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**LEGAL NATURE AND SPECIFICS OF THE APPLICATION OF NATO STANDARDS  
IN THE ACTIVITIES OF THE NATIONAL GUARD OF UKRAINE UNDER MARTIAL LAW**

*The article examines the issue of legal regulation regarding the implementation of NATO standards in the activities of the National Guard of Ukraine under martial law. Emphasis is placed on the need to adapt national legislation to international standards in order to enhance the state's defense capabilities and deepen cooperation with the Alliance. The article analyzes administrative, operational, and logistical (material-technical) NATO standards and considers key normative legal acts regulating Ukraine's cooperation with NATO in the fields of security and defense.*

*Differences between the personnel policy and logistical support of the National Guard of Ukraine and NATO standards are identified. Solutions are proposed based on the integration into a unified training system of the security and defense sector, along with the need for the adoption of a comprehensive normative document to clearly define the capabilities of the National Guard of Ukraine in accordance with military standardization processes and interoperability with NATO structures based on specified criteria.*

**Keywords:** *legal regulation; national security; state security; NATO standards; National Guard of Ukraine; doctrine; vision; martial law.*

**Statement of the Problem.** Ukraine currently requires the strengthening of its armed forces and support from relevant international institutions. NATO standards in the field of defense are designed to establish military benchmarks and a foundational framework for the interoperability of the armed forces of NATO member and partner countries with NATO structures.

Through the implementation of administrative, operational, and logistical NATO standards into domestic legislation, Ukraine is expected to achieve an appropriate level of defense capability and deepen its cooperation with the Alliance. This will contribute to strengthening mutual trust and opening new opportunities for support during the period of martial law.

The gradual integration of NATO standards into the activities of the National Guard of Ukraine, taking into account the conditions of martial law, is

a pressing issue that must be addressed primarily through the adaptation of the national regulatory and legal framework to international standards. This involves both amending existing legislation and adopting new regulatory documents.

**Analysis of Recent Research and Publications.** The relevance of improving the legal regulation of NATO standards implementation in the activities of the National Guard of Ukraine is predetermined by the need to enhance the state's defense capabilities during martial law, as well as by the fulfillment of the Guard's function in the implementation of measures under the legal regime of martial law.

Existing scholarly publications on this issue confirm its significance and the necessity for further research. In particular, attention is given to the analysis of: the legal nature of NATO standards and their impact on the development of national military standards [1]; measures to promote the

interoperability of the Armed Forces with the North Atlantic Alliance [12]; the need to transform Ukraine–NATO relations in the context of the Russian-Ukrainian armed conflict [2]; the role of security and defense forces in the national system of military security and, as a result, the need to adopt a Doctrine of the National Guard of Ukraine [15]; methods for integrating NATO standards into the operations of the Armed Forces of Ukraine [9]; the relevance and features of implementing provisions of AJP-01 Allied Joint Doctrine [27]; the specifics of implementing NATO standards in the testing systems of armaments and military equipment [8]; and issues related to the assessment of provisions of strategic state documents in the field of security and defense [13].

To fully implement NATO standards, Ukraine must develop an appropriate domestic regulatory and legal framework that will allow for the systematic introduction of these standards and enable the achievement of the core objective, namely, the interoperability of the country's armed forces with NATO structures.

**The purpose of the article** is to conduct a comprehensive analysis of the legal nature and the process of implementing NATO standards in the activities of the National Guard of Ukraine, as well as to identify urgent issues and develop recommendations for further enhancement of its capabilities in the context of ensuring state security, particularly under martial law.

**Presentation of the Main Material.** In analyzing the legal nature of NATO standards, scholars [1, pp. 26, 29] rightly note that the processes of military standardization in accordance with NATO standards must take into account international legal characteristics – particularly the fact that Ukraine is not a member of the Alliance and therefore does not participate in the creation of such standards, but may only implement them into its legal system. Accordingly, the introduction of NATO standards and the defense standards of NATO member states must follow separate procedures.

According to O. Kushta [2, p. 152], NATO standards can be divided into the following categories:

1. Administrative standards – standards concerning the management of military

documentation and the organization of troop operations;

2. Operational standards – standards for the conduct of military operations within the framework of the *Partnership for Peace* program, the development of military education, and the training of service members by foreign instructors in preparation for alignment with NATO standards;

3. Logistical (material-technical) standards – standards for the provisioning and modernization of weapons, equipment, ammunition, and food supplies.

The implementation of these standards begins with the development of a system of normative legal acts regulating NATO–Ukraine cooperation in the fields of security and defense.

Foremost among these is the 1994 Framework Document "Partnership for Peace" [3], which strengthens the political and military ties of participating countries in the area of security in the Euro-Atlantic region.

At present, Ukraine participates in various areas of the program [4], including: peacekeeping operations; joint exercises; cooperation in the field of armaments and air defense; the Planning and Review Process (PARP); the Operational Capabilities Concept (OCC); Individual Partnership Programs (IPP); the development of defense institutions; the enhancement of military education (DEEP), among others.

This cooperation contributes to the improvement of training for relevant units of the Armed Forces of Ukraine and fulfils the objective of achieving interoperability with NATO member states and participating in multinational formations.

The initiative for military reform in Ukraine and, accordingly, the enhancement of operational and technical interoperability with the NATO armed forces was formalized in the Charter on a Distinctive Partnership between Ukraine and the North Atlantic Treaty Organization (1997) [5].

The recommendations of the parliamentary hearings on Ukraine–NATO relations and cooperation (2002) [6] outlined the need for reforms in armaments and military equipment for Ukrainian military formations.

The decision of the National Security and Defense Council of Ukraine "On the Strategy of Military Security of Ukraine" (2021) [7] provides for

the refinement of defense force operations and reform in light of preparations for conducting network-centric warfare.

Analyzing NATO administrative and technical standards, I. M. Lappo, M. O. Herashchenko, and O. V. Chervotoka [8, p. 59] proposed implementing NATO standards by means of reissuance (adaptation or translation) with the involvement of domestic standardization specialists from the Ministry of Defense of Ukraine. This proposal was based on a comparative analysis of STANAG 4370 and the military standards GOST V 20.39 and GOST V 20.57, where discrepancies were identified in the classification of military equipment and in requirements for resistance, durability, and endurance against external factors.

The resolution of problematic issues regarding the implementation of NATO standards, according to M. S. Sadovskiy [9, p. 42], was seen in the development of a roadmap for the advancement and harmonization of military standardization with NATO standards. In this roadmap, he proposed, first and foremost, the establishment of a unified terminological framework within the Ministry of Defence of Ukraine and the Armed Forces of Ukraine; harmonization with national and international terminological systems; the continuation of the practice of implementing standards of leading countries into the activities of the Armed Forces of Ukraine; and the automation of standardization activities through the development and implementation of an automated military standardization management system.

As a result, the Recommendations following the 2025 committee hearings of the Verkhovna Rada Committee on Foreign Policy and Inter-Parliamentary Cooperation [10] recognized the necessity of reforming the security and defense sectors and law enforcement agencies, legislatively ensuring the implementation of the adapted Annual National Cooperation Programme between Ukraine and NATO for 2024, and identifying the objectives for 2025, including the implementation of the roadmap for achieving interoperability and compatibility with NATO.

Accordingly, the Action Plan of the Cabinet of Ministers of Ukraine for 2025 [11, pp. 22–23] outlines tasks related to the implementation of the Military Standardization Work Programme for

2024–2026, particularly in the area of capability development standards for components of the security and defense sector.

Among the trends in the implementation of NATO standards in the Armed Forces of Ukraine, S. M. Popko [12, p. 61] reasonably highlights the development and improvement within the Ministry of Defence of Ukraine and the Armed Forces of Ukraine of internal regulations, rules, and statutory documents related to operational interoperability with the military units of NATO member states.

The issue of the operational capabilities of the Ukrainian military can be addressed by identifying criteria for assessing such critical aspects as a shared working language between domestic personnel and their NATO counterparts, familiarity with operational planning procedures, and the application of combat tactics employed by NATO forces under various conditions [13, p. 89].

The necessity of implementing NATO standards in the activities of the National Guard of Ukraine, as a military formation, is determined by its participation in enforcing the legal regime of martial law in cooperation with the Armed Forces of Ukraine, aimed at repelling armed aggression against Ukraine and resolving the armed conflict through the conduct of military (combat) operations, in accordance with the Law of Ukraine "On the National Guard of Ukraine" [14].

According to A. O. Kaliaiev [15], the use of National Guard of Ukraine units requires legislative support and improvement, taking into account the need to consolidate the efforts of all components of the security and defense forces in light of the complex threats facing the country.

Pursuant to the Decision of the National Security and Defense Council of Ukraine "On Urgent Measures to Protect Ukraine and Strengthen Its Defense Capabilities" [16], and in accordance with the Law of Ukraine "On the Legal Regime of Martial Law" [17] and the Law of Ukraine "On National Security" [18], the National Guard of Ukraine was engaged in preventing and countering terrorist activities in the territories of Donetsk and Luhansk regions, jointly with the Ministry of Defence of Ukraine and the Security Service of Ukraine, as well as in addressing tasks related to the introduction and implementation of measures under the legal regime of martial law.

The Development Concept of the National Guard for the period up to 2020 [19] identified a list of discrepancies between the National Guard of Ukraine and NATO standards, primarily concerning personnel policy in terms of a contract-based recruitment system; the formation of operational military units, special purpose units; re-equipment with specialized vehicles, modern weapons, special equipment, and communication tools.

To address these issues, it was proposed to align the aforementioned indicators with established NATO standards through the integration procedure into the unified training system of the security and defense sector; the attainment of the required level of combat and mobilization readiness; the provision of armaments, military and specialized equipment; and the introduction of a transparent system for the personnel selection of service members, among other measures.

As a result, according to the Matrix of Core Capabilities of the Defense Forces (Strategic Defense Bulletin of Ukraine, 2021) [20], the institutional capabilities of the National Guard of Ukraine were identified within the following areas: a) determining the levels of military threat to the national security of Ukraine; b) assessing a broad range of current, potential, and future security aspects in the short-, medium-, and long-term timeframes; c) conducting operations to establish control over territorial waters and beyond; d) employing advanced models of medical and special equipment to perform joint medical support tasks.

In 2025, the Government's Priority Action Plan for 2025 [21, pp. 12–13] addressed the issue of enhancing the capabilities of the National Guard solely in the context of providing unmanned systems and counter-UAV assets for operations of joint forces groupings (defense force groupings) during crisis situations of a military nature.

The formation of an effective personnel policy, based on the standards of NATO member states' armed forces, was decided to be implemented through the development of leadership qualities among the personnel of the National Guard of Ukraine. Accordingly, in 2022, by the Order of the Commander of the National Guard of Ukraine [22, pp. 2–4], the *Military Leadership Doctrine of the National Guard of Ukraine* was adopted as a joint project with NATO military structures.

According to the provisions of the Doctrine [22, p. 17], the key approaches to leadership development include motivation and interaction with personnel to ensure effective command and control, maintaining a favorable socio-psychological climate, a sufficient material and technical base, interest in the development of military affairs, and improving the overall performance of the military formation.

The National Guard of Ukraine was recognized among the implementers of the National Action Plan for the implementation of UN Security Council Resolution 1325 *Women, Peace, and Security* for the period until 2025 [23]. The goal of the National Action Plan is to create conditions for ensuring the equal participation of women and men in conflict resolution, peacebuilding, recovery processes, and responses to security challenges. This implies the application of a gender-sensitive approach in appointments, preparation for participation in international operations, improvement of documents regulating corporate ethics, and combating discrimination.

In line with the *Concept of Military Personnel Policy in the Ministry of Defense of Ukraine System for the Period until 2028* [24], it is planned to allow foreign citizens to serve under contract in certain positions in the National Guard of Ukraine, as well as to train officer personnel through operational-level professional military education courses at higher military educational institutions (HMEIs) of the National Guard, and to conduct such training on an ongoing basis.

To comprehensively address the identified inconsistencies between the National Guard of Ukraine and NATO standards, the *Doctrine on the Activities of the National Guard of Ukraine* was developed in 2023 [25].

It is believed that an additional impetus for the adoption of the doctrine was the *Vision of the General Staff of the Armed Forces of Ukraine on the Development of the Armed Forces for the Next Ten Years* [26], according to which interoperability of all components of the defense and security forces means: operational integration, standardization of communication means, armaments and equipment, and unified training of forces and assets across all structures.

Thus, according to the provisions of the Vision, the National Guard of Ukraine must attain the

highest possible level of interoperability with both national and foreign partners (based on NATO guidance documents), which implies the ability to communicate, conduct joint operations, and support allied forces, and is based on a shared understanding of the employment of joint (multinational) forces.

According to A. Yu. Mamzenko [27, pp. 96–97], the doctrine itself was developed within the framework of military standardization processes, the introduction of NATO standards, and the application of best practices in drafting doctrinal documents by military formations of NATO member states.

The key provisions of the *Doctrine on the Activities of the National Guard of Ukraine* aim to ensure [25]:

1. The application of the military standard AJP-01 *Allied Joint Doctrine* [STANAG 2437] with regard to shaping the leadership style in managing subordinate forces, the interaction and conduct of commanders and subordinates (p. 16);

2. The formation of the operational environment based on NATO methodology, encompassing the political, military, economic, social, infrastructural, and informational (PMESII) components (AJP-01), and the prevention of conflicts (p. 27);

3. Operational interoperability of units and subunits of joint and multinational forces across three domains: technical (equipment and systems), procedural (doctrines and procedures), and human (language, terminology, and training).

**Conclusions and Prospects for Further Research.** The grounds for implementing NATO standards in the activities of the National Guard of Ukraine, as a military formation under martial law conditions, stem from the need to enhance combat readiness, given that NATO standards offer tested methods and protocols across various domains; the presence of operational interoperability that enhances cooperation within the framework of international collaboration among NATO members and partners; the modernization of the National Guard's approaches in terms of introducing new technologies and management methods during martial law; and the improvement of personnel's professional competence through mastering modern skills and knowledge aligned with NATO standards.

The current problems of non-compliance between the National Guard of Ukraine and NATO standards – in particular regarding personnel policy indicators, the formation of operational and special purpose military units, re-equipment with specialized vehicles, modern weapons, special equipment, and communication systems — are proposed to be resolved through integration into a unified security and defense sector training system. This integration should primarily rely on the provisions of such regulatory documents as the *Concept for the Development of the National Guard until 2020*, the *National Security Strategy of Ukraine*, the *Strategic Defense Bulletin of Ukraine*, the *Vision of the General Staff of the Armed Forces of Ukraine regarding the development of the Armed Forces*, the *Military Leadership Doctrine of the National Guard of Ukraine*, and the *Doctrine on the Activities of the National Guard of Ukraine*.

Despite the measures already undertaken, the issue of building the capabilities of the National Guard of Ukraine in the context of ensuring national security during martial law still requires additional regulatory clarification. This concerns the achievement of the required level of operational command, systematic training of personnel, effective equipping with weapons, military and specialized equipment, as well as the introduction of a fully transparent personnel selection system. The existing regulatory and legal acts currently address these matters only in a fragmented manner. Therefore, there is an urgent need to adopt a single, comprehensive regulatory document that would clearly define the development of the National Guard of Ukraine's capabilities in accordance with the processes of military standardization and interoperability with NATO structures, based on defined criteria.

A promising avenue for future scholarly research involves further investigation into the issue of forming an effective mechanism for ensuring national security. This includes determining the optimal organizational and legal frameworks for cooperation between NATO and the National Guard of Ukraine, which would enable the most effective use of international experience and resources to strengthen the state's defense capabilities.

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