

11. Charter on a Distinctive Partnership Between The North Atlantic Treaty Organization and the Ukraine **9 JULY 1997I.**

Building an Enhanced NATO-Ukraine Relationship

1. The North Atlantic Treaty Organization (NATO) and its member States and Ukraine, hereinafter referred to as NATO and Ukraine,

- building on a political commitment at the highest level;
- recognizing the fundamental changes in the security environment in Europe which have inseparably linked the security of every state to that of all the others;
- determined to strengthen mutual trust and cooperation in order to enhance security and stability, and to cooperate in building a stable, peaceful and undivided Europe;
- stressing the profound transformation undertaken by NATO since the end of the Cold War and its continued adaptation to meet the changing circumstances of Euro-Atlantic security including its support, on a case-by-case basis, of new missions of peacekeeping operations carried out under the authority of the United Nations Security Council or the responsibility of the OSCE;
- welcoming the progress achieved by Ukraine and looking forward to further steps to develop its democratic institutions, to implement radical economic reforms, and to deepen the process of integration with the full range of European and Euro-Atlantic structures;
- noting NATO's positive role in maintaining peace and stability in Europe and in promoting greater confidence and transparency in the Euro-Atlantic area, and its openness for cooperation with the new democracies of Central and Eastern Europe, an inseparable part of which is Ukraine;
- convinced that an independent, democratic and stable Ukraine is one of the key factors for ensuring stability in Central and Eastern Europe, and the continent as a whole;
- mindful of the importance of a strong and enduring relationship between NATO and Ukraine and recognizing the solid progress made, across a broad range of activities, to develop an enhanced and strengthened relationship between NATO and Ukraine on the foundations created by the Joint Press Statement of 14 September 1995;
- determined to further expand and intensify their cooperation in the frame-work of the Euro-Atlantic Partnership Council, including the enhanced Partnership for Peace programme;
- welcoming their practical cooperation within IFOR/SFOR and other peacekeeping operations on the territory of the former Yugoslavia;
- sharing the view that the opening of the Alliance to new members, in accordance with Article 10 of the Washington Treaty, is directed at enhancing the stability of Europe, and the security of all countries in Europe without recreating dividing lines;
- are committed, on the basis of this Charter, to further broaden and strengthen their cooperation and to develop a distinctive and effective partnership, which will promote further stability and common democratic values in Central and Eastern Europe.

II. Principles for the Development of NATO-Ukraine Relations

2. NATO and Ukraine will base their relationship on the principles, obligations and commitments under international law and international instruments, including the United Nations Charter, the Helsinki Final Act and subsequent OSCE documents. Accordingly, NATO and Ukraine reaffirm their commitment to:

- the recognition that security of all states in the OSCE area is indivisible, that no state should pursue its security at the expense of that of another state, and that no state con regard any part of the OSCE region as its sphere of influence;
- refrain from the threat or use of force against any State in any manner inconsistent with the United Nations Charter or Helsinki Final Act principles guiding participating States;
- the inherent right of all states to choose and to implement freely their own security, arrangements, and to be free to choose or change their security arrangements, including treaties of alliance, as they evolve;
- respect for the sovereignty, territorial integrity and political independence of all other states, for the inviolability of frontiers, and the development of good-neighbourly relations;
- the rule of law, the fostering of democracy, political pluralism and a market economy;
- human rights and the rights of persons belonging to national minorities;
- the prevention of conflicts and settlement of disputes by peaceful means in accordance with UN and OSCE principles.

3. Ukraine reaffirms its determination to carry forward its defence reforms, to strengthen democratic and civilian control of the armed forces, and to increase their interoperability with the forces of NATO and Partner countries. NATO reaffirms its support for Ukraine's efforts in these areas.

4. Ukraine welcomes NATO's continuing and active adaptation to meet the changing circumstances of Euro-Atlantic security, and its role, in cooperation with other international organizations such as the OSCE, the European Union, the Council of Europe and the Western European Union in promoting Euro-Atlantic security and fostering a general climate of trust and confidence in Europe.

III. Areas for Consultation and/or Cooperation between NATO and Ukraine

5. Reaffirming the common goal of implementation of a broad range of issues for consultation and cooperation, NATO and Ukraine commit themselves to develop and strengthen their consultation and/or cooperation in the areas described below. In this regard, NATO and Ukraine reaffirm their commitment to the full development of the EAPC and the enhanced PFP. This includes Ukrainian participation in operations, including peacekeeping operations, on a case-by-case basis, under the authority of the UN Security Council or the responsibility of the OSCE, and, if CJTF are used in such cases, Ukrainian participation in them at an early stage on a case-by-case basis, subject to decisions by the North Atlantic Council on specific operations.

6. Consultations between NATO and Ukraine will cover issues of common concern, such as:

- political and security related subjects, in particular the development of Euro-Atlantic security and stability, including the security of Ukraine;
- conflict prevention, crisis management, peace support; conflict resolution and humanitarian operations, taking into account the roles of the United Nations and the OSCE in this field;
- the political and defence aspects of nuclear, biological and chemical non-proliferation;
- disarmament and arms control issues, including those related to the Treaty on Conventional Armed Forces in Europe (CFE Treaty), the Open Skies Treaty and confidence and security building measures in the 1994 Vienna Document;
- arms exports and related technology transfers;
- combatting drug-trafficking and terrorism.

7. Areas for consultation and cooperation, in particular through joint seminars, joint working groups, and other cooperative programmes, will cover a broad range of topics, such as:

- civil emergency planning, and disaster preparedness;
- civil-military relations, democratic control of the armed forces, and Ukrainian defence reform;
- defence planning, budgeting, policy, strategy and national security concepts;
- defence conversion;
- NATO-Ukraine military cooperation and interoperability;
- economic aspects of security;
- science and technology issues;
- environmental security issues, including nuclear safety;
- aerospace research and development, through AGARD;
- civil-military coordination of air traffic management and control.

8. In addition, NATO and Ukraine will explore to the broadest possible degree the following areas for cooperation:

- armaments cooperation (beyond the existing CNAD dialogue);
- military training, including PfP exercises on Ukrainian territory and NATO support for the Polish-Ukrainian peacekeeping battalion;
- promotion of defence cooperation between Ukraine and its neighbours.

9. Other areas for consultation and cooperation may be added, by mutual agreement, on the basis of experience gained.

10. Given the importance of information activities to improve reciprocal knowledge and understanding, NATO has established an Information and Documentation Centre in Kyiv. The Ukrainian side will provide its full support to the operation of the Centre in accordance with the Memorandum of Understanding between NATO and the Government of Ukraine signed at Kyiv on 7 May 1997.

IV. Practical Arrangements for Consultation and Cooperation between NATO and Ukraine

11. Consultation and cooperation as set Out in this Charter will be implemented through:
- NATO-Ukraine meetings at the level of the North Atlantic Council at intervals to be mutually agreed;
 - NATO- Ukraine meetings with appropriate NATO Committees as mutually agreed;
 - reciprocal high level visits;
 - mechanisms for military cooperation, including periodic meetings with NATO Chiefs of Defence and activities within the framework of the enhanced Partnership for Peace programme;
 - a military liaison mission of Ukraine will be established as part of a Ukrainian mission to NATO in Brussels. NATO retains the right reciprocally to establish a NATO military liaison mission in Kyiv.

Meetings will normally take place at NATO Headquarters in Brussels. Under exceptional circumstances, they may be convened elsewhere, including in Ukraine, as mutually agreed. Meetings, as a rule, will take place on the basis of an agreed calendar.

12. NATO and Ukraine consider their relationship as an evolving, dynamic process. To ensure that they are developing their relationship and implementing the provisions of this Charter to the fullest extent possible, the North Atlantic Council will periodically meet with Ukraine as the NATO-Ukraine Commission, as a rule not less than twice a year. The NATO-Ukraine Commission will not duplicate the functions of other mechanisms described in this Charter, but instead would meet to assess broadly the implementation of the relationship, survey planning for the future, and suggest ways to improve or further develop cooperation between NATO and Ukraine.

13. NATO and Ukraine will encourage expanded dialogue and cooperation between the North Atlantic Assembly and the Verkhovna Rada.

V. Cooperation for a More Secure Europe

14. NATO Allies will continue to support Ukrainian sovereignty and independence, territorial integrity, democratic development, economic prosperity and its status as a non-nuclear weapon state, and the principle of inviolability of frontiers, as key factors of stability and security in Central and Eastern Europe and in the continent as a whole.

15. NATO and Ukraine will develop a crisis consultative mechanism to consult together whenever Ukraine perceives a direct threat to its territorial integrity, political independence, or security.

16. NATO welcomes and supports the fact that Ukraine received security assurances from all five nuclear-weapon states parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as a non-nuclear weapon state party to the NPT and recalls the commitments undertaken by the United States and the United Kingdom, together with Russia, and by France unilaterally, which took the historic decision in Budapest in 1994 to provide Ukraine with security assurances as a non-nuclear weapon state party to the NPT.

Ukraine's landmark decision to renounce nuclear weapons and to accede to the NPT as a non-nuclear weapon state greatly contributed to the strengthening of security and stability in Europe and has earned Ukraine special stature in the world community. NATO welcomes Ukraine's decision to support the indefinite extension of the NPT and its contribution to the withdrawal and dismantlement of nuclear weapons which were based on its territory.

Ukraine's strengthened cooperation with NATO will enhance and deepen the political dialogue between Ukraine and the members of the Alliance on a broad range of security matters, including on nuclear issues. This will contribute to the improvement of the overall security environment in Europe.

17. NATO and Ukraine note the entry into force of the CFE Flank Document on 15 May 1997. NATO and Ukraine will continue to cooperate on issues of mutual interest such as CFE adaptation. NATO and Ukraine intend to improve the operation of the CFE treaty in a changing environment and, through that, the security of each state party, irrespective of whether it belongs to a political-military alliance. They share the view that the presence of foreign troops on the territory of a participating state must be in conformity with international law, the freely expressed consent of the host state or a relevant decision of the United Nations Security Council.

18. Ukraine welcomes the statement by NATO members that "enlarging the Alliance will not require a change in NATO's current nuclear posture and, therefore, NATO countries have no intention, no plan and no reason to deploy nuclear weapons on the territory of new members nor any need to change any aspect of NATO's nuclear posture or nuclear policy - and do not foresee any future need to do so."

19. NATO member States and Ukraine will continue fully to implement all agreements on disarmament, non-proliferation and arms control and confidence-building measures they are part of.

The present Charter takes effect upon its signature.

The present Charter is established in two originals in the English, French and Ukrainian languages, all three texts having equal validity.
