarantee similar to that contained in Article 5 of the NATO treaty and committing their armed forces to Ukraine's aid in the event of future Russian aggression. Which allies would be prepared to extend such a commitment? Kyiv would certainly hope the list would include the United States, the U.K., Poland, France, and Germany. However, if individual members were prepared to extend an Article 5-type security guarantee to Ukraine, it is unclear what advantages such an option would have over NATO membership, and the G7 commitments offered thus far appear to fall short of such a guarantee.

Other security commitments? The European Union has opened a membership perspective for Ukraine. If — more hopefully, when — Ukraine becomes an EU member, it would presumably fall under the protection of Article 42.7 of the Treaty of the European Union, which provides that "If a Member State is the victim of armed aggression on its territory, the other Member

States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter."[61] However, the European Union does not have a defense mechanism comparable to NATO's integrated military structure.

As a means to bolster Ukraine's security situation, security experts Lise Howard and Michael E. O'Hanlon have suggested the formation of an Atlantic-Asian Security Community consisting of major NATO members and perhaps also Asian countries, ideally including India and China. The community would seek to help protect Ukraine's borders and provide a training and monitoring mission throughout Ukrainian territory, whose presence might deter further Russian aggression through a tripwire effect (as opposed to a formal treaty), since countries could come to the defense of their trainers, individually or collectively, if those trainers came under attack.[62] An intriguing idea, but it is not clear whether Asian heavyweights would agree to take part, and NATO members most likely would prefer to deploy their forces under alliance command.

NATO membership. While Russian forces have, since 1991, engaged in military operations against Georgia and Ukraine and continue to occupy the Transnistria region of Moldova, they have not attacked a NATO member state. If NATO members agree that a stable and secure Ukraine is necessary for a stable and secure Europe, and if they correctly assess that Ukraine alone, even if armed by the West, would prove a lasting temptation for Moscow, the long-term solution to guarantee Ukraine's security is membership in NATO. The security commitments offered by the G7 in Vilnius could provide an interim or transitional solution, but they lack the deterrent effect of NATO's Article 5.

The challenges of an invitation and Article 5

The first paragraph of Article 5 of the 1949 NATO treaty reads:

> "The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area."[63]

This language does not provide an automatic commitment by NATO members to send forces to assist a member that has become a victim of an armed attack. However, the alliance, the United States, and other NATO members over the past decades have strived to convey the impression that an armed response would be all but automatic in order to bolster Article 5's deterrent effect. It is difficult to imagine NATO members not responding with military force to an attack on one of their own; failure to do so could well signal the alliance's death knell.

If Ukraine were to successfully conclude the war and return to a state of peace — either by driving the Russian military out or otherwise achieving a settlement with Moscow on terms the Ukrainian government and people could accept — bringing Ukraine into NATO would seem relatively straightforward. NATO would extend an invitation to join, and completion of each member's internal process to ratify Ukraine's accession would bring Ukraine in.

Once a member of NATO, Ukraine would have the protection of Article 5, just as it would be committed to the defense of its other allies. In that case, were the Kremlin to consider renewed conflict with Ukraine, it would have to decide whether it was prepared to take on NATO as well as the Ukrainian military. The onus for a decision on war would rest in Moscow. The alliance's conventional and nuclear force capabilities, augmenting the capabilities of Ukraine's armed forces, would likely deter a future Russian attack by making clear that the risks and costs would exceed any benefits that the Kremlin hoped to attain. What's more, the strong Western support for Ukraine in the current war would itself enhance NATO's reputation and give Moscow one more reason not to challenge Ukraine — or any NATO member — militarily.

It would be important to complete the accession procedures — including the approval by all NATO members of Ukraine's entry — as rapidly as possible so that Ukraine quickly could come under the protection of Article 5. During the interim between invitation and membership, certain allies might extend bilateral commitments or even guarantees to Ukraine. In 2022, the United States made certain security commitments to Finland and Sweden pending their accession into NATO.[64] The United Kingdom extended security commitments to the two countries as well.[65] The G7 security commitments could also provide Ukraine some protection.

Some U.S. officials believe the possibility of Ukraine's entry into NATO might lead the Kremlin to continue the war longer than it otherwise would. Perhaps, but Russia has accepted NATO members on its borders (they now number six if one includes the Kaliningrad exclave). Moreover, in this case, the question would be whether Moscow would really press on with the war just over Ukraine joining NATO if its military had been defeated on the battlefield.

The more complex question arises when considering inviting Ukraine to join NATO while it remains in active conflict with Russia. This poses a more difficult challenge. With a Ukraine at peace in NATO, the burden of decisionmaking on going to war would rest with Moscow. However, were Ukraine to join NATO while at war, the leaders of NATO member states would have to decide whether to commit their forces to the ongoing fight under Article 5. The burden of decisionmaking would rest in allied capitals, with Moscow doing all it could to stress the risks and costs of NATO forces entering the conflict. To date, while NATO members have provided significant materiel, arms, and financing to Ukraine, they have drawn the line at committing their troops.

The issue turns on the readiness of NATO members to confer an Article 5 guarantee to Ukraine. Some have suggested ways to make this easier. For example, Rasmussen, a former NATO secretary general, has proposed that Ukraine enter the alliance but that Article 5's coverage would not apply to Ukrainian territory occupied by Russian forces, arguing that "the absolute credibility of Article 5 guarantees would deter Russia from mounting attacks inside the Ukrainian territory inside NATO." That seems to suggest a relatively static frontline. He termed this approach similar to the 2022 idea of NATO instituting a no-fly zone over Ukraine.[66] An alternative would have Ukraine join NATO but without it coming immediately under Article 5.

Both ideas raise troubling issues. Would Russia really be deterred from continuing an ongoing war? It could test NATO's readiness to fight by continuing to launch missile attacks against Ukrainian cities far behind the front lines or carry out ground attacks against Ukrainian territory not previously occupied — cities and territory that, under Rasmussen's suggestion, would come under Article 5. In this case, the burden of choosing to initiate a direct NATO-Russia clash would seem to rest as much, or more, with allies as with Moscow. In 2022, NATO decided not to impose a no-fly zone precisely because it would have raised the prospect of starting a military clash with Russia, given that the first step in establishing a no-fly zone would be the destruc-

tion of Russian air defenses. Moreover, were Ukraine to liberate more of its territory, would that territory immediately come under Article 5, or would there be conditions?

The broader question with both suggestions is that they threaten to dilute Article 5 and, thus, NATO membership. The principal value of membership is the protection accorded by Article 5, just as the principal obligation is that of coming to the defense of another member that is victim of an armed attack. NATO membership without Article 5 loses much of its significance, not just for Ukraine but for all the allies. And even were the Russians not to attack Ukrainian territory beyond what they controlled, when would Article 5 apply to all Ukrainian territory? Having Article 5 apply to just part of the territory of a member state could weaken it more broadly.

A lesser version of Article 5 would contradict NATO's 1995 study on enlargement, which said new members would "enjoy all the rights and assume all obligations of membership under the Washington [NATO] Treaty."[67] Introducing different variants of Article 5 would raise concern among NATO members closest to Russia, particularly Finland, the Baltic states, Norway, and Poland, which share borders with Russia. They want and expect Article 5 to cover all their territory and apply at all times. An approach for Ukraine suggesting anything less would likely be a tough sell with them because it could set an unwelcome precedent. More broadly, given the centrality of Article 5 to NATO's deterrent posture, it would be unwise to do anything that would appear to weaken Article 5's protection.

The long-term solution and the 2024 NATO Summit

Assuming that the war continues in 2024 and taking the above considerations into account, Ukraine's early entry into NATO seems beyond

the realm of the possible, and an early invitation to join poses a bridge too far. However, if NATO wants to strengthen European stability and security, it should define a clear path for Ukraine.

Accordingly, Washington and NATO allies should prepare the ground so that, when NATO leaders gather in the U.S. capital in July 2024 to mark the alliance's 75th anniversary, they agree to begin accession talks with Ukraine even before the allies are ready to extend an invitation to join the alliance. That will concretely launch the process to bring Ukraine in. Moreover, it offers a way to bridge the differences that emerged in the run-up to the July 2023 NATO summit and could avoid a messy fight over Ukraine (which, by the way, would play out just days before the Republican National Convention). As it has already begun to do, the NATO-Ukraine Council could continue to discuss steps for Ukraine to take to complete its readiness for membership. Given Ukraine's progress over the past 30 years, those do not appear to be overly difficult. Appropriate language for the Washington summit communique could read as follows:

- NATO leaders agreed that Ukrainian membership in NATO is essential for a stable and secure Europe and for a stable and secure trans-Atlantic region and is fully consistent with the goals and objectives of the 1949 Washington Treaty. Ukraine left on its own would invariably tempt Russia to commit further aggression in the future, which would mean instability and insecurity in the trans-Atlantic region and could embolden the Kremlin to consider aggression against other European states, including NATO members.

- NATO leaders agreed to open negotiations with Ukraine, which will be conducted in the NATO-Ukraine Council, on Ukraine's accession to the alliance with a view to preparing for a formal invitation for Ukraine to join at the earliest possible date.

- NATO leaders agreed that, when Ukraine is a member of NATO, it will receive full coverage of Article 5 of the Washington Treaty as do all members of the alliance.

- NATO leaders agreed that they will continue to provide arms, financial aid, and other assistance to Ukraine to enable Ukraine to prevail, by driving the Russian military out of Ukraine or, at a minimum, achieving such progress on the battlefield that a negotiated settlement is possible on terms acceptable to the Ukrainian government and people.

- NATO leaders agreed that the NATO-Ukraine Council will develop and implement steps to deepen Ukrainian participation in NATO structures, including expanding the presence of Ukrainian military representatives at NATO headquarters and appropriate subordinate NATO commands.

Announcing an agreement to begin accession talks at the 2024 NATO summit would offer several advantages. First, it would define a clear path leading Ukraine out of a gray zone of instability to one in which its security and stability would be assured. That would naturally be good for Ukraine, but it would also strengthen Europe's security and stability while postponing for a time the more difficult question of Article 5.

Second, the decision to begin accession talks would signal NATO's commitment to Ukraine as it resists Russian aggression. By all appearances, 2024 will be a difficult year for Kyiv. This kind of signal from NATO would provide a welcome morale boost for the country.

Third, the invitation would send a parallel message to Moscow that NATO is committed to Ukraine for the long term and Russia cannot simply wait out the end of Western support. That could affect the Kremlin's calculations as the war's costs mount for Russia.

Fourth, at some point, there likely will be a negotiation between Kyiv and Moscow. Having accession talks underway would strengthen Ukraine's hand at the table. It would be unwise for Ukrainian officials to bargain away NATO membership. There are, however, steps that Kyiv might offer Moscow without undermining Ukrainian security after it has acceded to the alliance.

Ukrainian officials could, in consultation with NATO, offer to accept some conditions or caveats on their prospective membership. For example, NATO might reiterate with specific regard to Ukraine — and Kyiv could say that it would agree to — the alliance's 1997 position that it has "no intention, no plan and no reason to deploy nuclear weapons on the territory of new members."[68] Kyiv might even consider a more binding commitment on not allowing nuclear arms on its territory. (Ukraine, once it became a NATO member, would — like most NATO allies, who do not host U.S. nuclear weapons — still come under the U.S. nuclear umbrella.) Another possibility Ukraine might consider is a commitment along the lines of one that the United States reportedly offered to Russia in January 2022: to "refrain from deploying offensive ground-launched missile systems" on the territory of Ukraine.[69] Russia assuredly would not like NATO membership for Ukraine, but Kyiv could devise ways to ease Russian concerns without sacrificing its security if those steps could be useful in securing a broader settlement on terms acceptable to Ukraine.

Confronted by a Russian neighbor that could remain hostile for years, Ukraine needs durable guarantees for its future security. NATO has a strong interest in avoiding a situation of constant tension and possible warfare on its eastern flank. Launching accession talks, while not quite as dramatic as an invitation to join NATO, would be a bold step by the alliance. Given the alternatives, it increasingly appears to be the most promising 2024 step for moving to solve the security dilemma facing Ukraine and, more broadly, facing Europe and the trans-Atlantic region.

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Acknowledgments

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