



**Resolution of Advice and Consent to Ratification
of the Protocol to the North Atlantic Treaty
of 1949 on the Accession of Montenegro,
which was opened for signature at Brussels
on May 19, 2016, and signed that day on be-
half of the United States of America**

1 *Resolved, (two-thirds of the Senators present concur-*
2 *ring therein),*

3 **SECTION 1. SENATE ADVICE AND CONSENT SUBJECT TO**
4 **DECLARATIONS, AN UNDERSTANDING, AND**
5 **CONDITIONS.**

6 The Senate advises and consents to the ratification
7 of the Protocol to the North Atlantic Treaty of 1949 on
8 the Accession of Montenegro, which was opened for signa-
9 ture at Brussels on May 19, 2016, and signed that day
10 on behalf of the United States of America (the “Protocol”)
11 (Treaty Doc. 114–12), subject to the declarations of sec-
12 tion 2 and the conditions of section 3.

13 **SEC. 2. DECLARATIONS.**

14 The advice and consent of the Senate under section
15 1 is subject to the following declarations:

16 (1) REAFFIRMATION THAT UNITED STATES
17 MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL

1 SECURITY INTEREST OF THE UNITED STATES.—The
2 Senate declares that—

3 (A) for more than 60 years the North At-
4 lantic Treaty Organization (NATO) has served
5 as the preeminent organization to defend the
6 countries in the North Atlantic area against all
7 external threats;

8 (B) through common action, the estab-
9 lished democracies of North America and Eu-
10 rope that were joined in NATO persevered and
11 prevailed in the task of ensuring the survival of
12 democratic government in Europe and North
13 America throughout the Cold War;

14 (C) NATO enhances the security of the
15 United States by embedding European states in
16 a process of cooperative security planning and
17 by ensuring an ongoing and direct leadership
18 role for the United States in European security
19 affairs;

20 (D) the responsibility and financial burden
21 of defending the democracies of Europe and
22 North America can be more equitably shared
23 through an alliance in which specific obligations
24 and force goals are met by its members;

1 (E) the security and prosperity of the
2 United States is enhanced by NATO's collective
3 defense against aggression that may threaten
4 the security of NATO members; and

5 (F) United States membership in NATO
6 remains a vital national security interest of the
7 United States.

8 (2) STRATEGIC RATIONALE FOR NATO EN-
9 LARGEMENT.—The Senate finds that—

10 (A) the United States and its NATO allies
11 face continued threats to their stability and ter-
12 ritorial integrity;

13 (B) an attack against Montenegro, or its
14 destabilization arising from external subversion,
15 would threaten the stability of Europe and jeop-
16 ardize United States national security interests;

17 (C) Montenegro, having established a
18 democratic government and having dem-
19 onstrated a willingness to meet the require-
20 ments of membership, including those necessary
21 to contribute to the defense of all NATO mem-
22 bers, is in a position to further the principles of
23 the North Atlantic Treaty and to contribute to
24 the security of the North Atlantic area; and

1 (D) extending NATO membership to Mon-
2 tenegro will strengthen NATO, enhance sta-
3 bility in Southeast Europe, and advance the in-
4 terests of the United States and its NATO al-
5 lies.

6 (3) SUPPORT FOR NATO'S OPEN DOOR POL-
7 ICY.—The policy of the United States is to support
8 NATO's Open Door Policy that allows any Euro-
9 pean country to express its desire to join NATO and
10 demonstrate its ability to meet the obligations of
11 NATO membership.

12 (4) FUTURE CONSIDERATION OF CANDIDATES
13 FOR MEMBERSHIP IN NATO.—

14 (A) SENATE FINDING.—The Senate finds
15 that the United States will not support the ac-
16 cession to the North Atlantic Treaty of, or the
17 invitation to begin accession talks with, any Eu-
18 ropean state (other than Montenegro), unless—

19 (i) the President consults with the
20 Senate consistent with Article II, section 2,
21 clause 2 of the Constitution of the United
22 States (relating to the advice and consent
23 of the Senate to the making of treaties);
24 and

1 (ii) the prospective NATO member
2 can fulfill all of the obligations and respon-
3 sibilities of membership, and the inclusion
4 of such state in NATO would serve the
5 overall political and strategic interests of
6 NATO and the United States.

7 (B) REQUIREMENT FOR CONSENSUS AND
8 RATIFICATION.—The Senate declares that no
9 action or agreement other than a consensus de-
10 cision by the full membership of NATO, ap-
11 proved by the national procedures of each
12 NATO member, including, in the case of the
13 United States, the requirements of Article II,
14 section 2, clause 2 of the Constitution of the
15 United States (relating to the advice and con-
16 sent of the Senate to the making of treaties),
17 will constitute a commitment to collective de-
18 fense and consultations pursuant to Articles 4
19 and 5 of the North Atlantic Treaty.

20 (5) INFLUENCE OF NON-NATO MEMBERS ON
21 NATO DECISIONS.—The Senate declares that any
22 country that is not a member of NATO shall have
23 no impact on decisions related to NATO enlarge-
24 ment.

1 (6) SUPPORT FOR 2014 WALES SUMMIT DE-
2 FENSE SPENDING BENCHMARK.—The Senate de-
3 clares that all NATO members should continue to
4 move towards the guideline outlined in the 2014
5 Wales Summit Declaration to spend a minimum of
6 2 percent of their Gross Domestic Product (GDP)
7 on defense and 20 percent of their defense budgets
8 on major equipment, including research and develop-
9 ment, by 2024.

10 (7) SUPPORT FOR MONTENEGRO'S DEMOCRATIC
11 REFORM PROCESS.—Montenegro has made difficult
12 reforms and taken steps to address corruption. The
13 United States and other NATO member states
14 should not consider this important process complete
15 and should continue to urge additional reforms.

16 **SEC. 3. CONDITIONS.**

17 The advice and consent of the Senate under section
18 1 is subject to the following conditions:

19 (1) PRESIDENTIAL CERTIFICATION.—Prior to
20 the deposit of the instrument of ratification, the
21 President shall certify to the Senate as follows:

22 (Λ) The inclusion of Montenegro in NATO
23 will not have the effect of increasing the overall
24 percentage share of the United States in the
25 common budgets of NATO.

1 (B) The inclusion of Montenegro in NATO
2 does not detract from the ability of the United
3 States to meet or to fund its military require-
4 ments outside the North Atlantic area.

5 (2) ANNUAL REPORT ON NATO MEMBER DE-
6 FENSE SPENDING.—Not later than December 1 of
7 each year during the 8-year period following the date
8 of entry into force of the Protocol to the North At-
9 lantic Treaty of 1949 on the Accession of Monte-
10 negro, the President shall submit to the appropriate
11 congressional committees a report, which shall be
12 submitted in an unclassified form, but may be ac-
13 companied by a classified annex, and which shall
14 contain the following information:

15 (A) The amount each NATO member
16 spent on its national defense in each of the pre-
17 vious 5 years.

18 (B) The percentage of GDP for each of the
19 previous 5 years that each NATO member
20 spent on its national defense.

21 (C) The percentage of national defense
22 spending for each of the previous 5 years that
23 each NATO member spent on major equipment,
24 including research and development.

1 (D) Details on the actions a NATO mem-
2 ber has taken in the most recent year reported
3 to move closer towards the NATO guideline
4 outlined in the 2014 Wales Summit Declaration
5 to spend a minimum of 2 percent of its GDP
6 on national defense and 20 percent of its na-
7 tional defense budget on major equipment, in-
8 cluding research and development, if a NATO
9 member is below either guideline for the most
10 recent year reported.

11 **SEC. 4. DEFINITIONS.**

12 In this resolution:

13 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
14 **TEES.**—The term “appropriate congressional com-
15 mittees” means the Committee on Foreign Relations
16 and the Committee on Armed Services of the Senate
17 and the Committee on Foreign Affairs and the Com-
18 mittee on Armed Services of the House of Rep-
19 resentatives.

20 (2) **NATO MEMBERS.**—The term “NATO
21 members” means all countries that are parties to the
22 North Atlantic Treaty.

23 (3) **NON-NATO MEMBERS.**—The term “non-
24 NATO members” means all countries that are not
25 parties to the North Atlantic Treaty.

1 (4) NORTH ATLANTIC AREA.—The term “North
2 Atlantic area” means the area covered by Article 6
3 of the North Atlantic Treaty, as applied by the
4 North Atlantic Council.

5 (5) NORTH ATLANTIC TREATY.—The term
6 “North Atlantic Treaty” means the North Atlantic
7 Treaty, signed at Washington April 4, 1949 (63
8 Stat. 2241; TIAS 1964), as amended.

9 (6) UNITED STATES INSTRUMENT OF RATIFICA-
10 TION.—The term “United States instrument of rati-
11 fication” means the instrument of ratification of the
12 United States of the Protocol to the North Atlantic
13 Treaty of 1949 on the Accession of Montenegro.