IN-DEPTH ANALYSIS

Requested by the SEDE subcommittee



Security challenges at the EU's eastern border: which role for CSDP?





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ABSTRACT

This in-depth analysis examines the nature and scope of enduring and emerging threats to the security of the EU and its Member States, and the challenges to its Eastern Partnership policy, from both the EaP's protracted conflicts and instability in Belarus. It assesses the EU's engagement with these conflicts and addresses the potential role of the Common Security and Defence Policy (CSDP), including (but not solely) missions and operations. Finally, it explores potential avenues for future cooperation between the EU and its EaP partners on security and defence (including under the PESCO+, EPF, and EDF frameworks).

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Policy Department, Directorate-General for External Policies

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1 Introduction

Protracted conflicts in Eastern Partnership (EaP) countries¹ pose significant challenges to security across the region, exacerbated by ongoing strategic competition between Russia and the West. Problems within the EaP neighbourhood cannot be regarded as extraneous to the security of the EU and its Member States: unresolved conflicts in Nagorno-Karabakh, the Donbas, Transnistria, Abkhazia and South Ossetia, along with instability in Belarus, have implications not only for stability in the region, but also for Europe and the wider international community. The resumption of war between Armenia and Azerbaijan over Nagorno-Karabakh in 2020 emphasised the volatile and unpredictable nature of these conflicts, which are often inaccurately described as 'frozen'.

This in-depth analysis (IDA) analyses the nature and scope of the threat to the security of the EU, its Member States and its EaP policy from both the protracted conflicts and instability in Belarus, and what role there is – if any – for Common Security and Defence Policy (CSDP) in terms of conflict resolution. The key research questions are:

- What are the enduring and emerging threats to European security from these protracted conflicts?
- What role can the CSDP toolbox play in the resolution of the EaP's protracted conflicts and instability in Belarus?
- How effective are existing CSDP missions in the region?
- What are the opportunities for, and obstacles to, deepening engagement for CDSP mechanisms?

Desk research was used to deepen and broaden understanding of different threat perceptions to look at individual issues, countries and regions in greater detail. This was followed by an evaluation of the range of CSDP tools in order to identify their relevance and suitability for addressing the protracted conflicts and stabilising the EaP area. Focused remote interviews with representatives from existing CSDP missions in the EaP area, for instance, staff leading missions and operations in the field, were also conducted.

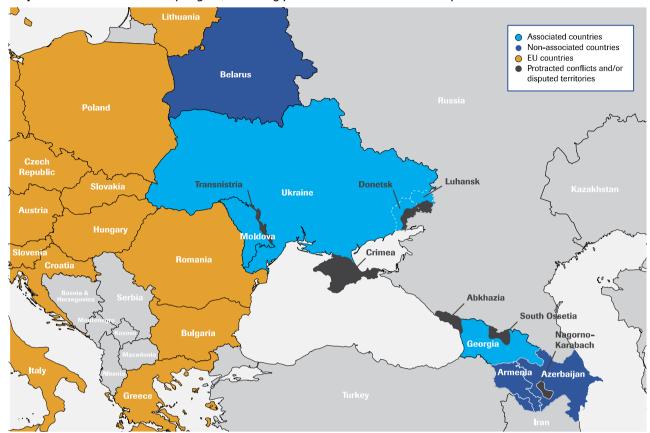
2021 marks the 12th birthday of the EaP, which was inaugurated in 2009 with the aim of 'strengthening and deepening' political and economic relations between the EU, its Member States and the six partner countries in order to increase the stability and resilience of the EU's Eastern Neighbourhood.² However, rather than facilitate stability in the region, greater EU engagement has, at times, stimulated further tension: the conflict in Ukraine was triggered partly by the country's desire for closer ties with the EU. In 2021, five of the six EaP countries have continued to contend with protracted conflicts on their territories (see Map 1 below), all of which involve Russia to varying degrees,³ while Belarus has been experiencing widespread pro-democracy protests and a mass popular uprising against the rigged presidential elections of August 2020. The EaP protracted conflicts comprise unresolved conflicts/disputes in Abkhazia and South Ossetia (Tskhinvali region) in Georgia, Transnistria in Moldova, the Nagorno-Karabakh conflict between Armenia and Azerbaijan, and the Donbas in Eastern Ukraine (see map below). With the exception of Ukraine, all of these conflicts have remained unresolved since the disintegration of the USSR in 1991.⁴ These territorial disputes are generally referred to as frozen conflicts, but this label is misleading as they are far from static,

¹ Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine.

³ A 2021 report by Estonia's Foreign Intelligence Service on regional security characterised Russia's intransigence in resolving these conflicts as part of a sustained strategy of 'controlled instability' intended to keep its post-Soviet neighbourhood in a state of 'fragile balance', providing Moscow with geopolitical leverage. Estonian Foreign Intelligence Service (2021) *International Security and Estonia* (Tallinn: Välisluureamet), pp. 8-9.

⁴ Violence that had erupted between Azerbaijani troops and Armenian secessionists in Nagorno-Karabakh in 1988, led to full-scale war between the two from 1992-1994; Georgia fought two separatist conflicts on its territory, the first in South Ossetia, 1991-1992, then in Abkhazia 1992-1993; and the Transnistrian conflict in Moldova was fought in 1992. Thus, the early 1990s saw the beginning of a number of conflicts across the EaP region, several of which remain unresolved today.

as demonstrated by the five-day war between Russia and Georgia in 2008 and the resumption of war over Nagorno-Karabakh in 2020.



Map 1: The Eastern Partnership region, including protracted conflicts and/or disputed territories⁵

Despite the optimism of former High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission Federica Mogherini in the foreword of the 2016 EU Global Strategy (EUGS), where she stated that '[w]e have learnt the lesson: my neighbour's and my partner's weaknesses are my own weaknesses', progress has been limited; EU involvement in crisis management and conflict resolution in its Eastern neighbourhood remains modest.⁶ The resumption of violence between two EaP partner states, Armenia and Azerbaijan, over Nagorno-Karabakh in 2020 emphasised the EU's weak capacity vis-à-vis conflict prevention in the EaP area, particularly in the face of growing Russian and Turkish assertiveness. The EU's lack of political will and/or capacity to act has also inadvertently facilitated President Aleksandr Lukashenka's continued dominance and repression in Belarus: until 2020 there appeared to be little appetite for challenging the illusion that authoritarian regimes are inherently stable. The EU has been more active in Georgia, Moldova and Ukraine, launching three civilian missions: EUBAM (2005), EUMM (2008) and EUAM (2014). Nevertheless, there are questions about the effectiveness of existing CSDP instruments in the EaP area, which this study seeks to address:

- Are existing CSDP instruments in the EaP area still fit for purpose?
- Is there a need for civilian missions to become, or be complemented by, military missions?
- Are there other CSDP instruments that would be more suitable and/or effective?

⁵ Deen, B., Zweers, W. & van Loon, I. (2021) The Eastern Partnership: three dilemmas in a time of troubles. *Clingendael Report*, January, <u>The Eastern Partnership</u> (clingendael.org), p. 15.

⁶ Foreword by Federica Mogherini in European External Action Service (2016) Shared Vision, Common Action: A Stronger Europe' A Global Strategy for the European Union's Foreign and Security Policy (EUGS) June, https://eeas.europa.eu/topics/eu-global-strategy-european-unions-foreign-and-security-policy_en, p. 4.

Thus, while the EaP aims to build an area of democracy, prosperity, stability and increased cooperation based on common values, these objectives are undermined by the protracted conflicts and instability across the region, which fuel a range of interconnected threats to security beyond the borders of the EaP area (see Appendix 1). A 2006 communication on the European Neighbourhood Policy (ENP) from the European Commission called on the EU to be more active in addressing protracted conflicts in its neighbourhood as they threaten to produce 'major spillovers for the EU, such as illegal immigration, unreliable energy supplies and terrorism'. It further noted that if the ENP could not contribute to addressing conflicts in the region, it would have failed in one of its key purposes. Unfortunately, the EaP specifically sought to avoid the security challenges arising from the protracted conflicts, leading to a security deficit across the EaP area that has become increasingly unsustainable post-2014.

2 The threat landscape – Enduring and emerging

Protracted conflicts constitute one of the principal challenges to security and stability across the EaP area and beyond, lying at the nexus of internal and external security. The 2016 EUGS recognised the interconnected, interdependent nature of both the world around it and the threat landscape, noting that internal and external security are increasingly intertwined: security at home 'entails a parallel interest in peace in our neighbouring and surrounding regions'. The protracted conflicts in the EU's Eastern Neighbourhood are interlinked at local, regional and international level and have led to a wide range of hard, soft and hybrid security challenges. These security challenges compromise both enduring threats, such as militarisation and economic under-development, and emerging threats, such as novel forms of confrontation, including disinformation and cyberattacks.

Four of the protracted conflicts date back to the late Soviet era: as the USSR disintegrated, a number of national groups intensified their calls for self-determination and secessionist campaigns emerged. Attempts by the authorities to regain central control triggered violence in a number of areas. Violence that had erupted between Azerbaijani troops and Armenian secessionists in Nagorno-Karabakh in 1988, led to full-scale war between the two from 1992-1994. A cease-fire agreement signed between Armenia and Azerbaijan brought no real peace or stability, and conflict reignited on a number of occasions, most recently during a brief war in 2016 and the autumn of 2020. Georgia fought two separatist conflicts on its territory, the first in South Ossetia, 1991-1992, then in Abkhazia, 1992-1993. Both territories subsequently existed as *de facto* independent states for over a decade. Efforts to restore central Georgian control over South Ossetia in August 2008 triggered a Russian military invasion and the Five-Day War, after which Moscow unilaterally recognised the two territories as independent states. A brief, two-month war broke out between Moldova and its pro-Russian territory of Transnistria in the spring of 1992. Unlike the other protracted conflicts, there has been no renewal of armed conflict since the ceasefire agreement of 1992. Thus, the early 1990s saw the beginning of a number of conflicts across the EaP area, which remain unresolved today.

The conflict in Donbas in Eastern Ukraine began in 2014, following the Euromaidan protests against the government of President Viktor Yanukovych and the decision, in late 2013, to postpone the signing of an Association Agreement with the EU. Opposition to Euromaidan in Eastern Ukraine led to clashes in Donetsk and Luhansk, which declared their independence in May 2014 as the Donetsk People's Republic and the Luhansk People's Republic. Russian support for the separatists has been critical and violence is ongoing – over 13 000 people have been killed since 2014.¹⁰

⁷ Ibid, p. 9.

⁸ Deen, Zweers, & van Loon, p. 14.

⁹ EUGS 2016, p. 14.

¹⁰ For further details see Klimenko, E. (2018) 'Protracted Armed Conflicts in the Post-Soviet Space and their Impact on Black Sea Security', *SIPRI Insights on Peace and Security*, No 2018/8, December https://www.sipri.org/publications/2018/sipri-insights-peace-

Generalising about common threats from the protracted conflicts is challenging: whilst there are some similarities between all of these conflicts, not least the fact that they are all located within the post-Soviet space, as well as the ongoing lack of resolution and the influence of Russia (discussed below), they are all very different and have followed different trajectories. The unresolved conflict between Transnistria and Moldova has been described as 'less of a conflict than a bitter political and territorial dispute'.¹¹ In contrast, violence has continued in a number of the protracted conflicts: as well as the 2020 autumn war in Nagorno-Karabakh, Georgia's unresolved separatist conflicts have seen a resumption of violence, with the Five-Day War between Russia and Georgia in 2008, while armed conflict continues in the Donbas.

Russia plays a central role in all of the EaP protracted conflicts, providing political, economic and military support for separatist territories, acting as a mediator or providing peacekeepers. ¹² Unresolved conflicts remain a key instrument of Russian influence across the EaP area, providing Moscow with a broad range of military and non-military tools of coercion. Since the early 2000s Russia has consistently sought to maintain and regain influence in the post-Soviet space in order to counter the perceived expansion of Western involvement, particularly the enlargement of NATO and the EU, within its 'sphere of influence'. ¹³ The launch of the EaP initiative in 2009 was denounced by Russian President Dmitry Medvedev, stating that he did 'not want the EaP to turn into a partnership against Russia'. ¹⁴ The protracted conflicts enhance Russia's ability to influence and control developments in the area, deterring states from developing effective relationships with external actors, particularly closer integration with organisations such as the EU. This desire to limit the influence and presence of external actors, especially Western ones, undermines the sovereignty of EaP states and their ability to pursue an autonomous foreign policy: Russia effectively seeks to 'gatekeep' the EaP area to ensure its own primacy and strengthen its exclusive influence in the region.

It is important to understand the range of potential threats to EU security from the EaP conflicts, both enduring and emerging, in order to evaluate the potential role for CSDP. All of the threats are interlinked to varying degrees: protracted conflicts impede the sustainable political and economic development of the states and societies involved, creating security vacuums that facilitate the proliferation of transnational threats such as organised crime, illegal trafficking and migration, which lead to further political and economic instability and insecurity across the region.¹⁵ The joint communication on EaP policy beyond 2020 emphasises the corrosive nature of these threats.¹⁶ It is imperative to tackle the root causes of these protracted conflicts, rather than the symptoms. But how can we differentiate between causes and symptoms? The protracted nature of these conflicts means that they have become entrenched in society, leading to enduring and damaging impacts at local, national, regional and even global levels. As the 2016 EUGS notes, there are no quick fixes: these are multidimensional conflicts that necessitate multidimensional,

and-security/protracted-armed-conflicts-post-soviet-space-and-their-impact-black-sea-security; de Waal, T. & von Twickel, N. (2020) Beyond Frozen Conflict: Scenarios for the Separatist Disputes of Eastern Europe. Centre of European Policy Studies https://www.ceps.eu/download/publication/?id=26613&pdf=Frozen-Conflicts-final.pdf
11 de Waal, T. & von Twickel, N., p. 136.

¹² 'Turkey, Russia Seal Deal for Karabakh 'Peacekeeping Centre', *The Moscow Times*, 1 December 2020, available at: https://www.themoscowtimes.com/2020/12/01/turkey-russia-seal-deal-for-karabakh-peacekeeping-center-a72195.

¹³ See for example National Security Strategy of the Russian Federation (2015). Approved by decree of the President of the Russian Federation, available at http://static.kremlin.ru/media/events/files/ru/l8iXkR8XLAtxeilX7JK3XXy6Y0AsHD5v.pdf

¹⁴ Benes, K. (2009) Whose 'sphere of influence'? Eastern Partnership summit in Prague. *The Central Asia-Caucasus Analyst*, 3 June, https://www.cacianalyst.org/publications/field-reports/item/11855-field-reports-caci-analyst-2009-6-3-art-11855.html

¹⁵ Grzywaczewski, T. (2021) Russia and Belarus Are Using Migrants as a Weapon Against the EU. *Foreign Policy*, 18 September, <u>How Russia and Belarus Weaponized Migration Into Poland and Lithuania (foreignpolicy.com)</u>

¹⁶ European Commission (2020) High Representative of the Union for Foreign Affairs and Security Policy, Joint Communication to the European Parliament, the European Council the Council, the European Economic and Social Committee and the Committee of the Regions: Eastern Partnership policy beyond 2020: Reinforcing Resilience – an Eastern Partnership that delivers for all, Brussels, 18.3.2020, JOIN (2020) 7 final.

multi-level and multilateral approaches. This IDA will explore the following threats from the EaP conflicts in more depth:

- Militarisation
- Economic underdevelopment and transnational crime
- Political instability
- (Dis)information and narrative warfare
- Cyber threats
- Hybrid threats
- The Belarus crisis.

2.1 Militarisation

One of the most obvious enduring threats to EU security is the threat of a renewal of fighting in the protracted conflicts, and the potential for overspill and/or internationalisation. According to the 2020 Global Militarisation Index,¹⁷ militarisation in the EU's Eastern Neighbourhood is on the rise, driven by the volatile security situation. Four of the six EaP countries (Armenia, Azerbaijan, Belarus and Ukraine) are in the top ten most militarised countries in Europe; in fact, Armenia and Azerbaijan are two of the most heavily militarised countries in the world, spending 4.9 % and 4 % respectively of their GDP on defence. Despite not having been involved in a protracted conflict, there is a high level of militarisation in Belarus, which has a large military (45 350 active soldiers, 110 000 paramilitaries and around 290 000 reservists) relative to the size of its population of 9.5 million.¹⁸ Relatively high levels of defence spending undermine the longer-term security of these states by diverting money away from other key areas, such as health and education.

Table 1: Militarisation of EaP countries (and Russia), 2020¹⁹

	Defence spending % of GDP (2019)	Global Militarisation Index (GMI) rank
Armenia	4.9	2
Azerbaijan	4	16
Belarus	1.2	17
Ukraine	3.4	22
Georgia	1.99	37
Moldova	0.38	99
Russia	3.9	8

Many of the EaP states feel under threat from Russia, which maintains a significant military presence in the majority of these states. There is a considerable Russian military presence **in Armenia**, including the large 102nd military base at Gyumri, and Russian and Armenian border guards jointly guard the country's borders. Following the 2008 war with Georgia, the Russian Defence Ministry established the 7th Base of the

¹⁷ Mutschler, M. & Bales, M (2020) *The Global Militarisation Index*. Bonn International Center for Conversion. https://www.bicc.de/publications/publication/global-militarisation Index. The annual Global Militarisation Index (GMI) presents the relative weight and importance of a country's military apparatus in relation to its society as a whole, for example, by comparing military expenditure with GDP and health expenditure.

¹⁸ Mutschler & Bales, p. 7.

¹⁹ Data from Mutschler & Bales.

Russian Armed Forces at Gudauta in Abkhazia and the 4th Base in South Ossetia (near Djava and Tskhinvali), both of which are part of the Southern Military District and can accommodate thousands of troops. Since 2014, Russia has continued to build up its military presence in **Crimea** with some estimates suggesting it has tripled its military personnel on the peninsula from 12 500 to 40 000:²⁰ in addition to the modernised Black Sea Fleet based at Sevastopol, it has air force and air defence units subordinated to the 4th Air and Air Defence Army, air assault troops subordinated to the 7th Guards Airborne Division (17th Air Assault Battalion) and to the Southern Military District (the 56th Air Assault regiment).²¹ Twice in 2021, in April and November, Russian forces mobilised in large numbers on the border with **Ukraine**, raising concern about a possible invasion. In September 2021, Russia's 'Zapad-21' military exercises took place at sites in both Russia and Belarus, emphasising the latter's importance for Moscow, and raising questions about the potential for an ongoing Russian military presence after the conclusion of the exercise. Russian military forces totalling around 2 000 are present in **Transnistria** as peacekeepers, under the 1992 ceasefire agreement, and as part of the Operational Group of Russian Armed Forces in Transnistria (OGTR), which was established in 1995. The Russian forces deployed in and around the separatist territories periodically conduct exercises that can prompt considerable disquiet.²²

The presence of Russian military bases in EaP states, together with Russian peacekeepers in the Nagorno-Karabakh region, are an overt lever of coercion, a visible reminder to those states of both the direct and indirect costs of non-compliance with Moscow's wishes. Moscow has been increasing its military presence and coercive influence across the EU's Eastern neighbourhood under the guise of conflict management and the need to stabilise Russia's border areas, perceived to be under threat from the West. This threatens to undermine the EU's ability to influence EaP states and engage directly in conflict resolution measures.

2.2 Economic underdevelopment and transnational crime

The presence of a protracted conflict within a state's internationally recognised borders means that it is unable to govern substantial portions of the country, and important trade routes are often disrupted, undermining the development of a sustainable economy. Protracted conflicts, particularly territories that are outside of legitimate government control, can also lead to the creation of security vacuums that provide ideal conditions for transnational security challenges such as organised crime, illegal trafficking and money laundering to flourish. Europol's 2021 report on serious and organised crime in the EU noted that serious and organised crime remains a key threat to the internal security of the EU, stressing that the scale and complexity of money laundering activities in the EU have been underestimated. More than 50 % of all reported suspected organised criminals active in the EU are non-EU nationals, with more than half of these non-EU nationals originating from countries in the EU's neighbourhood, including Eastern European countries.²³

The geography of the EaP area, together with weak law enforcement, corruption and ungoverned spaces, means it lies on a key transit route for the trafficking of weapons, drugs and people from Central Asia and the Middle East into Europe. According to the US State Department's 2021 *International Narcotics Control Strategy Report*, the region is significant as a transit corridor, situated along major drug trafficking routes

 $^{^{20}\,\}text{See 'Militarisation of the Peninsula', Crimea Platform,} \, \underline{\text{https://crimea-platform.org/en/news/militarisation-peninsula}}$

²¹ See Gressel, G. (2021) Waves of ambition: Russia's military build-up in Crimea and the Black Sea., *Policy Brief* 21 September, European Council on Foreign Relations, <a href="https://ecfr.eu/publication/waves-of-ambition-russias-military-build-up-in-crimea-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-sea/#the-russian-and-the-black-

²² https://civil.ge/archives/440087; https://balkaninsight.com/2021/04/08/russian-exercises-in-breakaway-transnistria-leave-moldova-unfazed/

²³ Europol (2021) EU Serious and Organised Crime Threat Assessment (SOCTA) 2021, European Union serious and organised crime threat assessment | Europol (europa.eu)

from Afghanistan and Iran to Europe and Russia, the so-called 'heroin route'.²⁴ The EU has acknowledged the region's role as a trafficking route, noting that organised crime constitutes a shared challenge with EaP partners, all of whom are threatened by active, organised criminal groups.²⁵ In response to the common threat, a four-year Europol-led initiative funded by the European Commission was set up in 2020 to help reinforce the capacity of the six EaP states to fight organised crime more effectively.²⁶ Further EU engagement on security-related issues is crucial to fill the security deficit that undermines both stability in the region and the momentum for reforms. Europol's 2021 assessment of the threat to the EU from serious and organised crime emphasised the extent that society is undermined by corruption, an integral element of almost all organised criminal activity, impacting upon security, economic growth, the rule of law and social cohesion (see Appendix 2).²⁷

2.3 Political instability

Linked to the military, economic and societal challenges that stem directly from the protracted conflicts is the issue of governance and political legitimacy. A state's inability to deal effectively with the security threats that arise from protracted conflict undermines its perceived ability to govern and can lead to an erosion of popular trust and public confidence. This is exacerbated by Russia's dominance across the EaP region, which accentuates the impotence of the EU. Moscow rejects the privileging of democracy and human rights over state sovereignty, and has sought to counter the expansion of EU influence in the EaP area, which is perceived to be challenging Russian dominance. Powers such as Russia and China are now able to provide material support to countries in a way, they have not been able to previously, undermining EU influence and conditionality.²⁸ The advance of illiberalism across wider Europe facilitates the consolidation of Russian influence: Moscow, Baku, Ankara and Tehran share a common suspicion of Western efforts to promote democratic forms of governance around the world. In fact, events in Ukraine in 2013/14 demonstrated that neither the EU nor Russia is willing to share areas of common interest, forcing states in the Eastern neighbourhood to make a clear choice and imposing new dividing lines on an already divided area. There have been signs of a rollback of EU influence and the pursuit of democratic norms across the region in both Georgia and Ukraine: Georgia has been embroiled in a renewed political crisis following allegations of electoral fraud during the 2020 parliamentary elections. As for Ukraine, in October 2020, the county's constitutional court ruled that certain elements of the country's anti-corruption legislation, a key component of the reforms necessary for closer ties with the EU, was unconstitutional and invalid, putting the executive and judicial branches of power on a collision course.²⁹ This emphasises the interlinked nature of the threats in the EaP area and how they can impact on the EU: the constitutional crisis in Ukraine is both caused by, and undermines the fight against, embedded corruption, leading to weak governance and an unstable state on the EU's eastern periphery. The rollback of democracy (see Table 2) across the EaP area has also been aided by growing disillusionment with the perceived lack of support and broken promises of Western states and institutions, including the EU.

²⁴ The State Department. Bureau for International Narcotics and Law Enforcement Affairs (2021) *International Narcotics Control Strategy Report*, Vol 1, March, https://www.state.gov/2021-incsr-volume-i-drug-and-chemical-control-as-submitted-to-congress/

²⁵ European Commission (2020), 18.3.2020, JOIN (2020) 7 final

²⁶ https://ec.europa.eu/neighbourhood-enlargement/news/europol-and-european-commission-lead-new-project-target-organised-crime-eu-eastern en

²⁷ Europol (2021)

²⁸ Frantz, E. & Kendall-Taylor, A. (2017) The Evolution of Autocracy: Why Authoritarianism is Becoming More Formidable. *Survival*, 59:5, 57-68.

²⁹ The EU warned that the ruling called into question a number of international commitments that Ukraine had made towards its international partners. <u>Ambassador Maasikas: IMF, EU financial aid, visa-free travel depend on fighting corruption — UNIAN</u>

Table 2: Democracy roll-back across the EaP area³⁰

	Democratic status in 2020	Change in democratic status 2020–2021
Armenia	Semi-consolidated authoritarian regime 33/100	No change
Azerbaijan	Consolidated authoritarian regime 1/100	Less free
Belarus	Consolidated authoritarian regime 5/100	Less free
Georgia	Transitional or hybrid regime 36/100	Less free
Moldova	Transitional or hybrid regime 35/100	No change
Ukraine	Transitional or hybrid regime 39/100	Less free

The increased interest of third powers in the EaP region, and growing great-power competition, could trigger instability as EaP countries seek advantages from this precarious security constellation: as third-power competition increases, so does the 'weight' of their choice and their assertiveness. The EU has long been a key donor and potent transformative power in the EaP region. Unlike other international actors and third powers present in the region (including Russia, China, Iran and Turkey), the EU's involvement in the region is value-driven, resting on conditionality.

2.4 (Dis-)information and narrative warfare

The rise of disinformation and 'fake news', particularly within the context of Russia's annexation of Crimea in 2014 and ongoing aggression in Eastern Ukraine, as well as its alleged meddling in democratic electoral and policy-making processes across Europe and the US, signifies the heyday of 'disinformation' as a means of geopolitics. The contemporary information environment is characterised by fragmentation, the rise of private media platforms and algorithmic amplification, which facilitate new means of hyper-targeting, interference and influence campaigns, at both strategic and tactical level.³¹ Malign (dis)information campaigns, intertwined with populist narratives, not only distort public perception of events, actors and developments, they can also alter the ways in which strategic narratives operate within the target countries, fuelling distrust, disapproval, politicisation or polarisation of domestic audiences. Russia's 2014 seizure of Crimea was facilitated by a substantial disinformation and narrative offensive campaign targeting the local population in Crimea, Ukraine and the wider international community. This shaped the operational environment, enabling the illegal and illegitimate seizure of Ukrainian territory and legitimising the subsequent *fait accompli*.

Disinformation campaigns play a role across all spectrums of contemporary conflict, from shaping the operational environment to crisis resolution, and affect both EaP countries and the EU. The 2021 edition of the Disinformation Resilience Index (DRI) states that all six EaP partners remain vulnerable to (dis)information campaigns, particularly in the legal and institutional dimension, with Armenia, Belarus and Moldova also scoring very low in terms of societal resilience to disinformation.³² The EUvsDisinfo database

³⁰ Data from The Antidemocratic Turn | Freedom House. A country's democratic score is based on numerical ratings in seven categories that broadly represent the institutional underpinnings of liberal democracy, including elected state institutions (local and national governments), unelected state institutions (the judiciary and anticorruption authorities), and unelected nonstate institutions (the media and civil society). The ratings are based on a scale of 1 to 7, with 1 representing the lowest and 7 the highest level of democracy. *The figures for 2020 cover* events from January 1 through December 31, 2020.

³¹ The European Centre of Excellence for Countering Hybrid Threats (Hybrid CoE) (2020) Trends in the Contemporary Information Environment. *Hybrid CoE Trend Report, 4* (May 2020).

³² Disinformation Resilience Index in Central and Eastern Europe in 2021 (Warsaw: EAST Center), https://www.politicalcapital.hu/pc-admin/source/bejegyzesek/DRI-report-2021.pdf

of dis-/mis-information campaigns targeting the six EaP countries has recorded over 6 000 incidents since 2016, with Georgia, Moldova and Ukraine accounting for over 5 000 of these.³³

The coordinated messaging and storytelling capabilities of disinformation campaigns constitute an even bigger problem with narratives becoming part of the geopolitical struggle in the region, as Russia contests not only the EU's liberal-democratic identity but also the basics of its normative power base and influence in Eastern Europe.³⁴ The weaponisation of narratives leads to more sustainable shifts than sporadic disinformation campaigns do. Andguladze notes the recent rise of anti-liberal and far-right narratives (and powers) in Georgia, which contests the country's charted European course.³⁵ Disinformation campaigns have also targeted COVID-19 vaccination rollout across the EaP area, by either demoting Western, and promoting Russian and Chinese vaccines, or undermining the vaccination policies of certain EaP countries.³⁶ The 2021 US withdrawal from Afghanistan presented another opportunity for Russian and Chinese media outlets to cast the US (and the West in general) as an 'unreliable' partner. In offensive narrative campaigns, the parallels between Afghanistan and Ukraine were drawn, and suggestions made to 'draw lessons' and change the country's foreign policy alignment in Russia's favour before it is 'too late'.³⁷ In the run-up to the Zapad-2021 joint military drills in Belarus, Lukashenka forged a narrative of alleged Ukrainian involvement in training Belarusian revolutionaries.³⁸ The synchronisation of Belarusian and Russian narrative offensives presents a disturbing trend.

2.5 Cyber threats

Technological innovation and the widespread digitalisation of the public and governance space have had many positive impacts on the development and interconnectedness of states and societies in the EU and its neighbourhoods. However, the growth of the cyber domain in both the economy, strategic communications, infrastructure and defence has introduced new vulnerabilities. Russia is widely considered to be 'a pro in the cyber warfare arena, an actor with sophisticated cyber mechanisms ready to be used as foreign and security policy tools at any moment against any adversary'.³⁹ There is significant evidence of attributable, but unsanctionable (in terms of enforcing the cyber perpetrator's legal responsibility) instances of hostile cyber campaigns targeting the EU and its neighbourhood, including strategic communications, specific government agencies, financial systems and critical infrastructure elements.⁴⁰ The cyber threat landscape continues to evolve, reaching into new areas such as the digital economy and e-governance/edemocracy.

Estonia, Georgia and Ukraine have all been the victims of cyberattacks attributed to Russia at times of rising tensions between the states. The 2007 'Bronze Soldier' crisis in Estonia triggered widespread cyberattacks

³³ EUvsDISINFO, Disinformation Database, https://euvsdisinfo.eu/disinformation-cases

³⁴ Tyushka, A. (2021) Weaponizing narrative: Russia contesting Europe's liberal identity, power and hegemony, *Journal of Contemporary European Studies*, DOI: <u>10.1080/14782804.2021.1883561.</u>

³⁵ Andguladze, A. (2021) Anti-liberal Europe', an opposing narrative to normative power Europe in the Eastern neighbourhood? The case of Georgia. *European Politics and Society*, DOI: <u>10.1080/23745118.2021.1956240</u>.

³⁶ Akhvlediani, T. (2021) Which spreads faster in the EU's neighbourhood: coronavirus or disinformation? *CEPS Op-Ed*, 13, 13.09.2021. Available at: https://www.ceps.eu/personal-site/tinatin-akhvledianiceps-eu/which-spreads-faster-in-the-eus-neigh-bourhood-coronavirus-or-disinformation/

³⁷ EUvsDISINFO (2021) Exploiting the crisis in Afghanistan: Russian and Chinese media draw parallels with Ukraine and Taiwan. *EU vs DISINFORMATION*, 07.09.2021, https://euvsdisinfo.eu/exploiting-the-crisis-in-afghanistan-russian-and-chinese-media-draw-parallels-with-ukraine-and-taiwan/

³⁸ Whitmore, Brian (2021) Lukashenka vs. Ukraine. *Atlantic Council*, 29.09.2021.

³⁹ Marazis, A. (2021) Addressing Cyber Security Threats from Russia in the EU. In F. Bossuyt and P. van Elsuwege (eds.), *Principled Pragmatism in Practice* (pp. 234-254) Leiden and Boston: Brill Nijhoff.

⁴⁰ Popescu, N., & Secrieru, S. (eds.). (2018) Hacks, Leaks and Disruptions Russian Cyber Strategies. *Chaillot Paper no.148*. Paris: EU Institute for Security Studies.

against Estonian state institutions, news portals, political parties, banks and other public entities, many of which consisted of the Denial of Service (DoS) or Distributed Denial of Service (DDoS) type of attacks. In Georgia, DDoS cyberattacks on government websites coincided with the start of the military phase of the 2008 war. There have been multiple cyberattacks against Ukraine's public and corporate services since 2014: the 2016 NotPetya virus (deemed to come from Russia) led to immense damage in Ukraine and much further afield, crippling companies across Europe from Denmark's Maersk to TNT Express, French construction company Saint-Gobin, food producer Mondelěz, Reckitt Benckriser and Russian oil major Rosneft. Cyber threats also loomed large during Moldova's 2020 presidential elections. Cyberattacks are not only disruptive, they sow distrust, chaos and panic within the broader public, undermining society's resilience levels. They increasingly constitute part of disruptive and sharp power politics across the EaP region, chiefly (but not exclusively) driven by the Kremlin. As cybersecurity is critical to development, prosperity and defence, the weight of this emerging security challenge is hard to overestimate.

2.6 Hybrid threats

All of the aforementioned threats, both enduring and emerging, can be deployed as 'hybrid threats', defined as 'coordinated action conducted by state or non-state actors, whose goal is to undermine or harm a target by influencing its decision-making at the local, regional, state or institutional level'.⁴³ Hybrid threats cover the political, economic, military, societal and information domains, and comprise a wide range of covert and overt means, as well as kinetic and non-kinetic action: financial and organisational support for democratic tools (referenda, elections, other public participation and influence campaigns), information or cyber operations in target countries, the use of 'lawfare', as well as conventional military means. Russia's military build-up along Ukraine's eastern borders in April 2021 was a passive use of force to influence both Ukrainian and US decision-making processes. They are deliberately intended to be ambiguous, both in terms of intent and attribution, in order to remain below the threshold of detection. The use of hybrid tactics across the EaP region and EU is not new, but their technology-based integration into the strategies of hostile actors constitutes a serious threat across the spectrum of security dimensions.⁴⁴

A number of actors have deployed hybrid tactics, but in the EaP area, Russia has utilised them frequently for a number of years in pursuit of its strategic objectives. Russia has frequently used hybrid methods as a sustainable, and thus future-proof, complex strategic coercion approach that combines a range of efforts across the '5Ds of disinformation, deception, destabilisation, disruption, and implied and actual destruction'. It has become clear that a number of key events in Ukraine's domestic politics and the conflict in the country's eastern territory had their roots in Russia's subversive campaigns – from conducting the very 'self-determination referenda' in Donetsk and Luhansk areas to the Debaltseve and Ilovaysk battles and change of Ukraine's constitution. Russia has also used 'passportisation' to extend its influence over conflict areas in the EaP area: from Abkhazia and South Ossetia in the early 2000s to the Donetsk and Luhansk regions of Ukraine in 2021, Russia has acquired new 'citizens' who then become tools or agents of influ-

⁴¹ Greenberg, A. (2018) The Untold Story of NotPetya, the most devastating cyberattack in history *Wired*, 22.8.201, https://www.wired.com/story/notpetya-cyberattack-ukraine-russia-code-crashed-the-world/

⁴² Pernik, P. (2018) The early days of cyberattacks: the cases of Estonia, Georgia and Ukraine. In N. Popescu & S. Secrieru (eds.), *Hacks, Leaks and Disruptions Russian Cyber Strategies* (pp. 53-64) Paris: EU Institute for Security Studies.

⁴³ Hybrid CoE - Hybrid CoE - The European Centre of Excellence for Countering Hybrid Threats

⁴⁴ Cullen, P., Juola, C., Karagiannis, G., Kivisoo, K., Normark, M., Rácz, A., Schmid, J. & Schroefl, J., (2021) *The landscape of Hybrid Threats: A Conceptual Model* (pp. 26-35) Luxembourg: Publications Office of the European Union.

⁴⁵ Allen, J. R., Hodges, F. B., & Lindley-French, J. (2021) Russia and Europe's northern and eastern flanks. In *Future War and the Defence of Europe*. Oxford: Oxford University Press.

⁴⁶ Shandra, A. & Seely, R. (2019) The Surkov Leaks: The Inner Workings of Russia's Hybrid War in Ukraine. *RUSI Occasional Paper* (July 2019).

ence.⁴⁷ There is emerging evidence of Russia-sponsored destabilisation of the Georgian political scene, leading to domestic polarisation, radicalisation and crisis, which the EU effectively sought to resolve.⁴⁸

Hybrid threats have a high propensity towards contagion meaning that more states and non-state actors deem hybrid campaigns suitable to advance their interests.⁴⁹ The contagion effect of hybrid threats can be seen in the way Belarus has been handling migrants and asylum-seekers from Iraq and Afghanistan vis-à-vis Poland, Lithuania and the EU since August 2021. While migration and internal displacements, as collateral effects of protracted conflicts in the region, constitute a salient security issue for all six EaP states⁵⁰ as well as the EU itself,⁵¹ the problem is exacerbated as crises and conflicts beyond the region prompt irregular flows of migrants from outside the area. In this context, the migration challenge has acquired another dimension and become part of Belarus' hybrid influencing efforts: the regime has been transporting migrants to the country's border with Lithuania and Poland in order to sow chaos and domestic discord in Eastern Europe, and coerce the EU into lifting sanctions imposed against the Lukashenka regime.⁵²

2.7 The Belarus crisis

In the wake of the contested elections of August 2020, the Lukashenka regime launched a harsh crackdown against civil society and human rights champions, as well as the systematic destruction of non-governmental organisations and independent media. To date more than 40 000 people have been arrested and over 500 have been declared political prisoners, and the numbers keep growing. According to the Council of the EU, the Polish community in Belarus has also become a target of this policy. Arbitrary and unfounded detentions, unjust persecutions, including denial of the right to a fair trial, and hundreds of documented cases of torture continue to take place in an environment of impunity. In response, in 2020 the European Commission recommended scaling back most of the EU's cooperation with Belarus (including trade and security) and increasing support for civil society and environmental protection. Official contacts and meetings with Belarusian state authorities have also been scaled back. In mid-2021 Belarus suspended its participation in the Eastern Partnership and started openly balancing against the EU and select EU Member States, notably Poland and Lithuania. The EU has introduced four rounds of sanctions against Lukashenka's regime and economic entities that support it (the fourth package of sanctions was adopted in June 2021; currently, the fifth package is being proposed by the European Parliament). The Eukashenka regime further challenged international norms with the illegal, forced landing of Ryanair flight

⁴⁷ Nagashima, T. (2019) Russia's passportization policy toward unrecognized republics: Abkhazia, South Ossetia, and Transnistria. *Problems of Post-Communism*, *66*(3), 186-199.

⁴⁸ Chedia, B. (2021) Russian Interference in Georgian Politics: The Activation of Ultra-Right Forces. *Eurasia Daily Monitor*, The Jamestown Foundation, 18:131 (17 August), <u>Russian Interference in Georgian Politics: The Activation of Ultra-Right Forces - Jamestown</u>

⁴⁹ Tyushka, A. (2019) Hybrid War (fare): The Challenge of Contagion. Torun International Studies, 1(12), 5-29.

⁵⁰ Legucka, A., Benedyczak, J., Legieć, A., Piechowska, M., Pieńkowski, J., & Szeligowski, D., (2021) Responses, Resilience, and Remaining Risks in the Eastern Neighbourhood: Evidence from Radicalization and Migration. *EU-LISTCO Working Paper*, *11* (April 2021).

⁵¹ See, for instance, Frontex' statistics on the 'Eastern borders migratory route', which speaks of illegal border crossings as a persistent problem along the EU's 6 000 km-long border with Belarus, Moldova, Ukraine and Russia: Frontex, 'Migratory Routes: Eastern borders route', https://frontex.europa.eu/we-know/migratory-routes/eastern-borders-route/.

⁵² Grzywaczewski, T. (2021) Russia and Belarus Are Using Migrants as a Weapon Against the EU. *Foreign Policy*, 18 September, <u>How Russia and Belarus Weaponized Migration Into Poland and Lithuania (foreignpolicy.com)</u>

⁵³ The Central Election Commission declared Aleksandr Lukashenka's victory with 80.1 % votes cast in support of his bid, with only 10.1 % votes received – by official counts – by his closest rival Svetlana Tsikhanouskaya. Marples, D. (2021) One Year On: What Has Changes in Belarus? *New Eastern Europe*, 5(XLVIII), 12-20.

⁵⁴ Council of the EU, 'Belarus: Declaration by the High Representative on behalf of the EU on the first anniversary of the 9 August 2020 fraudulent presidential elections in Belarus', Press Release, 8 August 2021.

⁵⁵ European Parliament (2021) The situation in Belarus after one year of protests and their violent repression, Resolution 2021/2881(RSP), text adopted 7.10.21, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0420 EN.html

4978 in Minsk in May 2021 and the instrumentalisation of migrant flows for political purposes. The ongoing crisis has triggered a new low in EU-Belarus relations, which had been tense since 2011 and based on 'mutual distancing' rather than engagement. A further layer of the Belarusian crisis is connected with the sub-transparent processes of torpedoing 'deeper integration' with Russia, not least in the military and security domain, which has implications for both the survival of Belarusian state sovereignty and the dynamics of Belarus' increasingly tense relations with its neighbours (Ukraine, Lithuania, Poland) and the EU as a whole.

2.8 A complex, dynamic threat environment

Conflict dynamics across the EaP area are influenced by a wide range of interconnected security challenges, from enduring threats such as militarisation, economic under-development and political instability, to emerging threats such as disinformation, cyber-attacks and the use of all available means (military and non-military) to undermine an adversary. The COVID-19 pandemic has exacerbated existing vulnerabilities, triggering further deterioration in the ability of EaP states to manage social, economic and political problems stemming from the protracted conflicts.⁵⁶ The diffusion of risk and threats from the protracted conflicts, and instability in Belarus, is undermining security beyond the borders of the Eastern Neighbourhood, threatening the stability of the EU and its Member States, whilst also undermining societal resilience within the EaP area. The growing complexity of the threat landscape, combined with the diffusion of conflict and instability, complicates efforts to address the root causes of these protracted conflicts. Looking forward, the situation is likely to worsen against a backdrop of increasing geopolitical competition. If the EU is determined to insert itself further into conflict resolution and prevention in its Eastern Neighbourhood, it is going to find itself in direct confrontation with Russia, which has always questioned the EU's liberal transformative engagement in the region. The rise in influence of other actors, notably China and Turkey, has further complicated the picture in the EaP area, undermining the prospects for future EU engagement.

The EU's CSDP and its performance as a security actor in the EaP region

As the EU moved towards deeper integration in the post-Cold War era, the concept of a CSDP was conceived. At the 1999 Cologne summit, EU Member States agreed in principle to the idea of developing military forces, placing crisis management (the so-called Petersberg tasks) at the heart of the process. This development was driven partly by the EU's inability to deal with security challenges on its own doorstep, emphasised as conflict broke out in Yugoslavia in the early 1990s and again in Kosovo in early 1999. The EU has subsequently deployed 34 missions and operations across the task spectrum as key tools of its external action. The majority of these operations have been civilian missions: although the EU is a full-spectrum actor, with both civilian and military capabilities to address defence and security challenges, its capabilities remain limited.⁵⁷ The EU's own neighbourhood remains a key focus for CSDP operations, underlining the organisation's desire to stabilise its periphery, as well as its understanding of the interlinked nature of the threat landscape. This was emphasised in the 2016 EUGS, which presented a grand strategic vision for the EU, alongside a realistic assessment of the complex situation facing the organisation in the 21st century:

https://www.europarl.europa.eu/RegData/etudes/IDAN/2020/603485/EXPO_IDA(2020)603485_EN.pdf

⁵⁶ Mustasilta, K. (2020) From Bad to Worse? The Impact of Covid-19 on Conflict Dynamics. *EUISS Issue Brief, 13* (May 2020).

⁵⁷ For further details Meyer, C. (2020) 10 YEARS OF CSDP. Four in-depth analyses requested by the Sub-Committee on Security and Defence of the European Parliament (EP), January,

Internal and external security are ever more intertwined: our security at home entails a parallel interest in peace in our neighbouring and surrounding regions. It implies a broader interest in preventing conflict, promoting human security, addressing the root causes of instability and working towards a safer world.⁵⁸

This section outlines the forms and areas of the EU's involvement in security matters in the EaP region within the Common Foreign and Security Policy/Common Security and Defence Policy (CFSP/CSDP) frameworks, linking the EU's strategic approaches, as outlined in the 2016 EUGS, with the practices of crisis and conflict management in the Eastern Neighbourhood. It also discusses the perceived effectiveness of existing CSDP missions in Georgia (EUMM), Moldova and Ukraine (EUBAM) and Ukraine (EUAM).

3.1 The EU's pursuit of comprehensive and integrated approaches to crises and conflict management in its Eastern Neighbourhood

Over the past decade the EU's neighbourhoods have evolved from an anticipated 'ring of friends' to an 'arc of instability'59 and ring of poor governance, whilst the EU's own security has suffered from multiple internal crises and challenges. The EU has sought to develop more holistic and streamlined approaches to conflict and crisis management to tackle this instability, echoing national 'whole-of-government' holistic approaches as well as a 'joined-up inter-agency and cross-sectorial approach', 60 which in the realm of external action also includes the joint efforts of the EU and its Member States. The 'whole-of-government' philosophy became encapsulated, in policy terms, in the EU's 'comprehensive approach' (articulated in 2013) and the 'joined-up' action rationale has, more recently, become embedded in the so-called 'integrated approach', introduced in 2016 (see Appendix 3). Emphasising that the integrated approach to conflicts and crises was intended 'to fully account for the security development nexus', the third progress report on the implementation of the EUGS included some positive assessments of the EU's pursuit of the integrated approach and resilience in the Sahel area, whilst remaining virtually silent on comparable advancements in the EU's Eastern Neighbourhood, with the exception of the report's emphasis on the 'largest-ever EU support package' granted to Ukraine.⁶¹ The implementation of the integrated approach has already produced some institutional innovations and adjustments, including the 2018 Civilian CSDP Compact (CCC), which delineated new tasks for future missions including countering organised crime, support for border management, countering terrorism and violent extremism, tackling migration, as well as hybrid and cyber threats, 62 and the creation of the 'Prevention of Conflict, Rule of Law/Security Sector Reform, Integrated Approach, Stabilisation and Mediation' (PRISM) division within the EEAS. These changes encompass the wide range of enduring and emerging security challenges from the EaP protracted conflicts set out in Section 2 of this IDA and underscore the importance of measures to mitigate the consequences of these conflicts on EU security and that of its Member States.

The EU's response to instability in its Eastern Neighbourhood has been three-pronged:

 An EU-level response is generally pursued through the conduct of civilian and military CSDP missions, nomination of EUSRs, imposition of a sanctions regime, institutional mediation and brokering (e.g. HR/VP in the 2014 Geneva talks on the Ukraine crisis), enhanced security cooperation under association agreements with Deep and Comprehensive Free Trade Area (DCFTA) components or humanitarian aid provision);

⁵⁸ EUGS 2016, p.14.

⁵⁹ EUGS 2016.

⁶⁰ European Commission (2015). COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS: The European Agenda on Security. Brussels, 28.04.2015, COM(2015)185final, https://www.cepol.europa.eu/sites/default/files/european-agenda-security.pdf

⁶¹ European External Action Service (2019) The EU Global Strategy in Practice: Three years on, looking forward. Brussels, 14.06.2019, https://eeas.europa.eu/sites/default/files/eu_global_strategy_2019.pdf

⁶² Council of the European Union (2018) Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the establishment of a Civilian CSDP Compact. Brussels, 19.11.2018, 14305/18.

- EU framework-embedded Member States' action, as seen in response to the 2013/14 Ukraine crisis (the Weimar Triangle, a joint effort by Germany, France and Poland) or the ongoing Russia-Ukraine war (the Normandy Duo, a Franco-German tandem within the Normandy Format talks);
- Individual initiatives of EU Member States covering the whole spectrum of activity, including diplomacy, as well as joint political or military undertakings.

Security is the fundamental aim of EU engagement with its Eastern Neighbourhood, a long-term objective being sought through modernisation, economic liberalisation and democratisation. Political and economic cooperation such as the Association Agreements and DCFTA (see Table 3) signed with Georgia, Moldova and Ukraine are intended to contribute to stability and security in the EaP area, emphasising the nexus between security, development and democracy. This approach, although good-intentioned, has not always delivered positive results: the EU's approach towards the EaP area has contrasted sharply with that of Russia, which takes a long-term strategic view to its post-Soviet neighbourhood. This was emphasised clearly in 2013 when Ukraine's wish to sign an Association Agreement with the EU was perceived very negatively by Moscow, while the European Commission suggested Ukraine needed to choose between Russia and the EU.⁶³ From a Russian perspective, the 2013 Maidan revolution in Ukraine was viewed as the latest Western attempt to undermine Russian influence and impose new dividing lines in Europe.⁶⁴ As Huff argues, the EU's use of CSDP instruments in the EaP area has been 'ad hoc and inconsistent', undermined by 'inter-institutional incoherence' and 'Member States' inability to agree on a broad strategic vision for engagement with the area'.⁶⁵

Table 3: The Eastern Partnership – key milestones 66

	Armenia	Azerbaijan	Belarus	Georgia	Moldova	Ukraine
Visa facilitation	2014	2104	2020	2011	2011	2014
Visa liberalisation	_	_		2017	2014	2017
Association Agreement	2021 Comprehensive and Enhanced Partnership Agreement (CEPA) provisionally entered into force	2017 Start of negotiations on a comprehensive and enhanced partnership agreement		2016	2016	2017
Deep and Comprehensive Free Trade Area (DCFTA)				2016	2016	2017

Over the past ten years, the EU has boosted its assistance to security sector reform in EaP countries in order to strengthen the capacity of security sector institutions and civil society organisations, whilst supporting modernisation and democratisation. The focus has primarily on soft sector, in particular prosecutors, the judiciary and the police.⁶⁷ For example, a rule of law mission to Georgia (EUJUST Themis) was initiated in July 2004 to help the transition process in Georgia and 'assist the new government in its efforts to bring

⁶³ Joint statement by President of the European Council Herman Van Rompuy and President of the European Commission José Manuel Barroso on Ukraine. Brussels, 25 November 2013 EUCO 245/13 PRESSE 501 PR PCE 220, 139720.pdf (europa.eu)

⁶⁴ See National Security Strategy of the Russian Federation (2021). Approved by decree of the President of the Russian Federation, available at Совет Безопасности Российской Федерации (scrf.gov.ru)

⁶⁵ Huff, A. (2011) The role of EU defence policy in the Eastern neighbourhood. *European Union Institute for Security Studies*, Occasional Paper, May 2011, 91, <u>EU Institute for Security Studies 2011-The role of EU defence policy in the Eastern neighbourhood.pdf (ab.gov.tr)</u>

⁶⁶ Bentzen, N. & Przetacznik, J. (2020) Eastern Partnership 3.0: Principles, priorities, and prospects. *In-depth Analysis*, European Parliamentary Research Service, June 2020, <u>Eastern Partnership 3.0 (europa.eu)</u>

⁶⁷ Deen, Zweers, & van Loon (2021).

local standards with regard to rule of law closer to international and EU standards', and to embed stability in the region.⁶⁸ This was the first CSDP mission in the post-Soviet area, as well as the first operation focused solely on the rule of law.

However, the EU still lacks the instruments to contribute to the management and resolution of the protracted conflicts, and has only limited (and often indirect) involvement in this. Until 2008, the principal contribution that the EU made to conflict resolution efforts across the EaP area was at the grass-roots level, providing assistance for economic rehabilitation, humanitarian aid and confidence building projects in Nagorno-Karabakh, Georgia (Abkhazia and South Ossetia) and Moldova (Transnistria), and supporting the negotiating efforts of other international organisations, rather than directly engaging in negotiations.⁶⁹

Table 4: EU Special Representatives in the EaP area

	Authorisation date	Start date	Mission ended
EUSR for the South	July 2003	July 2003	February 2011
Caucasus	(2003/496/CFSP)	(2003/496/CFSP)	
EUSR for Moldova	23 March 2005	November 2005	February 2011
	(2005/265/CFSP)		
EUSR for the crisis in	15 September 2008	February 2009	August 2011
Georgia	(2008/736/ CFSP)	(2008/760/CFSP)	
EUSR for the South	25 August 2011	September 2011	Mandate extended until
Caucasus and the crisis	(2011/518/CFSP)		February 2022
in Georgia			

There is currently a single EU Special Representative (EUSR) active in the Eastern Neighborhood: the EUSR for the South Caucasus and the crisis in Georgia, as the EUSR for Moldova was abolished in 2011 and and the two separate mandates of the EUSR in Georgia and South Caucasus were combined into one (Table 4). EUSRs promote the EU's policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace, stability and the rule of law, supporting the work of the HR/VP in the area concerned. 70 Thus they play a key role in the EU's CFSP, acting as the face of the EU and its policies in areas of concern/interest for the organisation. The post of EUSR for the South Caucasus was established in 2003 with a mandate to prevent conflicts in the region, contribute to a peaceful settlement of existing conflicts including Nagorno-Karabakh, engage constructively with the principal interested actors in the region, and enhance the EU's effectiveness and visibility there. The EUSR's mandate and support team was expanded in 2005 to include border monitoring, including the creation of a Border Support Team (BST) reporting directly to the EUSR (the BST was dissolved in 2011). An EUSR for the crisis in Georgia, was established in 2008, and the two posts merged in 2011 to form a single EUSR for the South Caucasus and the crisis in Georgia. In terms of conflict resolution, the EUSR for the South Caucasus and the crisis in Georgia is one of three co-chairs in the Geneva international discussions on Abkhazia and South Ossetia and the EU is one of two observers in the OSCE-mediated 5+2 negotiations on Transnistria.

However, the EU has no official role in the Normandy format talks on the Donbas conflict nor is it part of the OSCE Minsk Group on Nagorno-Karabakh, undermining its ability to facilitate peaceful settlements of these conflicts. Nevertheless the EU, led by the French presidency, mediated a ceasefire to the 2008 Russia-

⁶⁸ On a technical level, the mission aimed to help Georgia address problems in the criminal justice sector and to advise on future criminal justice reform. At the time that the mission was launched, Georgia had only been a participant in the European Neighbourhood Policy for one month, and had not yet agreed on an Action Plan. Popescu, N. (2009) EU and the Eastern Neighbourhood: reluctant involvement in conflict resolution. *European Foreign Affairs Review*, 14:4, 457-477.

⁶⁹ For further details see German, T. & Moustakis, F. (2009) *Securing Europe: Western Interventions in search of a New Security Community*. London: Tauris Academic Studies.

⁷⁰ EU Special Representatives - European External Action Service (europa.eu)

Georgia Five-Day War, rapidly established the EUMM and commissioned the Independent International Fact-Funding Mission on the Conflict in Georgia, lending credibility to its aspirations to be an international security actor.⁷¹

3.2 EU Civilian CSDP missions in Eastern Europe

In addition to the aforementioned efforts of the EU and Member States in addressing the protracted conflicts and instability in the EaP region, the EU has deployed three civilian CSDP missions since the early 2000s (see Table 5): the border assistance mission to Moldova and Ukraine (EUBAM, 2005), the monitoring mission in Georgia (EUMM, 2008) and the advisory mission in Ukraine (EUAM, 2014).

Crisis management missions and operations are the most visible expression of CSDP and the EU's engagement as a security actor within the EaP area. However, they remain limited in both their scope and ability to contribute to conflict resolution (the EUAM Ukraine does not even seek to do this – as per official mandate). The fact that they are all civilian missions may be seen as recognition of the presence of Russia and a desire not to step on Moscow's toes. Civilian CSDP missions fall within three categories: strengthening missions, monitoring missions or executive missions. EUAM Georgia is a monitoring mission, mandated to monitor the contested boundary lines between Georgia and its two separatist territories. EUAM Ukraine constitutes a strengthening mission, intended to boost capacity, in this case through the development and reform of the country's law enforcement and rule of law agencies. EUBAM Moldova and Ukraine is a capacity-building mission, seeking to assist both countries to improve their cross-border cooperation and security, as well as to contribute to the transformation and peaceful resolution of the Transnistria conflict.

Table 5: EUBAM Moldova and Ukraine, EUMM Georgia and EUAM Ukraine: a comparative outlook

	EUBAM	EUMM	EUAM
Starting date	30 November 2005	1 October 2008	1 July 2015
Mission strength	115	+200	371
Annual budget (EUR)	12 million	c. 20 million	29.5 million
Headquarters	Odesa (Ukraine) + country offices in Chisinau and Odesa	Tbilisi	Kyiv
Field offices	Chisinau, Giurgiulesti, Podilsk, Kuchurhan, Otaci, Odesa and Chornomorsk ports	Gori, Mtskheta, Zugdidi	Lviv, Kharkiv, Odesa, Mariupol

⁷¹ Council Decision 2008/901/CFSP of 2 December 2008 concerning an independent international fact-finding mission on the conflict in Georgia, Brussels, <u>4ac45cd22.pdf (refworld.org)</u>. For more information see Whitman, R.G. & Wolff, S. (2010) The EU as a Conflict Manager? The Case of Georgia and Its Implications. *International Affairs*, 86:1, 87-107.

⁷² Tardy, T. (2015) CSDP in action: what contribution to international security? *Chaillot Paper No 134*, May. Paris: EU Institute for Security Studies, p. 23.

3.2.1 Evaluating the effectiveness of existing CSDP missions in the EaP area: methodological approach and challenges

It is imperative to evaluate the effectiveness of existing CSDP missions, not least in order to substantiate the EU's claims to be a global security actor. 73 However, the concept of 'effectiveness' is both vague and complex. In the context of the EU's external action, it proves to be even more challenging, and thus unpopular, not least because it is 'notoriously difficult to analyse and assess'. 74 As Meyer notes, to date there has not been a comprehensive, independent assessment of how to measure CSDP missions' effectiveness: there are a range of criteria that can be used to assess the performance of a mission, both internal and external. 75 Part of the problem is that any measurement of what constitutes 'success' or 'failure' is inherently subjective, and tends to be based on perception rather than quantifiable variables. The complex, dynamic nature of the security environment constitutes a further obstacle to any evaluation of effectiveness. In addition to how 'effectiveness' is defined, there is also the question of effectiveness according to whose perspective? Rodt recommends that any understanding of success must incorporate internal and external perspectives, in order to reflect the perspective of the intervening actor (the EU), as well as that of the target (the host state) and the purpose of the operation (conflict management).⁷⁶ There is a critical difference between evaluating the effectiveness of CSDP missions from an organisational perspective, i.e. meeting the expectations/objectives of the EU, and from a local, host-state perspective, i.e. shifting from state-level security to human level, encompassing the individuals and society in which the mission is operating. The objectives of these different groups may well not converge, with different understandings of the 'success' of a mission, making interpretation of a mission's mandate problematic. According to Zarembo, it is vital to consider the perception of the host state vis-à-vis the effectiveness of a mission as it impacts upon cooperation between the mission and local partners, ultimately influencing performance.⁷⁷

Within this IDA, effectiveness is characterised as the ability to achieve the stated goals of the mission. In our goal-oriented framework of analysis of CSDP mission effectiveness, we draw partially on the suggestion of Schunz to identify a mission's goals and then match these objectives with outputs/outcomes. We have also sought to identify the mission's own assessment of its performance, and the perceptions of both the host state and society. This has been assessed through primary and secondary sources, including interviews with mission representatives, analysis of mission mandates and broader public perceptions of the EU or specific mission, open source data including surveys of public opinion and qualitative data generated by the Horizon 2020 'EUNPACK' project.

⁷³ Tardy identified three reasons to evaluate the effectiveness of CSDP missions: institutional efficiency, political visibility and the importance of the EU being able to substantiate its claims to be a security actor. Tardy (2015), p. 35.

⁷⁴ Hoffmann, N. & Niemann, A. (2018) EU actorness and the European Neighbourhood Policy. In Schumacher, T., Marchetti, A. & Demmelhuber, T. (eds.) *The Routledge Handbook on the European Neighbourhood Policy*. London and New York: Routledge, p. 32.

⁷⁵ Meyer, C. (2020) CSDP Missions and Operations. European Parliament – Directorate General for External Policies of the Union, *Indepth Analysis*, PE 603.481, January, p. 8.

⁷⁶ Rodt, A.P. (2014) The European Union and Military Conflict Management: Defining, Evaluating and Achieving Success. London: Routledge, p. 185.

⁷⁷ Zarembo, K. (2017) Perceptions of CSDP effectiveness in Ukraine: a host state perspective. *European Security*, 26:2, p. 191.

⁷⁸ Schunz, S. (2021) Analyzing the Effectiveness of European Union External Action. In Gstöhl, S. & Schunz, S. (eds.) *The External Action of the European Union* (pp. 134-148). London: Red Globe Press.

⁷⁹ Interview EUBAM Moldova and Ukraine (2021). Interview with the Head of Mission, Gen. Sławomir Pichor, 12.10.2021 (via MS Teams); Interview EUAM Ukraine (2021). Interview with the deputy Head of Mission, Mr Fredrik Wesslau, 28.09.2021 (via Zoom). No response from EUMM to author's interview requests.

⁸⁰ EUNPACK: A Conflict-Sensitive Unpacking of the EU Comprehensive Approach to Conflict and Crises Mechanism, http://www.eunpack.eu/the-project. Heads of Mission write regular reports for the Political and Security Committee (PSC) assessing the progress of a mission in terms of meeting its objectives. However, these reports are not in the public domain, thus cannot be used as a source of data to evaluate effectiveness. Civilian CSDP missions established under the aegis of the Civilian

3.2.2 EU Monitoring Mission in Georgia

Established in September 2008 on the basis of a joint action issued by the Council of the European Union, the EUMM has a mandate to provide civilian monitoring of the actions of the parties to the 2008 conflict, including compliance with the six-point agreement⁸¹ that ended the war. The EUMM is notable for the speed of its deployment: planning and implementation only took two months, and has been held up as an example of best practice. One of the mission's first tasks was to oversee the withdrawal of Russian armed forces from the territory adjacent to South Ossetia and Abkhazia. Two headline objectives were set out:

- to contribute to long-term stability throughout Georgia and the surrounding region;
- in the short term, to stabilise the situation with a reduced risk of a resumption of hostilities, in full compliance with the six-point agreement and the subsequent implementing measures. 82

The mission's key tasks thus cover stabilisation, normalisation and confidence building, alongside informing EU policy in Georgia and the wider region. They include:

- ensuring that there is no return to hostilities;
- facilitating the resumption of a safe and normal life for the local communities living on both sides of the administrative boundary lines (ABL) with Abkhazia and South Ossetia;
- building confidence among the conflict parties;
- informing EU policy in Georgia and the wider region.

A 2008 Memorandum of Understanding (MoU) between the EUMM and the Georgian Ministry of Internal Affairs restricts the equipment and activities of Georgian police in areas adjacent to the ABL. A similar MoU (signed in 2009 and amended in 2010) between the EUMM and the Georgian Ministry of Defence limits the position of Georgian troops and heavy equipment around the ABL.⁸³ The EUMM conducts three different types of patrols:

- ABL patrols to monitor the ABL and adjacent areas;
- human security patrols to monitor the human rights situation and IDP issues, liaise with NGOs, and local and regional authorities, and host civil society information sharing meetings;
- compliance patrols to monitor compliance with the MoUs detailed above, observe military exercises and activity, and assess the capability and intentions of security actors.⁸⁴

There is no doubt that the EUMM has achieved its primary task of ensuring that there is no return to hostilities. However, its mandate covers the whole of Georgia within the borders that are recognised by the international community, including South Ossetia and Abkhazia, but the EUMM monitors are unable to access the territories of Abkhazia and South Ossetia, hindering their ability to gain a comprehensive picture

Planning and Conduct Capability (CPCC) are assessed according to an Impact Assessment Methodology, 80 but missions' assessment reports are classified.

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⁸¹ The six-point Agreement of 12 August 2008 includes 1) non-resort to force; 2) cessation of all armed activities; 3) free access for humanitarian assistance; 4) withdrawal of Georgian armed forces to their permanent positions; 5) withdrawal of armed forces of the Russian Federation to the line where they were stationed prior to the beginning of the hostilities. Prior to the establishment of international mechanisms, the Russian peacekeeping forces will take additional security measures; 6) start of international negotiations on conditions of security and stability in South Ossetia and Abkhazia.

⁸² European Council (2008) COUNCIL JOINT ACTION 2008/736/CFSP of 15 September 2008 on the European Union Monitoring Mission in Georgia, EUMM Georgia.

⁸³ Macharashvili, N., Basilaia, E. & Samkharade, N. (2017) Assessing the EU's conflict prevention and peacebuilding interventions in Georgia. Deliverable 3.2: Case Study Report Georgia, part of the project *Whole-of-Society Conflict Prevention and Peacebuilding* (WOSCAP, pp. 22-23), funded by EU Horizon 2020, 24 March, pp. 22-23.

⁸⁴ Macharashvili et al, pp. 23-24.

of the situation on the ground and therefore stabilise the wider area. Nevertheless, it has sought to use all means at its disposal to monitor events across the entire territory and has gradually introduced more advanced technological means to its toolkit.85 The six-point agreement that ended the 2008 war did not identify the precise demarcation line between the sides and Russia has sought to physically challenge the Georgian authorities by means of 'borderisation', which refers to the unilateral installation of physical infrastructure such as fencing and barbed wire along the ABL that demarcates the territories of Abkhazia and South Ossetia. 86 There are different layers to 'borderisation': the installation of physical obstacles such as fences, trenches and signs; increased surveillance, both electronic and physical; and the construction of infrastructure such as bases for Russian border guards (there are at least 19 along the South Ossetian ABL). This process has been intensified since 2017 and at least 66km of fences have been installed along the South Ossetian ABL, according to the EUMM. The practice of borderisation has had a major impact on the rural communities in the area, often dividing villages and even families, preventing free movement of people, their animals and goods, and destabilising the area. There are clear security consequences for Georgia, but there are also symbolic implications. As Kakachia argues, it demonstrates to the Georgian government and people that Moscow can increase its control over Georgian territory if it wishes to, thus revealing the impotence of both Tbilisi and the EU in the face of Russian dominance.⁸⁷ Furthermore, the EUMM's mandate involves monitoring the ceasefire line, the ABL, but borderisation challenges its ability to do this, as the line shifts deeper into Georgian territory, thereby undermining the mission's effectiveness.

A further challenge for the EUMM is the inability to fulfil point five (stipulating the withdrawal of Russian armed forces to the line where they were stationed prior to the beginning of the hostilities) of the six-point Agreement that ended the 2008 war. According to the EUMM, 'Point Five of the Agreement remains to be implemented, as the continued presence of Russian Federation military personnel and equipment in both South Ossetia and Abkhazia represents a violation of this part of the agreement'.⁸⁸

Confidence building is a central part of the EUMM mandate and it has several mechanisms that seek to facilitate and enhance communication and information-sharing between the different sides. One mechanism is the Incident Prevention and Response Mechanism (IPRM) meetings, which are non-political meetings that began in 2009 where those involved in managing security and human security issues on the ground can discuss current challenges. There are two meetings: one held in Gali, chaired by the UN, to deal with issues around Abkhazia, while the other in Ergneti, co-chaired by the EUMM and OSCE, covers the South Ossetia ABL. A second mechanism is the EUMM-managed telephone hotline for incidents that threaten stability and impact the lives of those living along the ABLs. ⁸⁹ A key task for the mission is normalisation, which includes human security and fundamental issues such as freedom of movement, access to land, rights for IDPs and entitlement to personal documents, and the EUMM includes human security teams (one at each field office), emphasising the EU's multi-dimensional approach. ⁹⁰ The EUMM has a very limited role in security sector reform or governance reform in Georgia, which is a possible area for future development of the mission.

Statements from the annual Association Council meetings between the EU and Georgia suggest that, in terms of conflict resolution and stabilisation, the EUMM is not particularly effective: the joint statements point to a deteriorating security situation, intensified military build-up and 'borderisation' along the ABLs,

⁸⁵ The EUMM Monitor, Issue #7, October 2018, p. 1.

⁸⁶ Kakachia, K., Kakhishvili, L., Larsen, J. & Grigalashvili, M. (2017) *Mitigating Russia's Borderization of Georgia: A Strategy to Contain and Engage,* GIP Policy Paper. Tbilisi, Georgian Institute of Politics.

⁸⁸ The EUMM Monitor, Issue #2, August 2016.

⁸⁹ The EUMM Monitor, Issue #7, October 2018, p. 6.

⁹⁰ The EUMM Monitor, Issue #8, September 2019.

and growing ties between Russia and the separatist territories, noting that the EUMM still does not have access to the whole territory of Georgia, as set out in its mandate. 91 Nevertheless, public opinion in Georgia remains strongly positive towards the EU and the country's pursuit of stronger ties with the organisation: 56 % of respondents in a June 2021 poll identified the EU as the most important political partner of Georgia (2nd after the US), whilst Russia was named by only 17 % (79 % identified Russia as the greatest political threat to Georgia) and 83 % support the country joining the EU (68 % fully support it, 15 % somewhat support it). This suggests that the EUMM is effective to a certain extent, as the perceptions of the host state vis-à-vis the EU has not been negatively impacted and the majority of respondents continue to hold a highly positive view of the organisation. 92 This positive view is reflected in the two-year extension of the EUMM's mandate in 2020, which suggests that the host state is satisfied with the mission's work.⁹³ However, it is important to note that other parties to the conflict, notably Russia, and the authorities of Abkhazia and South Ossetia, hold a negative view of the mission and do not consider it to be wholly neutral. There is also evidence of strong EU Member State support for the EUMM – personnel from all 27 Member States have served in the mission. According to Macharashvili, the EUMM's data gathering makes a vital contribution to informing EU policy and strategic approaches.⁹⁴ The EU's own institutional assessments of the EUMM's performance are positive, emphasising the mission's fundamental role in reducing tensions and contributing to the provision of human security for the conflict-affected population.⁹⁵

The EUMM plays a vital role in terms of confidence-building measures and normalisation, as well bearing witness to events along the ABL and constraining all sides from further hostilities. Its role as a neutral observer able to act as a mediator between different parties to the conflict is critical to maintain stability and pursue normalisation for the communities around the ABLs. The addition of a military dimension to the mission is unlikely to achieve much more: although it would demonstrate the EU's commitment and resolve, it would likely trigger a harsh response from Moscow and destabilise an already volatile region. The EUMM needs to be able to enact its mandate in its entirety and be allowed access to the territories of Abkhazia and South Ossetia. Macharashvili also believes that the lack of a long-term mandate affects the functioning of the mission, with periodic discussions about a possible exit strategy undermining long-term planning.⁹⁶

3.2.3 EU Border Assistance Mission to Moldova and Ukraine

The European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) was launched at the request of Moldova and Ukraine on 30 November 2005 (Council Joint Action 2005/776/CFSP). The mission's mandate has been extended seven times to date, and its current mandate is valid until 30 November 2023. EUBAM is an advisory, technical mission mandated to enhance the border-management capacities of the border guard and customs authorities and other law enforcement and state agencies of Moldova and Ukraine. In particular, the EUBAM works with Moldova and Ukraine 'to harmonise border control, and customs and trade standards and procedures with those in EU Member States', thus helping 'to improve cross-border cooperation between the border guard and customs agencies and other law enforcement

⁹¹ See for example <u>Joint press release following the 6th Association council meeting between the European Union and Georgia Consilium (europa.eu), 16th March 2021; <u>Joint press statement following the 5th Association Council meeting between the EU and Georgia - Consilium (europa.eu) 5 March 2019</u></u>

⁹² Centre for Insights in Survey Research, International Republican Institute, 'Public Opinion Survey: Residents of Georgia' June 2021, https://www.iri.org/sites/default/files/iri poll presentation georgia june 2021 public release.pdf

⁹³ European Council (2020) Council Decision (CFSP) 2020/1990 of 3 December 2020 amending Decision 2010/452/CFSP on the European Union Monitoring Mission in Georgia, EUMM Georgia.

⁹⁴ Macharashvili et al, p. 26.

⁹⁵ European External Action Service (2018) *European Union Common Security and Defence Policy: Missions and Operations* Annual Report. Brussels, pp. 16-17.

⁹⁶ Macharashvili et al, p. 25.

bodies and to facilitate international coordinated cooperation'. ⁹⁷ In pursuit of this mission, the EUBAM focuses on three key objectives, considered to be 'equally important, in their entirety' and 'deeply interwoven': ⁹⁸

- contributing towards the peaceful settlement of the Transnistrian conflict;
- advising and assisting Moldovan and Ukrainian authorities in implementing the Integrated Border Management concept;
- assisting in tackling cross-border crime (including, but not limited to, the smuggling of goods and people).

As highlighted by the Head of Mission, Gen. Sławomir Pichor, the inherent interconnectedness of all three lines of effort has direct implications for the planning of overall activities, as well as the daily work of EUBAM officers, not least as spillovers (both positive and negative) may and do occur. Thus, progress (or lack of it) in one area can impact on the dynamics within another area of the mission's involvement. ⁹⁹ As a two-country mission, the EUBAM seeks to assist Ukraine and Moldova to achieve a well-managed, secure and procedurally transparent shared border. Importantly, the mission's mandate includes conflict resolution tasks, specifically for the EUBAM to contribute towards peaceful settlement of the Transnistrian conflict through the official international negotiation mechanism (the '5+2' process) and its related expert working groups. ¹⁰⁰ This task, as well as the mission's overall rationale and ambition, 'well surpassed the general level of EU ambition on cooperation with eastern neighbours' at the time of the mission's launch in 2005, both within the context of the EU's ENP or then-active bilateral Partnership and Cooperation Agreements (PCAs) framework. ¹⁰¹

The EUBAM is a hybrid mission, rather than a proper CSDP mission, and is financed, managed and implemented by the Commission, with close cooperation and political oversight by the EU Council and EU Member States. ¹⁰² Its unique nature, when compared with 'classical' CSDP missions, has not put the mission 'in a more advantageous or disadvantageous situation'. ¹⁰³ Still, the EUBAM stands out as a unique EU mission and a novelty in the EU's civilian crisis management toolbox. Its best practices and 'formula' should be considered when pursuing the Civilian CSDP Compact's objectives in future, particularly in terms of the mission's speed of deployment, operational flexibility and organisational adaptability.

In its daily operations, the EUBAM is focused on on-the-job training of Moldovan and Ukrainian customs and border guard personnel, patrolling the border and making regular (unannounced) checks of border checkpoints to monitor the work of the national border guards. Occasionally, the EUBAM provides advice on drafting national laws and strategies related to issues such as customs and border management.

Litra assesses that the EUBAM has largely been successful in implementing its objectives, with the introduction of a new customs regime between Moldova and Ukraine being one of its most significant achievements.¹⁰⁴ This development was conducive to transforming the Transnistrian conflict as it allowed Trans-

⁹⁷ EUBAM – EU Border Assistance Mission to Moldova and Ukraine, https://eubam.org/

⁹⁸ Interview EUBAM Moldova and Ukraine (2021). Interview with the Head of Mission, Gen. Sławomir Pichor, 12.10.2021 (via MS Teams)

⁹⁹ Interview EUBAM Moldova and Ukraine 2021.

¹⁰⁰ The EUBAM's personnel can freely move within Moldovan and Ukrainian territories – not within Transnistria area, though. The Mission works with Transnistrian interlocutors (primarily, customs authorities in Tiraspol) but has no physical presence in the area. ¹⁰¹ Interview EUBAM Moldova and Ukraine 2021.

¹⁰² Litra, L., Medynskyi, I. & Zarembo, K. (2017) Assessing the EU's conflict prevention and peacebuilding interventions in Ukraine. *WOSCAP Deliverable 3.4.* 23 March, p. 42.

¹⁰³ Interview EUBAM Moldova and Ukraine 2021.

¹⁰⁴ Litra et al., p. 43.

nistrian businesses to register with Moldova's official agencies and receive official customs documents, thus driving the separatist region's economic reintegration with Moldova. Another positive achievement has been the establishment of cross-border and inter-agency cooperation between Moldova and Ukraine. Many observers agree that the facilitation of the integrated border management (IBM) concept implementation across the Moldova-Ukraine border has been a flagship project of the mission.¹⁰⁵

Known as an 'ever self-developing mission' that responds to the needs of local stakeholders, the EUBAM undertook several adjustments of its operational engagement, with the most notable 'rethinking' of the mission ensuing from 2014 to 2016, as a result of the EU's conclusion of Association Agreements (AAs) with Moldova and Ukraine, as well as Russian aggression in Ukraine. The addendum to the Moldova-Ukraine 2005 MoU, which regulates the EUBAM's operation, includes new tasks such as the cross-border aspects of AA/DCFTA implementation, good governance, integrated border management, IPR and, conflict resolution through confidence-building measures, many of which were already assumed by the EUBAM even before they became legally mandated. Even though direct contacts between the EUBAM and de-facto Transnistrian authorities are infrequent, occasional consultations take place. The stakeholders are infrequent, occasional consultations take place.

Since 2005 the mission has published annual activity reports.¹⁰⁸ It also shares 'a more open public relations and civil society engagement culture, typical of the European Commission, rather than the cloud of secrecy that is characteristic of the European Council', ¹⁰⁹ which facilitates its visibility in the deployment area but also in country capitals. The EU's own institutional assessments of the EUBAM performance remain positive, with the mission's support to the Transnistria-related confidence-building measures and the full implementation of the integrated border management concept along the common border regularly acknowledged as a valuable contribution.¹¹⁰ In general, the EUBAM's operation has been driven by a responsiveness to local needs, something that the mission takes pride in.¹¹¹ It has made a substantial contribution to the harmonisation of border control, customs and trade standards and procedures, as well as a modest, but significant, contribution to mitigating the negative impacts of the protracted Transnistria conflict.

Three major challenges can be identified in EUBAM's performance. The COVID-19 pandemic posed a specific challenge to the mission's ability to fulfil its tasks, many of which comprise site visits, on-site training and taskforce meetings, which do not translate well to a digital format. Two further enduring challenges include issues with budget programming and the sustainability of the mission's impact. Budgetary resources do not seem to present an issue for the EUBAM, it is the way in which they become available that does: uncertainties in budget programming (which is dependent on the EU's MFF adoption) regarding the temporal scope and volume of available project funding impact the capability to plan activities, as both Moldovan and Ukrainian representatives also need to be available for joint undertakings – and informed of these well in advance. In terms of the sustainability of the EUBAM's input and the reforms undertaken on both sides of the Moldovan-Ukrainian border, two aspects need to be considered: the EUBAM's effort in driving reforms on joint border management, as well as the wider context of ongoing reform processes in both countries, which has implications for institutional longevity. The EUBAM's Head of Mission Gen.

¹⁰⁵ Hernández i Sagrera, R. (2014) Exporting EU integrated border management beyond EU borders: modernization and institutional transformation in exchange for more mobility? *Cambridge Review of International Affairs*, 27:1, 167-183.

¹⁰⁶ Litra et al., p. 44.

¹⁰⁷ Axyonova, V. & Gawrich, A. (2018) Regional Organizations and Secessionist Entities: Analysing Practices of the EU and the OSCE in Post-Soviet Protracted Conflict Areas. *Ethnopolitics*, *17*:4, 408-425.

¹⁰⁸ EUBAM, Publications, https://eubam.org/publications/

¹⁰⁹ Zarembo, p. 196.

¹¹⁰ EEAS (2018), pp. 48-49.

¹¹¹ Interview EUBAM Moldova and Ukraine 2021.

¹¹² Interview EUBAM Moldova and Ukraine 2021.

Pichor noted that, in terms of the 'iterated' reform of Ukraine's customs service, it is 'difficult to achieve sustainable effects when the interlocutor is institutionally evolving [metamorphosing] all the time'. ¹¹³ In addition to the above-listed systemic challenges, staffing is also an issue (something that resurfaces in other contexts and CSDP missions ¹¹⁴ but resonates particularly with the EUBAM). The mission's personnel is predominantly composed of seconded experts from EU Member States, and short expert secondment terms and the limited involvement of EU Member States ¹¹⁵ present a challenge; another personnel-related challenge is that, with the rise of EU agencies with adjacent portfolios (such as Frontex), it becomes even more difficult to attract, and thus compete for, experts in the field. ¹¹⁶

3.2.4 EU Advisory Mission in Ukraine

The EU Advisory Mission in Ukraine (EUAM Ukraine) is a non-executive advisory mission of the European Union in Ukraine, launched in December 2014 with the aim of supporting Ukraine's reform of the civilian security sector (SSR) in order to regain trust of the Ukrainian people after the 2013/2014 Euromaidan revolution. The mission became fully operational on 1 July 2015. Following the Council Decision of 20 May 2021, the EUAM Ukraine mandate has been extended until 31 May 2024 (Council Decision (CFSP) 2021/813). Ukraine originally wanted the mission to perform a monitoring function similar to that subsequently assumed by the OSCE Special Monitoring Mission (SMM) on the border with the temporarily occupied territories of Donetsk and Luhansk oblasts. 117 This 'expectations-reality gap' and the downplaying of the importance of military component in the EU's response¹¹⁸ significantly impacted the mission's operation in the first year and Ukraine's view of it.¹¹⁹ It also created further friction among the EUAM Ukraine's team and local representatives of various state institutions and agencies as to how to reconcile different understandings of the 'security sector': Ukraine's understanding of a security sector does not include prosecution or judiciary bodies, which a European vision of the sector necessarily includes. 120 Further complications arose around separating the civilian security sector reform included in the mission's mandate from the military SSR that Ukraine perceived to be in urgent need of reform. This prompted frustration on the Ukrainian side and led to an early strategic review of the mission in autumn 2015, after only a year of operation (standard EU procedure is to review CSDP missions every two years). Since 2016, the EUAM Ukraine has operated under a renewed and extended mandate that now includes operational

The overarching goal of the EUAM's operation in Ukraine is to help Ukraine build 'a civilian security sector that is efficient, accountable, and enjoys the trust of the public'. ¹²¹ The EUAM Ukraine's mission mandate includes three areas of operations:

- strategic advice to develop strategic documents and legislation;
- support for the implementation of reforms with practical advice, training and equipment;
- cooperation and coordination to ensure coherence and reform efforts between Ukrainian and international actors.

¹¹³ Interview EUBAM Moldova and Ukraine 2021.

¹¹⁴ Larsen, H. (2021) CSDP Missions: Addressing their Limited Reform Impact. CSS Analyses in Security Policy, 279 (March 2021), 2-4.

¹¹⁵ Poland, Romania, Bulgaria, Germany, and Finland are the major contributors of personnel.

¹¹⁶ Interview EUBAM Moldova and Ukraine 2021.

¹¹⁷ Zarembo, p. 197.

¹¹⁸ Litra et al, p. 34.

¹¹⁹ Zarembo, pp. 197-8.

¹²⁰ Zarembo, p. 199.

¹²¹ EUAM Ukraine, 'Our priorities', https://www.euam-ukraine.eu/our-mission/our-priorities/

Five key priorities inform the mission's operation:

- national and state security
- criminal justice
- digital transformation and innovation
- organised and cross-border crime
- community safety and police management.

According to the EUAM Ukraine's Deputy Head of Mission, Mr Fredrik Wesslau, all five priorities are 'important in their entirety' to enable the 'comprehensive approach to civilian security sector reform' that the mission pursues. 122 In light of the overall restriction of the civilian SSR sector and ongoing armed conflict in Ukraine's eastern regions, the strengthening of national and state security - and with it, reform of the Security Service of Ukraine (SSU) – appears to currently be the most salient (and challenging) task. The EUAM Ukraine's main local interlocutors and beneficiaries, as defined by the mission's scope, are the key government institutions responsible for law enforcement and the rule of law, including the Ministry of Internal Affairs, Ministry of Justice, Parliament, National Police, Prosecution Service, Security Service, State Border Guard Service, State Customs Service, State Bureau of Investigations and Bureau of Economic Security. Importantly, as part of the current government's priority to advance digital transformation and innovation, the EUAM Ukraine added the Ministry for Digital Transformation of Ukraine (established in 2019), describing it as an 'obvious [new] interlocutor' given the country's strategic focus on this area. Seeking to develop a more holistic approach to supporting Ukraine's civilian SSR, the EUAM Ukraine also pursues three cross-cutting priorities that affect the reform efforts vis-à-vis each and every agency: (1) human rights and gender equality; (2) anti-corruption; and (3) good governance. The EUAM Ukraine has been steadily increasing its outreach in the country's regions, launching regional offices in Lviv and Kharkiv (2016), followed by the opening of offices in Odesa (2018) and, more recently, Mariupol (2020).

The EUAM Ukraine's mandate does not include a military SSR component or any direct operational tasks with regard to the ongoing conflict in the country's eastern territory. Criticism of the mission's launch and initial period of operation focused predominantly on the EU's 'too soft' response¹²⁴ and its disregard of Ukraine's original request.¹²⁵ Even though the current scope of the EUAM Ukraine mandate appears to be sufficiently coherent and broad, Ukraine's previously stated interest in hosting an EU executive (military) mission to boost its efforts in managing the conflict in the country's eastern territory remains strong. Six years into the EUAM's operation, the realisation came that such endeavours are, in principle, unimplementable within the framework of a civilian CSDP mission. Ukraine's recent request for an EU advisory and training military mission (EUATM), filed in summer 2021 and under discussion among EU Member States, speaks about such a development.¹²⁶ Given that a predominantly civilian EUAM mission has until now been the EU's *only* response under CSDP to the post-revolutionary destabilisation and conflict in Ukraine, the country's lasting interest in the EU's military assistance (and frustration with the lack of it) has inevitably permeated the perception and evaluation of the EUAM operation by the Ukrainian state authorities, at least in the early years.

¹²² Interview EUAM Ukraine (2021) Interview with the deputy Head of Mission, Mr Fredrik Wesslau, 28.09.2021 (via Zoom).

¹²³ Interview EUAM Ukraine 2021.

¹²⁴ Nováky, N. (2015) Why so Soft? The European Union in Ukraine. Contemporary Security Policy, 36:2, 244-266.

¹²⁵ Zarembo, p.197-198.

¹²⁶ https://www.radiosvoboda.org/a/news-es-ukrajina-vijskova-navchalna-misija/31463437.html

Striking a balance between the mission's achievements and shortcomings is difficult, especially when the host state's perceptions are factored in. ¹²⁷ On the deliverables side, the list of implemented projects and key beneficiaries is long. However, the extent to which these interventions have generated a positive and sustainable effect is far from clear-cut. Zarembo highlights that, after the early strategic review of the EUAM Ukraine in 2016 and its effective 'relaunch', the mission demonstrated its ability to tailor itself to local needs and thus adjust its operations, creating an enabling environment for a better coordinated performance. ¹²⁸ In the mission's own assessment, its key success areas are chiefly those that have a long-term effect and stimulate a systemic shift, in particular: (1) public order, where the EUAM Ukraine has been promoting a European model, through concept development, training and equipment provision; (2) community policing, where reform efforts sought to facilitate transition from the inherited post-Soviet approach of 'protecting the state from its citizens' to a modern Western concept of 'protecting citizens from excessive state-sanctioned violence'; (3) input into concept and legislative development in civilian SSR, including the 2018 National Security Law and the Security Service reform draft law currently being deliberated; (4) attestation of some 11 000 public prosecutors. ¹²⁹

Over the past six years, 59 draft laws have been developed with the mission's assistance in strategic partnership with Ukraine's parliament, 27 key strategic documents were approved following EUAM Ukraine's advice, and 15 000 people from civil society and state agencies have been trained. ¹³⁰ A more detailed list of EUAM Ukraine's specific contributions to civilian SSR in Ukraine points to both country-wide and region-specific initiatives being implemented. ¹³¹ The EUAM Ukraine has played a key role in the SSU reform (initiated in 2019), as part of the International Advisory Group (IAG) that also includes EU and NATO delegations to Ukraine and the US Embassy in Ukraine. When it comes to Soviet legacy problems, the SSU is perhaps most affected as the agency has not undergone any significant reform since 1991; reform of this agency is one of the most important, and problematic, issues that the mission is involved in. ¹³² Reform of the Public Prosecution Service is the second most challenging area.

Despite these achievements in supporting Ukraine's civilian SSR, the EUAM Ukraine still faces a multitude of situational and operational challenges, most of which stem from the country-specific context. First and foremost, Ukraine's civilian security sector (CSS) is over-dimensional, over-intrusive and features many overlaps between the agencies concerned. Secondly, the post-Soviet legacy of the sector is a lasting challenge: the CSS's inherent hierarchy, dense bureaucracy and militarised nature blur the distinction between military and civilian CSSs, thus challenging the reform efforts. Thirdly, pervasive corruption also affects Ukraine's CSS and is further reinforced by the presence of oligarchic 'shadow control', vested interests and systemic interference in the work of law enforcement agencies. Ukraine's large territorial size is the fourth contextual factor impacting upon the mission's operation and task-specific performance. There has been rather limited reform in the Ukrainian CSS, which is a result of the persistence of legacy institutions and the gap between words and deeds, as well as broader contextual factors such as the

¹²⁷ Ivashchenko-Stadnik, K., Petrov, R., Rieker, P., & Russo, A. (2018) Implementation of the EU's crisis response in Ukraine. *EUNPACK Deliverable 6.3* (January)

¹²⁸ Zarembo, pp. 200-201.

¹²⁹ Interview EUAM 2021.

¹³⁰ EUAM Ukraine, Progress in Reform, https://www.euam-ukraine.eu/our-mission/progress-in-reform/

¹³¹ EUAM Ukraine, Progress in Reform, https://www.euam-ukraine.eu/our-mission/progress-in-reform/

Wesslau, F. (2021) Reforming Ukraine's security service/ Who is guarding the guardians? *Security and Human Rights Monitor*, 20.07.2021. Available at: https://www.shrmonitor.org/guarding-the-guardians-reforming-ukraines-security-service/

¹³³ Jayasundara-Smits, S. (2018) From revolution to reform and back: EU-Security sector reform in Ukraine, *European Security*, 27:4, 453-468.

ongoing conflict with Russia and Russia-sponsored 'separatist' formations, and systemic deficits in the EU's approach to the operation of civilian SSR missions. 134

One relevant measurable dimension of the mission's impact (which cannot be distilled from that of other international partners and domestic Ukrainian actors involved in civilian SSR, and thus needs to be taken with a grain of salt) is encompassed in the dynamics of Ukrainian societal trust vis-à-vis state institutions. One of EUAM Ukraine's objectives is to support the establishment of 'a civilian security sector that is efficient, accountable, and enjoys the trust of the public'. According to the most recent public opinion polls, Ukrainians place most trust in their army (68 %), volunteer organisations involved in conflict management (64 %), the church (63.5 %), State Emergency Service (61 %), local authorities (57 %), State Border Guard Service (55 %), National Guard of Ukraine (54 %) and volunteer battalions (53.5 %). Ukrainians are most distrustful of the parliament (75 %), the justice system in general (74 %), the Government of Ukraine (72 %), political parties (72 %), the public prosecutor's office (71 %), National Anti-Corruption Bureau (70 %), local courts (65 %), national police (53 %), and the SSU (50 %). Seven though these figures suggest some improvement in comparison to 2013, especially as regards the levels of trust in the police, 137 they also indicate that the CSS does not currently enjoy broad trust among Ukrainians.

As the mission's performance has been criticised for its 'low profile'¹³⁸ and weak public diplomacy efforts, measuring public perception of the EUAM Ukraine's activity is challenging, particularly as no such data exists. However, popular perceptions of the EU in general can cautiously be extrapolated to that of the EU Delegation in Ukraine and the EUAM. The 2020 EU Neighbours East Annual Survey Report indicates a broad acceptance of the EU's efforts by the Ukrainian public: 51 % maintain a positive view of the EU, 20 % of which have a very positive view and 31 % a fairly positive view.¹³⁹ Importantly, the share of those who have a fairly negative (6 %) or a very negative (6 %) view of the EU is marginal, with the substantial share of those who have a neutral view (35 %) suggesting a lack of awareness of the EU's activities in Ukraine. The mission's performance is positively assessed in the EEAS's own reports and as part of joint statements adopted by EU-Ukraine association bodies such as the Association Council and EU-Ukraine Summits.

In sum, despite the initial misperceptions and diverging expectations about the EUAM Ukraine, the mission's current performance seems to be meeting the host state's expectations and shows sufficient flexibility to adjust to novel developments and needs in civilian SSR in Ukraine. Contextual and situational factors represent the main constraints for the mission's operations. Operational constraints, including the lack of funding leverage and an explicit mandate to work along the frontline territories, play a role as well. While the mission's regional outreach has been greatly appreciated, the extension of the mandate to include work along the state border with Russia would help gain more support and trust from the local population, as well as greater visibility, given overall public and media attention to developments in the conflict-affected areas of Eastern Ukraine. For that task to be fulfilled, the EUAM Ukraine would also benefit from more staffing and an increased projects budget.

¹³⁴ Larsen (2021).

¹³⁵ EUAM Ukraine. Our priorities, https://www.euam-ukraine.eu/our-mission/our-priorities/

¹³⁶ Razumkov Centre (2021) Довіра до інститутів суспільства та політиків, електоральні орієнтації громадян України (липеньсерпень 2021р.), 10.08.2021. Available at: https://razumkov.org.ua/napriamky/sotsiologichni-doslidzhennia/dovira-do-instytutiv-suspilstva-ta-politykiv-elektoralni-oriientatsii-gromadian-ukrainy

¹³⁷ Pechenyuk, I.S. & Pechenyuk, S.I. (2021) Dinamika zmini reitingive derzhavnikh institutiv sektoru bezpeki ta oboroni Ukraini 2005-2021. *Nauka i oborona*, 2, 50-60.

¹³⁸ Litra et al., p. 40.

¹³⁹ EU Neighbours (2020), East Annual Survey Report: Ukraine, https://www.euneighbours.eu/en/east/stay-informed/publications/opinion-survey-2020-ukraine, p. 8-10.

4 The CSDP toolbox – Which role, and where?

Having evaluated the effectiveness of existing CSDP missions in the Eastern Neighbourhood, this section moves on to analyse the existing toolbox of CSDP instruments and emerging forms of interaction between the EU and third countries in security and defence matters, assessing the risks and potential for extending the EU's presence in the area.

4.1 Differentiated cooperation and integration in the EU's CFSP/CSDP area

Differentiated integration is prevalent across many areas of the EU's legal and political order, including CFSP and CSDP, prompting the observation that differentiation is 'in the DNA of European foreign policy.' 140 On the whole, incremental, informal differentiation has shaped cooperation dynamics between EU Member States and third countries in the CSFP domain – but largely outside the EU treaties. 141 Distinct regional, issue-area or ad hoc coalitions of EU Member States have been emerging as a response to the need for a more flexible, prompt, and informed EU external action (see Appendix 4). Recent examples include the Franco-German Normandy duo and the Franco-German-Polish Weimar trio that have both sought to help streamline EU efforts in managing the 2013/14 Ukraine crisis and the ongoing Russian-Ukrainian conflict in Eastern Ukraine. Acting not only as mediators for the parties directly involved in the conflict, but also as consensus-forging forces within the EU, these lead groups of EU Member States epitomise the strategic 'joined-up approach' or 'whole-of-EU approach': a structurally embedded, coordinated, coherent and consistent external action across all levels of EU governance, institutions and Member States.

The Permanent Structured Cooperation (PESCO) initiative, inaugurated in September 2017, embodies advancing differentiated integration within the EU in the field of defence and security: initially around 10 projects were proposed, reaching 47 enhanced cooperation projects among 25 EU Member States by mid-2021. PESCO is intended to develop a comprehensive defence package for the EU and boost structural integration of EU Member States within the CSDP, through the creation of the European Defence Fund (EDF) and European Peace Facility (EPF), initiation of a coordinated annual review on defence (CARD), as well as the operation of the Military Planning and Conduct Capability (MPCC). Howorth points out that in the CSDP domain 'differentiation has always been the norm, or the negative starting point – rather than a developing trend or a potential solution'. 143

4.2 The EU's eastern neighbours and external differentiated cooperation in the CFSP

While internal differentiation within the EU on foreign, security and defence matters remains largely a political problem, cooperation with third countries within the EU's CFSP/CSDP frameworks is also a legal challenge and there is an urgent need for the development of suitable legal and political frameworks for

¹⁴⁰ Grevi, G., Morillas, P., Soler i Lecha, E., & Zeiss, M. (2020) Differentiated Cooperation in European Foreign Policy: The Challenge of Coherence. *EU IDEA Policy Paper*, 5 (August).

¹⁴¹ Within CFSP there are few Treaty-based enhanced cooperation initiatives that entail a modality of formal (constitutional) differentiation. Part of the problem lies with the substantial procedural requirements for enhanced cooperation, as set out by Art 20 TEU, Arts 326-324 TFEU and Art 329 TFEU; the so-called 'flexibility clause, i.e. the option of constructive abstention, is of little use.

¹⁴² Permanent Structured Cooperation (PESCO) official website, https://pesco.europa.eu

¹⁴³ Howorth, J. (2019) Differentiation in security and defence policy. *Comparative European Politics*, 17(2), 261-277.

key issues in the realm of defence and regional security. 144 The Association Agreements concluded with three Eastern Partnership countries (EaP-3: Ukraine, Georgia and Moldova) provide these states with a stake in the EU system. Although this is a long way from fully fledged institutional integration, the associated EaP-3 are increasingly embedded within EU policy-shaping milieus through novel cooperation formats such as the EU-EaP ministerial meetings. 145 All of the EaP states (with the exception of Belarus) maintain political and security dialogue with the EU, although there is a significant difference in interest, commitment and the level of institutional embeddedness (see Appendix 5), with a clear dividing line between the EU-associated EaP countries (Georgia, Moldova and Ukraine) and the non-associated EaP countries (Armenia and Azerbaijan). In addition to general provisions on political dialogue and cooperation within the realm of CFSP and CSDP, the Association Agreements with the EaP3 and the EU-Armenia Comprehensive and Enhanced Partnership Agreement also include various modalities for cooperation on some security matters, such as counter-terrorism, nuclear proliferation or international criminal law (see Appendix 6). Ariel and Haftel argue that these agreements with the EU's immediate neighbourhood include 'more comprehensive security cooperation' than with other, more geographically distant partners, emphasising the EU's principal interest in security and stability at its borders. 146 There are also bilateral meetings that remain largely below the public radar, such as twice-yearly meetings between the political director of the Ministry for Foreign Affairs of Ukraine and the EEAS political director and the Political and Security Committee (PSC) chair 'to discuss Crimea and the Donbas'. 147 Ukraine's first deputy foreign minister holds annual consultations with the EEAS and the European Commission on issues related to Russia's occupation of Crimea, while Georgia maintains a 'regular security dialogue' with the EEAS Deputy Secretary General for Political Affairs and Deputy Secretary General for CSDP and Crisis Response on regional conflicts, cyber security and hybrid warfare, and Moldova has expressed an interest in similar regular dialogue. 148 To offset the lack of formal cooperation frameworks, some eastern partners have sought closer, semi-formal ties with EU Member States who share their security and defence-related concerns. In July 2020, the foreign ministers of Poland, Lithuania and Ukraine announced the establishment of the 'Lublin Triangle', a trilateral grouping seeking to pursue shared strategic interests (as well as cultural and economic goals). National and regional security is a priority of the Lublin Triangle, manifested in the three countries' practices of coordinating their foreign and security policies and their joint pursuit of Ukraine's integration into the Euro-Atlantic community. 149

4.3 External differentiated cooperation in the CSDP: Georgia, Moldova and Ukraine

Cooperation between the EU and third countries within CSDP is characterised by even looser institutional embeddedness, although more formalised links exist here to enable the participation of eastern partners in EU programmes and agencies (notably the European Defence Agency), allowing them to contribute to

¹⁴⁴ Wessel, R. A. (2021) The Participation of Members and Non-members in EU Foreign, Security and Defence Policy. In Douma, W., Eckes, C., Van Elsuwege, P., Kassoti, E., Ott, A. & and Wessel, R. (eds.), *The Evolving Nature of EU External Relations Law* (pp. 177-201) The Hague: TMC Asser Press.

¹⁴⁵ Tyushka, A. & Schumacher, T. (2022) Looking Backward: Deliverables and Drawbacks of the Eastern Partnership during 2009-2020. In A. Tyushka and T. Schumacher (eds.), *The European Union and Its Eastern Neighbourhood Whither 'Eastern Partnership'?* (pp. 241-264) London and New York: Routledge.

¹⁴⁶ Ariel, J., & Haftel, Y. Z. (2021) Mostly in its Backyard: Security Provisions in EU Economic Agreements. *JCMS: Journal of Common Market Studies*, https://doi.org/10.1111/jcms.13194, p. 8.

¹⁴⁷ Aydın-Düzgit, S., Bond, I. & and Scazzieri, L. (2021) EU foreign, security and defence policy co-operation with neighbours: Mapping diversity. *CER Policy Brief* (10 May), p. 7.

¹⁴⁸ Aydın-Düzgit et al., p. 7.

¹⁴⁹ Bornio, J. (2020) Lithuania, Poland and Ukraine Inaugurate 'Lublin Triangle'. *Eurasia Daily Monitor*, The Jamestown Foundation, 17:115 (5 August), https://jamestown.org/program/lithuania-poland-and-ukraine-inaugurate-lublin-triangle/

both civilian and military CSDP missions and host three operational civilian CSDP missions. Certain countries, notably Georgia and Ukraine, have expressed interest in 'enhanced cooperation' projects, but this remains largely a matter of future dynamics. The CSDP cooperative frameworks effectively extend only to the three associated EaP partners, with Armenia and Belarus, as part of the Russia-led Collective Security Treaty Organisation (CSTO), and Azerbaijan, as a non-aligned eastern neighbour of the EU, showing little interest. Since 2016, Ukraine has participated in the European Defence Agency (EDA) on the basis of a 2015 agreement, which covers cooperation on material standardisation, the single European Sky initiative, logistics and training. ¹⁵⁰ Georgia has expressed interest in pursuing a similar arrangement.

All three associated EaP countries contribute to the EU's CSDP missions within the Framework Participation Agreements (FPAs) they have signed with the EU.¹⁵¹ Ukraine has so far contributed to two civilian (EUPM Bosnia and Herzegovina; EUPOL Proxima FYROM) and one military (EUNAVFOR Atalanta) CSDP mission. Post-2014 Ukraine stopped actively deploying forces to military CSDP operations, but is currently working on a legal regulation issue to enable the deployment of its national personnel to EUFOR Althea, the EU-led military operation in Bosnia and Herzegovina.¹⁵² From 2015 to 2016, Moldova contributed to the EU's military mission in the Central African Republic (EUMAM RCA) and is currently contributing to two civilian CSDP missions (EUTM Mali and EUTM RCA). Within EUTM RCA, Georgia is the largest contributor (per capita), and has also contributed to EUTM Mali and EUAM Ukraine, as well as EUFOR RCA and EUMAM RCA. Georgia's participation in EUAM Ukraine is a first. Ukraine is the only EaP partner so far to have contributed to EU Battlegroups (BGs), joining the Greece-led EUBG (HELBROC) in 2011, 2014, 2016, 2018 and 2020, the Baltic EU BH in 2010, the Visegrád Battlegroup (V4 EUBG) in 2016, and the UK-led EU BG in 2016.

Beyond the EU CSDP framework, Ukraine also formed a multinational battlegroup with two EU Member States (Poland and Lithuania) in 2014, the so-called LitPolUkrBrig, against the backdrop of Russia's aggression in Ukraine and the EU's persistent unwillingness to respond to Ukraine's security concerns with military assistance. As the LitPolUkrBrig is open, in principle, to the participation of other states, both EU Member States and EaP partners can theoretically join – or form a parallel multinational brigade to address regional security threats. Finally, a potentially promising area for the future is presented by the possibility of third countries such as Ukraine, Georgia and Moldova participating in ongoing and future PESCO initiatives. This became a viable option in November 2020 when the Council of the EU adopted a decision that enables third-country participation in PESCO projects. ¹⁵³ The Council's decision states that a precondition for third-country participation in a PESCO project is the sharing of EU values and principles, as well as the requirement for participation to contribute to strengthening CSDP, whilst not undermining the security and defence interests of both the EU and its Member States. ¹⁵⁴ Ukraine and Georgia have already declared their interest in joining PESCO initiatives. Georgia intends to achieve this by 2026, while Ukraine has already launched consultations and defined its participation in PESCO projects as 'one of the priority ways to

¹⁵⁰ European Defence Agency (2015) Administrative Arrangement between the European Defence Agency and the Ministry of Defence of Ukraine. Brussels, 07.12.2015, https://eda.europa.eu/docs/default-source/documents/aa----eda----ukraine-mod-07-12-15.pdf

¹⁵¹ FPAs enable third-country participation in implementing EU CSDP missions, although participation in the launch of such missions, for instance, in the frameworks of the Civilian Committee, the EU Military Committee, the Politico-Military Group, the Civilian Planning and Conduct Capability, and the EU Military Staff, is problematic. Wessel, p. 196.

Ministry of Foreign Affairs Ukraine (2021) Ukraine-EU cooperation in the military-political, military and military-technical spheres.
 April, <a href="https://ukraine-eu.mfa.gov.ua/en/2633-relations/spivpracya-ukrayina-yes-u-sferi-zovnishnoyi-politiki-i-bezpeki/spiv-pracya-ukrayina-yes-u-ramkah-spilnoyi-politiki-bezpeki-i-oboroni

¹⁵³ Council Decision establishing the general conditions under which third States could exceptionally be invited to participate in individual PESCO projects, 15529/18, Brussels, 27 October 2020, https://data.consilium.europa.eu/doc/document/ST-15529-2018-INIT/en/pdf

¹⁵⁴ EEAS (n.d.), FAQs on third-state participation in PESCO, https://eeas.europa.eu/headquarters/headquarters-homepage/88179/questions-answers-third-states/-participation-pesco-projects_en

develop military-technical cooperation with the EU, and improve national defence capabilities in accordance with best practices and standards'. The October 2021 EU-Ukraine summit confirmed the country's resolve to join EU PESCO initiatives.

Potential projects of interest for the EaP-3 include cyber defence and security (Cyber Threats and Incident Response Information Sharing Platform (CTIRISP) and the Cyber Rapid Response Teams (CRRT)), joint operation-enabling projects (Military Mobility (MM) and EU Collaborative Warfare Capabilities (ECOWAR)), land force formations (Integrated Unmanned Ground System – UGS) or mission training facilities (such as the EU Training Mission Competence Centre (EU TMCC), the Joint EU Intelligence School (JEIS) and the Integrated European Joint Training and Simulation Centre (EUROSIM)).

4.4 The EaP and an (Eastern) European security compact?

The focus of EU activity in the EaP area has been on support for economic and political reform, rather than security. However, without tackling the enduring and emerging security challenges emanating from the EaP protracted conflicts, fundamental reform in these areas will remain difficult. The EU's apparent lack of an intra-EU agreement and will to deal with the security needs of EaP countries – and thus to assume a clear strategic posture and role in the region – has undermined the functioning of both the EaP and regional stability. It is clear that the EU needs to take more assertive action on the international stage if it is to make the leap from rhetoric to reality as a global security actor with strategic autonomy. In particular, it needs to be able to take action to stabilise its neighbourhoods where the nexus between internal and external security is prominent. The turmoil in Belarus since the August 2020 presidential elections and Lukashenka's apparent 'weaponisation' of migrant flows across the Belarusian borders with Poland and Lithuania prove that 'authoritarian stability' is a myth. ¹⁵⁶ The EU's fragmented, reactive and self-restrained approach to dealing with regional security challenges further consolidates existing institutional compartmentalisation, ¹⁵⁷ with 'soft' security challenges being co-managed along with other international organisations (such as the OSCE, IMF, UN) and hard security issues persistently outsourced to individual EU Member States or NATO.

Despite substantial political and financial investment in the EaP region, which surpasses that of the US, the EU remains largely marginalised as a strategic actor in its own neighbourhood. To achieve greater stability and security in its Eastern Neighbourhood, the EU needs to step up its security commitments vis-à-vis EaP countries and help them become more capable and responsible managers of their own and shared security. To achieve this, Gressel and Popescu have proposed the establishment of 'security compacts' between the EU and EaP partners. This would enable the development of structured bilateral security relations with individual EaP states, covering, for example, intelligence-sharing and counter-intelligence, assistance with security sector reform and greater military links. Such measures, packaged as European security compacts (ESC), would comprise a web of bilateral and multilateral security partnerships between the EU and EaP countries, drawing them closer to CFSP/CSDP frameworks. Gressel has also advanced the

¹⁵⁵ Ministry of Foreign Affairs Ukraine (2021) *Ukraine-EU cooperation in the military-political, military and military-technical spheres.*15 April, https://ukraine-eu.mfa.gov.ua/en/2633-relations/spivpracya-ukrayina-yes-u-sferi-zovnishnoyi-politiki-i-bezpeki/spiv-pracya-ukrayina-yes-u-ramkah-spilnoyi-politiki-bezpeki-i-oboroni

¹⁵⁶ European Parliament (2021) The situation in Belarus after one year of protests and their violent repression, Resolution 2021/2881(RSP), text adopted 7.10.21, https://www.europarl.europa.eu/doceo/document/TA-9-2021-0420 EN.html

¹⁵⁷ Gressel, G. (2020) Promoting European strategic sovereignty in the Eastern Neighbourhood. *ECFR Policy Brief*, 1 December, p. 10. ¹⁵⁸ Gressel, G. & Popescu, N. (2020) <u>The best defence: why the EU should forge security compacts with its Eastern neighbours</u> *European Council on Foreign Relations*, Policy Brief, November, p. 3.

¹⁵⁹ Security Compacts are defined as overarching security cooperation arrangements with third countries that are 'based on common security needs and shared responsibilities, and include specific objectives and timelines'. Tardy, T. (2018) Revisiting the EU's security partnerships. *EUISS Issue Brief*, January, p. 4.

idea of implementing a 'European security compact' as a novel PESCO initiative or as a European Commission SGUA-type format of cooperation that 'would coordinate support for defence and intelligence reform projects, provide access to EU funds for such projects, liaise with Eastern Partnership states on the assistance they require, and evaluate the progress they made'. ¹⁶⁰ In its extended version, an ESC might 'also cover joint planning, command post exercises, and war-gaming – involving comprehensive crisis response mechanisms – to test, evaluate, and refine its concepts and structures'. ¹⁶¹ Forging a security compact of this kind would require a re-evaluation of the EU's approach to its EaP partners, including the elevation of its bilateral relations with the associated EaP-3 to strategic partnerships. Within the EaP policy framework, none of the six EaP countries enjoys the status of 'equal' partner of the EU.

A security compact would seek to align the EU's funds and institutions with the capabilities of those EU Member States that show a keen interest in boosting security cooperation in Eastern Europe. There is a clear divergence between the attitudes of different Member States to closer security and defence cooperation/partnership with individual EaP states. France and Germany have historically sought to avoid policies that might antagonise Russia; they have been supportive of economic and political cooperation with EaP countries, as long as their own national interests are not impacted, whilst expressing doubts about further integration. By contrast, the Baltic states and Poland have traditionally been more supportive of closer ties with partners in the Eastern Neighbourhood, driven by a shared history, common threat perceptions (including a negative view of Russian intentions) and a focus on prioritising security. Poland, together with Sweden, instigated the EaP initiative, and has continued to lobby for further integration of eastern partners, supported by the Baltic states. 163

4.5 Forward-thinking cooperative security arrangements with the EU's eastern neighbours

In addition to the aforementioned lines of effort in stepping up EU-EaP foreign and security cooperation, it appears both feasible and reasonable for the EU to expand its toolkit in the CSDP domain to allow for more cooperation – and integration – with select EaP countries, particularly the associated EaP-3. Possible mechanisms of external differentiated cooperation and integration with third countries under the EU's CSDP might cover (a) the deployment of new-generation military CSDP missions; (b) military education and scientific cooperation schemes; (c) joint efforts in countering hybrid threats and terrorism; (d) cyber security and defence cooperation; and (e) defence-industrial cooperation.

4.5.1 New-generation military CSDP missions and the EPF

In July 2021 Ukraine started consultations with the EU about the possibility of establishing an EU Military Advisory and Training Mission (EUATM Ukraine). Already supported by several EU Member States, including Latvia, Lithuania, Estonia, Poland, Romania and Slovakia, along with Sweden and Finland, EUATM Ukraine is intended to fill the gaps in hard security build-up not covered by the existing EUAM Ukraine. Rather than extending the mandate of EUAM Ukraine, the proposed mission envisions the launch of a new-generation military CSDP mission in the Eastern Neighbourhood that would initiate the EPF. The EU's High

¹⁶⁰ Gressel, p.23.

¹⁶¹ Gressel. p.23

¹⁶² France: Eastern Partnership Doesn't Mean EU Membership (rferl.org); Gustav Gressel, Germany and the Eastern Partnership: the view from Berlin, ECFR Riga Series, http://www.ecfr.eu/page/-/Riga Series EU Capitals.pdf. Their positions reflect their wider foreign policy positions: Germany is inclined to view itself as a civilian and moral power, whilst Paris has tended to favour dialogue with Moscow. France wants EU to resume dialogue with Russia for stability | Reuters

¹⁶³ Ministry of Foreign Affairs of the Republic of Poland (2017) <u>Foreign Minister on providing Eastern partners with prospects for EU membership</u> 20 October

¹⁶⁴ Schiltz, C. B. (2021) EU erwägt militärische Mission in der Ukraine. WELT, 03.10.2021, https://www.welt.de/politik/aus-land/plus234161192/Spannungen-mit-Russland-EU-erwaegt-militaerische-Mission-in-der-Ukraine.html

Representative/Vice-President Borrell believes that the EPF is a real game-changer that 'will allow us to move beyond training the armed forces of [the EU's] partners, to also equip them'. Under its two pillars (Peace Support Operations and Assistance Measures), the EPF, operational since mid-2021, is meant to enhance the EU's provision of military training, equipment and infrastructure as part of its capacity-building support to EU partners. He Hagström Frisell and Sjökvist explain that the intention is 'to meet longstanding shortcomings in ongoing EU training missions (EUTMs), where the armed forces being trained often lack basic equipment, such as uniforms, weapons and ammunition, as well as to make the EU a more robust and credible security actor'. He launch of a new-generation CSDP mission in the EU's Eastern Neighbourhood would serve as a double test, testing the readiness of Member States to support EPF goals in practice, whilst also testing the EU's readiness to step up its strategic involvement in regional security and defence matters.

4.5.2 Military education and science

Professional military education (PME) systems in the associated EaP-3 and the EU significantly differ, with the former still being trapped in the post-Soviet legacy of bureaucratised military education that has underperformed in equipping officers with knowledge of current advances in strategic studies, critical analysis, foresight and military science, or foreign-language skills. The associated EaP-3 would benefit from military mobility programmes with EU Member States or multilateral initiatives – the so-called 'military Erasmus plus' – akin to the intra-EU EMILYO military Erasmus scheme operating since 2009. ¹⁶⁸ Personnel from EaP countries currently benefit from the military mobility scheme offered by the Baltic Defence College (Baltdefcol) and similar mobility schemes, along with wider scientific cooperation, could be offered within the European Security and Defence College (ESDC) framework. Currently only members of the EU's civilian CSDP missions operating in Moldova, Georgia and Ukraine are offered the opportunity to study at the ESDC.

4.5.3 Countering hybrid threats and terrorism

In addition to Russia's hybrid influencing measures and the more 'classical' sponsoring of separatist conflicts across the EaP area, new sources of hybrid threats continue to emerge, including Lukashenka's subversive politics and weaponisation of migrant flows, threatening stability across Europe (as set out in Section 2). EaP countries, like Ukraine or Georgia, could join the European Centre of Excellence for Countering Hybrid Threats (Hybrid COE), as they joined the NATO Energy Security Centre of Excellence (ENSEC COE) in 2014 (Georgia) and 2021 (Ukraine). To strengthen EU-EaP cooperation in countering hybrid threats (including cyber) and terrorism, a permanent representation of the EaP countries (or, given the current circumstances, the associated EaP-3) in the EEAS-based EU Intelligence and Situation Centre (EU INTCEN), the EU Military Staff's Intelligence Directorate (EUMS INT) and/or the EU Agency for Cybersecurity (ENISA) could be considered. Intelligence-sharing on hybrid threats and terrorism is crucial for both EaP and EU countries, thus presenting an area of mutual interest. To

Borrell, J. (2021) Moving forward on European defence. *European External Action Service – HR/VP Blog,* 28.02.2021, https://eeas.europa.eu/delegations/eritrea/93928/moving-forward-european-defence en

¹⁶⁶ European Commission (n.d.). European Peace Facility, https://ec.europa.eu/fpi/what-we-do/european-peace-facility_en

¹⁶⁷ Hagström Frisell, E. & Sjökvist, E. (2021) To Train and Equip Partner Nations – Implications of the European Peace Facility. *FOI Memo*, 7468, February.

¹⁶⁸ Koziy, I. & Tarasiuk, T. (2021) Військовий Еразмус': як ЄС може посилити українську армію. http://www.ieac.org.ua/news/item/108-viiskovyi-erazmus-iak-yes-mozhe-posylyty-ukrainsku-armiiu

¹⁶⁹ In August 2021, Ukraine also filed an application to join the NATO Cooperative Cyber Defence Centre of Excellence (CCDCOE).

¹⁷⁰ Gressel & Popescu, p. 12-13.

4.5.4 Cyber security and defence cooperation

Even though cyber is usually included in the hybrid threats portfolio, the rising salience of cyberspace for national security (including critical infrastructure protection) warrants it becoming a dedicated track of cooperation between the EU and EaP countries. As discussed previously, both Georgia and Ukraine have been targeted by state-sponsored cyberattacks on critical energy infrastructure, the banking sector and public service domain. With the associated EaP-3 countries now pursuing transition to e-governance (also as part of the EaP's multilateral effort), this digital transition needs to be safeguarded from malign activities. The EU already funds two flagship cyber capacity-building initiatives in the region – CyberEast and EU4-Digital (each covering all six EaP countries) – and Ukraine has a track record of working with the Computer Emergency Response Team for the EU institutions, bodies and agencies (CERT-EU). Gressel argues that cyber security and cyber sovereignty belong to those areas of EU-EaP cooperation where the EU needs to take action, 171 including the establishment of legal and administrative structures to certify software and hardware, institutions to rapidly coordinate national CERT teams through an EU-wide super CERT, and cyber forensic and investigative bodies across Europe. Enhanced cooperation could also include the possibility of EaP countries joining the Czech-led Electronic Warfare Capability and Interoperability Programme for Future Joint Intelligence, Surveillance and Reconnaissance (JISR) under the 'PESCO+' framework or the ENISA-based CSIRTs (Computer Security Incident Response Teams) network.

4.5.5 Defence-industrial cooperation

Unlike other potential areas of future EU-EaP security cooperation, defence-industrial cooperation is firmly grounded in the 'PESCO+' modalities, an extension of PESCO projects to include EaP countries. Importantly, priority areas might include both the areas in which EaP countries (especially Ukraine) possess industrial capabilities, as well as those they will seek to build their capabilities in. For Ukraine, these are particularly air force and airspace-related PESCO capability building projects, such as the C-UAS (Counter Unmanned Aerial System), MALE PRAS/Eudrone (European Medium Altitude Long Endurance Remotely Piloted Aircraft Systems). Cooperation with the EU Agency for the Space Programme (EUSPA) and access to the Global Navigation Satellite System (GNSS) presents yet another potent area of security cooperation. Given the rising salience of maritime security for littoral EaP countries, not least in the wake of Russia's brinkmanship in the Black and Azov seas since 2018, ¹⁷² joining maritime PESCO initiatives might be a prospective undertaking, in particular as regards the HARMSPRO (Harbour and Maritime Surveillance and Protection), MAS MCM (Maritime (semi) Autonomous Systems for Mine Countermeasures), DIVEPACK (Deployable Modular Underwater Intervention Capability), UMS (Upgrade of Maritime Surveillance) and/or EPC (European Patrol Corvette) projects.

5 Conclusions and recommendations

Enduring security challenges linked to the EaP protracted conflicts, including organised crime, endemic corruption, political instability and weak state institutions, have long plagued the EU's Eastern Neighbourhood, undermining its economic development and stability. Strong spillover and contagion effects have made these challenges truly 'intermestic' (i.e., of international and domestic concern at the same time). In addition, over the past decade an array of emerging security challenges has been affecting both EaP countries and the EU. These shared threats – from disinformation to narrative warfare, populism, illiberalism and Euroscepticism, cyber and hybrid threats – provide an opportunity for enhanced security cooperation, which has long been sought by the EaP countries (and for an equally long time avoided by the EU).

¹⁷¹ Gressel, p.14.

¹⁷² Shelest, H. (2021) The Maritime Dimension of the Russian-Ukrainian War. PRISM UA Policy Brief. July.

The EU needs to develop a truly integrated approach that takes account of the interconnected nature of the threat landscape; enduring support for democratisation and economic development are vital for stabilising the EaP states in the short to medium-term, but in the long-term, resolution of the protracted conflicts is essential. Non-military security threats are highly complex and require long-term, often multilateral approaches. The presence of weak or unstable states in the EU's Eastern Neighbourhood poses a threat to the stability of Member States. Protracted conflicts, along with overlapping crises (such as events in Belarus) and negative developments (democratic backsliding, populist authoritarianism and geopolitical rivalry) make European involvement more critical. It is clear that CSDP missions such as the EUMM Georgia and EUBAM Ukraine make a significant difference in alleviating some of the impact of protracted conflicts on EaP countries, particularly in terms of human security (which should not be underestimated) and stabilisation. However, there remains more that the EU could do in terms of conflict resolution. The role of EUSRs could be expanded, both in terms of regional coverage and participation in conflict resolution negotiations. This could be complemented by enhanced support for civil society organisations to prepare populations for the implications of resolution, rather than enduring conflict.

The EU needs to use its considerable influence to play a more active role in the search for a negotiated settlement to protracted conflicts, rather than waiting for other actors to negotiate a solution. Current EU involvement in conflict resolution in its Eastern Neighbourhood is limited. If the organisation is truly committed to boosting stability in the EaP area, then it must take more substantive action. There have been numerous well-meaning statements and reports, but very little has actually been achieved and the organisation urgently needs to make the move from rhetoric to reality. The role of the single EUSR active in the EaP area (and consequently that of the EU) is undermined by the fact that he has no active presence at any of the negotiating mechanisms for the Donbas and Nagorno-Karabakh conflicts. The EU's institutional absence from the Russia-Ukraine conflict settlement, where Germany and France fulfil the role of EU 'lead groups', undermines its ability to directly confront the inherent destabilising (f)actor in the region – Putin's Russia. The sidelining of the EU from the formal Ukraine crisis/conflict settlement process reflects not only the underperformance of the preceding Geneva format (where the EU's HR/VP, the US, Ukraine and Russia were involved) but also Russia's increased pressure and strategic interest in dealing with European powers rather than the EU proper. The EU's hesitance to send a military training mission to Ukraine following the outbreak of conflict in Donbas and the abolition of the EUSR for Moldova are a clear demonstration of the EU's long-practised 'self-restraint' and lack of will to deal with hard security issues, 'outsourcing' this task to other states (the US) and international organisations. Without a voice or visibility in key conflict settlement fora, the EU risks remaining a mere financial donor, as opposed to the strategically autonomous actor that it aspires to be on the international stage. Thus, there is a need for greater EU engagement on security issues in the EaP area to tackle the so-called security deficit in the region and encourage stability and continued adherence to political and economic reforms. The EU's added value in comparison to other actors is the wide range of instruments that it can mobilise to tackle multi-dimensional, complex threats. The EU and EaP countries should consider developing bilateral and multilateral security partnerships, as part of the EU's CSDP partnerships scheme or more tailored and integration-oriented security and defence partnerships under the EU's AAs with three EaP countries (Georgia, Moldova and Ukraine).

Extending the EU's presence in its Eastern Neighbourhood

The quest for European strategic sovereignty and a geopolitical role starts in Eastern Europe, its immediate neighbourhood. The extension of the EU's presence in the EaP region should become an essential part of the EU's external action and grand strategy making. Becoming a strategic geopolitical actor in the region would inevitably lead to increased contestation and rivalry with other regional and great powers that pursue their own – competing – interests in Eastern Europe. Moscow has vital national interests across the EU's Eastern Neighbourhood and is focused on safeguarding its own national security and strategic interests, including its regional hegemony. Thus, it is primarily focused on geopolitics. By contrast, the EU has struggled to articulate a clear strategic vision for the region, focusing primarily on its normative, rather

than material or physical, power. The EU needs to capitalise upon its value-driven leadership in order to position itself clearly vis-à-vis other great powers in the region; becoming indispensable in this sense may help the EU gain greater influence and relevance in the EaP region. The EU should capitalise on all available power and influence resources: without compartmentalising its soft, normative and hard power bases, the EU should develop a holistic approach to the use of power, without hesitating to resort to its hard power potential. It should also cease practicing excessive self-restraint as regards its engagement in crises and conflicts in the neighbourhood: both the EU citizens' mandate and the generally positive perception of the EU among the EaP countries' citizens provide the EU with the necessary legitimation basis to pursue a more proactive approach to managing conflicts and crises that create risks for both the EU's neighbours' state and societal resilience, that of the EU, as well as for stability and security in the region at large. In addition to soft and normative influence capabilities, the use of hard power capabilities shall enable the EU to become a holistic security provider in the region.

The EU needs to redouble its commitment to stability and democracy in countries in the EaP region, as well as its involvement in the search for acceptable solutions to the protracted conflicts. In addition to providing financial assistance for rehabilitation and confidence building, the EEAS should promote the negotiation process and advocate the necessity of compromise and consensus.

To this end, we would recommend in particular that:

The Council could consider forging bilateral and mini-lateral (with associated EaP-3 countries only) CSDP partnerships on fighting disinformation, cyber and hybrid threats, as well as illegal and irregular migration.

The Council could consider extending the practical use of Qualified Majority Voting (QMV), acting upon the European Council's decision and on the basis of the future strategic compass, at least on certain joint actions under CSDP (such as the imposition of restrictive measures) in order to make the EU's response to crises, conflicts and destabilising situations faster and more effective.

The High Representative/Vice-President could explore ways to better use the potential of the EU treaties that enable both formal enhanced cooperation mechanisms for CFSP/CSDP as well as less formalised differentiated undertakings of coalitions of the 'willing and able' EU Member States. Bearing in mind that the CFSP/CSDP presents a union competence but also, primarily, is a policy driven by the EU Member States, a more frequent resorting to a 'joined-up approach' is not only the 'natural' way in implementing the CSDP but also a promising way to extend the EU's presence in the highly contested Eastern Neighbourhood, where some EU Member States might block a joint action by pursuing other than vital national security interests.

The High Representative/Vice-President could make more frequent use of the EU Treaty norms (Art 42(5) and Art 44 TEU) to commission a group of EU Member States to fulfil a task on behalf of the EU (such as the recent three EU foreign ministers to the South Caucasus), and/or to coordinate the use of EU Member State 'lead groups' (such as the Franco-German Normandy Duo in Ukraine conflict negotiations, the E3 on Iran, or the Western Balkans Quint) in the spirit of a joined-up approach. Additionally, the High Representative/ Vice-President could work more closely with EU Member States to ensure their observance of the principles of sincere cooperation and loyalty in such instances of CFSP/CSDP differentiation, to enable broad acceptance and legitimacy of European foreign policy outcomes pursued this way.

The High Representative/Vice-President could consider proposing specific 'PESCO+' initiatives with associated EaP-3, or identify the current PESCO projects that would be most beneficial as instances of an EU-EaP-3 enhanced cooperation on defence and security (see Section 4.5).

The European Commission could develop mechanisms to better monitor the implementation of sanction regimes in order to keep up-to-date and effective and resilient to paralegal practices (lawfare) on the side of those targeted by sanctions as well as to ensure that no EU Member States allow their business and political entities to bypass the established sanction regimes.

The European Commission could also develop initiatives for closer cooperation between the EU and EaP countries, especially the associated EaP-3. This would not only be in line with the EU Treaties mandate to engage more prominently in the EU's neighbourhood (Art. 8 TEU), but would also advance the aims of the 2016 EUGS and the stipulations on CFSP/CSDP cooperation contained in respective Association Agreements with EaP-3 (Georgia, Moldova and Ukraine).

The European Parliament could consider addressing the High Representative/Vice-President and the Council with the initiative to assess the prospects of specific 'PESCO+' initiatives (especially, as regards cooperation on intelligence-sharing, cyber defence and resilience, hybrid threats and disinformation, but also capability building and training).

The European Parliament could also consider adopting a resolution confirming the associated EaP-3's membership perspective, which should clearly communicate the EU's strategic intent and commitment to the region (which, in turn, is crucial in the context of growing geo-political and geo-economic competition).

The European Parliament could consider adopting a resolution proposing the fifth package of sanctions against the Lukashenka regime, at the same time expressing support for the people of Belarus as well as calling for increased engagement with, and support of, organised civil society both within Belarus and outside the country. This resolution could potentially contain calls for a more resolute international action on the domestic repression and human rights violations by the current Belarusian regime (Svetlana Tsikhanouskaya's office is systematically collecting information on these illegal actions committed by the Minsk regime that can be used as evidence in a legal process).

The European Parliament could also consider closely monitoring the Council's work with the CSDP partners (primarily, the associated EaP-3) and ensure that the partners' positions and propositions are better accounted for in the Council's CSDP implementing actions.

The EEAS could further expand the mandate of the EUSR and take concrete steps towards enhancing the conflict prevention aspect of its presence in the region. EUSRs are able to maintain a permanent political dialogue between parties and their participation in all negotiation processes (outside of EU-led formats) would signal that the EU intends to play a far more active role in conflict resolution. The role of the EUSR, and consequently that of the EU, is undermined by the fact that they have no active presence at several of the negotiating mechanisms for the EaP protracted conflicts. The role of EUSRs should be expanded, both in terms of regional coverage and participation in conflict resolution negotiations.

The EEAS could also capitalise on the success of 'Team Europe' actions to mitigate the effects of the COVID-19 pandemic, and drive forward the EU's brand and policy of 'humanitarian leadership' in the region, which would aim to help transform the protracted conflicts and promote the EU's distinct role and value-driven mission in the region, thus singling it out from among other competitors (such as Russia or China).

The EEAS could also make better use of the 'Crisis Platform', thus facilitating the implementation of the integrated approach in its work with respective Commission and Council services.

Civilian and military CSDP missions

The analysis of the three EU missions in the EaP area confirms that, as with other civilian CSDP missions, they are good at promoting the EU's role as an international and security actor, and less so at driving sustainable reform. While modest reform, driven by EUBAM, EUAM and, to a lesser extent, EUMM, is evident, the missions struggle to defy the gravity of contextual and systemic factors. Obviously, the tensions and uncertainties stemming from protracted conflicts are not conducive to reaching a sustainable impact across the mandated missions' deployment areas. Comparative lesson-drawing is tricky as the three missions tackle a distinct set of issues in distinct operational contexts. Some recommendations for improvements in staffing, financial resources (particularly allocation) and benchmark-based performance are provided in Section 3.

In order to better exploit the potential of the Civilian CSDP Compact, as well as that of the EPF and the EDF, the following is recommended:

The PSC and the Council could consider involving some EaP partners in the early stage of CSDP mission/operations planning, especially those missions/operations that the EaP partners host or will be hosting.

The PSC and the Council could consider giving a more prominent role to EaP countries (effectively the associated EaP-3) in the early stage of operation planning (but not decision-making) in those CSDP operations where EaP countries (like Georgia) contribute significantly.

The Council could consider launching civilian SSR missions in Moldova and Georgia, similar to that already operating in Ukraine (EUAM) in line with the EU's 2018 Civilian CSDP Compact endeavours, in response to the ongoing challenges these countries are facing vis-à-vis security sector reform and the signs of backsliding on those reforms already undertaken.

The Council should also consider extending the EUAM Ukraine's mandate to include a military SSR component and an explicit mandate to operate in the frontline regions. It could also increase the mission's personnel and project-related budget. Should the launch of a currently discussed advisory and military training mission (EUATM) prove to be implausible (due to a lack of agreement among EU Member States), the inclusion of a military SSR component in the EUAM would be even more urgent.

Additionally, the Council should consider approving Ukraine's request for an advisory and training mission (EUATM) that should help fill the gap in military SSR support and boost Ukraine's own defence capabilities, thus advancing the EU's own goals under the CSDP partnerships policy, as well as its ambitions under the EPF and the EDF.

External differentiated cooperation under EU CFSP/CSDP

It is important to acknowledge that EU-EaP cooperation cannot advance in the 'all in' format – some EaP countries will be unwilling/able to embark on it. Thus, aware of the limits (and repercussions) of such a decision, the EU does not have to make a 'standard' offer to all of the EaP-6 – making a strategic decision to advance security and defence cooperation with the associated EaP-3 alone is both legitimate and more feasible. In order to enhance security and defence cooperation among the EU and EaP countries, we recommend in particular that:

The EEAS gives greater prominence and visibility to the EU-EaP-3 joint institutional frameworks established under the EU's AAs with Georgia, Moldova and Ukraine; whereas not allowing a stake in the EU's institutional system, these joint bodies could more visibly operate as part of the EU's 'associative institutionalism'. Decisions, which are legally binding for both parties, should be better communicated within the EU and EaP, thus helping offset asymmetries in bilateral relationships as well as to promote joint decision-making, joint ownership and joint responsibility.

The Council and the PSC could consider giving concrete meaning to the stipulations on cooperation on EU CFSP/CSDP as contained in the respective AAs with Georgia, Moldova and Ukraine, initiating new cooperation platforms and opening new areas of partnership (in the spirit of 'evolving' and 'ever-closer' cooperation that is sought within the AA framework).

The EEAS could consider evaluating the feasibility of hosting a joint secretariat or 'mission' of the associated EaP-3 with the EU, which could act as a hub for strategic communications, project implementation oversight and enhanced structural embeddedness of the EaP-3 with the EU. This, in turn, should help advance the EaP-3's alignment with the CFSP, the EU-EaP-3 CSDP partnerships, generating positive synergies.

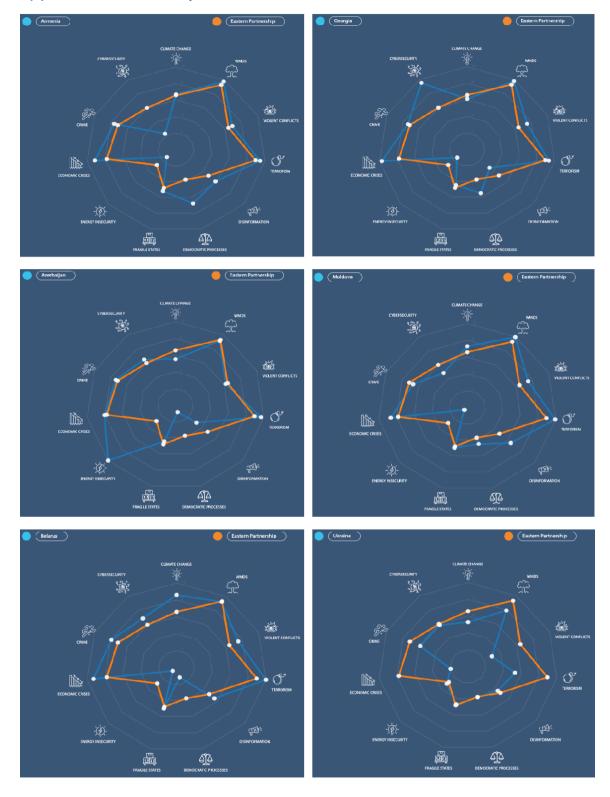
The EEAS and the Council could consider regularising EU-EaP-3 contact and consultation (such as EU-EaP-3 foreign and defence ministerial meetings) and extend the formant to include new interaction levels (e.g. intelligence units).

The EPF could be used to increase the capacity of EaP partners, particularly Georgia, Moldova and Ukraine.

The PSC could explore the ways in which third countries (like the associated EaP-3) could practically join existing PESCO projects or forge new ones with EU Member States (under the so-called 'PESCO+' scheme). It could also explore the associated EaP-3's needs in capability building and security and initiate training initiatives under the EPF and the EDF frameworks.

6 Appendices

Appendix 1: Normandy Peace Index 2021: the EaP6 in focus¹⁷³



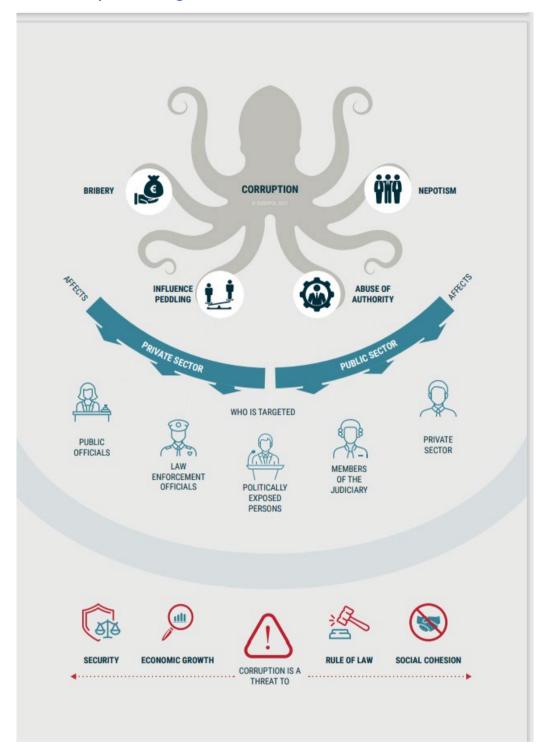
¹⁷³ European Parliament (2021) The Normandy Peace Index 2021 (interactive), https://www.europarl.europa.eu/thinktank/infographics/peaceandsecurity/index.html#/normandy-index

Appendix 1 *(continued)*: Normandy Peace Index 2021: the EU27 and the EaP6 in focus¹⁷⁴



¹⁷⁴ European Parliament (2021) The Normandy Peace Index 2021 (interactive), https://www.europarl.europa.eu/thinktank/infographics/peaceandsecurity/index.html#/normandy-index

Appendix 2: The 'Hydra' of organised crime in the EU¹⁷⁵



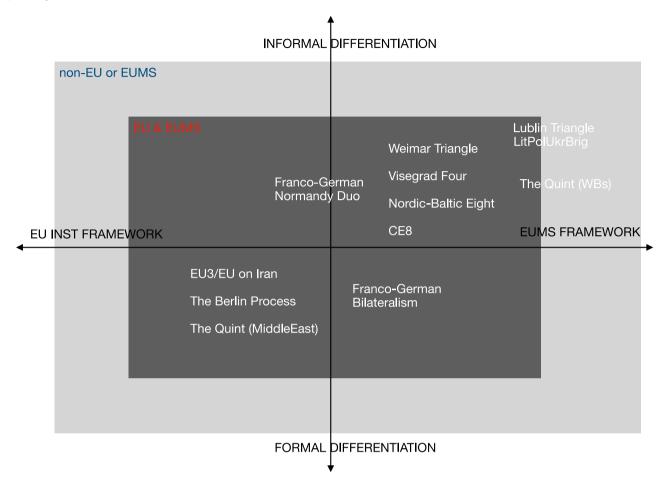
¹⁷⁵ Europol (2021) EU Serious and Organised Crime Threat Assessment (SOCTA) 2021, European Union serious and organised crime threat assessment | Europol (europa.eu), p. 27.

Appendix 3: Overview of relevant EU policy documents relating to the comprehensive/integrated approach to crisis/conflict management 176

Date	Title	Document type
6/3/1996	The European Union and the Issue of Conflicts in Africa: Peace-building, Conflict Prevention and Beyond	European Commission Communication (EC 1996)
11/4/2001	Communication of the Commission on Conflict Prevention	European Commission Communication (EC 2001)
8/12/2003	European Security Strategy (ESS)	Strategic Document (Council of European Union 2003)
11/12/2013	The EU's comprehensive approach to external conflicts and crises	Joint Communication (EC and HRVP 2013)
12/5/2014	Council conclusions on the EU's comprehensive approach	Council of the European Union Conclusions (Council of the European Union 2014)
10/4/2015	Taking forward the EU's Comprehensive Approach to external conflicts and crises – Action Plan 2015	Joint Staff Working Document (Council of the European Union 2015)
2/6/2016	EU Global Strategy	Strategic Document (EEAS 2016)
19/7/2016	Taking forward the EU's Comprehensive Approach to external conflicts and crises – Action Plan 2016/2017	Joint Staff Working Document (Council of the European Union 2016a)
19/7/2016	Progress Report on the implementation of the EU's Comprehensive Approach to external conflicts and crises – Action Plan 2015	Joint Staff Working Document (Council of the European Union 2016b)
7/6/2017	A Strategic Approach to Resilience in the EU's External Action	Joint Communication (EC and HRVP 2017)
14/6/2017	The EU Integrated Approach to external conflicts and crises	EEAS/Commission services Issues Paper for PSC (EEAS and EC 2017a)
8/12/2017	Parameters for a concept on Stabilisation as part of the EU Integrated Approach to external conflicts and crises	EEAS/Commission services Issues Paper (EEAS and EC 2017b)
22/1/2018	Council Conclusions on the Integrated Approach to External Conflicts and Crises	Council of the European Union Conclusions (Council of the European Union 2018a)

¹⁷⁶ Debuysere, L. & Blockmans. S (2019) Europe's Coherence Gap in External Crisis and Conflict Management: The EU's Integrated Approach between Political Rhetoric and Institutional Practice. Gütersloh: Bertelsmann Stiftung, p.14.

Appendix 4: Formal and informal differentiation in European foreign and security policy¹⁷⁷



¹⁷⁷ Tyushka, A. (2021) Joint Responsibility, Joined-Up Approach and Embedded Differentiation in EU CSFP: The 'Lead Groups' of EU Member States and the EU's Crisis/Conflict Management in Ukraine. Paper presented at the EUI Workshop 'Differentiation in EU's Foreign and Security Policy', Florence, 21-22 October 2021.

Appendix 5: Interlocking dimensions of EU-eastern neighbours relations (2009-2020)¹⁷⁸

EU-Eastern neighbours: interlocking dimensions	Ukraine	Moldova	Georgia	Armenia	Azerbaijan	Belarus
EaP policyframework Multilateral track Bilateral track	>>	> >	>>	>>	\ 3) ×
Legal and pointical framework Multilateral Bilateral	EaP Joint Declarations (2009, 2011, 2013, 2015, 2017) AA/DCFTA (2017) ^b		AA/DCFTA (2016) ^c AA/DCFTA (2016) ^d CEPA (2021) ^e	CEPA (2021) ^e	EU-AZ CP ^f	×
Jonn-institutional framework Multilateral Mini-lateral Bilderal	EaP Biannual Summits: Euronest Parliamentary Assembly; ⁸ EaP Civil Society Forum; EaP Multilateral Platforms Inter-Parliamentary Assembly (2018); Association Trio (2021) Association bodies Association bodies X X	onest Parliamentary Assoly (2018); Association 7 Association bodies	embly; ⁸ EaP Civil Socie Tio (2021) Association bodies	ty Forum; EaP Mult * *	ilateral Platforms * *	**
Free trade Free movement of goods	(🗸) gradual	`	`	*	×	×
(manstrial & agricultural) EU competition policy	`	`	`	S	(¿)	*
ty regimes on &	✓ (2014)	✓ (2011)	✓ (2011)	✓ (2014)	✓ (2014)	√ (2020)
	(2017)	(2014)	(2017)	×>'	× © (× ×:
Free circulation of services Stake in EU system EU Programs FII 4 generica	(*) gradual **Modewife**(6)	Wodante (6)	Moderate (1)	1 cm (3)	(c)(c) \^	(I)
EU Institutions (as ad-hoc	Miouerate (0)	Modelate (0)	iviodelate (†)	(c) wor	(z) ×	(1) ×
invitee of cosetver) EaP Countries' Alignment with CFSP Declarations ^k	<i>High</i> (nearly all in 2009; 88% in 2017)	High (nearly all in 2009; 69% in 2017)	Moderate (71% in 2009; 50% in 2017)	Low to none (78% in 2009, non-alignment since 2015)	Low to none (40.5% in 2009, non-alignment since 2014)	n/a
EaP Countries' Contribution to CSDP Missions Military CSDP missions	EUNAVFOR Atalanta	EUMAM RCA	EUFOR RCA;		`	
Civilian CSDP missions	EUPM BiH; EUOPOL PROXIMA FYROM	EUTM Mali; EUTM EUTM RCA; RCA EUTM Mali	EUTM RCA; EUTM Mali; EUTM Ukraine			
						(Continued

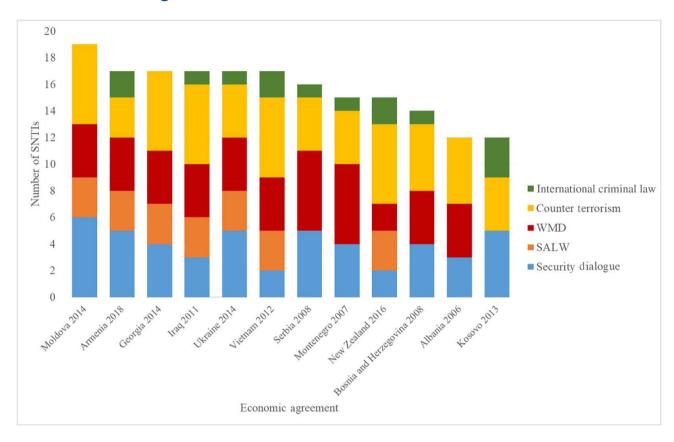
¹⁷⁸ Tyushka, A. & Schumacher, T. (2022) Looking Backward: Deliverables and Drawbacks of the Eastern Partnership during 2009-2020. In A. Tyushka and T. Schumacher (eds.), *The European Union and Its Eastern Neighbourhood Whither 'Eastern Partnership'?* (), pp. 247-248) London and New York: Routledge.

EU-Eastern neighbours: interlocking dimensions	Ukraine	Moldova	Georgia	Armenia	Azerbaijan	Belarus
EU Battlegroups	EU BG HELBROC 2011, 2014, 2016; 2018; 2020; EU BG 2010; Visegrad Four EU BG 2016; UK- led EU BG 2016					
Energy Cooperation / EnCT EU Financial Commitments ^m	`	`	`	`	×	×
EU Eastern Neighbourhood budget allocations in general	ENPI (2007–2014): EUR11.2 bln.; for EU Eastern neighbourhood: ca.6.58 bln.; ENI (2014–2020): EUR15.43 bln.; for EU Eastern neighbourhood (est.): EUR 3.02–3.68 bln.;	1.2 bln.; for EU Eastern 43 bln.; for EU Eastern	neighbourhood: ca.6.: neighbourhood (est.):	58 bln.; EUR 3.02–3.68 bln.;		
ENIDI allacations (2007_	(draft) NDICI (2021–2027) EUR 79.462 bln. (incl. for neighbourhood in general: ca. EUR 22 bln.)	EUR 79.462 bln. (incl. FI ID 482 8 mln.	for neighbourhood in	general: ca. EUR22 b Et 10 255 7 mln	ln.) Fi id 214 5 mln	EI ID 20 mln
$2010, 2011-2013)^{\text{n}}$	mln.; EUR 470.1 mln.)	(EUR209.7 mln.;	(EUR120.4 mln.;	(EUR98.4 mln.;	(EUR92 mln.;	(EUR20
ENI allocations (2014–2020)° EUR 1.28–1.55 bln.	EUR 1.28–1.55 bln.	EUR273.1 mln.) EUR610–746 mln.	EUR180.3 mln.) EUR610–746 mln.	EUR157.3 mln.) EUR 252–308	EUR122.5 mln.) EUR139–169 mln.	mln.; n/a) EUR129–
Covid-19 response package (January 2021) ^p	EUR202 mln.	EUR128 mln.	EUR183 mln.	mln. EUR96 mln.	EUR31 mln.	158 mln. EUR74 mln.

- given/foreseen; (\checkmark) - conditionally given/foreseen; \cancel{X} - not given/not foreseen.

- In response to the EU's new restrictive measures against the country's business and political elites, Belarus suspended, on 28 June 2021, its participation in the EU's Eastern Partnership initiative. The EU-Ukraine AA was initialed on 30.03.2012; concluded – in two separate acts – on 21.03.2014 and 27.06.2014, respectively; provisionally applied since 01.11.2014 and 01.01.2016,
 - respectively; and fully entered into force on 01.09.2017.
- The EU-Moldova AA was initialled on 29.11.2013; concluded on 27.06.2014; provisionally applied since 01.09.2014; and fully entered into force on 01.07.2016. The EU-Georgia AA was initialled on 29.11.2013; concluded on 27.06.2014; provisionally applied since 01.09.2014; and fully entered into force on 01.07.2016.
- After Armenia's rejection of a negotiated AA in September 2013, negotiations on a new contractual framework resumed in January 2015. A new agreement, i.e. the EU-Armenia Comprehensive and Enhanced Partnership Agreement (CEPA), was initialled in 2017 and concluded shortly thereafter on 24.11.2017; it became provisionally applied since 01.06.2018 and fully entered into force on 01.03.2021.
- In 2017, the EU and Azerbaijan started negotiations on a Comprehensive Cooperation and Partnership Agreement.
 - Due to political reasons, Belarus is not taking part in Euronest PA activities.
- Even though EU competition policy does not extend to Armenia, a member of the EAEU, the EU-Armenia CEPA provides for 'fairer rules', which implies i.a. upholding of competition principles, operation of an independent competition authority, more transparent public procurement, a strong IPR protection system and fairer conditions of employment.
 - Ukraine (Frontex; EMCDDA; Eurojust; Europol; EASA; EDA); Moldova (Frontex; EMCDDA; CEPOL; Europol; EASA); Georgia (Frontex; Europol; EASA); Annenia (Frontex; CEPOL; EASA); Azerbaijan (Frontex; EASA); Belarus (Frontex). Source: Own elaboration based on data from: Rimkute and Shyrokykh (2017: 11).
 - For instance, EU-EaP Ministerials, ad-hoc observer status with EU Committees.
 - Source: Dobrescu 2018; EU official reports.
- Source: Dobrescu 2018; EU CSDP missions' official websites. Ш
- Source: Financing the ENP, https://eeas.europa.eu/headquarters/headquarters-homepage/8410/financing-enp_en. Note: No conclusive data available yet on ENI and draft NDICI Source: Eurostat, https://ec.europa.eu/eurostat/web/european-neighbourhood-policy/background individual-country allocations.
 - Source: Programming of the ENI (2014–2020), https://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/regional_south_strategy_paper_2014_2020_and_multiannual_
- Source: EU COVID-19 Solidarity Programme for the Eastern Partnership (Factsheet, January 2021), https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/coronaviindicative_programme_2014_2017_en.pdf
 - rus_support_eap.pdf

Appendix 6: The level of security cooperation in 11 EU economic agreements (incl. Armenia, Georgia, Moldova and Ukraine)¹⁷⁹



¹⁷⁹ Ariel, J. & Haftel, Y. Z. (2021).

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