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# PUSHING FOR UKRAINE'S NATO MEMBERSHIP THREATENS TO DERAIL AN END TO THE WAR

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## TOPLINE POINTS

- ★ America's NATO allies are contemplating fast-tracking NATO membership for Ukraine "after the war" has ended. This war, however, will likely end in a stalemate in which Ukrainian territory is still occupied by Russian forces with a ceasefire in place rather than a decisive military victory by Ukraine.
- ★ Granting Ukraine NATO membership in this context threatens to derail peace efforts toward a permanent end state while also risking an American military engagement with Russia.
- ★ Reaching a negotiated end state in the Russia-Ukraine conflict is possible, but it will require moving beyond the provocative NATO membership option for Ukraine in favor of bilateral security support.

U.S. Ambassador to Moscow, William Burns, to Secretary of State Condoleezza Rice in 2008:

*Ukrainian entry into NATO is the brightest of all redlines for the Russian elite (not just Putin). In more than two and a half years of conversations with key Russian players, from knuckle-draggers in the dark recesses of the Kremlin to Putin's sharpest liberal critics, I have yet to find anyone who views Ukraine in NATO as anything other than a direct challenge to Russian interests.*

*"The view, bluntly stated, is that expanding NATO would be the most fateful error of American policy in the entire post-cold-war era."*

George Kennan; 1997.



As Russia's invasion of Ukraine passes its 600-day mark, the U.S. and NATO allies are considering granting Ukraine's membership into the alliance "after the war" has concluded.<sup>i</sup> However, the most realistic outcome for what "after the war" entails demonstrates why the current discussions on bringing Ukraine into NATO are problematic.

Ukraine's counteroffensive has not achieved the ambitious goals that President Volodymyr Zelensky and Western nations set out to accomplish. Ukrainian and Russian forces are now battling for incremental advances in a warfare environment that is quickly developing into a stalemate.<sup>ii</sup> As a result, there is a growing sentiment amongst Western allies that the war in Ukraine will likely be a protracted conflict that will temporarily end in a ceasefire rather than conclude with a decisive victory by either party.

Poland, for example, has announced it will end weapons shipments to Ukraine, citing concerns over depleting their countries' defense stockpiles and national resources in a protracted war. In defense of this policy shift by Poland, Polish President Andrzej Duda asserted in September 2023 that "Ukraine is like a drowning person who can pull you to the depths. If a drowning person causes harm and drowns us, he will not get help. We have to look after our interests and we will do it effectively and decisively."<sup>iii</sup> The newly elected government of Slovakia has also postured the policy position of cutting off its nation's weapons supplies to Ukraine. Poland, and potentially Slovakia, are therefore emblematic of the changing view amongst the European allies as it relates to this war.

"After the war" therefore alludes to the situation that this war will likely culminate in a stalemate in which Russian forces still occupy Eastern Ukraine with a ceasefire in place rather than a decisive military victory by Ukraine in which all its territory is liberated from Russians. Supporting the policy to bring Ukraine into NATO by this definition of "after the war," however, will only ensure a prolonged war by eliminating a feasible pathway to reaching a negotiated end state to the war. Moreover, Ukraine's entrance into NATO threatens to bring the NATO allies and the U.S. into a direct military confrontation with Russia if either side were to violate the ceasefire. This could set the scene for a wider war.

### **Potential NATO Expansion Looms Large in this Conflict**

Ukraine's potential NATO status, as well as its integration into the European Union (EU), has long been at the center of the Russia-Ukraine conflict.

Ukraine has viewed ascension into NATO as the primary mechanism to achieve binding security protection from the NATO allies against Russian aggression. In 2019, Ukraine even cemented achieving NATO, as well as EU, membership as a national priority by adding an amendment to its constitution. Russia, however, has viewed all NATO



expansion, particularly Ukraine’s entrance into NATO, as a threat to its vital national security interests.

NATO leaders have, therefore, responded to this dilemma by expanding NATO for other nations (even at the risk of provoking Russia) while keeping membership for Ukraine tentative.

For example, from the collapse of the Soviet Union in 1991 to the present day, three former Soviet nations and all of the former members of the Soviet Union’s Warsaw Pact have been brought into the NATO alliance.<sup>iv</sup> Ukraine, however, has received a different policy treatment. In part, the reason for Ukraine’s arduous pathway to NATO membership has been the nation’s ongoing battle with corruption and anti-democratic governance practices. More broadly, however, Ukraine’s tentative path to NATO membership is because Western policymakers have recognized that Ukraine serves as “the brightest of all redlines” for Russia, due not only to Ukraine’s proximity to Russia’s Western border but also because of Russia’s belief in the shared heritage that exists between the two nations, enumerated in the *Novorossiya* “new Russia” doctrine, which argues that the southeastern territories of Ukraine belong to Russia. Russia’s core belief is that NATO admitting Ukraine into the alliance would be the final *redline* from the West, which would solidify Russian concerns over an encroaching Western military alliance poised against them.

NATO allies have, therefore, gone about Ukraine’s ascension into the alliance in a distinctively cautious manner. For example, in 2008, Ukraine requested a Membership Action Plan (MAP) —a mandatory prerequisite for a nation to join NATO. While the U.S. was in support of providing Ukraine with a MAP under President George W. Bush, France and Germany opposed this policy move.<sup>v</sup> France and Germany believed that bringing Ukraine into NATO was an “unnecessary offense to Russia” that would challenge European security.<sup>vi</sup>

Following France and Germany’s opposition, NATO denied a MAP for Ukraine and instead issued a broad statement at the 2008 Bucharest NATO Summit that stated Ukraine would eventually become a member of NATO while failing to offer a clear timeline.<sup>vii</sup>

Therefore, despite NATO’s official “open-door policy,” NATO allies have still worked to balance the security dilemma that Ukraine’s ascension to the military alliance would pose to European security by ultimately keeping its door to Ukraine tentative.

### Current NATO Deliberations



Ukraine's NATO status has risen to the surface once more with recent efforts in Congress to accept Ukraine into the alliance officially. In April 2023, Senators Richard Blumenthal (D-CT), Sheldon Whitehouse (D-RI), and Lindsey Graham (R-SC) introduced the Ukraine Victory Resolution in the Senate.<sup>viii</sup> This Senate resolution “affirms that it is the policy of the United States to see Ukraine victorious against the invasion and restored to its internationally recognized 1991 borders” and that “peace brought by Ukrainian victory must be secured by integrating Ukraine into the North Atlantic Treaty Organization and other Euroatlantic institutions.”<sup>ix</sup>

Ukraine's NATO membership was also the focus of the inaugural NATO summit in which NATO members issued a declaration asserting that “Ukraine's future is in NATO.”<sup>x</sup> At this summit, President Zelensky demanded NATO drop its Membership Action Plan requirement to allow for fast-tracked entry into the alliance and argued that failure to do so was “absurd.”<sup>xi</sup>

### **The Timing of Ukraine's Possible Entrance into NATO and Risks Associated**

For the Biden Administration and NATO leadership, it is now a question of not if Ukraine will join NATO but when.

Despite President Zelensky's pleas for a fast-tracked membership, President Biden and NATO Secretary General Jens Stoltenberg favor the option of waiting until “after the war” to initiate Ukraine's NATO membership.<sup>xii</sup>

This position of “after the war” is due to the fact that admitting Ukraine into NATO while Russia's invasion is still fully underway is the most dangerous option because of NATO's Article 5 mutual defense clause. Under this Article, America's involvement in the war would no longer be indirect—it may require the direct use of military force by U.S. armed forces against the Russian military.

President Biden and NATO leadership have therefore affirmed their support for Ukraine joining the alliance *after the war*. What constitutes “after the war,” however, is unclear.

The Biden Administration has not clarified what constitutes a *win* and, therefore, what constitutes an *end* to the Russia-Ukraine war. It has only vaguely supported President Zelensky's vision of restoring Ukraine to its pre-2014 borders, including the recapture of Crimea and achieving a full withdrawal of Russian forces.

Achieving that vision of victory will be difficult. Russian forces currently occupy and control almost 20%, or 48,000 square miles, of Ukrainian territory.<sup>xiii</sup> Ukraine's widely anticipated spring counteroffensive, officially launched in June 2023, has made limited



gains and has yet to achieve the major breakthrough that Ukrainian and U.S. officials had planned for.<sup>xiv</sup>

With approximately \$113 billion allocated to Ukraine by the U.S., particularly in preparation for Ukraine's counteroffensive, the manpower, and resources required to achieve President Zelensky's vision of a complete victory that takes back all territory seized by Russia appears unrealistic in the immediate or short term unless there is a dramatic change in Ukrainian or Russian force positioning.

With renewed calls to grant Ukraine's membership into NATO, the most likely scenario in which the allies could admit Ukraine "after the war" is after a cease-fire has been declared and implemented, making the war a frozen conflict in which Russia still occupies Ukraine's Donbas region.

Granting Ukraine NATO membership while a cease-fire is in place, however, carries with it several risks.

First, if a cease-fire in Ukraine is implemented and Ukraine is admitted into NATO, any violation of that cease-fire would trigger NATO's Article 5, stipulating that "*an attack on one is an attack on all.*" This would bring American military forces directly into the Russia-Ukraine war.

It is worth noting that two previously attempted cease-fires to the 2014 Russia-Ukraine conflict, the Minsk Accords, often accrued more than 500 daily cease-fire violations by both sides.<sup>xv</sup> Moreover, in 2016, with the Minsk 1 accord being implemented for approximately one year, over 320,000 cease-fire violations from both sides were recorded.<sup>xvi</sup>

While NATO involvement in nation-state conflicts can serve as an enforcement mechanism for peace settlements and a deterrence mechanism against aggressor nations, much like what was done in the Balkans in the 1990s, there are clear reasons that this same principle will not apply to the Ukraine war.

For example, in November 2022, reports emerged that a Russian missile had fired into Poland, killing two individuals. Following the incident, President Zelensky stated, "The longer Russia feels impunity, the more threats there will be to anyone within reach of Russian missiles. To fire missiles at NATO territory! This is a Russian missile attack on collective security! This is a very significant escalation. We must act."<sup>xvii</sup>

However, it was later uncovered that this missile was, in fact, a Ukrainian S 300 5W-55 air-defense missile launched by Ukraine, which President Zelensky inaccurately accredited to Russia.<sup>xviii</sup> From this standpoint, Ukraine's entrance into NATO while a



cease-fire is in place risks repeating similar occurrences and, therefore, needlessly escalating this war into a wider, global one.

Moreover, bringing Ukraine into NATO under the terms of a cease-fire demonstrates the very real threat that admitting Ukraine into NATO during a frozen conflict constrained only by a cease-fire likely would bring America into direct military engagement with Russia.

Second, bringing Ukraine into NATO while a cease-fire is in place and Russia still occupies Ukrainian territory threatens to derail future peace efforts toward a permanent end-state and, therefore, risks the continuation of the Russia-Ukraine conflict.

Beyond territorial and common heritage disputes between Ukrainians and Russians, the Russia-Ukraine war has deep roots in Russia's security concerns over NATO expansionism Eastward. This concern is acknowledged amongst the NATO allies as well as U.S. policymakers and has played a role in the framing of European security policy since the fall of the USSR.

Furthermore, before its launch of the invasion on February 24, 2022, Russia issued an eight-point draft of unwarranted security concession demands to the West, which focused on thwarting NATO expansionism eastward.

For the U.S., Russia's longstanding concerns, therefore, mean Ukraine's NATO status is one of the strongest leverage and bargaining chips it has in any peace deal with Russia.

Preemptively granting Ukraine NATO membership while Russia still occupies Ukrainian territory with a cease-fire in place, however, reduces the incentive for Russia to abide by an agreement or even enter into peace talks for the purpose of reaching a permanent end state.

### **The Way Forward—for the U.S. and Ukraine**

In order for negotiations to be successful, there must be both incentives and pressure points for both parties so that they will come to the negotiating table and bargain in good faith. In the case of granting Ukraine NATO membership, the U.S. eliminates the very incentive that would bring Russia to the negotiating table. By taking this issue off the table in the near term, however, the U.S. offers an incentive for Russia to join peace talks and agree to an end-state.

For Ukraine, the pressure point should be targeting it to join peace talks. One of the consequences of the Biden Administration's approach of sending endless aid packages to Ukraine without a defined end-state has been to eliminate the incentive for Ukraine to



rejoin peace talks with Russia or agree to any settlement without a so-called complete victory. While Ukraine and Russia engaged in peace discussions in March 2022, and President Zelensky was initially open to “adopting a neutral status as part of a peace deal with Russia,” Ukraine has since dropped this policy.<sup>xix</sup> Ukraine is now singularly focused on liberating all of its territory from Russian forces via military force and has adopted a measure banning President Putin from any future peace talks.<sup>xx</sup>

The Biden Administration’s policy of “nothing about Ukraine, without Ukraine” and arming Ukraine “as long as it takes” has, therefore, only served to remove the urgency of reaching a negotiated end-state to the war.

Given the results of the Biden Administration’s approach to Ukraine, the U.S. should consider leveraging its military aid to Ukraine to make it contingent on Ukrainian officials agreeing to join peace talks with Russia to negotiate an end state to this conflict.

The incentive the U.S. could offer Ukraine would be promoting the policy that in lieu of Ukraine’s NATO membership, the U.S. will implement bilateral security agreements, thereby guaranteeing collective defensive measures without playing the provocative NATO membership card.

Many, including Ukrainian officials and Biden Administration officials, believe that negotiations between Russia and Ukraine are impossible, or as a Ukrainian official stated, talks with Putin are a “deal with the devil.”<sup>xxi</sup> The reality, however, is that there is still room for negotiations, which is likely the most feasible pathway to ending the war in Ukraine. Particularly since the “slow pace” of Ukraine’s counteroffensive points to a long war of attrition that will further wreck the country and kill additional thousands of Ukrainians regardless of whether Ukraine could eventually “win” such a conflict.<sup>xxii</sup>

Negotiations can work but will require strong American leadership to execute pressure points and incentives in a peace deal and, most importantly, move beyond the provocative issue of NATO membership for Ukraine.

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