



**EU**

*Enlargement*

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## *The Ukraine crisis offers lessons for Europe about the limits of engagement*

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Through the Eastern Partnership (EaP) and the European Neighbourhood Policy (ENP), the European Union *inter alia* strives to export European values, including democracy, the rule of law and human rights. However, when looking at Ukraine, the EU seems to have failed. The country has fallen into disarray and is currently facing a civil war-like situation in its eastern territories. Mistakes were made by EU officials before the crisis, giving the EU some responsibility for bringing it about and, therefore, enhancing the EU's responsibility to help resolve it.

How has the EU dealt with the crisis so far? How has the crisis affected, and how should it affect, EU foreign policy, including whether enlargement — the EU's most successful foreign policy instrument — is back on the agenda? These are questions European policymakers must contemplate as they work to find a peaceful resolution, while taking into consideration Russia's interests and role in the region.

From left, Ukrainian President Petro Poroshenko; German Chancellor Angela Merkel; then-European Union Council President Herman Van Rompuy, front; Georgian Prime Minister Irakli Garibashvili; and European Union Commission President Jose Manuel Barroso attend the 2014 EU Summit where Association Agreements were signed with Georgia, Moldova and Ukraine. AFP/GETTY IMAGES



### Before the crisis: EU policy

The Ukraine crisis escalated immediately after the EU's Eastern Partnership Summit in Vilnius, Lithuania, in November 2013, largely because the EU lacks a strategic and security policy for the EaP and a medium- and long-term security and foreign policy concept in general. In addition, EU foreign policy is broken up into many unrelated pieces. For example, EU policy on relations with Russia has not taken into consideration the EaP policy, although Russian representatives have repeatedly voiced unease about its effect on Russia's political and economic relations with EaP countries. This only changed after the Vilnius summit, when the EU started technical talks with Russia regarding Association Agreements and Deep and Comprehensive Free Trade Agreements (DCFTA) with EaP countries.<sup>1</sup>

Russia was also underrepresented as a relevant factor in the EaP framework, although this is partly because Russia showed no interest in participating in the EaP. But this is no excuse for the EU lacking a strategic approach toward Russia. EU representatives viewed — and there are many examples of this from Štefan Füle and Catherine Ashton — the Association Agreements and DCFTAs as merely technical matters and underestimated foreign policy implications. Even if EU representatives — true to their words — did not use the EaP as a geopolitical instrument, it was perceived as such by Russia, because it was indeed intended to export European values that are threatening to Russian power structures. EU representatives failed to see this in the runup to the Vilnius summit and seem not to have fully grasped this even today.

Another weakness of the ENP and the EaP is that they were



Pro-European Union protesters gather outside the EU delegation in Kiev in January 2014. Their actions were among those that contributed to the dissolution of President Viktor Yanukovich's government.

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constructed to constrain Ukraine's EU accession ambitions and as a compromise between EU member states that called for candidate status for Ukraine (i.e., Poland) and others (i.e., Spain) that were unsure or outright opposed to membership.

Additionally, the ENP is still using the enlargement process logic of the 1990s and 2000s, in which the EU took a more passive role and allowed states to approach the Union in an open-ended process. Therefore, EU policy toward ENP states lacks a strategic, proactive component that is independent from the reform and democratization agenda. While the 2014 European External Action Service (EEAS) annual progress report shows that the EU is beginning to understand the limits of this approach,<sup>2</sup> it has not been able to overcome this completely because EU policy maintains that potential candidate states should be agents in the democratization process. This is certainly true, as any other approach would overestimate the EU's influence in internal reform processes, but it should not keep the EEAS from developing its own, proactive foreign policy vis-à-vis these states, not only, but especially, in cases of reform stagnation.

The EU failed to assess Russia's role and interests in the region to a point that its own officials are now asking themselves how they could have been so naive. The responsible EU officials, including the foreign ministers, the commission and the EEAS, wildly underestimated Russia's interests and influence, both in the negotiations for Ukraine's Association Agreement/DCFTA and in dealing with the crisis that followed. In addition, instead of trying to understand the Russian position and to keep communication channels open, officials and media quickly turned to anti-Russian rhetoric without seriously considering Russian interests in the region or attempting to see Russia as a rational actor. The EU was more successful during its 2004 Eastern enlargement, when it was able to find a common ground concerning Russia's Kaliningrad exclave. The EU representatives do not seem to understand the special affinity that Russia, and many Russians, hold for the former Soviet republics. Russian policy seems to be determined less by its experience with NATO's (1999) and the EU's (2004) Eastern enlargement than it is influenced by talk about NATO enlarging to include Ukraine and Georgia in 2008 and American plans for a missile shield in Central and Eastern Europe, including Poland.

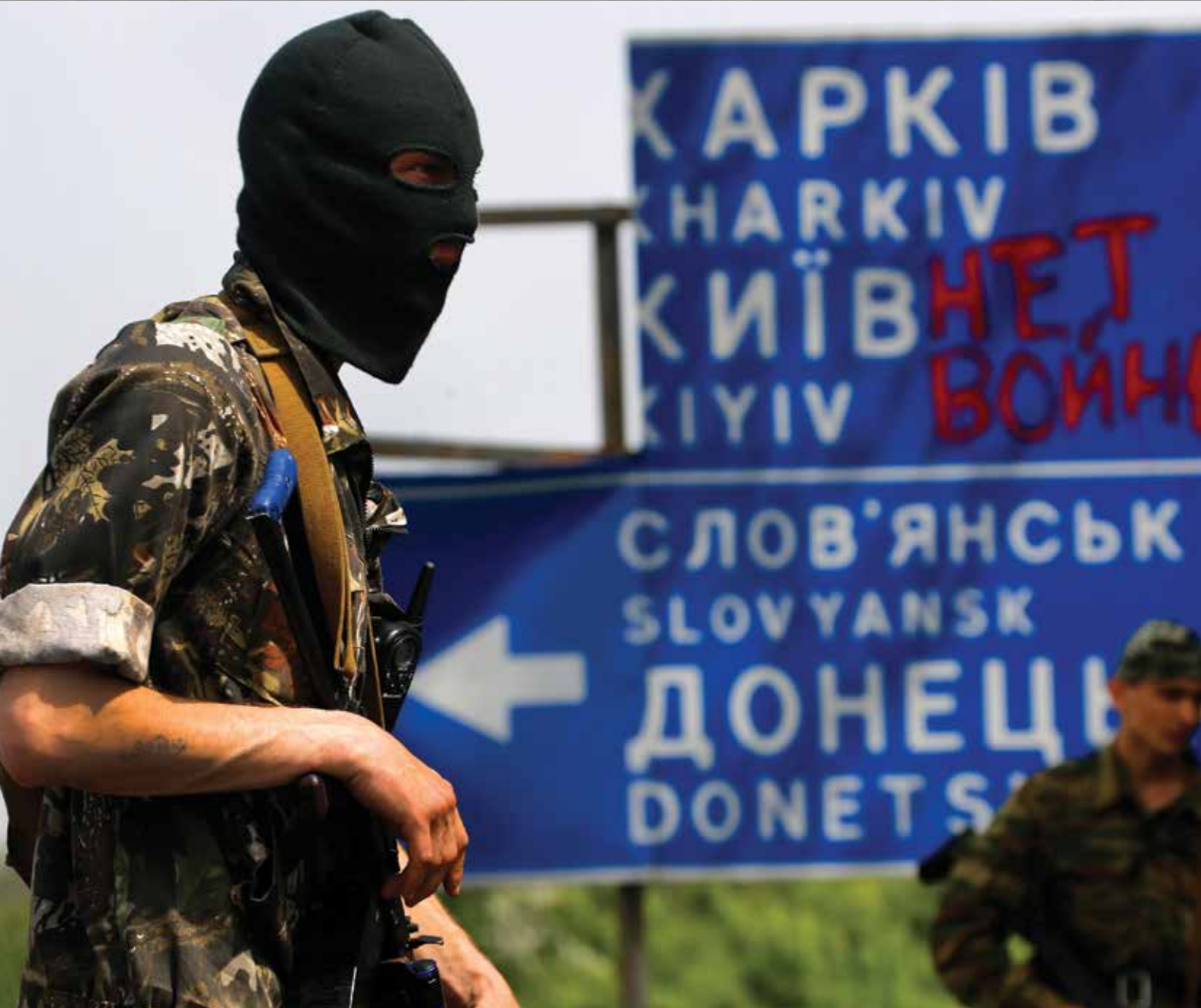
This is also evident in Russia's military doctrine, last updated by then-President Dmitry Medvedev in 2010. These elements are consistently mentioned as actions opposed by the Russian side, leading to the Medvedev doctrine and, ultimately, Russia's annexation of Crimea. This demonstrates the limitations and difficulties of further EU enlargement in Eastern Europe; it also means the spreading of European values will be slowed considerably. EU officials will not help the situation if they interfere too aggressively in internal politics, such as during elections in Ukraine. However, the EU's impact on political and economic transformation should not be overestimated. On the contrary, the "change through trade" (Wandel durch Handel) model seems to have its limitations, and it would be interesting to examine relevant intervening factors necessary for the model to work.

The EU's institutional foreign policy weakness has contributed to the crisis. The main problem lies in the complex division of labor between High Representative Ashton and Commissioner for Enlargement Füle spelled out by the Lisbon Treaty, which leads to two politicians and administrations being responsible for foreign policy and mixes classic foreign policy and integration instruments. This has led to an acute lack of security policy analysis for implementation of the ENP.

#### During the crisis: EU actions

In dealing with the crisis, the EU has shown a sometimes surprising unity, considering the differing interests of member states, especially with regard to short-term measures to put a lid on the crisis. This is most obvious from the unusual frequency of meetings of foreign ministers and heads of state and governments in reaction to ongoing developments. In addition, member states' representatives have shown unity in dealings with Ukraine and Russia, even though at the beginning there were disagreements between Ashton's EEAS and Füle's Commission Directorate General for Enlargement. In that case, the EU was able to speak with one voice, a goal it has failed to achieve in many previous crises. Some see Russian President Vladimir Putin as an involuntary unifier and the catalyst of a joint EU foreign policy.

However, the EU has made some first and necessary advances toward Russia, all the while strongly criticizing and condemning Moscow's violation of international law in the Ukraine crisis.



These advances include expert-level bilateral consultations on how future Association Agreements with EaP countries will affect their relations, especially economic relations, with Russia.

#### **The EaP and relations with Russia**

The most important effects of the Ukraine crisis on EU foreign policy will be on its medium- and long-term development through lessons learned. The crisis has shown that the EU needs to review the ENP and, more specifically, the EaP to avoid similar escalations in the future and allow more space for its own foreign policy priorities. This review should not be rushed, as it was in the case of the Arab Spring, when the annual ENP commission review attempted to give answers for a new, complex and

continuously changing situation in southern Mediterranean countries. Therefore, the following five steps are suggested.

#### **1. Focus on strategic and security policy in the EaP**

The EU should start a serious and moderated reflection process on its foreign policy priorities. As part of the process, it should consider not only its interests, but also its limited resources and its strengths and weaknesses, and base its priorities on common values. The review should discuss including the eastern neighbors in even greater measure, and concentrate on the systematic achievement of short-, medium- and long-term goals and less on the individual sensitivities of member states toward small details. The EU should overcome differences to speak with one voice not only in times of crisis, but attempt to do so consistently.



A masked pro-Russian militant patrols a road near the eastern Ukrainian village of Semenivka in May 2014.

REUTERS

## 2. Future cooperation with Ukraine

The EU will have to find a balanced approach for future cooperation with Ukraine because the country is in dire need of sustainable reform and rebuilding once the civil war is over, which will make the approximation process slow and expensive. To lighten the burden, a set of incentives, including visa freedom, should be developed in close cooperation with Ukraine to ensure a needs-based approach.

### Reviving EU-Russia relations

The EU needs to develop a new strategy for relations with Russia to overcome the combination of deadlock and loss of confidence. To move forward, the process should be independent of condemnation of Russia's role in the Ukraine crisis. Even though the term "Russia understander" has been heavily criticized in Germany, a higher priority should be given to gaining a better understanding of Russia without necessarily exhibiting greater empathy for the decisions of Russian politicians. Russia's regional interests must be kept in mind, however, because they would otherwise interfere in the development of the EaP. Creating the Geneva contact group was an important first step in approaching Russia. This was followed by two EU-Russia-Ukraine trilateral meetings on energy security on May 30 and June 2, 2014, attempting to settle ongoing gas supply questions. In addition, the foreign ministers of Germany, France, Ukraine and Russia met July 2, 2014, to discuss a general and unconditional cease-fire for the separatist conflicts in eastern Ukraine, which was finally achieved in Minsk on September 5, 2014. Meanwhile, following the signing of the EU-Ukraine Association Agreement, the trade ministers of the EU, Russia and Ukraine met for the first time July 11, 2014, to start consultations on its implementation.

## 3. After the European elections: new personnel

With the European Parliament having been elected in May 2014, and Jean-Claude Juncker having been elected president of the European Commission, the new occupants of other EU offices are being decided. Concerning the EaP, designated high representative Federica Mogherini and the designate commissioner responsible for the

ENP and enlargement, Johannes Hahn, are of particular interest. It will be crucial to achieve a more efficient division of labor between EEAS and the commission regarding the ENP and joint foreign and security policy. Technical cooperation in the association process will have to be better complemented with classic foreign policy instruments, be it under the responsibility of one or several politicians.

## 4. Organizational and financial engagement for neighbors

The EU will have to decide how much it is willing to involve itself in EaP countries, including how much it is willing to invest financially and politically. Before the Ukraine crisis, the EU was not willing to invest much in the region. If the EU wants to take a more proactive position, a higher financial and political investment would be logical. To shape this policy, the EU possesses a tool box of instruments that range from socialization to conditionality to sanctions.

### Conclusion

What are the prospects for EU enlargement and the export of European values — including democracy, rule of law and human rights — to the EU's Eastern neighborhood, taking Russia as a neighbor into consideration, especially in light of the Ukraine crisis? EU enlargement has reached into a geographical region that Russia considers its traditional zone of influence. Until very recently, the EU was not interested in these regions, but rather used the ENP and the EaP defensively, to ward off Ukrainian interest in applying for EU membership. The EU has to realize that attempts to negotiate Association Agreements and free trade agreements with Eastern European countries, especially Ukraine, are considered by Russian leaders as interference in their geopolitical sphere. Meanwhile, EU leaders have to develop a medium- to long-term strategy to answer the question of how much they want to be involved financially and politically in the region. □

Julia Klein, a colleague at the IEP, Berlin, contributed to this article.

1. European Council: EU-Russia summit focuses on Eastern Partnership and combatting terrorism, January 28, 2014, URL: <http://www.european-council.europa.eu/home-page/highlights/eu-russia-summit-focuses-on-eastern-partnership-and-combatting-terrorism?lang=en> (accessed: July 7, 2014).

2. European Commission: Neighbourhood at the crossroads – taking stock of a year of challenges, press release IP/14/315.