

# After Russia's invasion of Ukraine: Unity is good, but ambition is better

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# Table of contents

<b>Executive summary</b>	<b>3</b>
<b>Introduction</b>	<b>4</b>
<b>An astonishingly swift and united response – at first</b>	<b>4</b>
<b>What are the consequences of the shifting positions in the EU?</b>	<b>5</b>
<b>Five areas for future European progress</b>	<b>6</b>
<b>The new era calls for a more ambitious EU</b>	<b>7</b>
<b>Endnotes</b>	<b>8</b>

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# Executive summary

Since the outbreak of the war in Ukraine, the EU's policy priorities have been reshuffled: Security and defence, energy diversification and enlargement are now at the helm of the agenda. The changed geopolitical context has also impacted alliances across the EU27, most notably between Poland and Hungary, but also with shifting policy approaches in countries like Germany or Denmark, which could lead to new alliances within the EU.

In view of the volatile geopolitical environment, EU leaders no longer have the luxury of waiting for all 27 member states to find a consensus. In order to lead the way to a Union that is apt for future challenges, the EU should become more ambitious and embrace alternatives, such as differentiated integration, in the coming months and years. Rather than returning to the *status quo ante*, the EU should use this momentum to progress in five policy fields:

1. **economic governance**, with a new recovery package and a reform of the fiscal rules;
2. **security and defence**, with improved EU–NATO cooperation and a stronger ‘European pillar’;
3. **energy policy**, by quickly steering member states away from dependence on Russian fossil fuels while simultaneously ensuring admissible energy prices for consumers and respecting the climate targets;

4. **enlargement and neighbourhood policy**, by rethinking its aims and creating options for countries that are unlikely to become EU members in the foreseeable future; and

5. **the rule of law**, to safeguard the Union's values ‘at home’.

Both the COVID-19 pandemic and the Russian invasion revealed that the EU institutions and leaders are capable of managing crises swiftly and decisively. This reality certainly increases its legitimacy in the eyes of its citizens as well as its allies. The European Union could use this moment of change to increase its ambition for reforms and for moving European integration forward.

This should encourage the leaders to think about all the options – without categorically rejecting any – for designing the Union's future. This is not a time for black and white thinking – Treaty change or nothing –, but rather a time to explore all the shades of grey for securing necessary reforms. If like-minded countries could lead the way, others may also follow. The changing and evolving positions in the EU could help secure more inclusive alliances for moving forward. The political momentum to do so is finally here.

# Introduction

On 24 February, Russia invaded Ukraine and changed a widely held assumption that war on the European continent was a thing of the past. Not even a month later, during the Versailles Summit on 11 March, EU leaders called it a “tectonic shift in European history”.<sup>1</sup> The EU took important decisions to face Russia’s war of aggression against Ukraine: unprecedented sanctions packages, military and humanitarian aid, and a united diplomatic response. While the EU is reputedly a slow-moving and compromise-seeking political system, its initial response to the Russian invasion was surprisingly swift, decisive and united.

Whether this united front will prevail is yet unclear; neither is whether it will convert into a greater ambition for European integration in the future. It could be that this unity will start to crumble in the coming months, and underlying internal conflicts reappear. It could also be that the EU reverts to its slow and stagnating pace of decision-making. But a third scenario could also be possible: The EU uses this changed geopolitical context to maintain this newfound momentum and invest in various policy areas to move its integration project forward.

## An astonishingly swift and united response – at first

The EU’s initial response to Russia’s invasion of Ukraine was surprisingly swift, decisive and united. Several ambitious measures were taken to respond to the unprecedented situation. First, the EU implemented a vast range of **economic and diplomatic sanctions**.<sup>2</sup> Five sanction packages were adopted in close cooperation with its Western allies, targeting Russian organisations, private individuals and the economy. Until now, the sanction packages have evolved rather smoothly, despite the high economic costs for many EU member states. However, the first cracks are starting to appear. The newly re-elected Prime Minister of Hungary, Viktor Orbán, is increasingly isolated in the EU due to his pro-Putin stance. He was responsible for delaying the sixth sanctions package and a Russian oil embargo, most notably because such an embargo would greatly hurt the Hungarian economy, which is heavily reliant on Russian fossil fuels. After 26 days of negotiations, a watered-down deal was finally reached during the Council summit at the end of May.

The EU delivered unprecedented **humanitarian, economic and military aid** to Ukraine. For instance, the Council adopted two assistance measures to support the Ukrainian Armed Forces via the European Peace Facility. €93 million were sent to Ukraine and Moldova to

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Increasing the EU’s capacity to act will remain crucial in the near future, as decision-makers face important choices concerning the Union’s security architecture, energy policy and geographical borders, to name only a few. To ensure a level of political ambition that matches the current challenges, the EU should aim high, build on existing or new ‘coalition(s) of the willing’ and embrace differentiated integration where necessary. Treaty change should not be perceived as a taboo either but rather as an option to explore. It is time to investigate what option would be best for the EU to respond to the series of challenges we face more ambitiously.

assist humanitarian relief efforts, as well as €1.2 billion in macro-financial assistance to foster stability.<sup>3</sup> More will likely be dispatched soon.

The **diplomatic response** was also well-coordinated, even if it remained firmly in the hands of the heads of state and government rather than Josep Borrell, the High Representative of the Union for Foreign Affairs and Security Policy. EU leaders did not publicly contradict themselves and followed a clear line, almost speaking with one voice – a rare occasion in EU foreign policy. The war also reminded Europeans of the EU’s little-known mutual defence clause (Art.42.7 TEU), thereby reiterating the Union’s ability to become a more developed defence union. In the same vein, EU leaders agreed on a new Strategic Compass, which was named to be a “turning point for the European Union as a security provider and an important step for the European security and defence policy”, at the end of March.<sup>4</sup> While strategy papers alone will not make the EU a defence actor in the near future, the Strategic Compass could be the first step towards the EU stepping up its efforts in that field.

Finally, the EU activated the **Temporary Protection Directive** 2001/55/EC to grant millions of Ukrainian refugees temporary protection within the EU. Since its

creation in 2001, this is the first time that it has been activated. The decision was surprising to many, as migration policy is a controversial topic where member states struggle to agree on even the lowest common denominator. As of yet, Poland has welcomed more than 3 million Ukrainian refugees, and other neighbouring EU countries like Romania, Hungary and Slovakia have also made impressive efforts to ensure that Ukrainians can seek refuge from the raging war.<sup>5</sup> The EU also ensured that member states could redirect €17 billion of EU funding (e.g. cohesion policy funds) to assist the refugees, as well as

€3.5 billion of additional pre-financed funding, depending on the numbers of refugees member states welcome.<sup>6</sup>

While the initial European response consisted of many encouraging policy shifts, it does not yet mean that the EU institutions and member states have changed their *modus operandi* for good. The longer-term response to the war will require a high degree of ambition and commitment from EU leaders. Understanding the changing (geo)political context and its consequences on EU decision-making is essential.

## What are the consequences of the shifting positions in the EU?

First of all, the war has shed light on the EU's **East–West divide on threat perceptions**.<sup>7</sup> However, rather than damaging the EU, this realisation could actually lead to greater unity in security and defence. Before the invasion on 24 February, Western European countries – most notably France and Germany – did not take the Central and Eastern European countries' fear of Russian aggression seriously. Poland and the Baltics seemed almost paranoid from a Western European perspective until the invasion showcased that, in fact, they had a rather realistic view of Russia's foreign policy objectives. This is why EU leaders should work to close this East–West gap. Rethinking and recalibrating threat perceptions will play an important role in defining the long-term steps in EU security and defence policy.

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Second, the war in Ukraine has created a **rift between Poland and Hungary**. Hungary's Prime Minister Orbán, who has recently been re-elected with a vast majority, continues to hold a staunch pro-Putin stance despite the war, which has made him increasingly isolated in the EU. Meanwhile, Poland's rapid and impressive response to the war – taking in millions of refugees and being the first EU country to support Ukraine's military – has strengthened its role in the EU, despite the ongoing rule-of-law clashes.

In general, the war has led to further fragmentation of the Visegrád Group. However, despite the lack of coordination, **Central and Eastern European countries play an increasingly important role in the EU**. The visit of the prime ministers of Czechia, Poland and Slovenia to

Kyiv in early March 2022 was not only a symbolic gesture but also a sign that the region increasingly acts as a bridge between Ukraine and Brussels.<sup>8</sup> The defeat of former Prime Minister Janez Janša in Slovenia increases hopes for smoother cooperation in the European Council and less anti-European sentiment from the Slovenian government. These member states could participate actively in redesigning the Eastern Partnership.

**Nordic and Baltic countries have also raised their profile** in the wake of the war in Ukraine. All eyes in the EU are focused on the shifting positions of Finland and Sweden in security and defence policy. The Baltics also have increased their visibility in the EU, which was already heightened during the Belarus border crisis of the summer of 2020. The increasing visibility of different regions could positively impact the EU by creating more exchange and a better understanding of certain member states' preferences and goals.

Finally, the war has also brought to light the **widely different attitudes on how to respond to Russia**. French President Emmanuel Macron conducted proactive diplomacy toward Moscow, calling Putin several times for hour-long conversations.<sup>9</sup> While French diplomacy has not yet borne its fruit, Germany's attitude has been increasingly criticised by its European partners as rather cautious and slow. Germany's wavering on an oil and gas embargo against Russia has reignited resentments from a number of European neighbours, such as Southern European states, which suffered from Germany's firm attitude during the 2008 economic and financial crisis. The feeling is that the EU is paying for bad strategic decisions taken by previous German governments, who made the country highly dependent on Russian fossil fuels. Germany should take this peer critique seriously. Germany – as well as many other member states – will have to rethink its policy toward Russia, including for the post-war period.

These shifting positions of and relationships between EU countries do not automatically lead to constructive alliances; they could also mean new conflict lines

between member states. However, this moment should be seen as a window of opportunity for new alliances and progress in certain policy fields, whether it be foreign, security and defence policy, energy or the rule of law. How this changed landscape will play out in the future

depends on how decision-makers will navigate this new political environment and whether they can align their national interests with European ones. Only then will the EU emerge stronger from the new situation that the war has led to.

## Five areas for future European progress

An initial opportunity for progress is in the field of **economic governance**. The discussion around reforming the Stability and Growth Pact was initially led by French Minister of Economy Bruno Le Maire in 2021 but left aside due to the electoral cycles in France and Germany. Spain and the Netherlands contributed to the debate by publishing in early April 2022 a joint paper calling for a renewed fiscal framework at the EU level.<sup>10</sup> The reform discussion has regained clout lately, as European countries, already weakened by the economic consequences of the COVID-19 crisis, now have to deal with the impact of a war at their borders.<sup>11</sup> Next Generation EU (NGEU) – the landmark instrument to face the economic fall-out of the pandemic – showcased the EU27's ability to make crucial decisions when necessary. The war could open the space for a 'NGEU 2.0' recovery package, as Europe will suffer from rising energy prices and have to consider the costs of humanitarian and military aid and refugee protection and integration.

Second, the war could lead to important progress in **the EU's security and defence agenda**, including EU–NATO relations. Member states' approaches towards defence have shifted drastically, particularly in Germany and Denmark. Many EU countries have pledged to increase their defence spending. Again, most notable is Germany, having established the special fund *Sondervermögen* of €100 billion for its army. Sweden and Finland applied for membership in NATO, which will be voted upon at the Madrid summit in June.

Traditionally, national positions on the EU's role in security and defence varied widely. While President Macron denounced NATO as "brain-dead" in 2019,<sup>12</sup> Germany, Poland and the Baltics feared that the US would perceive a stronger European defence policy as competition against NATO. At the same time, the US has been adamant about keeping the *status quo* and ensuring that European partners remain committed to the transatlantic alliance for their own security and defence. The newly found positive momentum in transatlantic relations should be used to set the account straight on the benefits of a stronger EU and 'European pillar' of NATO. With EU borders threatened directly, which has also led to extensive coordination between transatlantic allies, Europeans could overcome their inner divisions and push for a stronger European pillar that is complementary to NATO. The first step in this direction was made on 18 May, when the European Commission unveiled plans for joint purchases of military equipment and coordinated national military spending.

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Third, and closely related to the geopolitical implications of the war, the EU has spearheaded progress in the field of **energy policy**, recognising the urgent need to become more independent from Russian fossil fuels. The European Commission unveiled in March 2022 its REPowerEU plan to drastically reduce Russian imports before the end of 2022 and reach complete energy independence from Russia well before the end of the decade.<sup>13</sup> It also announced an embargo on Russian oil as part of its sixth sanction package. These are important steps, although it remains to be seen whether the joint EU response in energy policy will prevail or become a patchwork of uncoordinated national responses. EU countries face a double challenge: ensuring stable energy prices for their citizens while achieving climate targets. Like-minded countries willing to push for a green agenda more ambitiously would be instrumental to reaching the EU's climate targets.

Fourth is an area that will require the most innovative thinking from EU leaders: **enlargement and neighbourhood policy**. Ukraine's application for EU membership, followed by Moldova and Georgia, has put enlargement policy back on top of the Union's agenda.<sup>14</sup> Despite French efforts to reform enlargement policy in 2019,<sup>15</sup> it remains a source of division in the EU. While the Eastern Europeans wish for a more ambitious agenda for Ukraine, other countries – notably France and Germany – are wary of a quick enlargement towards the 'Association Trio'.

President Macron underlined in his recent speech at the final event of the Conference on the Future of Europe that he would also establish a "European Political Community" for various countries in the continent.<sup>16</sup> The proposal is expected to be discussed in the coming weeks. Germany, on the other hand, would like to follow the principle of *pacta sunt servanda*, keeping the EU's promise to the Western Balkans first.<sup>17</sup> With decisions on the Association Trio on their way, defining the way

forward is even more crucial. The key to success would be keeping the way open for candidate countries while discussing complementary arrangements that would secure long-term and sustainable cooperation with our neighbours.

In that line, decision-makers will have to work on three aspects. First, the EU must consider how to deepen ‘transitory integration’ with candidate countries to keep their frustration levels low. Second, the EU needs a well-designed neighbourhood policy to face the challenges in the continent. This ranges from rethinking the EU’s policy towards Russia, redesigning the Eastern Partnership<sup>18</sup> and rebuilding its relationship with the Global South in the light of current challenges. Last but not least, the EU should evaluate the reforms needed before further widening can happen. The most referenced reform is changing unanimity to qualified majority voting (QMV). Macron’s newly proposed European Political Community shows that there might even be additional institutional structures. These discussions on the EU’s borders and the neighbourhood policy will define the future of European integration.

Lastly, this is the moment for progress on **the rule of law**. The increasing internal isolation of Prime Minister Orbán has led to a more ambitious European Commission, which finally triggered the rule-of-law conditionality mechanism against Hungary in April 2022. In addition, there seems to be hope at last for the Article 7 procedure in the Council, now that Poland is currently at odds with Hungary over Russia. Previously, both countries covered

for each other to ensure that the procedure could not move forward. Poland also has ample reasons to maintain positive relations with the EU, as the country needs the NGEU recovery package to deal with the costs of the war. However, how the Commission will use this new leverage remains to be seen.

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Many seem to think that now is not the moment to escalate internal conflicts, as unity is required against the external threat that Russia represents. This would be a fatal mistake. Permitting autocratic methods ‘at home’ to fight an ‘external’ enemy is at odds with the values-based principles that the EU preaches in its foreign policy.<sup>19</sup> It would also lead to further stagnation. Warsaw vetoed the EU’s proposal for a corporate tax directive in early April as it refuses to comply with the EU’s demands to re-establish rule-of-law standards in Poland. The EU should maximise this moment to better enforce its rule-of-law agenda.

## The new era calls for a more ambitious EU

The war in Ukraine has shifted EU leaders’ policy priorities quite considerably, putting foreign, security and energy policy at the forefront of their agendas. The war – even if there is no direct impact on some other policy areas – might still increase their salience and accelerate the decision-making procedures among the EU27. For instance, the threat of Russian propaganda has highlighted the need to better regulate social media platforms and fight against online disinformation.<sup>20</sup> The same is true for agricultural policy, as the war put into question the degree to which the EU is dependent on foreign supply chains and highlighted the need to rethink our food security. Data also show that there will be serious food shortages in the EU’s neighbourhood, thus European action is needed.<sup>21</sup>

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The war has also reminded Europeans that the EU institutions and leaders are capable of managing crises swiftly and efficiently. This increases the value and legitimacy of the European Union in the eyes of its citizens. This momentum should not be lost in the coming months. The EU must break with tradition and not follow the ‘inclusion instead of ambition’ strategy, which has been one of the reasons why structural progress in terms of both policy responses and governance reforms has been missing in the past years. The EU usually waits for all 27 member states to be on the same page before moving forward, often resulting in delays and considerably watered-down legislation. Now is the time for ambition.

After 24 February, the European Union is facing a new geopolitical reality. The current context requires that we adapt to this new era and like-minded countries lead the way forward in much-needed reforms. This would allow member states wishing to progress not to be held up by those unwilling to cooperate. In other words, flexible models of integration should be on the table.

In its conclusions on the Conference on the Future of Europe on 9 May, France suggested moving in this direction. The need for this approach was made clear on the same day when 13 European countries published a non-paper opposing treaty changes.<sup>22</sup> A few days later, a group of countries – Germany, Italy, Spain, the Netherlands, Luxembourg and Belgium – showcased their support for EU reforms and potentially treaty changes. There is reason for cautious optimism only, as these countries will have to invest sufficient political will and effort to achieve further integration, and this is not guaranteed.

That said, the EU does not have the luxury to categorically reject any option that would make it a stronger actor on the global stage – the challenges we will face in the foreseeable future are too important. The discussion should not necessarily be black and white (i.e. ‘treaty change or nothing’), but rather to explore all the shades of grey which would allow us to build a more resilient European Union. Differentiated integration in various areas should be fully explored.

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At this point in time, the risk of continuing with the *ex-ante status quo* of slow decision-making is greater than that of fragmentation. Waiting things out until everyone is on the same page – or until certain national governments are ousted – is not the right strategy when a war is waging at our borders. The EU should utilise this opportunity to change its *modus operandi* and increase its capacity to act. Pre-24 February Europe is no more. It is thus time to respond accordingly, and with more political ambition. If like-minded countries are willing to lead the way, others might also follow in the future. Member states’ changing and evolving positions could help create more inclusive and solid alliances, moving policies forward. The political momentum to do so is finally here.

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<sup>1</sup> Boffey, Daniel, “EU leaders announce intention to collectively rearm in face of Putin threat”, *The Guardian*, 11 March 2022.

<sup>2</sup> Zuleeg, Fabian (2022), “Has the EU gone far enough on sanctions?”, Brussels: European Policy Centre.

<sup>3</sup> European Council, “EU response to Russia’s invasion of Ukraine” (accessed 11 May 2022).

<sup>4</sup> Tidey, Alice, “What is the ‘strategic compass’ and what does it mean for EU defence?”, *Euronews*, 23 March 2022. See also European Policy Centre (2022), “Will the Strategic Compass be a game-changer for EU security and defence?”, Brussels.

<sup>5</sup> *BBC News*, “How many Ukrainians have fled their homes and where have they gone?”, 07 May 2022; *The UN Refugee Agency*, “Operational Data Portal > Ukraine Refugee Situation > Refugees fleeing Ukraine (since 24 February 2022)” (accessed 11 May 2022). See also De Somer, Marie (2022), “Unseen unity in the EU’s migration policies, but how long will it last?”, Brussels: European Policy Centre.

<sup>6</sup> Council of the European Union, “Ukraine: EU countries to receive €3.5 billion in additional pre-financing for hosting refugees”, 12 April 2022.

<sup>7</sup> Krastev, Ivan and Mark Leonard (2022), “The crisis of European security: What Europeans think about the war in Ukraine”, European Council on Foreign Relations.

<sup>8</sup> Tüma, Petr, “Central Europe leads the way in backing Ukraine. Here’s its game plan for what’s next”, *New Atlanticist*, 30 March 2022.

<sup>9</sup> Cohen, Roger, “President Macron’s Unending Russia Diplomacy”, *The New York Times*, 28 March 2022.

<sup>10</sup> “Joint paper by Spain and The Netherlands on priority issues in 2022 on the EU’s economic and financial policy agenda” (2022).

<sup>11</sup> See e.g. De Angelis, Francesco; Frederico Mollet and Laura Rayner (2022), “Rethinking EU economic governance: The foundation for an inclusive, green and digital transition”, Brussels: European Policy Centre.

<sup>12</sup> *The Economist*, “Emmanuel Macron warns Europe: NATO is becoming brain-dead”, 07 November 2019.

<sup>13</sup> European Commission, “REPowerEU: A plan to rapidly reduce dependence on Russian fossil fuels and fast forward the green transition”, 18 May 2022.

<sup>14</sup> See Van der Loo, Guillaume and Peter Van Elsuwege (2022), “The EU–Ukraine Association Agreement after Ukraine’s EU membership application: Still fit for purpose”, Brussels: European Policy Centre/ Egmont Institute.

<sup>15</sup> Herszenhorn, David M. and Rym Montaz, “France outlines proposal to overhaul EU accession process”, *POLITICO*, 17 November 2019.

<sup>16</sup> Macron, Emmanuel, “Speech by Emmanuel Macron at the closing ceremony of the Conference on the Future of Europe”, Strasbourg, 09 May 2022.

<sup>17</sup> From personal conversations with German officials. Similarly, Oliver Noyan, “Germany warns of spill over-effect of Ukraine war in Western Balkans”, *Euractiv*, 07 April 2022.

<sup>18</sup> See Ciolan, Ionela and Amanda Paul (2021), “Lessons from the Eastern Partnership: Looking back to move forward”, Brussels: European Policy Centre.

<sup>19</sup> Pornschlegel, Sophie (2022), “The EU should not turn a blind eye to Putinist methods at home”, Brussels: European Policy Centre.

<sup>20</sup> See García Rodríguez, Andrea (2022), “Lessons from the Ukrainian cyber front”, Brussels: European Policy Centre; Neidhardt, Alberto-Horst (2022), “Disinformation about refugees from Ukraine: Start preparing today for the lies of tomorrow”, Brussels: European Policy Centre.

<sup>21</sup> *The Economist*, “The coming food catastrophe”, 19 May 2022.

<sup>22</sup> Suzanne Lynch, “13 countries have now signed-up to non-paper on #CoFeU - says that ‘treaty change has never been a purpose of the Conference’”, *Twitter*, 09.05.2022.







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