Security Bridge or Vacuum in Post-Orange Ukraine
How Operative is the Euro-Atlantic Integration Toolbox?

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The chronic political uncertainty in Ukraine has created a type of formal stability built upon a "play-with-the-rules" (instead of "play-by-the-rules") archetype. This kind of stability may help consolidate national governance in the short-term. However, it is unable to provide long-term fundamentals for success, as it does not meet obvious challenges of institutional capacity-building, functional democracy, and rule of law.

The current question for the new Ukrainian leadership is: Can Ukraine change its foreign policy priorities without withdrawing from existing international commitments and related domestic policies (including security sector reforms), or will these changes lead to an increased stagnation of reforms and, if so, the further marginalization of Ukraine in the so-called "new European security architecture"?

Power Shifts and Foreign Policy Change

The change of political power in Ukraine in February 2010 led to a revision of official views on Ukraine's prospective membership in the North Atlantic Treaty Organization. The shift toward a non-aligned policy was among the key slogans of Victor Yanukovych's presidential campaign. Immediately after his inauguration, the newly-elected president promised a "non-bloc" policy that would replace the country's eight-year-long bid for NATO membership. The reshaping of the parliamentary majority and the formation of a new government (there are serious legitimacy challenges regarding these moves) created a kind of institutional guarantee for a "new deal" based on a balanced foreign policy and a non-aligned security approach.

In July 2010, Yanukovych signed into law "On the Fundamentals of Domestic and Foreign Policy of Ukraine." Article 11 of this law stipulates that "Ukraine pursues a non-bloc policy, which means non-participation in military-political alliances." The law also gives priority to "the improvement and development of the European collective security system." It also provides for "the continuation of a constructive partnership with NATO and other military-political blocs regarding all issues of mutual interest." According to the final provisions of the law, a formula expressing NATO membership

as a goal was dropped from the Law on National Security Fundamentals, originally adopted in June 2003.

So the new leadership has declared its intention for Ukraine to be a bridge between the West and Russia and not to join any military alliances (namely NATO and the Collective Security Treaty Organization). However, if relevant reform-oriented commitments will also be abandoned, there will be a growing incapacity of the state to counteract actual security challenges while preserving an unaccountable and non-transparent system of governance.

Euro-Atlantic Integration as a Policy-Shaping Tool
The use of the term "Euro-Atlantic integration" conveys a wider sense than "accession to NATO" and reflects not only linguistic truisms of post-Soviet political vocabulary, but also a new, broader value for the overall process of country-NATO partnerships.

From the start, Ukraine-NATO relations have been a stimulating factor for systemic reforms in Ukrainian politics, economics, security, and military. For the first time, a mechanism has been introduced in Ukraine providing for public planning and accountability in the framework of international cooperation, allowing for effective support to internal reforms, and facilitating the public's ability to be involved with government activities, including the traditionally closed segments of security and defense.

Since 2003, the Annual Target Plans (ATPs) were a mechanism for the implementation of objectives as set out in the NATO-Ukraine Action Plan in accordance with a 2002 decision by the NATO-Ukraine Commission (NUC). The Annual Target Plans included the following sections: political and economic, security and defense, military, information, and law. Timeframes and responsible agencies were also designated.

The NATO-Ukraine Action Plan, in turn, was developed in order to improve and intensify NATO-Ukraine relations and is based on the Charter on a Distinctive Partnership, signed in Madrid in July 1997, which continues to be one of the legal bases for NATO-Ukraine relations. The Action Plan contains principles and objectives agreed to by both sides and concrete internal measures to be undertaken by Ukraine or jointly by Ukraine and NATO. The objective of the Action Plan was to clearly determine strategic purposes and priorities for Ukraine in order to achieve integration into Euro-Atlantic security structures and create a strategic framework for current and future NATO-Ukraine cooperation in line with the Charter.

The Annual National Program (ANP) format, which was given to Ukraine and Georgia in December 2008, was previously used in the framework of NATO's Membership Action Plan (MAP), introduced at NATO's April 1999 Washington Summit as an instrument for preparing countries aspiring to alliance membership. While Ukraine did not receive an official MAP, it was given access to its main working component, the ANP.

The ANP consists traditionally of five chapters: political and economic, defense and military, resources, security issues, and law. NATO also provided Ukrainian

authorities with guidelines stipulating expectations and procedures for assessing progress. The overall objectives are for Ukraine to carry out key reforms in order to reach the standards of the Euro-Atlantic community. The ANP serves as a kind of internal guidance document for the government, helping to determine strategic priorities and mid-term objectives as well as priority tasks for the given year.

An important feature of the ANP is the fact that it is devised as a national program—not something jointly agreed with NATO—and thus has to take into account the country's own needs, domestic resources, and unique features in the spheres of politics, economics, defense, security, resources, and law. At the same time, the ANP offers political and expert consultations with NATO as well as feedback and assessment. By being a lead partner in the development of its ANP, a country can guide its own way forward for carrying out reforms and reaching NATO standards.

The Value of the Annual National Program

The development of the first ANP (for the year 2009) provided an opportunity to identify a number of issues that needed to be solved by Ukraine in order to meet the standards and requirements of the EU and NATO, and to determine the mechanisms and measures necessary for overcoming existing problems.

At the moment, however, there is no methodology accepted by all parties for assessing the quality of ANP implementation. This creates a high degree of subjectivity and the risk of overstated results in reports prepared by executive authorities.

According to official data, the ANP-2009 concludes the following about the program's 250 priority tasks:

- Fully implemented: 100 cases (40 %)
- Implemented in 2009, implementation will continue:
    131 cases (52.4%)
- Not implemented in 2009, implementation will continue:
    19 cases (7.6%)

The ANP Implementation Plan approved by the Cabinet of Ministers in September 2009 contained 458 actions, which Ukraine declared:

- Implemented: 314 (68.6%)
- Partially implemented: 115 (25.1%)
- Not implemented: 20 (4.4 %)
- Cancelled or postponed: 9 (1.9%)

An analysis of Ukraine's fulfillment of the Euro-Atlantic integration documents in previous years (ATPs from 2003–2008 and ANP-2009) demonstrates that the best results in terms of qualitative and quantitative indicators were achieved in the sectors of foreign policy and defense/military. Progress in the latter has demonstrated Ukraine's considerable attainment of Euro-Atlantic integration standards in that sphere.

The ANP impact on the implementation of domestic policies has been rather limited (in areas such as rule of law, governance, administrative and judiciary reform, and anti-corruption). Nonetheless, there were areas where visible progress was made in achieving objectives (e.g., reforms related to security and defense). Based on conclusions drawn in the course of the Strategic Defense Review, conceptual principles for the general structure of the Ukrainian armed forces through 2025 were adopted.

Ukraine continues to be a reliable participant in the NATO Partnership for Peace (PfP) program. A trilateral Ukrainian-Danish-U.S. supply operation for a Danish military outpost in Greenland, nicknamed "Cossacks on Ice," lasted for over two weeks in March 2009. A follow-up operation, "Northern Falcon-2010," was successfully conducted the following year.

Additionally, just over seventeen hundred Ukrainian service members honorably performed their duties in ten international peacekeeping missions in 2009.

Though insufficiently financed, the Ministry of Defense took measures to modernize and maintain the combat readiness of the armed forces. The Concept of State Defense Target Program for Development of Armaments and Military Equipment of the Ukrainian Armed Forces for 2010-2015 (adopted in September 2009) estimates state financing over the course of the program to be 1.7 billion UAH (about $214 million).

Ukraine actively participated in discussions on NATO's New Strategic Concept, confirming its role as a key security contributor in Europe.

Ukraine fulfilled its contractual obligations to provide air transportation services to EU and NATO partners within the framework of the Strategic Airlift Interim Solution (SALIS).

Following NATO-Ukraine expert consultations carried out under the auspices of the Joint Working Group on Defense Reform (JWGDR) in May 2009, a decision was made to launch a NATO-Ukraine Working Group on Cyber Defense. The protection of state information resources from internal and external cyber-threats is today one of the most urgent challenges to national security.

The Cabinet of Ministers of Ukraine issued in December 2009 a decree allowing the temporary fulfilment of an agreement between the Cabinet of Ministers and NATO regarding the transit of goods through Ukraine in support of NATO's International Security Assistance Force in Afghanistan. This fact demonstrated to the international community Ukraine's commitment to peacekeeping and international stability.

Important features of the ANP, which give the document obvious value among other normative documents, are the following:

- Special procedures for consultation with NATO in the preparation of the document; an assessment process, which gives the West a certain stake in Ukrainian national decision making; and the opportunity to enhance the understanding of necessary reforms among Ukrainian policymakers.

- Mandatory development of the implementation document (Implementation Plan), which determines concrete steps for fulfilling priority tasks for a given

year. Responsible persons, approximate timelines, and the sources and amounts of financing for each item are stated.

- Assessment of progress in implementing the ANP by a team from NATO's International Secretariat under the leadership of the deputy assistant secretary general of NATO for security cooperation and partnership. The assessment report serves as a basis for discussion in meetings of the NATO-Ukraine Commission and can be used by Ukraine for drafting new ANPs.

Policy Discrepancies of the New Government

Statements by the new government suggest that Ukraine is not going to move away from the ANP format, despite changing political goals. The new leadership has confirmed existing commitments and formally welcomed any available instruments that may help Ukraine approach European standards of democracy and rule of law, and to reform its security and defense sector.

Real policy, however, has proved to be more ambivalent. On the one hand, the new government terminated the overall coordination system in the area of Euro-Atlantic integration developed by the previous government. Through two decrees signed in April, Yanukovych abandoned the National Center for Euro-Atlantic Integration and Inter-Agency Commission on NATO Membership Preparation. By a regulation of the Cabinet of Ministers adopted at the end of March, the Coordination Bureau for European and Euro-Atlantic Integration at the Secretariat of the Cabinet of Ministers was liquidated and the Bureau for European Integration was established instead.

The overall trend in the spheres of democratic institution building, media freedom, and rule of law is rather negative. It is likely that the new leadership will abandon some important 2004 constitutional reforms and return to a Kuchma-like presidential political model with limited powers for parliament. As James Greene, former head of the NATO Liaison Office in Ukraine has put it, Yanukovych's apparent priority of "re-establishing a political and administrative command vertical…risks increasing tension and eventual confrontation with a society that has become accustomed to civic freedom."[1]

Yanukovych and his entourage obviously sympathize with the Putin-like model of "managed democracy" and will test Ukraine for the acceptance/non-acceptance of such a model. The outcome of this test is not clear in the short-term, especially taking into account the weakness of the political opposition and the general demoralization of civil society.

On the other hand, the formal commitments of the new government remain stable in comparison to the previous one. In June 2010, the new cabinet of ministers, led by Mykola Azarov, adopted the ANP-2010 Implementation Plan, which is considered to be the most comprehensive set of commitments currently existing between Ukraine and

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[1] http://www.razumkov.org.ua/eng/files/category_journal/NSD115_eng_5.pdf

Western institutions. Furthermore, in July 2010 planning for the next cycle, ANP-2011, was launched at various ministries under the coordination of the Ministry of Foreign Affairs.

Outlook

The main challenge of the current leadership of Ukraine is how to combine their multi-vector, non-bloc, foreign security policy with the vital need to continue reforms aimed at bringing Ukraine closer to Euro-Atlantic standards of the rule of law, transparency, and accountability. The development of a professional and apolitical civil service is vital for ensuring a sufficient supply of professionals capable of implementing reforms. In addition, the modernization of resource management methods is essential for ensuring that resources are used efficiently to achieve desired results.

Some might ask if Ukraine really needs to achieve "Euro-Atlantic standards" if NATO membership is no longer a Ukrainian objective. The answer is that if standards are not followed, Ukraine will not be able to become even a "security bridge" between the West and Russia but will instead find itself in a growing security vacuum, which is a perfect environment for the further marginalization of the country in regional and global politics.