



THE WEAPONIZATION OF NATO MEMBERSHIP: LEADERS OF TÜRKIYE AND HUNGARY USE ACCESSION PROCESS FOR PERSONAL DISPUTES

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Finland and Sweden originally made a pact to join NATO together following the invasion of Ukraine. As evident by current events, Finland has joined the bloc, while Sweden must continue to wait to have its membership approved. This article examines why it has occurred through an analysis of the requirements to join NATO and the reasons Türkiye and Hungary have used to justify their delaying Finland from joining NATO while continuing to refuse to sign Sweden's accession protocol. Finland joined without Sweden – a result of Türkiye and, to a lesser extent, Hungary attempting to make NATO membership conditional on issues unrelated to the requirements to join NATO. Due to the requirement that the members of NATO unanimously approve applicants, applicant countries are at the mercy of current members. It has allowed Türkiye and Hungary to delay Finland's accession to NATO and to not ratify Sweden's accession protocol, not based on the country's preparedness to fulfil NATO obligations but instead based on personal disputes they have with the Swedish government. Türkiye is not satisfied with Sweden's freedom of speech laws permitting the burning of the Quran meanwhile Hungary is using the opportunity to punish Sweden for raising concerns about the state of democracy in Hungary. The North Atlantic Treaty does not include an article that details the removal of a country from NATO, and NATO leadership has not indicated any interest in removing Türkiye or Hungary for not yet approving Sweden's request to join the organization.

Keywords: NATO membership; defence; invasion of Ukraine; democracy; accession process;

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INTRODUCTION

Finland and Sweden have both been famously neutral and resisted joining NATO for decades. This situation changed with Russian President Vladimir Putin's invasion of Ukraine, and both Finland and Sweden applied to join only three months later after the invasion started. Both countries created a pact to join NATO together. Support to join NATO increased in both countries because of the fears that Russia could increase its aggression to other countries besides Ukraine. Finland was invaded by the Soviet Union in 1939 and lost 10 percent of its territory. The Swedes have increasingly become concerned about Russia after Russian military planes have repeatedly violated Sweden's airspace. Finland also shares a 1,340-kilometre land border with Russia making a threat from Russia seem likely due to its decision to invade Ukraine (Alberque, Schreer, 2022).

Although the original pact provided for joining NATO together, Finland ultimately had to join alone because of Türkiye maintaining its refusal to approve Sweden's accession to NATO. President Erdogan has changed his position on the matter several times. First, President Erdogan opposed both Sweden and Finland from joining, then agreed to both joining and later came out against Sweden's accession to NATO and approved only Finland's request.

This paper examines NATO's requirements for joining the organization and whether President Erdogan and Prime Minister Orbán have valid reasons for originally blocking and then accepting Finland as a member while simultaneously refusing to ratify Sweden's accession protocol. The purpose of NATO is to facilitate cooperation in defence between members, yet Türkiye and Hungary are potentially using the accession process as leverage to settle disagreements with Sweden and Finland, which do not pertain to their ability to fulfil the obligations of NATO members.

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NATO ACCESSION PROCESS AND MEMBERSHIP OBLIGATIONS

While NATO was originally founded in 1949, NATO membership is not limited to the countries that were part of the founding group. Article 10 of the North Atlantic Treaty makes it clear that membership in NATO is possible for any *“European State in a position to further the principles of this Treaty and to contribute to the security of the North Atlantic area”* (NATO, 2019). Once a country in Europe expresses its interest in joining NATO, it is known as an aspirant country and participates in dialogue with NATO about the country’s membership aspirations and the reforms that must take place in order for it to be allowed to join. Depending on how the dialogue goes, the aspirant country may be invited to join the Membership Action Plan. This phase of the accession process determines whether the aspirant country can meet the obligations and commitments of NATO membership. Successful participation in this phase still does not mean automatic membership for the aspirant country (*“Enlargement and Article 10”*, 2023).

To join NATO, a country must meet some basic requirements: uphold democracy and tolerate diversity, work towards transforming its economy into a market economy, civilians must control the armed forces, the aspirant country must be neighbourly and respect the sovereignty of other countries, and the country must achieve progress towards making their armed forces compatible with NATO forces. These requirements are considered essential yet NATO membership for a country is not automatically granted as soon as these requirements are met. Meeting these requirements however signifies that the aspirant country can meet the minimal obligations of NATO membership (U.S. Department of State, n.d.).

The 1995 study on enlargement added additional requirements for aspirant countries that must demonstrate: fair treatment of minority groups, peacefully resolving conflicts, ability and will to contribute to the military aspect of NATO, a functioning democratic political system based on a market economy. If the current members of NATO feel a country can meet these requirements, the country is then invited to start the accession process. The accession process consists of seven

phases: the invited country starts accession talks with a NATO team, the invited country sends a letter of intent with a schedule of reforms, accession protocols are signed by current NATO members, accession protocols are certified by current NATO members, the prospective member is invited by the Secretary-General to accede to the North Atlantic Treaty, the invited country accedes to NATO in the procedure dictated by its national legislation, and, finally, once the invited country deposits its instruments of accession with the US State Department, it is an official member of NATO (*“Enlargement and Article 10”*, 2023).

The preamble of the North Atlantic Treaty is *“The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments. They are determined to safeguard the freedom, common heritage and civilisation of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to unite their efforts for collective defence and for the preservation of peace and security. They therefore agree to this North Atlantic Treaty”* (NATO, 2019). It becomes clear that members are expected to have democratic systems of government. As both Finland and Sweden are already members of the European Union, both countries demonstrate that they have democracies as it is required by the Copenhagen Criteria. One of the three requirements is *“stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities”* (Publications Office of the European Union, n.d.).

Since 2006, the member states of NATO have agreed to spend a minimum of two percent of their Gross Domestic Product (GDP) on defence in order to ensure that NATO countries are prepared to collaborate in defence of an attack should the situation arise. It has been done to balance the divergence in defence spending between the United States and other countries that are part of the organization (NATO, 2014). Finland and Sweden were previously spending less than two percent of their GDP on defence, but both were dedicated to abiding by this NATO obligation due to their desire to become NATO members and as a result of the invasion of Ukraine (Hutt, 2022).



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Increasing their spending to at least two percent satisfies the condition and would not constitute a motive to prevent either Sweden and Finland from joining NATO.

While Sweden and Finland chose to not request to join NATO before 2022, shortly after Russia invaded Ukraine, it is not because these countries were not prepared to fulfil the obligations of NATO membership. Instead, both countries considered that the price of joining NATO was higher than the benefits (Alberque, Schreer, 2022). However, the situation changed with the invasion of Ukraine and the perceived threat of an attack on both nations. Both nations would benefit from defence cooperation with other NATO members. Both are significantly smaller than Russia, which would make defending against an invasion similar to the one that started on 24 February in Ukraine difficult to survive without NATO help.

RUSSIA MOTIVATES FINLAND AND SWEDEN TO APPLY TO NATO

While Finland and Sweden both had the opportunity to join NATO in the past, the situation was not as urgent as it is presently. Due to the invasion of Ukraine, public sentiment in both countries changed about the value of joining NATO to prevent a similar situation from occurring in Finland or Sweden. Both Sweden and Finland have significantly smaller armies than Russia, making it difficult to protect themselves from Russia alone. NATO however has 3.5 million military personnel, dwarfing the 900,000 military personnel of Russia (Dutton, 2022). NATO membership for Finland and Sweden could dissuade Russia from attacking both countries the same way it has attacked Ukraine. On 18 May 2023, both Finland and Sweden formally applied to become NATO members. Accession protocols were written for both countries on 5 July, after the accession talks ended (Reuters, 2023).

Russia previously invaded Ukraine in 2014 after the Euromaidan Revolution, yet there was not the same sense of urgency for Finland or Sweden to join NATO as the fighting was much more limited to Russian majority areas of Ukraine. In 2014 the Russian narrative was that Crimea wanted to be part of Russia and that this is the will of the people due to some separatist movements, which were supported

by Russia. President Putin also claimed that it was a historical injustice that Crimea became part of Ukraine when the Soviet Union collapsed as Russians found themselves to be the minority in another nation overnight. (Myers, Barry, 2014). Russia however has been much more aggressive in its attacks on Ukraine since 28 February 2022, and it has attacked residential areas and city infrastructures all throughout Ukraine including Kyiv, the Ukrainian capital and Lviv, a city in western Ukraine near the national border it shares with Poland (Tondo, 2023). This is because, in 2022, Russia launched a “special military operation” that Russian President Putin deemed necessary in order to demilitarize and denazify Ukraine. President Putin also classified Ukraine’s aspiration to become a member of NATO as a direct threat to Russia. Putin claimed that for three decades Russia attempted to find a solution regarding security in Europe, but the West was deceitful (Troianovski, 2022).

Shortly before Finland officially became the newest member of NATO, Alexander Grushko, the Russian Deputy Foreign Minister, warned that Russia will take action in response. Russia will strengthen its military potential in the northwest and west of Russia. In the case that NATO troops are deployed to Finland, Russia would respond with additional measures (Al Jazeera, 2023). It appears to indicate that Russia will only act if provoked rather than a pre-emptive attack on Finland. Sweden however still has not had its accession protocol ratified by Türkiye and Hungary. Finland joining NATO has limited how Russia can attack Sweden. As Sweden does not border Russia by land, Russia cannot attack Sweden by land now without crossing through Norway or Finland which are both already members of NATO.

TÜRKIYE’S STANCE ON NATO ACCESSION FOR SWEDEN

Sweden is currently stuck on the fourth phase as Hungary and Türkiye have not yet ratified Sweden’s accession protocol. As the accession process must be conducted unanimously, Sweden will not be allowed to become a member of NATO until after both Türkiye and Hungary ratify Sweden’s accession protocol. While Hungary appears to be waiting for Türkiye to act, Türkiye is currently blocking Sweden’s accession to NATO regarding specific situations like burnings



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Türkiye has taken the position that the burning of the Quran is a hate crime against Muslims. This concern could fall under the fair treatment of minority groups as required by the 1995 study on enlargement. This argument is not valid however as the Quran is allowed to be burned in protest located in a current NATO member without it being accused of violating its duties as a member of the organization.

of the Quran, the burning of an effigy of Turkish President Erdogan, and Sweden's unwillingness to deport every person accused of being a terrorist by the Turkish government. President Erdogan is taking advantage of the unanimity required for accession to NATO in an attempt to settle personal disputes with Sweden, which are not related to Sweden's ability to meet the obligations of NATO membership. In this way, President Erdogan has turned NATO membership into a weapon in an attempt to force Sweden to modify its legislation to his liking in exchange for protection from a potential Russian invasion.

Examining the first instance, Türkiye wants Sweden to outlaw the burning of the Quran. The police in Sweden attempted to ban the burning of the Quran based on security threats, but the Supreme Administrative Court in Sweden overturned the decision and said the police did not have the authority to make such a decision. The police blocked the burning of the Quran outside the Turkish and Iraqi consulates in Stockholm due to the negative rejection as a result of the burning of a copy of the Quran in January (Agence France-Presse, 2023). Türkiye has taken the position that the burning of the Quran is a hate crime against Muslims. This concern could fall under the fair treatment of minority groups as required by the 1995 study on enlargement. This argument is not valid however as the Quran is allowed to be burned in protest located in a current NATO member without it being accused of violating its duties as a member of the organization.

The Quran was not burned just in Sweden but in Denmark as well (Fraser, Tanner, 2023). As Denmark is already a member of NATO, Türkiye cannot demand Denmark to change its legislation as it can try to coerce Sweden in exchange for membership. It also reveals that Türkiye would require legislation in Sweden in order to ratify Sweden's accession protocol despite no other member state is being required to legally ban the burnings of the Quran. The Swedish government attempted to stress that it does not politically support demonstrations that include the burning of the Quran while simultaneously stating that these types of demonstrations are protected under Sweden's freedom of speech. Former Prime Minister Magdalena Andersson even labelled the protestors who banned the Quran as "useful idiots"

as a result of their protests causing Sweden's NATO accession to be further delayed (Ib.).

This matter plays no role in Finland due to its legislation pertaining to maintaining religious peace. Finland's criminal code, under Chapter 7 (563/1998) Offences against public order, Section 10 (563/1998), discusses violation of the sanctity of religion and states "A person who 1) publicly blasphemes against God or, for the purpose of offending, publicly defames or desecrates what is otherwise considered sacred by a church or a religious community referred to in the Act on the Freedom of Religion (267/1922), or 2) by making noise, acting threateningly or otherwise disturbs a church service, a religious ceremony, another similar form of worship or a funeral shall be sentenced for a violation of the sanctity of religion to a fine or to imprisonment for at most six months". (Ministry of Justice, Finland, n.d.). Due to this legislation, the burning of the Quran would not be permitted in Finland as the burning of the Quran is considered desecration by Islam. While President Erdogan would prefer Sweden to add this to its criminal code, Sweden is unlikely to do so as it has already stated that burning the Quran falls under freedom of speech. It is important to note as well that the North Atlantic Treaty does not mention religion yet repeatedly mentions protecting democracy. According to Sweden's interpretation of democracy, while burning the Quran can be considered offensive by some people, it is protected free speech in Sweden. By Türkiye requesting Sweden to change its legislation to ban Quran burning, Türkiye is expecting Sweden to respect the freedoms its citizens enjoy.

Besides burning the Quran, an effigy of President Erdogan was burned in Stockholm. The effigy was hung from a light pole in the Swedish capital by the Swedish Solidarity Committee for Rojava, a pro-Kurdish organization, to mimic the hanging of the former Italian dictator Benito Mussolini as a warning sign to President Erdogan. The organization hinted that if President Erdogan did not resign, he could face the same fate in Taksim Square. The Swedish Prime Minister condemned the action by the organization and classified it as an attempt to sabotage the country's application to join NATO. Mevlut Cavusoglu, the foreign minister of Türkiye, argued that Sweden has the opportunity to take an action against the organization in order



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President Erdogan has also delayed approving Sweden's NATO membership due to Sweden's unwillingness to deport individuals Türkiye sought to extradite as the government said these individuals were part of the PKK, which is considered a terrorist group in Türkiye. Sweden's former Prime Minister Andersson has refused to confirm or deny whether the decision to deport individuals was part of an agreement with the Turkish government to have Sweden's accession protocol ratified.

to maintain its pledge to Türkiye that Sweden is serious about cracking down on terror groups. As a result of this incident with the effigy, the Swedish ambassador to Türkiye was summoned and prosecutors in Ankara started an investigation into the incident (Chatterjee, 2023).

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In May of 2023, President Erdogan had a difficult re-election campaign and, for the first time, he had to participate in a second round of the election as he failed to receive 51 percent to outright win in the first round. It is suspected that President Erdogan used his conflicts and denial of NATO membership to Sweden to increase support for himself in the election (Altayli et al., 2023). As he has done before, he criticized the events as Islamophobia in Europe, a strategy



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that has already proven to work for him in Europe. In order to increase his appeal and fight against the perceived rise of Islamophobia in the West, President Erdogan has increased his nationalistic rhetoric. He has been very supportive of Muslims as it can be seen by his acceptance of refugees while most opposition parties call for their removal from Türkiye (Beris, 2023). It has yet to be seen how President Erdogan will now act since he won the second round of the election and whether or not he will be more willing to negotiate with Sweden in order to ratify Sweden's accession protocol and allow it to become a member of the organization. He may potentially change his approach to the discussion of Sweden's accession to NATO due to not being under imminent electoral pressure, or he may remain firm in his stance. This decision will likely depend on what Erdogan will ultimately feel is best for his personal political objectives and whether he will benefit more from letting Sweden in or continuing to block its accession to NATO.

HUNGARY USES NATO MEMBERSHIP TO SETTLE EU DISAGREEMENTS

Hungary has become one of two European Union member states constantly facing criticism and attempted discipline by the European Union for democratic backsliding. One of the most recent examples of Sweden being critical of Hungarian legislation is known as the Child Protection Act (Reuters, 2023). Fifteen EU member states including Sweden have joined the European Union's lawsuit against Hungary because they consider the legislation to be anti-LGBT legislation rather than focused on protecting children as the Hungarian government claims (Fox, 2023). As this lawsuit is in the Court of Justice of the European Union, Hungary is bound as an EU member state to respect the court's decision. While other member states have a strained relationship with Türkiye, Hungary views the member state of NATO as an ally due to Prime Minister Viktor Orbán belief in the decline of the West (Bayer, 2023). It appears to be partially guiding Hungary's decisions as Finland is one of the fifteen member states that joined the EU's lawsuit regarding the Child Protection Act and Hungary delayed ratifying Finland's accession protocol.



EU funds will be unfrozen as soon as Hungary makes necessary legislative reforms that convince the EU that Hungary is dedicated to being a democratic member of the bloc. As Hungary receives significantly more funds from the European Union than it contributes, it is referred to as a beneficiary member state of the EU. It gives Hungary a motive to punish Sweden and Finland in whatever way possible, including interfering in the accession process of Sweden and Finland to NATO.

Additionally, Finland led talks suggesting that EU funding becomes conditional on the basis of the rule of law during its rotation of the European Council presidency (Tuominen, 2023). Just four years ago, Prime Minister Orbán was critical of Finland for these discussions as Hungary would be one of the two EU member states, along with Poland, that this manoeuvre would target because of reforms being considered undemocratic (Yle News, 2019). EU funds will be unfrozen as soon as Hungary makes necessary legislative reforms that convince the EU that Hungary is dedicated to being a democratic member of the bloc. As Hungary receives significantly more funds from the European Union than it contributes, it is referred to as a beneficiary member state of the EU (Malone, O'Connell, 2019). It gives Hungary a motive to punish Sweden and Finland in whatever way possible, including interfering in the accession process of Sweden and Finland to NATO.

The European Commission however has frozen the cohesion and post-pandemic recovery funds designated for Hungary. On 24 May 2023, the European Parliament passed a resolution urging the European Commission to continue to keep the funds frozen for Hungary because of various breaches of the rule of law (Wiseler-Lima et al., 2023). It demonstrates that Finland, which led the efforts for European Union funding to be conditional on the basis of the rule of law, was successful and yet Hungary ratified Finland's accession protocol since Türkiye also ratified it. Hungary originally blocked Finnish accession to NATO citing the Finnish government's criticism of Hungarian democracy as its reason. The Hungarian government however changed its mind and ratified Finland's accession protocol before Türkiye, only after President Erdogan indicated that he would approve of Finland's NATO bid while still blocking Sweden's membership request (Bayer, 2023). While Türkiye is using NATO's accession process as leverage in political conflicts, Hungary is playing a supportive role to Türkiye and Prime Minister Orbán is following President Erdogan's lead. It is likely that, as soon as Erdogan ratifies Sweden's accession protocol to become a member of NATO, Hungary will do the same and not continue to object to Sweden joining the organization.

Besides Finland, Sweden has been critical of the erosion of safeguards for democracy in Hungary, as democracy is also supposed to be protected in EU member states, which Hungary has used as a reason to continue to delay ratifying Sweden's accession protocol alongside Türkiye. Balázs Orbán, the political director for Prime Minister Orbán, has stated that the Swedish government is "constantly questioning the state of Hungarian democracy" which is "insulting our voters, MPs, and the country as a whole" (Ib.). It demonstrates that Hungary has a motivation to not ratify Sweden's accession protocol on the basis of political disagreements rather than whether or not Sweden is prepared to join NATO.

NATO MEMBERS MUST VOLUNTARILY LEAVE

Article 12 of the North Atlantic Treaty outlines that members may voluntarily leave the organization and the text reads "After the Treaty has been in force for twenty years, any Party may cease to be a Party one year after its notice of denunciation has been given to the Government of the United States of America, which will inform the Governments of the other Parties of the deposit of each notice of denunciation". (NATO, 2019). As the treaty has been in force since 1949, any member may voluntarily leave as long as they communicate to the government of the United States of America a year in advance before they intend to leave the organization. Similar to the discussions about the Treaty of the European Union, the North Atlantic Treaty does not include an article that mentions a member being forced to leave NATO either. Türkiye has mentioned that it may leave NATO.

As no formal mechanism exists to force a NATO member to leave or at least be suspended, it has led to debate whether this is possible. If so, this could be potentially taken as an action for Türkiye and Hungary refusing to ratify Sweden's accession agreement, based on Türkiye and Hungary not having valid reasons to refuse to ratify, and not on Sweden's ability to fulfil NATO membership obligations. NATO officials have given no indication however that the will to take such a drastic measure as disciplining Türkiye is even currently an option. Almost a year has passed since Sweden formally declared its interest in joining NATO and yet it has not been admitted, but there has been no indication



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In order to convince Türkiye to ratify Sweden's accession protocol, it is likely that the other countries that are currently members of NATO may have to make a deal with the Turkish government. One potential option is that the United States of America can allow Türkiye to buy American F-16 fighter jets. This deal would be dependent on the willingness of the United States Congress to approve such a deal in order to make Sweden a member of NATO.

from NATO that Türkiye or Hungary would face any consequences for not yet allowing Sweden to become a member of the organization.

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CONCLUSION

Both Finland and Sweden have demonstrated that they are capable of assuming the responsibilities of NATO members, yet their processes were delayed and Sweden still awaits approval. Instead of strictly approving, delaying, or rejecting ratification of Sweden's accession protocol based on Sweden's ability to meet the obligations and commitments of a NATO member, the leaders of Türkiye and Hungary have chosen it as an opportunity to vocalize personal grievances with Sweden. For Türkiye, it means framing Sweden as a country that permits Islamophobia while failing to cooperate with Türkiye to stop tourism and extradite suspects to face trial. The problem is that President Erdogan is attempting to force Sweden to change its freedom of speech law to appease his desires even though Denmark, which is already a member of NATO, also permits the burning of the Quran.



Despite Finland being responsible for EU funds being linked to the rule of law and leading to the freezing of these funds for Hungary, President Orbán in the end approved of Finland's accession to NATO as President Erdogan signalled that he would approve Finnish membership. Prime Minister Orbán's comments suggest that he was partially motivated to delay the accession process for Finland because of his personal qualms with Sweden and he isurrently doing the same with Sweden.

Hungary follows the lead of Türkiye as it is evident by its ratification of Finland's accession protocol. Despite Finland being responsible for EU funds being linked to the rule of law and leading to the freezing of these funds for Hungary, President Orbán in the end approved of Finland's accession to NATO as President Erdogan signalled that he would approve Finnish membership. Prime Minister Orbán's comments suggest that he was partially motivated to delay the accession process for Finland because of his personal qualms with Sweden and he isurrently doing the same with Sweden, yet these issues are not enough to cause Hungary to continue to delay ratifying Sweden's accession protocol as soon as President Erdogan signals he is willing to ratify it.

Going forward, it is important to research whether this behaviour continues from President Erdogan and President Orbán, resulting in Türkiye and Hungary delaying and refusing to ratify a nation's accession protocol not on the basis of the nation's preparedness to fulfil its obligations as a member of NATO. It should also be investigated if any strategy exists for other NATO members to help intervene without causing a member state to try to leave the bloc that does not require deals to be made which act as bribes. For the time being, member states can agree to make deals in order to appease the leaders of Türkiye and Hungary in exchange for the two nations to ratify Sweden's accession protocol. The focus of the organization is on defence cooperation and maintaining democratic values, which would be undermined if nations begin to leave.

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