

# Factors Affecting Ukraine's Accession to NATO Membership

## THE ISSUE

The U.S. should work to ensure that NATO is prepared to face the challenges of this century effectively. It is in America's interest to maintain an open door for nations that are qualified and can contribute to the political and military strength of the alliance.

Shortly after Russia announced a referendum on its formal annexation of occupied Ukrainian territory, Ukraine's President Volodymyr Zelenskyy requested expedited NATO membership. While a large majority of Americans strongly support Ukraine's courageous fight for freedom and are impressed by recent battlefield gains against Russia, accession to NATO is a formal process and must not be linked to other means of assistance to Ukraine. Many of the factors that have impeded NATO membership for Ukraine remain in place, making this request at best impractical in the short term.

## WHAT IS REQUIRED TO JOIN NATO?

Any nation requesting to join must meet certain requirements and complete a multi-step process. The accession process is overseen by the North Atlantic Council, NATO's governing body, and any decision to invite a country to join the Alliance is taken by the North Atlantic Council on the basis of consensus among all allies.

A request for membership by a country like Ukraine is different from the recent requests of Finland and Sweden to join NATO. Typically, as a precursor to joining, the Alliance establishes a Membership Action Plan (MAP), a NATO program of advice, assistance, and support tailored to the individual needs of countries wishing to

join the Alliance. Participation in the MAP is not necessarily a guarantee of future membership. These programs were designed primarily for nations developing civil-military institutions and NATO-compatible forces, such as countries like Ukraine (rather than established Alliance partners like Sweden and Finland). A MAP is not a formal requirement for membership but has often served as a key benchmark in the process.

While it may be politically appealing to fast-track Ukraine's accession, abrogating the formal steps to membership could have the unintended consequence of weakening NATO by introducing a member that does not meet the standards of the whole. Ukraine does not have a MAP. This process should be initiated before NATO membership can be responsibly considered. In addition, given that Ukraine does not currently meet NATO standards, objections from other members could undermine the unified NATO response to Russia's aggression.

Thus, political decisions aside, there are a number of practical and administrative obstacles to rushing through Ukraine's membership (there is no "accelerated membership" laid out in the North Atlantic Treaty) that would have to be resolved before the country could become an effective and integrated member of the Alliance.

## CAN A NATION AT WAR JOIN NATO?

The North Atlantic Treaty is not specific on this topic, but NATO was intended to be a collective defensive security alliance. The articles of the Alliance, warfighting missions,

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This paper, in its entirety, can be found at <http://report.heritage.org/fs235>

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capabilities, and plans were intended primarily to deter conflict and promote peace. As part of the deterrence effort, NATO plans and operations are intended to demonstrate the capability and capacity to defend NATO territory. No nation has ever been asked to join to NATO that was a party to an ongoing conflict.

There is a case to be made that nations could join NATO with portions of their territory under dispute (as long as they commit not to resolve these disputes through force) or if disputes are resolved before joining NATO. However, even that condition is not likely in the present case, and this should be a serious sticking point in obtaining unanimous support for immediate NATO membership.

#### **WOULD JOINING NATO PUT NATO AT WAR WITH RUSSIA?**

Article V, the principal element of the North Atlantic Treaty which lays out the principle of collective defense of NATO territory, does explicitly require member nations to “provide assistance individually or collectively, including through the use of armed forces.” However, Article V does not explicitly “de jure” entail an “obligation to declare war on the aggressor and necessarily apply force against it.” That said, “de facto” Ukraine is fighting a war against Russia on its territory and could be expected to ask for assistance. Therefore, by allowing Ukraine to join NATO at this time, member states would be explicitly risking being drawn into a wider conflict. It is extremely unlikely that there is a consensus in the Alliance to accept this risk—nor should there be.

#### **WOULD JOINING NATO CHANGE THE COURSE OF THE WAR?**

Probably not. NATO is already providing significant support to Ukraine. There would be no consensus for NATO forces to become directly involved in the conflict; thus, accession at this point would be largely symbolic. There would probably be no NATO consensus for complicating the current support relationship for this reason alone. Responding to Ukraine’s

application, NATO Secretary General Jens Stoltenberg reiterated the importance of the Alliance’s open-door policy but also stated that the focus would remain “on providing immediate support to Ukraine, to help Ukraine defend itself against the Russian brutal invasion.”

#### **WILL NATO INVITE UKRAINE TO JOIN?**

Almost certainly not. Ukraine currently cannot contribute to the Alliance’s collective security for the simple reason that it is embroiled in a war. Therefore, there would be no consensus to take this action.

#### **COULD UKRAINE BE INVITED TO JOIN NATO IN THE FUTURE?**

That is possible. NATO has an open-door policy for qualified aspirant states. In addition, there could be accommodations for states like Georgia and Ukraine to join, even if part of their territory is occupied, if they commit to resolving disputes by peaceful means. Those conditions, however, are not present in Ukraine now. When the current fighting subsides, it could well make sense to help improve Ukraine’s self-defense capability and complete a MAP. This would both establish the right conditions for Ukraine to join the Alliance and enhance NATO’s collective security.

NATO is rightly supporting Ukraine’s self-defense against an unprovoked and savage Russian invasion. NATO has also demonstrated both the capability to expand the Alliance expeditiously when requirements for membership are met, as was the case with Finland and Sweden, and the willingness and resolve to defend NATO territory. Further, both “de jure” and “de facto,” NATO is not a party to the conflict between Ukraine and Russia, and introducing the Alliance into the war is not likely to deescalate the war—and could in fact draw the continent into further conflict.

Addressing Ukraine’s request for membership through the established process is a responsible and prudent course of action that defends NATO’s primary interest: collective self-defense of its members. That policy is not likely to change.