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## NATO Transformation

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# ANNUAL NATIONAL PROGRAMMES AS AN INSTRUMENT OF EURO-ATLANTIC INTEGRATION OF UKRAINE

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***Ukraine's aspiration for Euro-Atlantic integration through developing and implementing NATO-Ukraine Annual National Programs is analysed in this article. The paper overviews the structure of the Annual National Program (ANP), which coincides with the typical Membership Action Plan. The priority task of the ANP today is to preserve international consensus in supporting Ukraine in the face of Russian aggression. It is stated that the ANP meets the standards of the NATO Membership Action Plan in its content; yet, there is a fundamental difference in the degree of responsibility.***

For Ukraine, the question of Euro-Atlantic choice is not rhetorical. National history provides many vivid examples, which convincingly testify that since ancient times, by its historical, cultural, and mental roots, Ukraine has always belonged to the European civilisation. Lessons of history and the aspiration of Ukraine to regain its identity as a full-fledged European state primarily guided the country's political leadership while defining the strategic goal of Ukraine's foreign policy – to access the Euro-Atlantic structures.

## **On the Way to Annual National Programs**

Immediately after the NATO Prague Summit (2002), the implementation of the NATO-Ukraine Action Plan and the annual Target Plans under this Action Plan were launched.

Since 2005, the so-called intensified dialogue on membership has officially begun between Ukraine and NATO. It was expected that this format of relations could naturally be completed during the Riga Summit of NATO in 2006 with granting Ukraine the right to implement the Membership Action Plan (MAP). However, due to domestic political factors (coming to power of Viktor Yanukovych's government) and pressure from Russia, the Euro-Atlantic integration was hindered, the MAP was not provided, and the relationship had to continue "through practical cooperation to carry out far-reaching reforms in the country."<sup>1</sup>

A letter to the NATO secretary general, signed by President V. Yushchenko, Prime Minister Y. Tymoshenko, and Chairman of the Verkhovna Rada of Ukraine A. Yatsenyuk concerning Ukraine's joining the MAP in

<sup>1</sup> *Riga Summit Declaration Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Riga on 29 November 2006*, NATO, 2006 [[http://www.nato.int/cps/en/natolive/official\\_texts\\_37920.htm](http://www.nato.int/cps/en/natolive/official_texts_37920.htm)].

early 2008, seemed to change the situation. However, neither at the NATO Bucharest Summit (April 2008) nor during the meeting of the Ukraine-NATO Commission in the framework of the North Atlantic Council Meeting at the level of foreign ministers in December 2008 was the decision for Ukraine to join the implementation of the MAP adopted. This was due to the lack of consensus among NATO member states primarily due to the stance of France and Germany. Their position was probably influenced by President Putin, who claimed that Ukraine was a complicated state formation, and if the NATO issues and other problems were introduced there, this could put its statehood on the brink of existence.<sup>2</sup> However, during the NATO Bucharest Summit, Ukraine was assured that it would be granted membership in NATO,<sup>3</sup> and during the December 2008 meeting of the NATO-Ukraine Commission it was emphasised that “in order to assist Ukraine in advancing its reforms an Annual National Program (ANP) will be developed, which will be annually reviewed by the Allies”.<sup>4</sup>

## Implementation of Annual National Programs

The decision of the 2008 NATO Bucharest Summit, on the one hand, gave a clear signal from NATO regarding Ukraine’s future membership, yet on the other hand, postponed this opportunity indefinitely.<sup>5</sup> In this context, the development and

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### ***Ukraine’s implementation of the Annual National Programs is a unique practice in NATO’s bilateral relations***

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implementation of the Annual National Programs were a significant step giving practical value to this cooperation. Without obtaining the official status of a candidate country, which aspires to implement the MAP, Ukraine was given the opportunity to take the necessary practical measures aimed at obtaining membership.

Ukraine’s implementation of the Annual National Programs is a unique practice in NATO’s bilateral relations. The President of Ukraine approves the ANP and takes measures to implement it. In their content, all Annual NATO-Ukraine National Programs are in full compliance with NATO Membership Action Plan standards. However, there is a fundamental difference, in particular, with regard to the responsibility of the applicant and the Alliance for implementation.

Public administration and non-governmental organisations are engaged in carrying out the ANP. According to the results of the ANP implementation, the Alliance prepares an evaluation and recommendations that are taken into account while preparing the ANP for the next year.

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<sup>2</sup> *Виступ Володимира Путіна на саміті в Бухаресті 4 квітня 2008 року (Speech by Vladimir Putin at the Bucharest summit on 04 April 2008)*, “UNIAN”, 2008 [https://www.unian.ua/politics/110949-vistup-volodimira-putina-na-samiti-nato-buharest-4-kvitnya-2008-roku.html].

<sup>3</sup> *Bucharest Summit Declaration Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Bucharest on 03 April 2008*, NATO, 2008 [https://www.nato.int/cps/us/natohq/official\_texts\_8443.htm].

<sup>4</sup> *Chairman’s Statement: Meeting of the NATO-Ukraine Commission at the Level of Foreign Ministers Held at NATO Headquarters, Brussels*, NATO, 03 December 2008 [http://www.nato.int/cps/en/natolive/official\_texts\_46249.htm].

<sup>5</sup> *Bucharest Summit Declaration Issued by the Heads of State and Government Participating in the Meeting of the North Atlantic Council in Bucharest on 03 April 2008*, NATO, 2008 [https://www.nato.int/cps/us/natohq/official\_texts\_8443.htm].

Under the presidency of V. Yanukovich, the long-term political line aimed at gaining membership in NATO was changed. Instead, on the legislative level, a conception of the so-called “non-alignment” was introduced.<sup>6</sup> However, the contents of the ANP remained to be aimed at Ukraine’s achieving NATO standards in the civilian and defence sectors. Yet in 2010-2013, the planning, implementation, and reporting regarding the ANP were a pure formality.

The Revolution of Dignity gave hope for a positive change. But it was only in December 2016 when the Provision on the development of Annual National Programs (ANP) under the auspices of the NATO-Ukraine Commission and evaluation of their implementation was approved.

### **Contents of Annual National Programs**

The significance of the ANPs could be illustrated by the last available program. At the end of March 2018, President of Ukraine P. Poroshenko approved the Annual National Program under the auspices of the Ukraine-NATO Commission for 2018 (ANP-2018). The ANP-2018 should ensure the fulfilment of the priority tasks aimed at Ukraine’s accession to NATO. As was mentioned above, the ANP-2018 is a systemic strategic document that defines not only the priorities for 2018 but also the medium-term goals to be achieved by 2020.

Traditionally, the Annual National Program is structured similarly to the typical Membership Action Plan. It consists of five

sections: political and economic, defence / military, resource, security, and legal issues.<sup>7</sup>

The first section is the largest in scope and includes practically all directions of Ukraine’s reforming and modernizing. It is about key socio-political and legal reforms, namely, decentralization, ballot access reform, prevention of and fight against corruption, fighting money laundering, judicial system reform, court system, prosecutor’s office, penitentiary system, probation system, developing the system of legal assistance, the reform of the public administration system, and the development of e-governance, freedom of speech, and information policy. Particular attention is paid to the issues of ensuring national unity and support of national minorities, the rights and freedoms of internally displaced persons (IDPs). It also discusses key economic reforms (fiscal reform, tax system reform, deregulation and creation of a favourable business climate, energy sector reform, and energy security).

The second section of the ANP-2018, “Defence/Military Issues”, primarily is devoted to reform of the security and defence sector of Ukraine. It includes implementation of democratic civilian control over the security and defence sector of Ukraine, creation of a system of government guarantee of defence products’ quality, ensuring equal gender rights and opportunities in the security and defence sector of Ukraine, and the social protection of servicemen and their family members.

Under the conditions of Russian invasion, the reform of the Armed Forces of Ukraine is

<sup>6</sup> Закон України Про засади внутрішньої і зовнішньої політики (*The Law of Ukraine On the Principles of Domestic and Foreign Policy*), “Відомості Верховної Ради України”, 2010, № 40, ст.527.

<sup>7</sup> Про затвердження Річної національної програми під егідою Комісії Україна – НАТО на 2018 рік (*On Approval of the Annual National Program under the auspices of the Ukraine-NATO Commission for 2018*), Указ Президента України №89/2018, Офіційне інтернет-представництво Президента України, 2018 [<http://www.president.gov.ua/documents/892018-23882>].

of utmost importance. This challenging task implies improving the systems of military management and communication, reforming the logistical and medical systems of the Armed Forces of Ukraine, achieving technical compatibility of armaments, military and special equipment, and improving the efficiency of personnel management.

Important components of the reform of the security and defence sector of Ukraine are the development of the National Guard, the National Police, the National Border Guard Service, the National Migration Service, the unified state system of civil protection of Ukraine. The reform of the Security Service of Ukraine and intelligence agencies, the development of the State Service for Special Communications and Protection, the development of the State Special Transport Service, the National Security and Defence Council of Ukraine, the defence-industrial complex, and the protection of critical infrastructure are of fundamental importance.

The section on resource issues covers issues of reforming the defence planning system, budget planning, logistics systems in the security and defence sector of Ukraine, and integration into NATO logistics systems.

The fourth section, on security issues, includes the implementation of administrative arrangements for protecting restricted information between the Government of Ukraine and the North Atlantic Treaty Organization. It also covers developing a national system for protecting NATO information with restricted access, improving the regulatory framework for the system of restricted information protection, developing the system of cryptographic and technical protection of information, exchange of intelligence information, cyber security, cooperation in the areas of air traffic management and air space security, navigation and security organisation, and ship and port infrastructure protection.

In the last chapter on legal issues, the main priority, in deepening Ukraine-NATO cooperation with the aim of acquiring membership, is to harmonize Ukrainian legislation with the legislation of NATO member states in the field of security and defence, and to develop effective legal mechanisms for ensuring Ukraine's sectoral cooperation with the North Atlantic Alliance.

The cooperation of Ukraine with NATO in the field of strategic communications is of particular importance. The main objectives of the partnership in this area are to develop the capacities of state authorities in this area and all its components at the strategic and operational levels through advisory and practical support; to support Ukraine's cooperation with experts with relevant experience in the field of strategic communications; to promote strategic communication culture at the institutional level in Ukraine, to establish closer cooperation with non-governmental organisations and to promote their capacity to engage in strategic communications in the interests of Ukraine; to achieve and maintain the highest standards of accuracy and ethics to ensure trust to the state communicative policy.

Undoubtedly, activities aimed at preserving international consensus in supporting Ukraine, continuing sanctions' pressure on the Russian Federation to end the armed aggression against Ukraine, and liberation of temporarily occupied territories in the Donetsk and Luhansk oblasts, the Autonomous Republic of Crimea, and the city of Sevastopol will remain a priority.

It is especially worth stressing that the ANP-2018 does not contain direct references to the need for the so-called "Minsk agreements". At the same time, it emphasises the need to consolidate political support of Ukraine by international partners in fighting the armed aggression of the Russian Federation and in restoring the territorial integrity of Ukraine.

The ANP-2018 emphasises the necessity to strengthen the consensus of the Free World regarding the need to preserve special economic and other restrictive measures (sanctions) against individuals and legal entities of the Russian Federation introduced in connection with Russian aggression, gross violations of fundamental human rights and freedoms in the temporarily occupied territories of Ukraine. It is a matter of principle to ensure the priority of the issue of ending the armed aggression of the Russian Federation against Ukraine on the agenda of the UN, OSCE, Council of Europe, and other international organisations. Consequently, it is vital to restore the territorial integrity of Ukraine and reintegrate the temporarily occupied territories of Ukraine. However, the aim to ensure the deployment of a UN peacekeeping mission on the territory of certain regions of Donetsk and Luhansk regions looks like a utopia.



***The ANP-2018 emphasises the necessity to strengthen the consensus of the Free World regarding the need to preserve special economic and other restrictive measures (sanctions) against individuals and legal entities of the Russian Federation introduced in connection with Russian aggression***

While implementing the Conception on Improving Public Information on Euro-Atlantic Integration for 2017-2020, approved by the Decree of the President of Ukraine in February 2017, the focus will

be on the measures to create conditions for raising Ukrainian citizens' awareness of and trust in the course towards acquiring Ukraine's membership in NATO, ensuring the citizens' stable support for the public policy in the field of Euro-Atlantic integration.<sup>8</sup> The ANP-2018 explicitly indicated the necessity to implement the corresponding action plan.

The main objective of the plan is to increase the level of Ukrainian citizens' support for the state policy in the field of Euro-Atlantic integration and the level of trust in NATO as an institution that plays a key role in strengthening international security. However, the experience of the first months of 2018 testified to the neglect of relevant decisions by some executive authorities. It puts forward the need to strengthen the responsibility for implementing the state course on Euro-Atlantic integration.

## **Conclusion**

Summing up, the ANP-2018, as well as the previous Annual National Programs, meets the standards of the NATO Membership Action Plan. However, there remains a fundamental difference, especially with regard to liability. A Membership Action Plan (MAP) imposes mutual responsibilities on the applicant country and the Alliance and has the nature of an international treaty. The ANP is a Ukrainian legal act agreed with NATO.

The political decision on Ukraine's membership in NATO was approved by the Alliance in 2008. Granting a MAP is not a reward but a mandatory next step to work on Ukraine's compliance with NATO standards.

<sup>8</sup> Розпорядження Кабінету Міністрів України від 14 лютого 2018 р. № 109-р Про затвердження плану заходів щодо реалізації Концепції вдосконалення інформування громадськості з питань євроатлантичної інтеграції України на 2018 рік [The Order of the Cabinet of Ministers of Ukraine dated February 14, 2018, No. 109-r On Approval of the Plan of Measures to Implement the Concept for Improving Public Information on Ukraine's Euro-Atlantic Integration for 2018], the Cabinet of Ministers of Ukraine, 2018 [https://www.kmu.gov.ua/ua/npas/pro-zatverdzhennya-planu-zahodiv-shodo-realizaciyi-konceptiyi-vdoskonalennya-informuvannya-gromadskosti-z-pitan-yevroatlantichnoyi-integraciyi-ukrayini-na-2018-rik].

To make this step, it is necessary not only to write the relevant items in the ANP-2018, but also to implement them carefully. That is, the Alliance needs to see and assess the real political will on the part of the Ukrainian authorities and society to achieve full Euro-Atlantic integration. In this context, the Annual National Program should not have been called “under the auspices of the NATO-Ukraine Commission”, but the Annual National Program on Preparing for NATO Membership (as it was already in 2009-2010).

Consequently, almost ten years of experience in implementing the NATO-Ukraine Annual National Programs show that with a political will and responsibility of both the

authorities of Ukraine and the Alliance, the ANPs are capable of acting as an effective mechanism for the Euro-Atlantic integration of this country. However, the effectiveness of the ANP implementation should be demonstrated by all the Ukrainian society.

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