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Security and Eastern Enlargement: Bridging the Gap for Wartime EU Accession

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INTRODUCTION

Given the unprecedented situation of wartime accession and the significant security implications of Ukraine's EU membership for the Union and its Eastern neighbourhood, the EU should consider aligning the enlargement process with its broader security policy toward the candidate country. Failure to do so risks stalling the enlargement agenda due to unresolved security challenges.

While some experts argue that linking security and enlargement policies could further complicate an already complex negotiation process, the opposite needs to be discussed. This Policy Brief proposes three institutional ideas that would facilitate integrating security concerns into the enlargement process without risking prolonging it. This includes examining the enlargement methodology, better collaboration between relevant Directorates-General (DGs), commissioners responsible for security, defence and enlargement, and the European External Action Service, as well as advancing the debate about the operationalisation of Art 42.7 to provide Ukraine with security guarantees in coordination with NATO.

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BACKGROUND

The Russian invasion of Ukraine has acted as a geopolitical catalyst, giving new impetus to the EU's enlargement policy,¹ resulting in unprecedented financial transfers, and the inclusion of Ukraine in the development of the European defence industry - to a large extent as a result of President Ursula von der Leyen's conviction of the need for enlargement to Ukraine.

The Ukraine Facility is a pre-accession financial instrument created and managed by DG NEAR to help Ukraine secure its budget and plan new investments, amounting to €50 billion for 2024-2027 (€33 billion in loans, €17 billion in grants).² This instrument is larger than the pre-accession funds available to candidate countries in any enlargements. The fund considers the uncertainty of Ukraine's security situation, as its structure remains flexible, and can be adapted to the changing situation. While this is a strong example of the EU's capacity to adapt, it primarily centres on Ukraine's economic situation, with security concerns playing a secondary role.

Ukraine is also eligible to participate in the European Defence Industry Programme, which is still awaiting the start of dialogues (the legislative process isn't expected to be finalised before late spring). Once finalised, Ukraine will be eligible for funding and joint initiatives in defence. Still, the amount of funding available for this programme is limited at the moment, meaning it is unlikely to be a game changer for either Ukraine or the EU. In the framework of these efforts, the EU's Innovation Office was opened in Kyiv in September 2024, marking another step towards strengthening EU-Ukraine cooperation in defence innovation, research and technology.

However, this shift has not been accompanied by a reform of the enlargement process, leaving security considerations largely unaddressed within the institutional framework and guiding principles.

STATE OF PLAY: SECURITY ASPECTS OF ENLARGEMENT POLICY

In terms of institutional dynamics, the Commission's DG NEAR has primarily overseen enlargement policy. Despite plans to separate the enlargement and neighbourhood portfolios (thus creating two DGs), the silo organisational structure of the European Commission means that the process is likely to remain institutionally fragmented, and appropriate coordination mechanisms with other DGs and Commission units will continue to be lacking. Since 2022, there has been a growing number of Commission units working on policies toward Ukraine not related to Enlargement, such as DG DEFIS (defence industry cooperation, including Ukraine's involvement⁵), DG Trade (implementing the Deep and Comprehensive Free Trade Area and integrating Ukraine into the EU's internal market⁴), DG ECHO (humanitarian aid, including assistance to Ukraine⁵), and DG ECFIN (macro-financial assistance for Ukraine, among other responsibilities⁶). However, there has been a lack of horizontal coordination of all Ukraine-related issues in the Commission. There are two main reasons for this. First, there is the well-established way in which the Commission has managed previous enlargements. Second, there is the silo organisational structure of this institution, which makes horizontal coordination of any policy area difficult. The gap between enlargement negotiations and security policy will become more visible at a time when a new phase of negotiations begins and should be addressed by the newly appointed European Commission.

The enlargement rules are intended to provide more significant incentives for candidate countries to reform their economies, while at the same time providing powerful leverage for the Union in case candidate countries deteriorate in terms of the rule of law.

As for the guiding principles, with the decision to open negotiations with Ukraine and Moldova in June 2024, conditions tied to their fulfilment of the Copenhagen criteria were imposed on both countries. The Union has decided to follow the traditional enlargement methodology, which was updated in 2020,⁷ mainly

with the Balkans in mind⁸ and in line with the concept of gradual integration, that is, a gradual inclusion of candidate countries in EU programmes, linked to their progress in introducing reforms, is a cornerstone of this methodology. The enlargement rules are intended to provide more significant incentives for candidate countries to reform their economies, while at the same time providing powerful leverage for the Union in case candidate countries deteriorate in terms of the rule of law. However, this approach does not address Ukraine's or the EU's geopolitical concerns. Still, legal, institutional, and economic issues dominate the discussion on enlargement within the EU,⁹ and between the European institutions and the governments of the candidate countries. This is understandable, as that was the logic of previous enlargements and the nature of EU accession, but it does not seem appropriate for accession negotiations with Ukraine.¹⁰

In defence industry cooperation, a new approach for Ukraine's accession might be the "Kubilius plan",¹¹ which seeks to secure funding, for example, through Eurobonds, to develop defence industry capacities already before the following budgetary perspective. This could lead to Ukraine's full participation in the Defence Union, a proposal championed repeatedly by the European Commission President Ursula von der Leyen, but has yet to materialise. It should also be added that a stronger cooperation in security policy between EU member states would facilitate integrating security aspects with enlargement. Such a change in approach could also represent a new logic of enlargement: from a one-way, top-down, bureaucratic process to a two-way process in which Ukraine is not only a subject but also an actor of enlargement – an often-overlooked aspect of the EU's enlargement policy.

While acknowledging existing instruments, the EU should do better at adapting its enlargement process to the altered geopolitical circumstances, particularly regarding Ukraine. In light of the newly arranged structure of the European Commission and the EEAS that is foreseen to be implemented for the new institutional cycle at the beginning of 2025, three steps should be taken to strengthen the link between security and enlargement, making this connection more effective.

PROSPECTS: POLICY RECOMMENDATIONS

1. Adaptation of enlargement methodology and Agenda 2030

The enlargement methodology was designed with the Western Balkans in mind and on the assumption¹² that the new EU members would join NATO before the EU. Moreover, the negotiating framework prepared by the Commission does not mention the security dimension or in-depth cooperation between defence industries.

However, preparations in this regard seem essential if the new candidate country faces a radical threat to its security and could be considered a priority on the same level as the rule of law reforms in Ukraine.

Therefore, it is crucial to include security in the negotiating approach, not only as a matter of Ukrainian alignment with the CFSP (Chapter 31). As experts suggest, this could be done by adjusting the opening, interim, and closing benchmarks set by the Commission.¹⁵ Yet, above all, the European Council should send a political signal that integration in the defence field is a priority on a level similar to the rule of law.

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Even more important is the inclusion of security policy in the EU's preparations for enlargement, along with one of the Copenhagen criteria in the context of the EU's absorption capacity. It seems likely that the new Commission will want to go beyond a mere review of EU policies in light of enlargement and create something similar to Agenda 2000 (in preparation for the 2004 enlargement). This time, such a strategy, dubbed by some Agenda 2030,¹⁴ would have to put security at the top of the to-do list. It would have to go beyond the defence industry to include a plan for a Defence Union that would strengthen the European pillar of NATO in the event of a new conflict between Russia and Ukraine, should the latter become a member of the EU.

2. Establishing an inter-institutional horizontal steering group on Ukraine's accession

The altered geopolitical context has not significantly impacted the institutional set-up of the enlargement process. No new mechanisms have been introduced to ensure better coordination between the Commission-led accession negotiations and the EEAS, which coordinates the overall foreign and security policy towards Ukraine, (including political dialogue, crisis management and trainings for civilian and military entities by the European Security and Defence College, the European Union Advisory Mission (EUAM) and the EU Military Assistance Mission in support of Ukraine (EUMAM)), as well as the Council that is responsible for defining and coordinating the EU's overall policy towards Ukraine.

Therefore, security considerations should be included in financial instruments and enlargement negotiations, particularly in areas like Chapter 31, inter-institutional cooperation between the European Commission (mainly DG NEAR and DG DEFIS), the EEAS, and the

Council. We propose to establish a **horizontal steering group coordinated by the European Commissioner for Enlargement**, with key representatives from the relevant units within the Commission, EEAS, the Council, the European Parliament's SEDE Committee, and representatives of the European Defence Agency.

Regular coordination between these units would not only raise awareness of the relevance of security aspects in the still predominantly technical and economy-focused enlargement process, but also facilitate consensus regarding the gradual plug-in of the candidate countries into EU foreign and security policy. This can be fostered by developing institutional practices that allow candidate countries to participate in relevant Foreign Affairs Council meetings, integrate defence industries into the joint procurement framework and involve them in the EU capability planning process, and the Coordinated Annual Review of Defence.

3. Institutionalising the strategic dialogue between the EU and NATO on security guarantees for Ukraine

Different approaches to the long-term goal of the EU's defence policy and divergent threat perceptions among member states have hampered the quest for EU strategic autonomy, and the war in Ukraine has not changed it.¹⁵ Thus, while there seems to be a consensus on the need to increase the capabilities of the EU's defence industry, most EU members still perceive territorial defence as NATO's responsibility.

As a result, the EU's security guarantees under Article 42.7 of the Treaty on the European Union have not been operationalised (even if they were activated once – by France after the 2015 Paris terrorist attack), despite a scenario of Ukraine joining the EU without prior NATO membership and protection under Article 5 of the Washington Treaty. There is little debate about this issue within the EU, and expert studies seem to have an inconsequential bearing on the work of the European institutions. The Joint Security Commitments¹⁶ signed by the EU and Ukraine in June 2024 are seen as a far cry from any kind of guarantees.¹⁷

Based on the experience of the EU-NATO Task Force on Hybrid Threats and EU-NATO Task Force on Resilience and Critical Infrastructure, **a task force on Ukraine's security guarantees could be established, bringing together representatives of the EU and NATO, and with the participation of representatives of the Ukrainian government and army.** On the Union side, coordination of the work of this group should be entrusted to the new High Representative, given her inter-institutional position and capacity to liaise with all relevant EU stakeholders.

Establishing such a group would facilitate regular dialogue between the relevant units of both organisations on the most effective framework for providing Ukraine with security guarantees. This would include exploring the implementation of Article 42.7 provisions in relation to candidate countries and ensuring their involvement

in the military dimensions of the Strategic Compass, such as the development of Rapid Deployment Capacity. Additionally, this task force would enhance the exchange of information concerning Ukraine's preparations for membership in both organisations. Furthermore, launching this platform would encourage internal discussions within the EU about potential approaches to operationalising Article 42.7 (which will hopefully be discussed in the Niinistö report¹⁸).

CONCLUSION

Enlargement remains a politically sensitive topic, and despite the consensus facilitating the opening of negotiations, the EU faces many potential political crises ahead. This is particularly true regarding the future membership of a large country like Ukraine, whose size and geographical position will profoundly impact the EU's institutional structure, budget, and policy priorities. Furthermore, the Union has never pursued membership negotiations with a country at war, particularly one that shares a border with a former empire actively seeking to redefine the European security order. This situation not only complicates Ukraine's accession process, but also heightens uncertainty about wartime accession among some EU member states. As a result, some actors in the EU political establishment are reluctant to integrate security issues into enlargement policy.

However, this Policy Brief operates under the premise that such a link is inevitable for the EU to deliver on its enlargement promise. Without a coordinated strategy that integrates security concerns into the enlargement process, the Union and its member states might face a stalemate. Any further deterioration in Ukraine's security could affect its preparations for membership, and the Union will not be able to respond effectively, for example, due to the lack of operationalisation of Art 42.7. Also, if the EU fails to manage the security dimensions of Ukraine's accession as a whole, it could have a destabilising spillover effect in neighbouring countries. Linking security and enlargement also matters for the EU's internal cohesion, which is decisive for accepting new members. Different EU countries have varying levels of exposure to the Russian threat and different views on managing relations with Moscow. Without a clear, unified security policy integrated into the enlargement process, this divergence could paralyse decision-making and lead to delays. Such a stalemate would ultimately jeopardise the entire enlargement policy and the EU's credibility to act as a responsible geopolitical actor in the European neighbourhood. The strengthened link between security and enlargement will become even more important in the event of a reduced American commitment to NATO after the November elections. The EU should be ready to let Ukraine join even if it does not join NATO first. The new institutional cycle,

especially in the area of enlargement and security, could give a new impetus to the process, especially as Kaja Kallas and Andrius Kubilius appear to have converging views on this issue (the position of Marta Kos remains to be seen). The upcoming hearings in the European Parliament should be one of the opportunities to examine this critical issue.

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