

DGAP POLICY BRIEF

Security Guarantees for Ukraine

Until NATO Membership, Extending the Joint Expeditionary Force Is the Best Option



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There are no security “guarantees,” but NATO membership is as close as it gets – and has long proven its effectiveness in deterring Russian aggression. It is thus the only real option for Ukraine – and for wider European security. Addressing the lack of political will to recognize this, especially in Washington and Berlin, means finding an interim solution that provides credible, collective security in the meantime and fosters more durable, fairly delivered European security in the long term.

- Comparing NATO to other forms of security guarantee such as merely arming Ukraine or offering bilateral assurances is a false debate. NATO membership is the only option in the medium term, and the question is which option is best for the interim.
- Focusing on smoothing entry into NATO, this interim solution will need to: protect Ukraine to deter Russian aggression, underpin the investment needed for reconstruction, and bolster Europeans’ (including Germans’) contribution to their own security.
- Enlarging the Joint Expeditionary Force (JEF) to include Ukraine and Poland is the only option on the table that meets these criteria, but allies should think bigger and include France and other willing countries in this NATO-based framework.
- Germany should join in transforming the enlarged JEF into a Joint European Defence Initiative (JEDI) that can safeguard Europe’s interests, values, and key relationships by living up to its self-declared “special responsibility” for European security.

SECURITY GUARANTEES FOR UKRAINE: UNTIL NATO MEMBERSHIP, EXTENDING THE JEF IS THE BEST OPTION

The question of security guarantees for Ukraine has been the subject of heated debate ahead of NATO's 2023 Summit on 11-12 July in Vilnius. Much of the discussion – in Germany and elsewhere – has focused on the relative costs and benefits of NATO membership versus other options such as arming Ukraine. This is a false debate. NATO membership is the only viable option to avoid creating a dangerous gray zone in the medium term but, as there is not yet unanimous support for this among allies, an interim solution is required.

Possibilities for arming Ukraine, such as the “hedgehog” option – heavily arming it to defend against a future Russian attack – or another form of the hedgehog, the “Israel” option – a commitment to guarantee a Qualitative Military Edge (QME) – are not realistic. The former is grossly insufficient to deter Russia and the latter lacks teeth, because unlike Israel, Ukraine has no nuclear weapons. While such an enhanced Israel option (with nuclear weapons) might give Ukraine a significant deterrent capacity, it would have a seriously detrimental effect on European and global security, including through its wider proliferation implications. The Israel option is often falsely conflated with a true bilateral security pact like that which the United States has with Japan. In Ukraine's case such a credible two-way assurance is unlikely to be found. Even if it were, it would store up trouble for the future by exacerbating the problem of burden sharing in European security.

To imagine that Russia could be deterred and Ukraine kept secure in the long run without NATO membership is to ignore the lessons of the 2008 Bucharest Summit (where Ukraine was first offered the prospect but not the path to join NATO) and of the subsequent half-hearted Western commitments to Ukraine. To imagine that, without a meaningful security commitment from allies, Ukraine would not seek nuclear weapons as an insurance policy assumes that Kyiv would ignore the experience of the failed 1994 Budapest memorandum. In that agreement, Ukraine gave up its nuclear weapons in exchange for weak security assurances, which were not kept.

Many German politicians consider neither NATO membership nor a nuclear-armed Ukraine palatable, but as the last two years have shown, Berlin must

work with the options it has, not those it wishes it had. Germany's foot-dragging and difficulties in getting its approach to Ukraine right, as well as repeating mistakes made with Russia in its dealings with China, show it also still has trouble properly calculating its real interests. At the same time, pressure from allies has helped Germany begin to re-orient its policy, posture and strategic outlook – and these key relationships are vital to Berlin's attempts to forge a better foreign and security policy going forward.

As more and more of Germany's key partners are realizing, NATO membership for Ukraine in the medium term remains the only viable way to deter Russia and strengthen the security of Europe as well as the wider democratic world. The United States' reluctance to support this option gives cover to recalcitrant, irresponsible or miscalculating allies, including Germany, despite the strong advocacy of others, especially in Central and Eastern Europe (CEE). The slim chances of consensus being found before the Vilnius Summit is what necessitates an interim solution to cover the time between the end of hostilities and the moment Ukraine does join the alliance. This must protect Ukraine in the short term but also assuage US concerns over Europeans' security contribution in order to build momentum for and consensus on Ukraine's accession to NATO. Doing so means addressing longstanding shortcomings in European security via the interim solution.

This policy brief analyzes the shortcomings of the hedgehog and Israel options that rely on arming Ukraine, but which would impose significant and multiple risks on the country and its partners, including Germany. It then shows why a bilateral security pact is unlikely to happen, would be unlikely to work, and why Germany and other European allies should reject it, including because (like the hedgehog) it sends negative deterrence signals. Instead, the policy brief highlights the benefits of a proposal – from British parliamentarian Tobias Ellwood – that European NATO states form a coalition of the willing, based on an extension and re-orientation of the Joint Expeditionary Force (JEF).

The brief develops Ellwood's proposal further to demonstrate that, with a little creativity, this is also an opportunity to seize the moment and establish a new framework: the Joint European Defence Initiative (JEDI). This would better harness the strengths of key European allies to protect Ukraine, deter Russia and take more responsibility for European security, while also addressing their own concerns or shortcomings.

Capitalizing on the confluence of British, Central and Eastern European and, more recently, French geopolitical outlooks, such an initiative would test Berlin but would also offer Germany an opportunity to reinvigorate key partnerships and take more responsibility for European security. This would provide an interim solution for Ukraine and its European partners and ease the burden on the US, thus paving the way to not only enlarge but strengthen NATO and bolster European security in the long run.

NO GUARANTEES, BUT NO SUBSTITUTE FOR NATO

Despite common usage of the phrase, in reality there are no “security guarantees” – but NATO membership is as close as it gets. Even under the alliance’s famous Article 5 mutual defense clause, treaty allies have room to determine their own responses to evolving situations. Thus, nothing is guaranteed. Yet, from the Cold War to the present day, the Atlantic alliance has time and again proven essential to the defense of democracies by providing the only credible deterrent against authoritarian aggression, whether from the Soviet Union or the Russian Federation.

In addition to powerful military capabilities, especially those of the US, a key element in NATO’s endurance is the “social” effect of alliance membership. This is an important way in which the institution helps overcome the collective action problem that arises through the perceived, temporary divergence of individual states’ goals from the shared, long-term interests of the allies as a group. Continued reminders of and prompts to live up to shared commitments amount to a high-level and productive form of peer pressure, a collective spine-stiffening. This pushes all members to ensure they contribute to effectively deterring foes and reassuring allies. Even if this has undoubtedly been uneven, giving legitimacy to US complaints about burden sharing, it has greatly helped individual allies ride out periods of domestic uncertainty and fluctuating public support, which has ensured that NATO hangs together.¹ It is this mutually assured credibility that explains why Ukraine is set on joining the alliance – and why a strong group of NATO members, led by North, Central and Eastern European (NCEE) states are pushing for an invitation to be extended at the summit.

NATO membership for Ukraine would also be the best option for all allies committed to making the world safe for democracies, for a number of reasons. Alliance membership would both dramatically reduce the cost of militarily supporting Ukraine to deter Russia (as Ukraine would not need to be equipped to do so alone), and it would spread that cost between allies. If European NATO states took on a fairer share of responsibility for this collective defense, including of Ukraine, it would provide more equitable burden sharing that would also ease Washington’s concerns over meeting its growing commitments in the Indo-Pacific.

More essentially, however, democratic states cannot allow Russia’s aggression to pay off (or be seen to) – something that NATO membership for Ukraine would clearly signal to both Beijing as well as Moscow.² Enlarging NATO would thus make authoritarian imperialist violence less likely in future – and would clearly reward Ukrainians’ valor in defense of democracy by increasing their chances to salvage a brighter future from their fight to survive. This imperative is closely tied to other democratic goals including reconstructing Ukraine, which requires a strong security underpinning in order to attract the private investment it will need to succeed. Credible security and successful reconstruction would, in turn, also help spur the reform and integration cycle that will facilitate the country’s entry into the European Union, which would again clearly flag the Kremlin’s failure.

Hesitating to include Ukraine sends the opposite signal and seems to give Russia a veto over NATO enlargement due to the Putin regime’s empty threats to escalate against the alliance. Unless it is mitigated by a strong security offer for Ukraine, this hesitance risks rekindling the Kremlin’s hope that its chauvinist, imperial logic of establishing an oppressive sphere of influence over Ukraine (and other neighbors) may succeed. Not only would this make a mockery of Ukrainians’ brave struggle, but it should also be anathema to all NATO democracies, including Germany. After all, their interests and values are far better served by an order that prevents the development of such spheres and instead safeguards the territorial integrity and right to collective determination of free societies.

1 A central and compelling argument in Timothy Andrews Sayle’s *Enduring Alliance: A History of NATO and the Postwar Global Order*, Cornell University Press, 2019.

2 Chatham House, “How to End Russia’s War on Ukraine” (June 27, 2023): <https://www.chathamhouse.org/2023/06/how-end-russias-war-ukraine> (accessed June 27, 2023).

Fundamentally, alliance membership is the option most likely, by far, to effectively deter the Putin regime or its successors from attacking Ukraine again. This is very clearly in NATO states' interests not least because they could themselves be next, could be called on to step up and defend allies under attack – or watch their independence disappear and their people fall under an authoritarian yoke. As former US General Ben Hodges³ has pointed out, the costs of failed deterrence are far higher than those of effective deterrence – for the states on the front line but also for their allies and partners. This has clearly been seen in the need to support Ukraine and quickly end dependence on Russia, which could have been prevented had a more credible approach to deterrence been taken, rather than indulging and encouraging Moscow.

Bringing Ukraine into NATO would also give allies far greater input into Kyiv's own plans, capability development and posture. The strength and experience of the battle-hardened Ukrainian army would be a valuable military asset to NATO but would also be well worth aligning as closely as possible to NATO states' own democratic goals, approaches, and outlook in the medium and long term. Even Henry Kissinger, not a notably sentimental supporter of values-based foreign policy, recently argued that an aggrieved Ukraine, legitimately angry with Russia, rejected by the West, and armed to the teeth may not make for the most docile neighbor – or for a stable and secure Europe.⁴

Yet despite these compelling arguments, the heavy advocacy of Central and Eastern European allies, and support in both London and Paris, there is still no agreement on providing Kyiv with a clear and swift route to NATO membership.

BACK TO THE GRAY ZONE: NO CONSENSUS ON NATO MEMBERSHIP FOR UKRAINE

The US is generally thought to be the main obstacle to such an offer. Washington's reluctance is ostensibly because of concerns, however far-fetched or overplayed, that it would increase the chances of

escalation or the likelihood of a direct conflict with Russia. This is despite the alliance's effective deterrence against Russia, demonstrated by its ability to cross all of Moscow's supposed "red lines" in supporting Ukraine without any violent consequences for its own states.⁵

It is widely suspected, however, that Washington's real concern is over the unwillingness of key European states to do more for their own security and their inability to collectively organize this without undermining NATO or distancing themselves from the US. American reluctance to enlarge NATO is thus linked to both a wariness of undermining the alliance and Washington's unwillingness to take on an important commitment that would fall unevenly on the US, even though Europeans' security is more closely and directly affected.

Some European countries share anxieties over direct conflict, escalation or provoking Russia, including Germany, which uses these concerns as an excuse to keep Ukraine out of the alliance. Yet their reticence may actually have more to do with avoiding the responsibility of making a greater contribution to European security – especially to meaningfully deter future Russian aggression against Ukraine. For all the reasons noted above, it would be in Berlin's interest to recognize that NATO membership is the only option for Ukraine and for German security in the medium and long term. Nonetheless, the newly released National Security Strategy (NSS) offered no support for NATO membership for Ukraine, a position confirmed by Chancellor Olaf Scholz in the Bundestag on June 22, 2023, when he argued for a focus on arming Ukraine instead.⁶

This constellation of hesitation and shirking is frustrating for many of Ukraine's advocates. While the US has for years repeatedly called for Europeans to do more for their own defense, its own position now provides them with an alibi not to. This again shows the need for an interim solution that can deter Russian aggression but also bridge the positions of the allies – and void their excuses – by providing a framework to strengthen European security in the long term. Any such proposal will need to build on

3 Ben Hodges, Twitter (May 27, 2023): https://twitter.com/general_ben/status/1662394163986407426?s=20 (accessed June 25, 2023).

4 The Economist, "Kissinger: for the safety of Europe, get Ukraine into NATO," The Economist, (May 17, 2023): <https://www.economist.com/kissinger-highlights> (accessed June 22, 2023).

5 Vitaliy Charushin, "Any 'Red Lines' Left for Putin?," Modern Diplomacy (January 31, 2023): <https://moderndiplomacy.eu/2023/01/31/any-red-lines-left-for-putin> (accessed June 25, 2023).

6 Hans von der Burchard, "Scholz to NATO: Focus on boosting Ukraine's military power, not membership," Politico (June 22, 2023): <https://www.politico.eu/article/scholz-urges-nato-focus-boosting-ukraines-fighting-power-warns-china> (accessed June 25, 2023); Federal Government of Germany, National Security Strategy (June 14, 2023) p1, 6, 11, 19 <https://www.nationalesicherheitsstrategie.de/en.html> (accessed June 25, 2023).

what can be agreed at Vilnius, the contours of which are starting to emerge.

President Joe Biden has signaled willingness to drop the formal Membership Action Plan (MAP) requirement for Ukraine, meaning that any decision to admit the country would be made on an overtly political, rather than a technocratic basis. This was a key demand from CEE states, which have experienced how technocratic assessments can be used to mask political reluctance in admission processes to join organizations including the EU. They fear that such a process would be covertly used against Ukraine by allies, like Germany, that are still hedging their bets on systemic competition against autocratic regimes or are suspected of being too eager to bring Russia back into the fold in the long term.

Yet, Biden's reiteration that there will be no special treatment for Ukraine and the continued intransigence on moving faster on membership or even moving beyond the language of the ill-fated 2008 Bucharest Summit, creates a real risk that the alliance will repeat the grievous errors it made back then. That vaguely worded summit statement raised the possibility of Ukraine and Georgia becoming members of NATO, but offered no credible plan or political commitment to achieve that goal. Back then, the US pushed to go further but many allies were half-hearted, and explicit blocking by Germany and France left Ukraine and Georgia in limbo. This undermined deterrence and is widely seen to have opened the door to Russian aggression against the two countries. As former US ambassador Kurt Volker put it: "Grey zones are green lights for dictators."⁷

The last eighteen months should have demonstrated beyond doubt that it is clearly in all NATO states' interest to avoid creating such a zone again. Yet, as consensus on NATO membership is unlikely to emerge in the short term, an interim solution is needed. Any such security offer made to Ukraine must:

- Effectively deter Russian aggression against Ukraine in the medium term, thus helping protect investments in its recovery and reconstruction.
- Act as a platform for, not an alternative to, Ukraine's NATO membership.

- Serve the (properly calculated) interests of the states that provide security assurances by establishing a framework for Europeans to do more for their own collective security.

OPTIONS FOR SECURITY OFFERS TO UKRAINE

There are many forms of peace or security offers being floated by various actors, but alternatives to NATO membership in the medium term are not considered in this paper as they do not serve the interests of Ukraine, Europe, or the wider democratic world.⁸ This leaves three main groups of security offers to Ukraine, which are elaborated below. In the absence of NATO accession, these are considered most likely – even if they all have significant shortcomings or face obstacles to enactment.

The first, often called the "hedgehog" strategy, mainly aims at arming Ukraine to defend itself, while an enhanced version of this approach is known as the "Israel" strategy. The second would entail bilateral mutual defense or security cooperation agreements between Ukraine and particular countries. The third involves Ukraine entering into a more complex security arrangement with states organized into a "coalition of the willing." The final section of this paper argues that one such coalition proposal – the enlargement of the Joint Expeditionary Force (JEF) – is the best option until Ukraine's NATO membership can be agreed, though it could also be further improved.

HEDGEHOG/PORCUPINE/ISRAEL OPTION

A common proposal is that rather than entangling themselves directly with Ukraine's defense – and thus, so the flawed logic goes, risking direct conflict with Russia – NATO states and other democracies should ensure Ukraine is sufficiently well-armed to defend itself and thereby deter the Kremlin from another attack. Known, variously, as the "hedgehog" or "porcupine" strategy – because the "spikes" provided would be suitable for defense but not for menacing

7 Kurt Volker, "Grey Zones Are Green Lights – Bring Ukraine Into NATO," CEPA (June 20, 2023): <https://cepa.org/article/grey-zones-are-green-lights-bring-ukraine-into-nato> (accessed June 25, 2023).

8 Many of these inadequate options are dissected in Ian Bond's "Ukraine's Progress Towards Nato Membership: Going from Bucharest to Vilnius Without Moving?," Centre for European Reform (June 08, 2023): <https://www.cer.eu/insights/ukraines-progress-towards-nato-membership> (accessed June 25, 2023).

others – the aim is to create a Ukraine that is prickly but not predatory.⁹

This option is the clearest continuation of the flawed approach through which Western countries, not least Germany, have elected to supply Ukraine so far: giving enough weaponry so as not to lose, but not so much firepower as to deal a clear defeat to Russia.¹⁰ The German NSS vaguely endorsed a continuation of this approach in noting that “by supporting Ukraine, we are strengthening its resilience against Russian aggression” but that “at the same time, it is vital to prevent the war from spreading to neighboring countries” (meaning particularly NATO states). This fear of escalation – or its instrumentalization as a convenient excuse – was also apparent when Olaf Scholz doubled down on hesitancy, urging a focus on arming Ukraine, not NATO membership.¹¹

The main problem with the hedgehog strategy is that, while it aims to avoid escalation by limiting the involvement of NATO states to supplying weapons (rather than defending Ukraine), this timid approach would again create a gray zone likely to provoke the very aggression it seeks to prevent. With the right weapons, Ukraine is defensible, but it is far from clear whether this is a sufficient deterrent to Russian leaders with motives and calculations extending far beyond the battlefield. Moreover, there would be uncertainty over Western arms supplies in the medium and long-term after current hostilities end and once the urgency of the hot war has faded.

A stronger version of the hedgehog, the Israel option, has also been proposed by some analysts to overcome the focus on defensive weapons (because this focus misunderstands the nature of conflict and deterrence in which an offensive threat is also advantageous). Setting aside the many inadequacies of any comparison between Ukraine and Israel, not to mention normative questions about the latter’s stance on its occupied territories, this approach takes its name from Israel’s ability to deter its adversarial

neighbors, including via its Qualitative Military Edge (QME) – the military advantage the US guarantees it will maintain.¹² This has led to a succession of defense deals, the latest of which (in 2016) provided for \$38 billion in military assistance. Ukraine, however, would need a lot more weapons, at great cost. Developing a QME would also require the kind of technology transfer that many NATO states have been somewhat reluctant to provide.

There are at least two other significant problems with the Israel variant of the hedgehog. The first is that it would require Ukraine to adopt a whole of society, militarized approach that may run counter to other aspects of the country’s reform and reconstruction agenda, which are vital for securing EU integration and membership. Ukraine will certainly need a strong military regardless of the solution but it also needs to reform and allow its citizens to feel tangible improvement in other ways. This would be less possible in the hedgehog mode as the lack of effective deterrence and thus constant threat facing Ukraine would likely drive the country to focus on surviving rather than thriving, with a security-centric view imbalanced by complementary, positive visions. Such an approach would potentially imperil successive steps in integrating with the EU and reaping the societal rewards this would bring.

Over time, without a positive reform and reward cycle through progressive EU integration, the hedgehog – especially in its Israel variant – risks a slide into a garrison state that neglects the kind of social and civil liberalism that has characterized Ukraine’s progress in recent years. This has seen the success of decentralized government, greater emphasis on expressing and protecting LGBTQ rights and the consolidation of a civic nationhood that has fostered inclusion across linguistic, ethnic and religious cleavages.¹³ This progressive, liberal trajectory would be threatened by the kind of half-hearted approach of NATO and EU states and risk a repeat of the lose-lose approach that characterized Western relations

9 Keith Gessen, “How the war in Ukraine might end,” *The New Yorker* (September 29, 2022): <https://www.newyorker.com/culture/annals-of-inquiry/how-the-war-in-ukraine-might-end> (accessed June 22, 2023); Franz-Stefan Gady, “Turn Ukraine Into a Bristling Porcupine,” *Foreign Policy* (May 22, 2023): <https://foreignpolicy.com/2023/05/22/ukraine-russia-war-weapons-nato-f16-tanks-deterrence-peace-strategy> (accessed June 22, 2023)

10 Benjamin Tallis & Julian Stoeckle, “Who’s Afraid of (Ukraine’s) Victory?” *Internationale Politik Quarterly* (May 26, 2023): <https://ip-quarterly.com/en/whos-afraid-ukraines-victory> (accessed June 22, 2023).

11 Von der Burchard, *ibid.*

12 Ian Bond, *ibid.*; Keith Gessen, *ibid.*

13 Olga Onuch, “Zelensky’s Secret Weapon? The Ukrainian Civic Nation That Made Him,” *Political Studies Association* (December 29, 2022): <https://www.psa.ac.uk/psa/news/zelensky-s-secret-weapon-ukrainian-civic-nation-made-him> (accessed June 27, 2023); substantiated in detail in Olga Onuch and Henry E. Hale, *The Zelensky Effect* (2022), Hurst Publishers; Sarah Ashton Cirillo, “Is Ukraine’s Azov Regiment a friend or foe to the LGBTQ community?” *LGBTQ Nation* (June 01, 2022): <https://www.lgbtqnation.com/2022/06/ukraines-azov-regiment-friend-foe-lgbtq-community> (accessed June 27, 2023).

with Ukraine between 2004 and 2022. This helped create the gray zone and, eventually, created the conditions for the full-scale war.¹⁴

Pursuing the porcupine approach would also signal that NATO members prefer Ukraine to continue fighting and dying in defense of liberal democracy and against authoritarians, while NATO countries stay out of harm's way. This is not only morally questionable, it would indicate an unwillingness to defend themselves. This might negatively impact deterrence, which relies on showing a willingness to fight – precisely so one doesn't have to.

The second major problem with the Israel option – and the most obvious shortcoming of the comparison with Ukraine – is that Israel is a nuclear armed state, unlike its neighbors (even if some of them are trying to change that). One clear danger is that, since Russia is not just a nuclear power, but the world's largest, Ukraine would try to acquire or develop nuclear weapons of its own. It may see them as the only real deterrent in the absence of a stronger commitment from its Western partners. While this would not necessarily be catastrophic in itself, the likely knock-on effects for nuclear proliferation would make Europe and the wider world distinctly less safe.

Semi-detaching Ukraine in this way could also have other dangerous consequences, which EU and NATO states would do well to avoid. Seeking to create a very well-armed power – already the most powerful military in Europe by some measures – on EU and NATO borders, while simultaneously signaling that Ukraine is an outsider, is an odd strategy, as Kissinger points out. Not only would this approach imperil the EU enlargement process, it would also make NATO membership less, not more likely, because of the detachment it enforces, the distrust it may foster and the likelihood of a divergence in strategy or tactics over time. As Kissinger and others have noted, it would be far better to more closely bind ourselves to Ukraine – and Ukraine to us.

This is what Ukrainians have asked for time and again. And this would align their destiny with that of EU and NATO states. Not only would this allow

Ukraine to contribute to wider European defense in future, it would also facilitate mutual input on military, strategic, and societal direction, allowing democratic reform and the defense of democracies to go hand in hand. This may also be the reason French President Emmanuel Macron emphasized the need to bring Ukraine into our frameworks as part of giving the country more than “the security guarantees to Israel.”¹⁵

It is thus highly questionable that supporting Ukraine through any variant of the hedgehog strategy would, in the words of the new German National Security Strategy, make “a fundamental contribution to our own security.” Nor would it live up to the declared “special responsibility” for “European security.” It would instead kick the can down the road, likely making the situation worse, and is thus an approach that Berlin should avoid. While it may seem to be a cheaper way to support Ukraine, it would be a false economy which, like its Russian gas dependency, Germany would again end up paying for twice.¹⁶

BILATERAL SECURITY PACTS

Until consensus on NATO membership can be reached, one possibility for more closely binding with Ukraine would be to offer Kyiv bilateral security arrangements. Germany is in no position to make such an offer, given the parlous state of its own defense forces and security capabilities, but other allies would be.

There are several other longstanding and more recent precedents for this kind of arrangement, although most of them are unsuitable or unlikely to be offered to Ukraine.

The most robust bilateral security arrangements are founded on legally binding agreements or treaties, such as the agreements that the US has with South Korea (since 1953) and Japan (since 1951, amended in 1960).¹⁷ These include mutual defense clauses and both countries host considerable numbers of US troops as well as coming under US air and naval protection and forming key links in the wider American security strategy for the Indo-Pacific.

14 A core argument in Benjamin Tallis, *Identities, Borderscapes, Orders: (In)Security, (Im)Mobility and Crisis in the EU and Ukraine*, Springer Nature (2023): (Especially Chapters 4 and 5).

15 Emmanuel Macron, *Globsec* (June 01, 2023): <https://forum2023.globsec.org/globsec-2023-strong-and-tangible-security-guarantees-are-needed-macron-says> (accessed June 25, 2023).

16 Federal Government of Germany, *ibid*: p7.

17 U.S. Department of State, *U.S. Security Cooperation with ROK* (May 9, 2023): <https://www.state.gov/u-s-security-cooperation-with-korea> (accessed June 22, 2023); Ministry of Foreign Affairs of Japan, *Japan-U.S. Security Arrangements* (December 16, 2021): https://www.mofa.go.jp/na/st/page1we_000093.html (accessed June 22, 2023).

The main problem with such a bilateral security pact for Ukraine is that the country that could most credibly make such an offer, the US, is highly unlikely to do so – for the same reasons it is reluctant to follow through on NATO membership. By that logic, a bilateral pact would have greater potential for direct conflict (given the additional deterrence value the alliance adds). The US would either be left more exposed and more committed to such a conflict should Russia provoke Ukraine – or face a blow to its credibility if it did not respond as promised.

More recently, in 2022, the UK entered into written security agreements with Finland and Sweden, providing reassurance for the two Nordic countries in the period between their statement of intent to join NATO and before joining the alliance and coming under its Article 5 umbrella. Analysts in the region saw this as being of considerable value and an important safeguard against any Russian attempts to destabilize or intimidate these countries during their candidacy period.¹⁸ Alongside France, the UK is one of the two strongest powers in the European pillar of NATO, as both are nuclear armed and have meaningful full-spectrum military, strategic lift, and expeditionary capabilities. This gives the UK considerable credibility in offering assurances, although it is a poor analog for any similar offer to Ukraine. With Russian forces bogged down in Ukraine, it is highly unlikely that Moscow would attempt an aggressive move against either Finland or Sweden. Moreover, the assurance is only planned for the short term, even if Sweden's actual membership takes longer to finalize than originally expected.

The bilateral option is also unsuitable for other reasons. First, it would impose a high cost on the country making the security offer. This would rightly raise questions about burden sharing and free-riding by others who are unable to offer credible bilateral assurances, including Germany. It would also leave the providing state vulnerable to – and a target for – pressure from Russia and other enemies of democracy and the liberal order. Lastly, it would be too focused on Ukraine in an imbalanced rather than mutually beneficial way, all of which would leave Kyiv at the mercy of its partner's domestic politics and potentially shifting foreign policy context.

By contrast, Timothy Sayle's recent book on NATO, *Enduring Alliance*, has shown the value of having

multiple states on board to achieve exactly that – an enduring alliance. He compellingly demonstrates how, at crucial moments, other alliance members have helped allies, including Germany, overcome wavering resolve and commitment driven by domestic discontent or altered contexts and priorities. A pertinent example of the danger of bilateral guarantees is the history of the US-Taiwan security relationship. The Carter Administration terminated the (1954-1979) US-Republic of China (Taiwan) mutual defense treaty as part of its efforts to build a more constructive relationship with China. There is no guarantee that a future US administration would not change position on any bilateral security pact. While the US remains politically and, to a considerable degree, militarily committed to Taiwan, its position of strategic ambiguity has created exactly the kind of gray zone that both Ukraine and European allies should be keen to avoid.

To reiterate, Germany is not in the position to offer a credible bilateral security guarantee of its own to Ukraine. Nor, however, should Berlin be satisfied with or tacitly support a bilateral security offer to Ukraine by one of its allies, as this would do little to dispel Germany's image as a security free or cheap rider. Moreover, a bilateral pact would not provide the stable and secure option that Ukraine – but also Germany and its allies – needs to ensure safety and secure investment for reconstruction. Berlin should instead support or, better, be part of a coalition of NATO states that would provide collective security assurances to Ukraine.

COALITIONS OF THE WILLING: FROM THE KYIV COMPACT TO AN ENLARGED JEF

The best available option for providing security to Europe from the end of current hostilities until NATO membership can be agreed would be to assemble a credible coalition of willing states. These would not only arm Ukraine but actively participate in its defense and in the deterrence of Russia. The US would be unlikely to join any such coalition – for the same reasons it is hesitant about NATO membership, and it will not provide a binding bilateral security assurance – but a different constellation of participants could make for a credible alternative. The very announcement of such a grouping would make it clear to Russia

¹⁸ Patrick Wintour, "UK goes further than any other NATO country in Sweden and Finland pledge," *The Guardian* (May 11, 2022): <https://www.theguardian.com/world/2022/may/11/johnson-security-assurances-sweden-and-finland-not-just-symbolic> (accessed June 22, 2023).

that it will not succeed in its objectives of eliminating or absorbing Ukraine as, even in the long term, Kyiv would have meaningful support from the West. This would, in turn, be a gut punch for Russian morale and thus have a negative effect on Russia's current, brutal campaign, potentially hastening its end – to the benefit of Ukraine and all democratic states.

For example, the Kyiv Security Compact – a plan put forward by former NATO Secretary General Anders Fogh Rasmussen and the head of Ukraine's Presidential Office, Andriy Yermak, mentions the “UK, Canada, Poland, Italy, Germany, France, Australia, Turkey, and Nordic, Baltic, Central and Eastern European countries” in addition to the US.¹⁹ Even paring that down to the European NATO states that have been strong supporters of Ukraine – the UK, France, Germany, Italy, Poland, Norway, Sweden, Denmark, Finland, Latvia, Lithuania, Estonia, Czechia and Slovakia – would make a formidable group including both of Europe's nuclear powers (UK and France), a large collective air power capability, and its emerging land power (Poland).

The Compact is broad in scope but, in terms of security assurances, combines a commitment to providing Ukraine with the advanced weapons it needs to defend itself, intelligence-sharing, and long-term investment and technology transfer to bolster the country's defense industry. Crucially, while it would rest on a group of bilateral security pacts between Ukraine and the involved states, providing “legally and politically binding” “security guarantees,” it would collect and link them in a joint strategic partnership that not only covers mutual defense but also a military component on Ukrainian soil via “massive [...] intensive training missions and joint exercises.” The Compact also foresees the need for “a high-readiness force that can effectively and forcefully respond to a territorial breach,” including “joint maneuvers.”

The Compact has much to commend it and is certainly preferable to the options of simply arming Ukraine or relying on individual, bilateral assurances. However, it is highly unlikely that the US would participate – for the same reasons it would not enter into a bilateral security pact or, at this stage, endorse Ukraine's membership in NATO. And there have not yet been other firm agreements to participate. This creates an urgent need to find a credible coalition – but also an

opportunity to reimagine European security provision in a way that would not only serve Ukraine's interests but also those of European NATO states and the US.

Speaking at the recent GLOBSEC security forum in Bratislava, the Chair of the UK Parliament's Defence Select Committee, Tobias Ellwood, MP, floated an interesting proposal. To provide meaningful security assurances, he suggested that the UK-led JEF should be extended to include not only Ukraine but also Poland. The JEF, established at the 2014 Wales Summit as a NATO Framework Nation initiative is a multinational defense framework that was initially aimed at providing security in the High North, North Atlantic and Baltic Sea region. It seeks to improve military high readiness capacity, capability, and interoperability – as well as demonstrating commitment to JEF populations by increasing reassurance and bolstering deterrence – primarily through continuous common training and regular exercises. Initially comprised of the UK, Denmark, Estonia, Latvia, Lithuania, the Netherlands, and Norway, it was enlarged in 2017 to include Finland and Sweden and, in 2021, Iceland.

Enlarging the JEF to include Ukraine and Poland would not only add significant ground force numbers and capabilities (in Ukraine's case, battle tested) to the grouping, but it would also potentially deliver the multinational, high-readiness capability that Ukraine needs and which the Kyiv Security Compact calls for. The JEF is also seen as flexible and fast and thus well positioned to deter Russian “sub-threshold” attacks (aggression which tries to stay under the level that would provoke a collective response) or other attempts at destabilization.²⁰ JEF exercises, such as Joint Viking 2023 have also brought in other NATO states, including Germany, to send clear signals of deterrence and resolve to Russia, in accordance with the group's mission to respond to global security challenges. Poland was part of the US Framework Nation grouping but the changed circumstances after Russia's full-scale invasion, Warsaw's strong support for and close ties to Kyiv, and its willingness to offer security assurances to Ukraine make it essential to the undertaking. It would of course retain its mutual defense pact with the US under Article 5.

Enlarging the JEF in this way would both reduce the overall cost of supplying Ukraine with weapons (because of the multinational commitment and

19 Office of the President of Ukraine, Andriy Yermak and Anders Fogh Rasmussen, Kyiv Security Compact (September 12, 2022): <https://www.president.gov.ua/en/news/andrij-yermak-ta-anders-fogh-rasmussen-prezentuyut-rekomendac-77729> (accessed June 22, 2023).

20 Sean Monaghan, “The Joint Expeditionary Force: Global Britain in Northern Europe?” (March 25, 2022): <https://www.csis.org/analysis/joint-expeditionary-force-global-britain-northern-europe> (accessed June 27, 2023).

capabilities) and spread the burden of deterrence costs among various allies rather than relying on one putative bilateral guarantor. The deployment of troops on regular, frequent exercises and maneuvers in Ukraine after the current hostilities end could serve as a de facto tripwire deterrence. This would be backed up by the high readiness force anchored in, but not limited to, Ukraine and Poland's large, capable ground forces and the air capabilities provided by other members including the UK and Nordic countries. Given how poorly Russia's forces have fared against Ukraine's – which have not been able to call on such capabilities, the addition of airpower that could likely develop air superiority is a crucial element in this equation.

Importantly, Ellwood's JEF enlargement proposal does not require the US to participate but retains credibility via numerous capable allies, particularly the UK as a full spectrum, nuclear-armed power that anchors the grouping.²¹ To truly meet the criteria outlined above, however, the JEF would need to shift from an expeditionary focus to territorial defense and deterrence, which would require an additional, mutual commitment from its members to Ukraine (the others already having such a commitment via Article 5). As most of its members have openly expressed support for Ukraine's admission to NATO, this should not be too difficult to achieve. This option for the interim would build on the JEF's solid reputation and would demonstrate the allies' willingness to put their troops in harm's way in the defense of common values and interests – rather than let Ukrainians do so alone. Its alliance-like character, together with legally binding guarantees, would mitigate the problem of potentially wavering domestic opinion, and its NATO fundament would alleviate concerns over decoupling.

With a little more imagination, the JEF could not only be re-oriented but could also be enlarged further – specifically, to include France. This would do a lot more for wider European as well as Ukrainian security and for the future of NATO and the defense of the free world.

FROM JEF TO JEDI – A JOINT EUROPEAN DEFENCE INITIATIVE AS A NEW EUROPEAN PILLAR OF NATO

A new dynamic in this context is the French shift to supporting NATO membership for Ukraine – first leaked from the Elysée on June 19 and then confirmed on June 21 by the French Foreign Minister, Catherine Colonna, who agreed with her British counterpart James Cleverly that Ukraine's entry should even be fast-tracked.²² This French convergence with the British and CEE view, taken together with President Macron's suggestion to find ways to bring Ukraine into future European frameworks in the absence of consensus on NATO membership, opens up the possibility of a new and better option.

Building on the JEF by combining it (in re-oriented form) with another instrument – the UK-France Combined Joint Expeditionary Force (CJEF) – would provide a way to bring European NATO's two nuclear powers (and most capable militaries) together in a powerful coalition of the willing. The CJEF was created by the 2010 UK-France Lancaster House defense treaty, to allow for combined UK and French arms operations up to the level of high-intensity war fighting. There have been several training exercises, but the force has never been used in aggression and, unlike the JEF, has not built up a credible reputation. Ahead of a high-level March 2023 UK-France meeting, one expert argued that, “[r]ather than look for problems to fit the CJEF ‘solution’, the summit should start from the military need and adapt the CJEF to fit.”²³

Combining the JEF and CJEF and adapting the new framework to the needs of defending Ukraine and European NATO states by deterring Russia would be a fitting response to Europe's most pressing security challenge. It would also respond to another longstanding challenge, enabling Europeans to progressively do more for their own security and thus reduce their dependence on the US without alienating their most important ally or undermining NATO. To the contrary, if the force were configured and used correctly, this option would promote better burden sharing and allow Washington to focus more clearly on deterring China in the Indo-Pacific, thus creating a better division of labor in the defense of democracies.

21 Sean Monaghan, *ibid.*

22 Patrick Wintour, “Nato allies back fast-track membership for Ukraine, says Cleverly,” *The Guardian* (June 20, 2023): <https://www.theguardian.com/world/2023/jun/21/ukraine-recovery-london-conference-volodymyr-zelenskiy-eu> (accessed June 25, 2023)

23 Paul O'Neill, “CJEF: A Solution in Search of a Problem?” *Royal United Service Institute* (March 10, 2022): <https://www.rusi.org/explore-our-research/publications/commentary/cjef-solution-search-problem> (accessed June 22, 2023).

Of course there are also obstacles to overcome for this option to come to fruition. Chief among them are the politics of including France in the scheme. Paris still needs to build trust in the CEE states due to its past dismissal of the region, indulgence of Russia, and the now-infamous comments by President Macron on Taiwan in April 2023. Yet there are signs that this process is underway. Macron's speech at GLOBSEC was centered around a promise to listen to CEE states, and an apology for former President Jacques Chirac's famous insult to the region in the run-up to the Iraq war.²⁴

More broadly, the Macron administration seems to have come around to the idea that, on defense, NATO is the only game in town and playing a leading role within European NATO is preferable to trying – and failing – to helm a challenge to the alliance. Exercising such European leadership also means taking a position that CEE states can get behind, rather than claiming the French position is Europe's. Having a credible position on Ukraine and credibly deterring Russia are central to both trust-building in CEE and to doing more within and for NATO. Given that the JEF began as a NATO Framework Nation initiative, there is no question that the JEF proposal would be compatible with this aim.

Having the UK on board will help because of the trust that London commands in the region. And from a UK perspective there would also be significant advantages. Rishi Sunak's term as Prime Minister has seen a significant and positive change in the tone of relations with EU states and there is an apparent willingness on both sides to bolster UK-French cooperation after a distinctly rocky period. The UK is manifestly keen to find new ways of working with partners in Europe, not least on security and defense issues, which play to its strengths. When it comes to NATO there is also little question that the UK will be a key player in any strengthening of the European pillar, a conclusion reinforced by London's leadership in supporting Ukraine and close collaboration with CEE. None of this would be likely to change in the next parliamentary term, and any incoming government would welcome a clearer sharing of cost burdens with allies – though should proper contributions be

made, the UK would need to also share leadership and decision-making responsibilities.

Nonetheless, allies have rightly expressed concerns that the UK is overstretching itself and it is certainly reaching the limits of how it can fulfil or fund its defense ambitions (and back up its rhetoric) given the size of its armed forces and its economic constraints.²⁵ Yet, rather than view this scornfully, mature diplomacy would create a framework for allies to help provide a constructive way forward for the UK and themselves, leveraging each of their strengths and serving each of their interests.

This is thus an opportunity to create a meaningful security offer for Ukraine and a strengthened European pillar of NATO, this would serve European security more widely through an integrative framework that could enhance collective agency and credibility. To this end, it would also be apposite to extend the invitation to the other willing European states, including signatories of the Tallinn pledge²⁶ initiative, such as Czechia and Slovakia, which have also taken a strong role in supplying Ukraine. Other NATO states that would be willing to take on mutual defense responsibilities with Ukraine and can contribute relevant capabilities should also be able to participate.

Where, then, does Germany fit into this picture? If it joined in, it would undoubtedly strengthen the JEDI, but the mutual defense element makes this unlikely without a shift in worldview from the Chancellery. Were Berlin to demur, it might be possible to allow for financial contributions to arming Ukraine along the lines mentioned in the Kyiv Security Compact. A version of the Compact, focused on European states, could perhaps be adapted to the JEDI to allow for such differentiated contributions. Beyond paying for and sending weapons, Germany is likely to play a significant role in the reconstruction of Ukraine. It could also accelerate the deployment of its planned brigade to Lithuania to do more for the defense of the Eastern flank while sidestepping the exercises or potential deployment in Ukraine. Yet, even if Germany were to do all of this, not fully participating in the JEDI (or an equivalent) would send signals – to allies and adversaries alike – about the country's preferences, which would likely spell trouble in the future.

24 Emmanuel Macron, *ibid.*

25 Reuters, "Britain says it is committed to leading a NATO task force in 2024" (January 03, 2023): <https://www.reuters.com/world/europe/germany-may-extend-nato-task-force-leadership-beyond-2023-media-2023-01-03> (accessed June 27, 2023).

26 UK Ministry of Defence, "Joint Statement – The Tallinn Pledge" (January 19, 2023): <https://www.gov.uk/government/news/joint-statement-the-tallinn-pledge#:~:text=We%20reject%20Russia%27s%20ongoing%20violation,defend%20what%20they%20already%20have> (accessed June 27, 2023).

CONCLUSION

Even though more allies are realizing it is the best option for their security, consensus on a fast-track for Ukraine into NATO is unlikely to emerge before the Vilnius Summit, with Washington the primary holdout. This raises the question of what security assurances can be offered to Ukraine in the meantime and whether they will help foster this consensus in the medium term. The answer will have a profound impact on Ukraine's future prospects but also on NATO states' signaling about their willingness to defend democracies, their right to collective self-determination, and the rules-based order. It will thus affect our collective deterrence of authoritarian states and reassurance of allies and have a significant effect on the prospects for democratic ordering – to make the world safe for democracies – regionally and globally. The onus is on European NATO states, including the UK, Poland, France, and Germany to find a workable but also credible solution to protect Ukraine now, but also to show that Europeans can and will do more for their own collective security in the long term.

All of these issues are highlighted in Germany's new NSS, and Berlin should recognize its clear interest in finding a solution – or participating in viable proposals made by allies. So far, however, the Chancellery remains wedded to inadequate proposals focused only on arming Ukraine, which delegate the defense of democracy to others and will neither reassure Ukraine nor assuage US concerns over cheap-riding and burden sharing. Moreover, they fail to live up to Germany's self-proclaimed "special responsibility" for European security emphasized in the NSS. Given the serious shortcomings in either the hedgehog/Israel and bilateral options outlined above, Berlin should seek ways to meaningfully participate in a coalition of the willing.

An enlarged JEF, merged with the CJEF and re-oriented to defense – here called the JEDI – could form the basis of such a collective security offer. It meets the three tests outlined above: first, it provides a credible deterrent against Russia and thus meets Ukraine's immediate security need; second, it acts as a facilitator of, rather than an alternative to, NATO membership for Ukraine in the medium term; and third, it establishes a security framework through which Europeans can address Washington's legitimate concerns over Europe's ability and willingness to take responsibility for its own security, thus reducing both its dependence and burden on the US.

If the leaders of the nuclear powers in London and Paris, as well as their allies in CEE, Baltic, and Nordic capitals, can agree on creating a framework like the JEDI then Berlin would face a moment of truth. One motivation for France's change in posture is said to be worries over losing its leadership edge should Germany get its act together on security. JEDI offers Berlin a chance to do just that, but in a way that would be less likely to antagonize Paris, and would allow it to contribute more to European security. Doing so would also help Germany rebuild much needed trust in CEE and work closely with the UK in ways that serve both countries' interests and common values.

Rather than scorning such a plan or seeking less-involved alternatives, Berlin would do well to properly calculate its interests and pursue them by joining the JEDI or proposing an equivalent. If it remains too timid and sticks irresponsibly with the hedgehog, it risks being left behind and again having to respond to the strategy of others rather than forming its own and constructively shaping a collective approach.



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