

# AGREEMENT ON SECURITY COOPERATION BETWEEN THE NETHERLANDS AND UKRAINE

## **Introduction**

The Government of the Netherlands and Ukraine, hereinafter referred to as ‘the Participants’, or ‘The Netherlands and Ukraine’,

*Underlining* their unwavering commitment to a free, independent, democratic and sovereign Ukraine, within its internationally recognized borders as of 1991, capable of defending itself and deterring future aggression,

*Underscoring* their commitment to contribute to Ukraine’s ability to defend itself, to resist future coercion, to choose its own future, and to prosper,

*Acknowledging* the legitimate right of Ukraine to self-defence in accordance with Article 51 of the United Nations (UN) Charter,

*Affirming* that the security of Ukraine is integral to the security of the Euro-Atlantic region, and thus that the security of the Netherlands and Ukraine are closely related,

*Considering* the Russian Federation’s illegal and unprovoked invasion of Ukraine to be a threat to international peace and security, a flagrant violation of international law, and a breach of the UN Charter, and incompatible with their security interests,

*Reaffirming* the principles of the United Nations Charter and the Helsinki Final Act, including the independence, sovereignty and territorial integrity of states, and the inviolability of borders, which are essential for European and worldwide security,

*Supporting* Ukraine’s and joint efforts to create a just and sustainable peace, based on the principles set out in the 10 points of Ukraine’s Peace Formula,

*Standing united* with partners and Allies, rooted in their shared democratic values and interests, and above all, respect for the UN Charter and the principles of territorial integrity and sovereignty,

*Acknowledging* the commitment expressed by the Netherlands by co-signing the Joint Declaration of Support for Ukraine of 12 July 2023 and qualitatively developing it, where needed, through a security Agreement with Ukraine,

*Wishing* to build on an already extensive network of bilateral and multilateral linkages, agreements, arrangements and understandings, and wishing to deepen and maximise the potential of their cooperation, as well as to establish bilateral commitments and cooperation across various spheres including defence, security, resilience, and identify areas for potential future support,

*Acknowledging* Ukraine’s pathway towards future integration within the Euro-Atlantic community and its commitment to continue implementing reforms regarding good governance, anti-corruption, transparency and modernisation of the defence sector,

*Reaffirming* their support for reforms to strengthen Ukraine's security and economy, which are conducive to Ukraine realising its Euro-Atlantic aspirations, including towards European Union and NATO membership,

*Recognising* that Ukraine's defence, recovery, reform and European and Euro-Atlantic ambitions are mutually reinforcing and should be approached in a synergetic manner,

*Recognising* their goal to restore the military and political stability and international law and order, violated as a result of the armed aggression of the Russian Federation against Ukraine, as well as to prevent possible acts of aggression in the future,

Have decided as follows:

### **Paragraph 1: Scope of the Agreement**

The Participants have decided to continue their cooperation to assist Ukraine in defending itself against Russian aggression for as long as it takes, and decide to:

1. provide support to Ukraine in continuing its legitimate self-defence in accordance with article 51 of the UN Charter against the current Russian aggression and to deter aggression in the future;
2. strengthen Ukraine's recovery, economic stability and resilience;
3. promote accountability for the violations of international law, including international crimes, committed in or against Ukraine and its citizens, and raise the costs to the Russian Federation of its ongoing aggression;
4. implement and support an effective reform agenda that will reinforce the reforms necessary for Ukraine to advance towards its Euro-Atlantic aspirations.

In so doing, the Participants acknowledge their mutual wish to enter into specific, bilateral long-term security commitments to contribute to these efforts.

The Participants acknowledge and confirm their view that the Agreement among the States Parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace regarding the Status of their Forces, drawn up at Brussels on 19 June, 1995, applies to all activities undertaken pursuant to and in implementation of this Agreement.

### **Paragraph 2: Ensuring a sustainable force capable of defending Ukraine now and in the future**

1. The Participants continue their cooperation in order to provide military support to Ukraine. The objective of this military support is twofold. Firstly, to contribute to Ukraine's ability to continue to exercise its legitimate right to self-defence against Russian and other foreign aggression. Secondly, to help adapt and

modernise the security and defence forces of Ukraine, in order to enhance their interoperability with NATO forces and to form a credible deterrent against future foreign aggression.

2. In 2024, the Netherlands will provide EUR 2 billion of military support.
3. The Netherlands will continue support to Ukraine for the ten-year duration of this Agreement.

#### *Short-term military support*

4. With a view to the short-term objective, the Participants will cooperate to assist with the urgent needs of the security and defence forces of Ukraine to defend Ukraine. Such efforts will be focused on assisting the sustainment of Ukraine's combat operations, as well as the sustainment of platforms and systems provided since February 2022. The Participants will coordinate training activities preparing personnel of the security and defence forces of Ukraine for combat operations as well as sustainment.
5. The Participants will work together, and with other partners of Ukraine, to assist the security and defence forces of Ukraine and to restore Ukraine's territorial integrity within its internationally recognised borders, as well as to increase Ukraine's resilience so that it is sufficient to deter and defend against future attacks, through the continued provision of security assistance and modern military equipment, across the land, air and sea, space and cyber domains – prioritising air defence, artillery and long-range firepower, armoured vehicles, and other key capabilities as required. This will include, but is not limited to, working together so that Ukraine's military and non-military security institutions are able to perform effectively to European and Euro-Atlantic standards and are fully accountable to the Ukrainian people, Parliament and Government.
6. It is the policy of the Netherlands to assist Ukraine with the preservation of its qualitative defence and military edge amid rapid, uncertain and challenging regional political and security transformations.

#### *Long-term military support and capability development*

7. With a view to medium- and long-term support, the Participants will cooperate on coordinating activities focused on the modernisation of the Defence Forces of Ukraine (i.e. a Future Force Concept). Long-term goals of these activities will be to provide Ukraine with a credible deterrent against future foreign aggression and to enhance interoperability with NATO forces. These activities will be concentrated on capacity development in the air and maritime domains of Ukraine, where increasing interoperability between the security and defence forces of the Participants, as well as relevant international organisations, is an

important objective. The main focus will be on, but not limited to, the areas of the development of maritime capabilities and support in the field of air defence by Ukraine.

8. The Netherlands will advise and support work on defence governance and policies to support the Ministry of Defence of Ukraine in a structural manner.
9. Military support to Ukraine will be provided by the Netherlands on a bilateral basis and via multilateral instruments, including via NATO's *Ukraine Comprehensive Assistance Package* (UCAP) and the EU's European Peace Facility (EPF).
10. Ukraine will ensure that the military materiel provided to it by the Netherlands is deployed in accordance with the conditions as agreed upon in end-user certificates, including adherence to international law, in particular international humanitarian law and international human rights law. Furthermore, Ukraine will ensure that the military support provided to it by the Netherlands is used solely for self-defence and deterrence of aggression and is administered in accordance with the rule of law and with effective democratic oversight. The Netherlands and Ukraine will cooperate to prevent the diversion and the illegal circulation of military materiel provided to Ukraine.
11. The Participants will seek to ensure that Ukraine's military capabilities are at such a level that, in the event of external military aggression against the Netherlands, Ukraine is able to provide effective military assistance. The terms, format and scope of such assistance will be determined by the Participants.

#### *UDCG and Ukraine future force capabilities*

12. The Participants will coordinate their efforts in the development of military capabilities through the Ukraine Defence Contact Group (UDCG) as well as other bodies, platforms and institutions.
13. The Netherlands will jointly lead the air force coalition which concentrates on future force development and capacity development in the air domain. The Netherlands will make significant contributions to the maritime coalition and other capability coalitions where capacity building and increasing future interoperability between the security and defence forces of the Participants are important objectives.
14. The Netherlands will support the development of the security and defence forces of Ukraine including (but not limited to): a Future Force Concept, a move towards NATO concepts and operating procedures, command and staff training, combined exercises, and enhanced compatibility and interoperability with NATO Allies.

### *Training and exercises and lessons learned*

15. The Netherlands will continue and where necessary expand its support in strengthening the capacity of the Ukrainian security and defence forces personnel in particular, but not exclusively, under the framework of the EU Military Assistance Mission. The Netherlands will provide individual and collective trainings to the security and defence forces of Ukraine including train-the-trainers programmes, particularly on weapon systems supplied by the Netherlands and NATO Allies. The training will also promote increased interoperability with Euro-Atlantic partners. Training will be provided in close cooperation with partners within the EU and NATO and in compliance with applicable national, EU and international law.
16. The Netherlands and Ukraine will jointly identify lessons learned on systems and tactics.

### **Paragraph 3: Defence industry cooperation**

1. The Netherlands will support, where possible, Ukraine's efforts to integrate its defence industry into NATO and the EU defence and security frameworks.
2. The Netherlands will work with Ukraine to contribute to the development of Ukraine's defence industrial base. The Netherlands and Ukraine will develop a strategic cooperation roadmap on the defence industry and identify the most impactful opportunities for defence and security industry capability development and innovation.
3. Ukraine will cooperate with the Netherlands with regard to industrial production and operational knowledge in relation to, among other things, unmanned vehicles.
4. The Netherlands will work with Ukraine to address existing defence materials supply chain bottlenecks impeding the development of the capacity and capability of Ukraine and other beneficiaries for manufacturing of priority weapons and ammunition.
5. The Netherlands will work with Ukraine to identify funding sources required to enable the development of Ukraine's defence industrial base, which will include providing Dutch investment and financial assistance, in particular in time of war and post-war recovery.
6. The Netherlands will work with Ukraine to strengthen protection of transferred technologies and intellectual property rights.
7. The Netherlands will work with Ukraine to promote information exchange, share lessons learned, remove barriers to cooperation and implement required reform

in the defence industry. These partnerships will enable both the Netherlands and Ukraine to expand the capacity of their defence industries.

8. The Netherlands and Ukraine will work to transform Ukraine's defence industry into a powerful capability, enabling Ukraine to restore its sovereignty and territorial integrity, serving as a major driver in economic recovery and being essential part of effective deterrence against potential future acts of aggression to ensure peace and prosperity for both Ukraine and Europe.

#### **Paragraph 4: Cooperation in the event of a future armed attack**

1. In the event of a future Russian armed attack against Ukraine, at the request of either Participant, the Participants will consult within 24 hours, bilaterally or via other channels they both deem appropriate, in order to determine appropriate next steps.
2. The Participants intend, in accordance with their respective legal and constitutional requirements, to provide swift and sustained security assistance, modern military equipment across land, sea and air domains, and economic assistance, to impose economic and other costs on the Russian Federation, and to consult on Ukraine's needs as it exercises its right of self-defence enshrined in Article 51 of the UN Charter.
3. In order to ensure the widest and most effective collective response to future armed attacks, the Participants may amend these provisions in order to align with any mechanism that they may subsequently agree with their other international partners, including the participants in the G7 Joint Declaration of 12 July 2023.

#### **Paragraph 5: Strengthening Ukraine's recovery, economic stability and resilience**

##### *Recovery and reconstruction*

1. The Participants will continue their cooperation to strengthen Ukraine's economic stability and resilience through support for the recovery and reconstruction of Ukraine. The Netherlands will contribute its fair share amongst donor States and institutions towards the recovery and reconstruction of Ukraine, which may take the form of contributions via various bilateral and multilateral channels, including, but not limited to, the European Union and International Financial Institutions. The Participants intend to stimulate the participation by their respective private sectors in the recovery and reconstruction efforts. The authorities of Ukraine will ensure that the support received for the purposes of recovery and reconstruction is spent in a manner that is efficient, transparent and accountable.

2. The Participants underscore the importance of support being provided in unison and effective coordination with the relevant partners of Ukraine, including the G7, the European Union and International Financial Institutions and through designated channels, including the Multi-agency Donor Coordination Platform for Ukraine.
3. The Participants will continue to strengthen coordination mechanisms for joint international efforts for reconstruction. The Netherlands will continue to support Ukraine throughout its path from early to long-term recovery, with these efforts being aligned with Ukraine's EU perspective and its status as an EU candidate country.
4. The Participants underline the value they attach to the congruence and alignment of the recovery and reconstruction process with an effective reform agenda.
5. The Participants will direct their efforts to extend their cooperation to such areas as the development of entrepreneurship, improvement of the regulatory environment, encouragement of investments in specific projects that meet the interests of both sides (e.g. green technology, digital transformation) and financial support for the recovery of small or medium-sized enterprises (SMEs).

#### *Humanitarian demining*

6. Given the extraordinary scope of the challenge presented by the Russian Federation's massive contamination of Ukrainian soil with mines, ammunitions and other explosive ordnances, the Netherlands will continue providing support to humanitarian demining efforts alongside partners.
7. The Participants recognise the need to unite efforts aimed at protecting the population and territories of Ukraine from the negative consequences caused by mines and explosive remnants of war as a result of Russian armed aggression and to alleviate the devastating consequences after its completion.

### **Paragraph 6: Non-military security threats**

#### *Countering hybrid threats*

1. The Participants acknowledge that state actors use non-traditional ways of exerting power, either covertly or on the basis of a hidden agenda, referred to as hybrid threats. Hybrid threats are threats to national security which largely manifest themselves below the threshold of an open armed conflict involving a multiple use of resources by state and/or non-state actors, with the objective to achieve certain strategic objectives. These tactics may or may not be used in conjunction with armed means.

2. The Participants reaffirm their commitment to defending their open and democratic societies against these malign activities. The Participants remain united in their efforts to defend themselves against and counter hybrid threats. The Netherlands will continue to support initiatives to counter hybrid threats within the EU, NATO and relevant international coalitions. The Participants intend to continue to learn from each other and support each other to strengthen resilience in the face of hybrid challenges.
3. The Participants will continue intelligence sharing and cooperation, within accepted parameters. On 5 February 2024, the Kingdom of the Netherlands and Ukraine signed an agreement concerning the exchange and mutual protection of classified information.

#### *Cooperation in the sphere of cybersecurity*

4. The Participants will work together to enable Ukraine to detect, deter and respond to Russian cyber operations, including cyber espionage and sabotage, including through greater cyber resilience and critical infrastructure protection. This will be achieved through information sharing, conducting joint operations and providing technical assistance to Ukraine, within the legal boundaries and upon the availability of information and expertise.
5. The Participants will work together to improve cooperation against cyber threats, both bilaterally and in the framework of the Tallinn Mechanism. Bilaterally, the Participants will be working towards further operational and political alignment to address cyber threats from the Russian Federation. The Tallinn Mechanism aims to facilitate the prompt provision of expert services in the field of cybersecurity, based on Ukraine's integral assessment of cybersecurity priorities, both to help Ukraine defend its critical infrastructure now and to address longer-term cyber resilience needs.
6. The Participants recognise the need to detect, and respond to malign cyber operations and in particular malicious use of cyber capabilities by the Russian Federation and other hostile state and non-state actors.
7. In order to operationalise the above mentioned fields of increased cooperation, the Participants will engage in regular cyber dialogue. In that dialogue, the Participants will seek ways to intensify operational and political cooperation to deter and respond to cyberattacks by the Russian Federation, its satellites and other malicious cyber actors.

*Resilience of critical energy, digital and other critical infrastructure*

8. The Netherlands is committed to exploring areas for enhanced cooperation in support of Ukraine's energy supply security, among them the green energy transition.
9. The Netherlands will continue to support Ukraine to enhance protection and the resilience of critical infrastructure within the EU, NATO and relevant international coalitions. The Participants intend to explore areas for enhanced international cooperation with a view to exchanging knowledge and best-practices in the realm of critical infrastructure capabilities in various sectors.
10. The Netherlands will work with Ukraine to identify sources of funding for grant programmes to develop the recovery of critical infrastructure in various sectors.
11. The Netherlands will support the access of Ukrainian specialists to relevant international programmes and to relevant projects on its territory and in partner countries. The Participants will furthermore explore areas for enhanced cooperation regarding study visits with a view to exchanging knowledge and exchange of best practices.

*Information security*

12. The Netherlands and Ukraine recognise that the Russian Federation continues to manipulate information in support of its war in Ukraine and will continue to mutually support each other's efforts to counter Foreign Information Manipulation and Interference (FIMI).
13. In order to counter Russian information manipulation globally, the participants will, where possible, collaborate to improve Ukraine's capabilities to counter information security threats, primarily Russian disinformation campaigns; support Ukraine in joining collective instruments for countering threats to information security, in particular through collaboration in existing mechanisms for developing common narratives to counter FIMI, primarily from the Russian Federation; exchange lessons learned on communication strategies to counter disinformation; promote the development of joint educational and training programs within international institutions, including regular sharing of experiences.

*Cooperation in the sphere of combating serious and organised crime*

14. The Participants will, where possible and opportune, provide legal assistance under existing instruments for international criminal cooperation in order to combat serious and organised crime (SOC), amongst others illicit finance, aimed at undermining Ukraine's sovereignty and territorial integrity, as well as its internal stability and the process of recovery and reconciliation in Ukraine.

15. The Participants will, where possible and opportune under existing instruments, respond to the activities of SOC groups and individuals that are trying to infiltrate across Ukrainian society and are actively used as a tool of hybrid warfare to destabilise the process of recovery and reconciliation in Ukraine.

### **Paragraph 7: Promoting accountability**

#### *Investigation, prosecution and adjudication of international crimes*

1. Recalling that Ukraine requested the Netherlands to be the lead nation on Point 7 of its Peace Formula, Restoring Justice, the Netherlands is, and remains, strongly committed to ensuring accountability for violations of international law, including international crimes, committed against Ukraine and its citizens, first and foremost among these the crime of aggression. The Netherlands will continue to provide support to investigate and prosecute these violations.
2. The Participants are committed to the overall objective as stated under Point 7, to restore justice, break the cycle of impunity for international crimes, and deter future commission of such crimes by ensuring that the Russian Federation, as well as individuals responsible for the crime of aggression and atrocity crimes committed in Ukraine, are held accountable.
3. In the framework of this bilateral Agreement, and in line with the Action Plan/Framework proposals developed under Point 7 in September 2023, the Participants will continue to cooperate closely to pursue the key objectives as outlined therein, including:
  - promoting, within Ukraine, the effective domestic investigation and prosecution of international crimes, including, but not exclusively, through bilateral cooperation and capacity building;
  - in line with the activities of the Core Group, pursuing accountability for the crime of aggression, for which there can be no impunity. The Participants support the establishment of a special tribunal for the crime of aggression against Ukraine and recall the offer to host under certain conditions a future special tribunal for the crime of aggression in The Hague;
  - holding those responsible to account, consistent with international law, including by supporting the efforts of international mechanisms, such as the International Criminal Court;
  - promoting international cooperation among States and between States and international justice mechanisms in the investigation and prosecution of international crimes committed in, and against, Ukraine, including by co-chairing the Point 7 Working Group of the Ukrainian Peace Formula in Kyiv and the informal international Dialogue Group for Accountability for Ukraine.

- Ukraine will ratify the Rome Statute of the ICC, including the Amendments on the crime of aggression adopted by the Review Conference of the Rome Statute held in Kampala, Uganda on 11 June 2010 by Resolution RC/Res.6, as mentioned in the EU-Ukraine Association Agreement, on the way to its membership in the EU.
4. In order to achieve these objectives, the Participants will continue to coordinate their efforts bilaterally and internationally. To this end, the Participants commit to holding regular high level bilateral coordination meetings. In this regard, The Netherlands will host a ministerial conference, entitled 'Restoring Justice for Ukraine', in The Hague in the spring of 2024. To ensure Ukraine remains in the lead with regard to coordination of international efforts, the Netherlands will assist Ukraine in setting up the Secretariat of the Dialogue Group with the Office of the Prosecutor General of Ukraine and will continue to jointly guide its work, and that of the Dialogue Group.
  5. The Netherlands and Ukraine will continue international efforts to hold to account the political and military leadership of the Russian Federation for its war of aggression against Ukraine and maintain progress towards the establishment of a special tribunal for the crime of aggression.

*Compensation for losses, injuries and damages caused by Russian aggression*

6. The Netherlands and Ukraine reaffirm their commitment to holding the Russian Federation accountable for causing losses or damage to all individuals and legal entities concerned, as well as the state of Ukraine, as a result of the internationally wrongful acts of the Russian Federation in or against Ukraine including its aggression in violation of the UN Charter, and reaffirm that the Russian Federation must bear the legal responsibility, including making reparations for any damage caused by such acts, which will also help deter future attacks and support Ukraine's recovery.
7. The Participants reaffirm that the Russian Federation must pay for damage caused to Ukraine, and/or any third state, legal entity or physical person by internationally wrongful acts attributable to the Russian Federation and committed in or against Ukraine, including aggression, international crimes, the disruption of economic activities, and that the Russian Federation must pay for the long-term reconstruction of Ukraine.
8. The Netherlands supports the reference made in the G7 Joint Declaration of Support for Ukraine. In this regard, Russian sovereign assets in the jurisdiction of the Netherlands, will, to the extent they exist and in accordance with the Dutch legal system, remain immobilised until the Russian Federation has ceased its aggression against Ukraine and fulfilled its obligation to make reparation.

9. The Netherlands, working with its partners, will continue to pursue all lawful routes through which Russian assets can be used to support Ukraine.
10. The Participants will continue to work together with others, including G7 states, towards the establishment of a compensation mechanism to provide compensation for damage, loss, or injury caused to all natural and legal persons concerned, as well as the state of Ukraine, caused by internationally wrongful acts of the Russian Federation in or against Ukraine, as also envisaged by the Statute of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine, adopted by the Resolution of the Committee of Ministers of the Council of Europe CM/Res(2023)3 establishing the Enlarged Partial Agreement on the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine. In this regard, the Participants will explore appropriate options for the financing of a compensation mechanism to provide prompt and adequate compensation to victims of aggression and to support Ukraine's reconstruction.

### **Paragraph 8: Sanctions**

1. The Participants recall that the European Union has imposed massive and unprecedented sanctions against the Russian Federation in response to the war of aggression against Ukraine and that the aim of these measures is to impose severe consequences on the Russian Federation for its actions and to thwart Russian abilities to continue the aggression. The Participants will continue to work to ensure that the costs to the Russian Federation of its aggression continue to rise, including through sanctions and export prohibitions. The Participants also recall that sanctions are most effective when adopted and implemented in coordination with international partners.
2. The Participants will cooperate to actively contribute to the EU policy process to further increase the pressure on the Russian Federation, by developing further individual and sectoral measures and countering the circumvention of the measures in place.
3. The Participants will further build on the close cooperation in multilateral and bilateral formats to: exchange information on the effectiveness of current measures; report on the impact (of enforcement) thereof; counter patterns of circumvention and explore areas where further measures could reinforce the sanctions in place within their jurisdictions.
4. The Participants will cooperate on effective implementation of sanctions, including by exchanging relevant information on enforcement where appropriate, taking into account national legislation.
5. While the Russian Federation's aggression towards Ukraine continues, the Netherlands will remain committed to pursuing robust EU-sanctions against

relevant sectors of the Russian economy and those who are supporting or profiting from the war, or assisting in sanctions circumvention via third countries. The Netherlands will also take determined action with partners to tackle all forms of sanctions circumvention as well as to keep reinforcing its own domestic resilience against Russia-linked illicit finance and elites.

### **Paragraph 9: Supporting the Euro-Atlantic integration of Ukraine**

1. The Participants acknowledge the importance of international coordination regarding support and security commitments for Ukraine. NATO and the EU both play key roles in Ukraine's long-term security.
2. The Participants recall that the EU and its Member States and NATO and its Allies have provided Ukraine with unprecedented levels of political, military, humanitarian, and financial support, to help Ukraine in the defence of its sovereignty and territorial integrity.
3. The Participants acknowledge the difficult circumstances under which Ukraine operates. The Participants reaffirm that Ukraine will continue to carry out the reforms necessary to integrate more closely in the Euro-Atlantic community, while the Netherlands will continue to provide Ukraine with political and practical support. These reforms include continuing implementation of the law enforcement, judiciary, anti-corruption, corporate governance, economic, security sector, and state management reforms that underscore Ukraine's commitment to democracy, the rule of law, respect for human rights and media freedoms, and put its economy on a sustainable path; and also include advancing defence reforms and defence modernisation including by strengthening democratic civilian control of the military and improving efficiency and transparency across Ukraine's defence institutions and industry.

### *NATO*

4. The Participants recall that Ukraine's future is in NATO. Referring to the Agreement among the States Parties to the North Atlantic Treaty and the other States participating in the Partnership for Peace Regarding the Status of their Forces, to which both Participants are a party, Ukraine has become increasingly interoperable and politically integrated with the Alliance. Ukraine has made substantial progress on its reform path and will join NATO when Allies agree and conditions are met. The Netherlands and NATO Allies will continue to support and review Ukraine's progress on democratic and security sector reforms as well as interoperability through Ukraine's adapted Annual National Programme (ANP) on its path towards future membership. Specifically, the Participants commit to Ukraine's implementation of the following enhancements:

- ensuring NATO standards of transparency, accountability, and competition in the management and oversight of security policy and practice, including procurement at the Ministry of Defence and across the defense industrial sector;
  - transforming defence planning and resource management systems to increase transparency, reduce corruption, and increase interoperability with NATO;
  - reorganising command and control structures in accordance with NATO principles to increase interoperability and ensure effective civilian oversight; and
  - modernising defence human resource management and military education systems to align with NATO principles and standards.
5. The participants also acknowledge the NATO-Ukraine Council as a joint body where Allies and Ukraine sit as equal members to advance political dialogue, engagement, cooperation, and Ukraine's Euro-Atlantic aspirations for membership in NATO.
  6. Additionally, the Netherlands will continue to contribute to the delivery of support to Ukraine via NATO's Comprehensive Assistance Package (UCAP). The aim of short-term non-lethal support is to help with the sustainment of Ukrainian operations. The aim for the medium- to long-term support is to help with rebuild the Ukrainian security and defence sector and to help Ukraine with its transition towards full interoperability with NATO on its road to NATO membership.

### *European Union*

7. With regard to Ukraine's future accession to the EU, the Participants reaffirm that Ukraine is part of the European family and has a future within the EU. The Participants recall the merits-based nature of the EU accession process. They reaffirm their commitment to work on Ukraine's progressive integration with the Union, with a view to future Union membership. The Netherlands acknowledges Ukraine's efforts thus far to implement necessary reforms under extremely challenging circumstances and will continue to support Ukraine's reform efforts.
8. The EU and its Member States have provided unprecedented support to Ukraine, notably through the European Peace Facility (EPF), the EU Military Assistance Mission (EUMAM) for Ukraine, as well as through efforts to scale up the production and delivery of ammunition, macro-financial assistance and budget support, support for recovery and reconstruction, diplomatic support and global outreach, solidarity lanes, trade measures, accountability efforts, regional cooperation, sanctions, humanitarian aid, and the protection of people fleeing the

war. As a member of the EU, the Netherlands contributes to EU support to Ukraine. All these parallel processes help to improve the security and resilience of Ukraine, which is linked to the success of Ukraine's path to EU accession.

9. The Netherlands, as a member of the EU, contributes to the continuation of credible and effective support, including in the framework of the EU's security arrangements for Ukraine. This will help Ukraine defend itself in the long-term, deter acts of aggression and resist destabilization efforts. The Netherlands will advocate fostering opportunities for cooperation in the framework of relevant EU initiatives, including those aimed at ramping up defence production capacity and enhancing cooperation with the Ukrainian defence industry. This cooperation will benefit the production of military materiel for both the Netherlands and Ukraine.

### **Paragraph 10: Bilateral relations**

1. The Netherlands and Ukraine will further develop their close and friendly relations in all areas, on the basis of shared values and an unshakeable solidarity in the face of the Russian war of aggression against Ukraine and of common threats and challenges. The Netherlands and Ukraine seek to work together even more closely in the future in the political, defence, economic, scientific and cultural spheres. The Netherlands and Ukraine will further deepen their bilateral relations by strengthening regular consultation formats.

### *Cultural heritage*

2. The Participants recognise that the armed conflict has damaged cultural heritage of Ukraine, through negligence, disregard or even purposeful attacks to it, motivated by malice or malign intentions. We recall in this vein UNESCO's 1954 Hague Convention (and its protocols) for the Protection of Cultural Property in the Event of Armed Conflict. Its observance is one of the main subjects of the UNESCO conference taking place in The Hague on 14 and 15 May 2024, marking the Convention's 70<sup>th</sup> anniversary. The conference will seek attention for the necessity of enhancing the adherence to and observance of the Convention and its protocols, by, ultimately, all States Parties to UNESCO.

**Paragraph 11: Implementation of cooperation**

1. The Participants will implement this Agreement in accordance with their international and national obligations, as well as the European commitments of the Netherlands.

**Paragraph 12: Executive and technical arrangement**

1. The Participants will, if they so deem necessary, designate authorised bodies for the development and implementation of bilateral arrangements in accordance with the areas of cooperation specified in this Agreement.
2. The authorised bodies of the Participants can conclude executive and technical arrangements on specific areas of cooperation within the framework of the implementation of this Agreement or supplements to this Agreement.

**Paragraph 13: Timeframe of the Agreement**

1. This Agreement is valid for ten years from the date of its signature. The Participants will evaluate the effectiveness and necessity of the Agreement before the end of its validity.
2. In the event that Ukraine becomes a member of NATO before the expiry of this Agreement, the Participants will decide on its future status.
3. The provisions of this Agreement will come into effect immediately upon signature.

**Paragraph 14: Procedural provisions**

1. The Participants underline that the present Agreement is intended to build upon their existing excellent cooperation in the various fields outlined in this Agreement which is expressly non-exclusive. Nothing in this Agreement will preclude any of the activities currently carried out in the field outside the remit of the Agreement. Similarly, the current Agreement does not preclude future activities that do not currently fall under the objectives stated above.
2. The Participants acknowledge that the level and kind of support the Netherlands provides may vary annually, as a consequence of both evolving needs of Ukraine and other considerations.
3. Representatives of the two Participants intend to meet at least once a year to review and evaluate the progress of activities jointly carried out under this Agreement. Such meetings will be held on an alternating basis in Ukraine or the Netherlands or at another location to be jointly decided upon.

4. Neither Participant will make available any information, documents or data derived from the cooperative activities under this Agreement to a third party without prior written permission from the other Participant.
5. Amendments to this Agreement may be made at any time as mutually decided by the Participants in writing.
6. Any disputes between the Participants arising out of the interpretation and/or implementation of this Agreement will be settled amicably through negotiation or consultation between the Participants.
7. This Agreement may be terminated at any time upon a three months' notice in writing. The termination will not affect the implementation of ongoing activities or projects decided upon prior to the date of its termination, unless the Participants decide otherwise.

Signed in Kharkiv, Ukraine, on 1 March 2024, in duplicate, in the Dutch, Ukrainian and English language, all three texts having equal validity of which the English version will prevail in the event of any discrepancy.

**For the Government of the Netherlands:**

**For Ukraine:**

**Mark Rutte**  
**Prime Minister**

**Volodymyr Zelenskyy**  
**President**