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The New Reality in Europe: Time to Reshape the Eastern Partnership

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Ukraine, Moldova and Georgia were granted a European Union (EU) membership perspective in June 2022 but remain part of the Eastern Partnership (EaP), which was not designed with enlargement objectives in mind. The future of the EaP will remain unclear for as long as the outcome of the war in Ukraine is unknown. Nonetheless, some features of future EU policy towards its eastern neighbours can be defined at this stage. First, Ukraine, Georgia and Moldova will need a separate multilateral platform, which can remain part of the EaP but exclude the other three EaP partners until they also develop EU membership ambitions. Second, the Association Trio¹ (Trio) could develop institutional linkages with the formats of cooperation established in the Western Balkans and become beneficiaries of the Instrument for Pre-accession Assistance (IPA III). Alternatively, the European Neighbourhood Instrument (ENI) could be amended and adapted to enlargement tasks. Third, the current security crises in Europe show that the EU is not able alone to safely deliver development and transformational programmes in Eastern Europe or the Black and Caspian Sea regions. Finland's and Sweden's planned NATO membership connects the EU more closely to the organization. This reality may increase the need for EU-NATO joint actions, while also enhancing the synergy of programmes and activities in Eastern Europe. The EU's transformational policy will increasingly need to contain elements of securitization and hard power. At the same time, the Trio countries will need increased contributions to their military capabilities. Finally, there is the dilemma of whether the EU's approaches to all six EaP countries can remain homogenous and unified.

Limitations of the Eastern Partnership

EaP objectives, both bilateral and multilateral, target effective functional integration and a considerable level of freedom of movement of goods, services and people. However, this is far less than offered in the enlargement processes in the neighbouring region of the Western Balkans. The European Neighbourhood Policy (ENP), and its modality the EaP, is not designed for institutional integration *per se*. The most important limitation is the absence of

¹ Ukraine, Moldova and Georgia established the Association Trio format in 2021 with the aim of cooperating on EU integration issues.

a route to EU membership among the objectives of EaP – but opinions vary on whether this limitation restricts the prospects for EU membership. Many politicians and experts believe that the ENP and EaP reduce the chances of membership, but the Prague Declaration states that: “The Eastern Partnership...will be developed without prejudice to individual partner countries’ aspirations for their future relationship with the European Union”.² Therefore, the EaP does not limit the EU aspirations of any country. In fact, while the EaP itself limits its aims to functional integration with the EU and between partner countries, it is by no means an impediment to further institutional integration with the EU.

EU Assistance Instruments

There are two distinct international assistance instruments: IPA III for enlargement candidates and the ENI for the neighbourhood, including the EaP. The ENI is the only geographic instrument that EaP countries are eligible to join. Its original aims cannot assist with preparing a country for EU membership but it might be useful in assisting candidate/potential candidate countries on their way to membership. In particular, both facilities provide support for administrative reform, the rule of law, promoting human rights and institutional development. Both instruments are also compatible in terms of their aims. IPA-III priorities to a large extent overlap with those of the EaP renewed agenda. Both facilities also support the EU’s Economic and Investment Plans. IPA III is a financially more powerful tool than the ENI and can help beneficiary countries pursue legal harmonization processes with candidate countries with greater efficiency. Despite obtaining candidate/potential candidate country status, the Trio has not yet been practically “inscribed” in the EU’s enlargement policy as the required changes have not yet been made to the EU’s strategic documents.

Security as a dimension

The EU offers EaP countries cooperation on security and foreign affairs through joint CFSP declarations, and by establishing a high-level cooperation dialogue on strategic security at the high officials’ level (the bilateral dimension); and on security and defence issues through the CSDP multilateral panel with all EaP partner states, based either on bilateral agreements on participation in EU CSDP missions or on exchanges of intelligence information. This cooperation increases partner states’ ties with the EU but by no means strengthens the EU’s role in upgrading the security of partner states. The situation in the Black Sea area, where five of the six EaP countries are located, raises genuine security concerns. The success of transformational projects in the region is under much doubt unless the independence and territorial integrity of participant states can be secured. Russia presents an imminent threat to practically all the EaP countries through its use of force or threat of the use of force, conducting hybrid warfare with the aim of destabilizing and influencing the region. If Russia achieves its regional objectives, the EU will never achieve its own. The EU’s soft/normative power cannot achieve change while Russia deploys its hard power elements against EaP countries. The EU is not a hard power or an actor capable of using military means, or even sufficient counter-hybrid warfare means, to prevent partner states from capitulating to their aggressive neighbour. The response is to engage NATO to bring increased security and resilience to EU projects. It is time for the EU and NATO to synergize their projects and bolster the security realm with more hard and military power to reinforce the EU’s transformational

² Joint Declaration of the Prague Eastern Partnership Summit, Prague, 7 May 2009, Brussels, 7 May 2009, 8435/09 (Presse 78) available at: https://www.consilium.europa.eu/media/31797/2009_eap_declaration.pdf

efforts. NATO's and the EU's goals are complementary enough to employ such a strategy. NATO's non-European members already well understand the need to bring the EaP states closer to the EU, and to improve democracy and good governance, economic performance and resilience. In addition, the EU member states have acquired a vision of NATO's primary role in bringing peace and security to the entire region, especially now that Sweden and Finland, recently neutral countries, are acceding to the organization. EU-NATO synergy would also bring the United Kingdom back to the wider Europe as an ally and political partner of the EU in the region.

Policy Recommendations

- Even with its “not for membership” status, the EaP still serves an important role in intra-regional cooperation and stabilization. One of the objectives mentioned in the Prague Declaration of 2009³ is precisely to support and stimulate regional cooperation among partner countries. The Trio countries may have remained in the EaP precisely because of this particular task. In addition, if the EU can itself participate in the initiative, why not candidate countries such as Ukraine and Moldova and a potential candidate such as Georgia? Participation in the EaP will by no means damage the prospects of the three countries advancing to EU membership.
- While the EaP remains an EU+6 format, the association Trio can still have a separate platform with a trilateral agenda on cooperation on EU Integration issues. To stimulate this trilateral cooperation, which has existed in previous regional enlargements (Central and Eastern Europe, the Western Balkans), two additional possibilities could be explored. First, the EU could support the creation of a special sub-regional format for economic integration and political cooperation between Ukraine, Georgia and Moldova. Second, the EU could suggest that the Trio countries join the Central European Free Trade Area (CEFTA) (Moldova already has), as well as other south-east European regional cooperation formats.⁴ The first option would emphasize the initiation of a new enlargement area while the second might be considered an amplification of an existing enlargement process in south-east Europe, including the Western Balkans and Turkey.
- The eligibility of the Trio countries to join IPA III is a political question as it stresses the application of enlargement-related funding procedures to the named countries, but it is also a practical challenge. As noted above, the ENI is not designed to assist EU candidate countries to fully transpose the EU *acquis*. The problem is that IPA III and the ENI are governed by the EU's multiannual financial framework for 2021–2027, which will be difficult to modify or restructure before the end of the allotted timeframe. The Trio countries can remain beneficiaries of the ENI until 2027, at the end of EU's current financial perspective, but the changes produced in the regulation should adequately reflect the new reality and new tasks. At the same time, a more flexible approach is needed for the use of IPA III funds with regard to beneficiary countries. In particular, the facility should be allowed to fund certain actions in the Trio countries. The small financial gap that IPA III might face because of new beneficiaries could be filled by voluntary contributions from the EU member states or other relevant sources.

3 Brussels, 7 May 2009 8435/09 (Presse 78), p.6, Available from: https://www.consilium.europa.eu/media/31797/2009_eap_declaration.pdf

4 See: <https://www.consilium.europa.eu/en/meetings/international-summit/2022/10/06/>

- NATO-EU synergy can be achieved in the following (non-exhaustive) list of areas: (a) countering hybrid threats in EaP countries; (b) assisting with the development of security sector institutions; (c) security sector oversight and related reforms; (d) building up and developing the defence industries; and (e) participation in the EU's Permanent Structured Cooperation projects. Amplification of NATO-labelled projects through EU funding would bring a stronger sense of security and deterrence in the region from one side, and increased financial opportunities from the other.
- If the Trio remains in the EaP, relevant changes should be made to the European Commission's Communication on the renewed EaP. This Communication will need to emphasize security and defence as a particular, separate dimension of cooperation. The intensity of such cooperation should be defined individually country-by-country depending on the level of political association with the EU. A special multilateral platform of Trio countries, along with the Deep and Comprehensive Free Trade Area, or possibly based on Neighbourhood Economic Community-related issues, would provide a greater focus on cooperation on defence and security. The newly emerged EU Political Community is at the initial stage of its development, but it is worth thinking about including the EaP Trio platform as a structural element of the above-mentioned all-EU political dialogue.



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