





POLICY BRIEF

The Eastern Partnership Beyond 2022: Is the EU Ready to Fight Back for Ukraine?

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I. Background

Russia's full-scale invasion of Ukraine dispelled all assumptions that governed the European security order for the past three decades and raised the (in)security ante to a level not experienced since the beginning of the second world war.¹ With millions of Ukrainians currently seeking refuge across the EU's borders and overwhelming accounts of the atrocities committed by Russia against Ukraine's civilians,² warranted by nothing else other than Putin's ambition of 'denazifying' the country of its 'narcomaniac' leadership,³ the ongoing conflict led to a deluge of analyses, speculation and misrepresentation of its causes and future implications for the European political landscape.

Amidst the chaos of it all, one actor whose responsibility for the crisis eluded its due scrutiny has been the EU. Although Putin's administration would have the European public believe that the ongoing conflict originates with NATO's prospective enlargement after the 2008 Bucharest summit, the matter of fact is that Ukraine constitutionally abandoned its NATO membership perspective in June 2010, reconsidering it only in June 2017, more than three years after Russia's initial military invasion.⁴ Nonetheless, for Putin's eschatological understanding of world politics, seen as a relentless contest for 'spheres of influence', the idea of Ukraine's approximation with Brussels after the 2013 Association Agreement (AA) talks and subsequent events of the Euromaidan became increasingly coalesced with that of an attempt by the monolithic West to seize control over its brotherly former republic.⁵

While most of the EU member states are also NATO members or partners, the argument regarding an increasing security threat posed by NATO, through the EU's enlargement, serves more as a pretext for Kremlin's unlawful interventionism rather than an ominous political reality.⁶ Several facts support this affirmation,⁷ not least of which is Russia's nuclear arsenal in Europe versus NATO's,⁸ but also

¹ Josep Borrell Fontelles [@JosepBorrellF]. (2022, February 24th) *These are among the darkest hours of Europe since the Second World War*. Twitter. Available at:

https://twitter.com/JosepBorrellF/status/1496759656391323651?s=20&t=sXT8n5iKqbAZzRkdSTS_-Q

² Olga, R. (2022, April 3rd). The Kyiv Independent. 'Hundreds of murdered civilians discovered as Russians withdraw from towns near Kyiv (GRAPHIC IMAGES)'. Available at: <https://kyivindependent.com/national/hundreds-of-murdered-civilians-discovered-as-russians-withdraw-from-towns-near-kyiv-graphic-images/>

Taylor, H. (2022, March 27th). The Guardian. 'Russian soldiers raping and sexually assaulting women, says Ukraine MP'. Available at: <https://www.theguardian.com/world/2022/mar/27/russian-soldiers-raping-and-sexually-assaulting-women-says-ukraine-mp>

Borger, J. and Henley, J. (2022, March 4th). The Guardian. 'Zelenskiy says "Europe must wake up" after assault sparks nuclear plant fire'. Available at: <https://www.theguardian.com/world/2022/mar/04/ukraine-nuclear-power-plant-fire-zaporizhzhia-russian-shelling>

³ AFP News Agency (2022, February 25th). YouTube. *Putin calls government 'drug addicts and neo-Nazis' | AFP*. [Video] Available at: https://www.youtube.com/watch?v=rkos-aWbo7w&ab_channel=AFPNewsAgency

Weber, J. et al. (2022, February 25th). DW. 'Fact check: Do Vladimir Putin's justifications for going to war against Ukraine add up?'. Available at: <https://www.dw.com/en/fact-check-do-vladimir-putins-justifications-for-going-to-war-against-ukraine-add-up/a-60917168>

⁴ Alexiyevets M. and Alexiyevets, L. (2020). 'Ukraine – the NATO: Mutual Relationship and Partnership's Main Stages', *Shkhidnoievpropeiskiy Istorychnyi Visnyk [East European Historical Bulletin]*, 14(2020), pp. 175-189.

⁵ Baczynska, G. and Hudson, A. (2014 February 14th). Reuters. 'Russia accuses EU of seeking Ukraine "sphere of influence"'. Available at: <https://www.reuters.com/article/us-ukraine-russia-eu-idUSBREA1D0PT20140214>

Cordesman A. H. (2014). *Russia and the "Color Revolution"*. Center for Strategic & International Studies. Available at: <https://www.csis.org/analysis/russia-and-%E2%80%9CColor-revolution%E2%80%9D>

Dettmer, J. (2022, January 10th) VOA. 'Putin: No More Color Revolutions'. Available at: <https://www.voanews.com/a/putin-no-more-color-revolutions/6390636.html>

⁶ Allan, D., et al. (2021). *Myths and misconceptions in the debate on Russia: How they affect Western policy, and what can be done*. Chatham House. Available at: https://www.chathamhouse.org/sites/default/files/2021-05/2021-05-13-myths-misconceptions-debate-russia-nixey-et-al_0.pdf

⁷ Ibid.

⁸ Noll, A. (2022, March 14th). DW. 'The return of nuclear threat'. Available at: <https://www.dw.com/en/the-return-of-the-nuclear-threat/a-61121925>

the troops' deployment rapport prior to the 2022 conflict.⁹ What is arguably more threatening to Russia in regards to Ukraine is, therefore, not a potential NATO expansion, which the Ukrainians themselves have not supported until very recently,¹⁰ as much as a potential loss of control over Ukraine's domestic politics and subsequent risk of a democratic spillover from its 'appropriation' of European values.¹¹

The 'coloured' revolutions in Russia's near abroad are a sensitive issue for policymakers in Moscow and a dimension where the EU arguably poses a greater threat to their calculations than any other international actor.¹² From this perspective, the EU's role in the ongoing conflict, and Eastern neighbourhood security in general, is in need of dire reassessment, particularly in the wake of the Eastern Partnership (EaP) summit of December 2021 which set the agenda throughout 2022. Therefore, considering that the EU is at the very least morally responsible for the situation in Ukraine, if not even legally liable,¹³ a question of timely inquiry is how ready is the EU to act as a relevant security promoter in post-2021 Ukraine.

II. State of Play

The EaP beyond 2020: taking stock of the EU's resilience-building

The EU's foreign policy towards Ukraine, and the EaP in general, is currently guided by the *post-2020 EaP priorities* (post-2020 priorities), enshrined in a Joint Communication document adopted in July 2021,¹⁴ for which the EU drafted an ambitious €2.3 billion economic investment plan.¹⁵ The post-2020 priorities put a premium on *resilience* as the overarching policy framework – understood in EU vernacular as the ability to reform in order to withstand internal and external crises¹⁶ – from which five long-term objectives are drawn: *1.sustainable and integrated economies; 2.the rule of law and security; 3.environmental and climate resilience; 4.digital transformation and 5.fair and inclusive societies.*

⁹ Prior to the ongoing conflict, NATO's troop count in Eastern Europe was estimated at around 11.850, while Russia's troop count in its former Soviet republics was estimated at 27.200. For more details on military capabilities in Eastern Europe: Clint, R. et al. (2021) *Competing with Russia Militarily: Implications of Conventional and Nuclear Conflict*. RAND. Available at:

https://www.rand.org/content/dam/rand/pubs/perspectives/PE300/PE330/RAND_PE330.pdf

Picheta, R. and Petterson, H. (2022, February 10th) CNN. 'Here's where Alliance forces are deployed across Eastern Europe'.

Available at: <https://edition.cnn.com/2022/02/10/europe/nato-troops-eastern-europe-map-intl-cmd/index.html>

European Parliament Directorate-General for External Policies (2016). *Russian military presence in the Eastern Partnership Countries*. Available at: https://www.europarl.europa.eu/cmsdata/108547/Russia%20military%20in%20EaP_Workshop.pdf

¹⁰ Onuch, O and Sandoval J. P. (2022, February 4th). The Washington Post. 'A majority of Ukrainians support joining NATO. Does this matter?' Available at: <https://www.washingtonpost.com/politics/2022/02/04/majority-ukrainians-support-joining-nato-does-this-matter/>

¹¹ Liik, K. (2018). *Winning the normative war with Russia: An EU-Russia Power Audit*. European Council on Foreign Affairs.

Available at: https://ecfr.eu/publication/winning_the_normative_war_with_russia_an_eu_russia_power_audit/

TASS (2019, July 2nd) 'NATO cooking up color revolutions' in CSTO states, says Russian Security Council' Available at: <https://tass.com/defense/1066764>

¹² Ibid.

Cordesman A. H. (2014).

¹³ Herzenhorn, D. M. (2021, July 26th). Politico. 'In Nord Stream 2 fight, Ukraine gives EU taste of its own bureaucracy'. Available at: https://www.politico.eu/article/in-gas-fight-ukraine-gives-eu-taste-of-its-own-bureaucracy/?utm_medium=Social&utm_source=Facebook&fbclid=IwAR2w9wbx6WsbWygHSeFB4BeqOPIMYKP7K8AhUW7Rh eGiD51JD-33ICeFfJM#Echobox=1627400402

¹⁴ European Commission (2021). *Joint Staff Working Document: Recovery, resilience and reform: post 2020 Eastern Partnership priorities*. Available at:

https://eeas.europa.eu/sites/default/files/swd_2021_186_f1_joint_staff_working_paper_en_v2_p1_1356457_0.pdf

¹⁵ European Council (2022, January 11th). *Eastern Partnership policy beyond 2020*. Available at:

<https://www.consilium.europa.eu/en/policies/eastern-partnership/eastern-partnership-policy-beyond-2020/>

¹⁶ European Union External Action Service (2016). *EU Global Strategy*. Available at:

https://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf

THE EASTERN PARTNERSHIP BEYOND 2022: IS THE EU READY TO FIGHT BACK FOR UKRAINE?

Of these objectives, fostering security in the EaP, or resilience to external crises, has been by far the EU's greatest challenge since the program's inception in 2009. Consequently, the EU's decision on the 27th of February to provide Ukraine with military assistance worth €500 million,¹⁷ represented a watershed moment in its 71-year history of non-engagement with hard power politics. Nonetheless, its timing, nearly four months after the intelligence community began to warn about the imminent threat of an invasion,¹⁸ still raises the question of whether the EU is ready to act as the 'pre-emptive peacebuilder' it set out to be in its 2016 Global Strategy,¹⁹ or it remains stuck in the same paradigmatic thinking of the *post-factum diplomacy* that caught it unprepared in both Belarus and Nagorno-Karabakh in 2020.²⁰

Between 2014 and 2020, the scope of the EU's bilateral relations with Ukraine was dictated in good part by the 'mainstreaming of conflict-sensitivity in all support measures'.²¹ Broadly speaking, this referred to the EU's multi-track which entailed (1) logistical support for Ukraine's defensive capabilities, combined with (2) diplomatic attempts at de-escalation with Russia and (3) deterrence of Russian aggressions through sanctions.²² Regarding the first track, the EU's assistance to Ukraine between 2014-2020 consisted of approximately €65.7 million disbursed across several peacebuilding projects,²³ of which some, such as the logistic support for the OSCE special monitoring mission in east Ukraine, managed to provide important operational support to the international peacekeeping efforts.²⁴

Regarding the last two tracks and the extent of their effectiveness, this has been a topic of extensive debate during the past years. However, a consensus emerging from various research was that the EU's imposition of sanctions could be correlated with Russia's military de-escalation, most visibly after their linkage with the 2015 Minsk agreement,²⁵ while their gradual ineffectiveness in the ensuing years was attributed to a lack of cohesion among the EU's member states' positions towards Russia.²⁶

¹⁷ de la Baume, M. and Barigazzi, J. (2022, February 27th) Politico. 'EU agrees to give €500M in arms, aid to Ukrainian military in "watershed" move'. Available at: <https://www.politico.eu/article/eu-ukraine-russia-funding-weapons-budget-military-aid/>

¹⁸ Financial Times (2021, December 5th). 'US intelligence-sharing convinces allies of Russian threat to Ukraine'. Available at: <https://www.ft.com/content/b287f2e3-3b8b-4095-b704-c255a943c84c>

¹⁹ EU Global Strategy (2016). p. 29 -30.

²⁰ Cenușă, D. (2020, November 14th). IPN. 'The EU and the "changing" Eastern neighbourhood – between "post-factum diplomacy" and realpolitik'. Available at: https://www.ipn.md/en/the-eu-and-the-changing-eastern-neighborhood-between-post-factum-diplomacy-and-r-7978_1077619.html

²¹ European Commission (2017). *Single Support Framework for EU support to Ukraine (2018-2020)*. Available at: https://eeas.europa.eu/sites/default/files/ukraine_c_2017_8264_annex_en.pdf

For more information regarding the Special Measures for 2014-2017, refer to: European Court of Auditors (2016). *Special Report: EU assistance to Ukraine*. pp. 16-17. Available at: https://www.eca.europa.eu/Lists/ECADocuments/SR16_32/SR_UKRAINE_EN.pdf

²² Litra, L., Medynskyi, I., & Zarembo, K. (2017). *Assessing the EU's conflict prevention and peacebuilding interventions in Ukraine*. WOSCAP Deliverable 3.4: Case Study Report Ukraine. Available at: <https://issat.dcaf.ch/download/142333/2917118/Assessing%20EU%20Conflict%20Prevention%20in%20Ukraine.pdf>

²³ EU Service for Foreign Policy Instruments (n.d.) *Instrument Contributing to Stability and Peace Map: Ukraine*. Available at: <https://instrument-for-peace-map.ec.europa.eu/>

²⁴ Insight on Conflict (2016). *Ceasefire in Eastern Ukraine: Monitoring the Line of Contact*. Available at: <https://instrument-for-peace-map.ec.europa.eu/features/ceasefire-eastern-ukraine/#eu-mark>

Bergmann, J. (2018). *A bridge over troubled water? The Instrument contributing to Stability and Peace (IcSP) and the security-development nexus in EU external policy*. DIE Discussion paper. No. 6/2018. Available at: <http://hdl.handle.net/10419/199526>

²⁵ Litra, L. et al. (2017)

²⁶ Orenstein, M. A. and Kelemen R. D. (2017). 'Trojan Horses in EU Foreign Policy', *Journal of Common Market Studies* 55(1), pp. 87-102.

Giumelli, F. (2017). 'The Redistributive Impact of Restrictive Measures on EU Members: Winners and Losers from Imposing Sanctions on Russia', *Journal of Common Market Studies*, 55(5), pp. 1062-1080.

Lehne, S. (2017). *Is There Hope for EU Foreign Policy?* Carnegie Europe. Available at: <https://carnegieeurope.eu/2017/12/05/is-there-hope-for-eu-foreign-policy-pub-74909>

THE EASTERN PARTNERSHIP BEYOND 2022: IS THE EU READY TO FIGHT BACK FOR UKRAINE?

Of these three approaches, the EU's lack of cohesion on Russia can be considered the primary reason for which its peacebuilding objectives in Ukraine, and one to which its decrease in security ambitions post-2020 can be attributed to. Although detailed strategic documents have not yet been made available for its partner countries, the 2021 Joint Communication document signals a considerable backtrack of the EU from its purported role as a security actor in the EaP region. Of the 51 pages dedicated to resilience-building strategies, merely three phrases reference conflict management objectives, of which one is in connection to Armenia's post-war recovery efforts, and two in connection with the general support for grassroots organisations and initiatives in conflict-affected areas.²⁷

Likewise, out of the 31 paragraphs of the Joint Declaration issued after the December 2021 EaP summit, only one paragraph is dedicated to the issue of conflict management, and another to the 'continuous destabilization[...]in many parts of the (EaP)', without acknowledging, for example, the looming military threat on Ukraine's borders that started nearly two months before the summit.²⁸ While the recently published Strategic Compass from March 22nd promises a shift in the EU's conceptual approach to traditional security matters,²⁹ the contradictory language employed during the past year and a half raises doubts over the EU's willingness to act as a security provider in a continuously insecure Eastern neighbourhood.

It is necessary to mention, however, that the EU remains an important civilian security actor through the soft power mechanisms of its neighbourhood policies. In this respect, the emphasis that the EU placed, and will continue to according to the post-2020 priorities, on economic development, public administration reform and support for the rule of law, most certainly raised Ukraine's state and societal resilience to internal shocks and certain external ones as well, at least in so far as an argument could be made that without the EU's assistance Ukraine's democratisation efforts would have been at a higher risk high jacking by rent-seeking elites and/or destabilisation by Russia's hybrid interventionism.³⁰

Since 2014, the EU provided Ukraine with more than €17 billion in several grants and loans, meant to sustain its push for administrative reform,³¹ as well as on-ground technical assistance that provided the local authorities with strategic support in reforming Ukraine's civilian security sector and consolidating the rule of law.³² In this respect, the EU's legislative support for Ukraine's decentralisation reforms for example, which since 2014 has been a key policy objective for the country in strengthening its local self-government and reducing the centralisation of state power,³³

²⁷ Council of European Union (2021, December 15th). *Joint Declaration of the Eastern Partnership Summit*. Available at: <https://www.consilium.europa.eu/media/53527/20211215-eap-joint-declaration-en.pdf>

²⁸ Council of European Union (2021, December 15th).

²⁹ European Union External Action (2022, March 24th). *A Strategic Compass for Security and Defence*. Available at: https://eeas.europa.eu/headquarters/headquarters-homepage_en/106337/A%20Strategic%20Compass%20for%20the%20EU

³⁰ Kakachia, K, Legucka A., & Lebanidze, B (2021). 'Can the EU's new global strategy make a difference? Strengthening resilience in the Eastern Partnership countries', *Democratization*, 28(7), pp. 1338-1356

³¹ European Commission (2022, February 1st). *Commission tables proposal for €1.2 billion emergency macro-financial assistance package for Ukraine, as announced by President von der Leyen*. Available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_22_674

³² Meszaros, E. L. and Țoca, C. V. (2020). 'The EU's multifaceted approach to resilience building in the Eastern Neighbourhood. Security sector reform in Ukraine', *Eastern Journal of European Studies*, 11(2020), pp. 120-145.

European Union Advisory Mission (n.d.). *Progress in Reform*. Available at: <https://www.euam-ukraine.eu/our-mission/progress-in-reform/>

³³ Litra, L., Medynskiy, I., & Zarembo, K. (2017)

yielded substantial results not only in improving the good governance at municipal level but most importantly, in increasing the Ukrainians' trust in local public institutions.³⁴

In certain instances, the EU's support for Ukraine's internal resilience even had clear spillover effects on its resilience towards external challenges. A notable example here is the AA signed with the EU in 2017, which has been successfully employed as an institutional forum to find solutions for problems in the bilateral cooperation agenda. Research conducted on the EU-Ukraine regulatory trade disputes during the past years showed that through the legislative framework provided by the AA Ukraine and the EU were able to effectively overcome regulatory challenges while achieving a higher degree of mutual recognition between domestic objectives and the *acquis communautaire*.³⁵

Although research showed that Ukraine is yet to employ the AA to its full potential, more recent developments in the EU-Ukraine bilateral relations, predating the 2022 conflict, suggested a promising change of dynamic. In May 2021, Ukraine together with Georgia and Moldova signed a tripartite association memorandum in historic coordination between third countries in asserting greater mutual ownership over their diplomatic dialogue with the EU, based on strategic synchronisation of goals.³⁶ As such, they reiterated their EU membership aspirations while highlighting a number of ways in which the EU can bolster their resilience against Russia's hybrid threats and space for political manoeuvring in its domestic affairs.³⁷

In July 2021, Ukraine even employed the AA in an attempt to call off the EU's energy dealings with Russia over Nord Stream 2, citing two AA provisions that held the EU liable for failing to consult and coordinate with Ukraine on developments related to 'trade in natural gas, sustainability and security of supply', and for failing to 'address potential energy crisis situations in a spirit of solidarity'.³⁸ This move signalled yet another precedent in the EU's relations with a third country, both in its 'boldness' to hold the EU accountable to the same political commitments it tries to enforce, and in implicitly requesting its member states to adhere to the same obligations demanded from aspiring member countries.

III. Policy Recommendations

Devising meaningful resilience-oriented policies for post-2021 Ukraine will require the EU to first and foremost owe up to its previous impotence on Russia and draft brand-new security strategies that would seek to intensify defence collaboration across all (un)conventional areas with its willing EaP

³⁴ Romanova, V. and Umland, A. (2019) *Ukraine's Decentralisation Reforms Since 2014: Initial Achievements and Future Challenges*. Chatham House. Available at: <https://www.chathamhouse.org/2019/09/ukraines-decentralization-reforms-2014/summary>

Council of Europe (2019, March 4) *REPORTS: Annual National Opinion Polls on Decentralisation and Local Self-Government Reform*. Available at: <http://www.slg-coe.org.ua/p16423/?lang=en>

³⁵ Petrov, R. and Holovko-Havrysheva, O. (2021). 'Resilience in the Context of the Implementation of the EU-Ukraine Association Agreement', *Kyiv-Mohyla Law and Politics Journal*, 7(2021), pp. 1-26.

³⁶ Cenușă, D. (2021, July 27). IPN. 'Georgia-Moldova-Ukraine "Association" Triangle: Deepening EU Integration and the "Shield" Against Russian Influence'. Available at: https://www.ipn.md/en/georgia-moldova-ukraine-association-triangle-deepening-eu-integration-and-the-sh-7978_1083346.html

³⁷ Ministry of Foreign Affairs of Ukraine (2021, May 17). *Association Trio: Memorandum of Understanding between the Ministry of Foreign Affairs of Ukraine, Ministry of Foreign Affairs of Georgia and the Ministry of Foreign Affairs and European Integration of the Republic of Moldova*. Available at: <https://mfa.gov.ua/en/news/association-trio-memorandum-understanding-between-ministry-foreign-affairs-georgia-ministry-foreign-affairs-and-european-integration-republic-moldova-and-ministry-foreign-affairs-ukraine>

³⁸ Herzenhorn, D. M. (2021, July 26th). Politico. 'In Nord Stream 2 fight, Ukraine gives EU taste of its own bureaucracy'. Available at: https://www.politico.eu/article/in-gas-fight-ukraine-gives-eu-taste-of-its-own-bureaucracy/?utm_medium=Social&utm_source=Facebook&fbclid=IwAR2w9wbx6WsbWygHSefB4BeqOPIMYKP7K8AhUW7Rh eGiD51JD-33ICeFfJM#Echobox=1627400402

Association Agreement between the European Union and its Member States, of the one part, and Ukraine of the other part., May 29, 2014, Article 274 & 334. Available at: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29>

partners. The EU spends annually € billions more on its support for the EaP's resilience than the US or Russia, and yet, it is the drones and rocket launchers from Turkey, the US and the UK that help Ukraine preserve its sovereignty against Russia's onslaught. For this reason, the time has come for the EU to look beyond sanction-based deterrence and consider long- and medium-term investment plans in its EaP partners' defence capabilities.

The new Strategic Compass represents a promising turn in this direction, laying out the EU's plans in reforming its strategic approach to security after the 2016 Global Strategy flop.³⁹ At the moment, the Strategic Compass offers some clear-cut objectives while laying out some new pathways for conceptualising security collaboration with third countries. However, to translate these ambitions into actionable objectives, it will be crucial for the EU in the upcoming period to fashion an interoperable defensive structure that will be able to bypass individual member states' reticence in 'antagonising' Russia, otherwise, any attempt at stabilising its Eastern neighbourhood will fall short of a unanimous vote.

Military collaboration with Ukraine does not mean that the Union should become an alternative to Russia's NATO encroachment paranoia, however, Ukraine's neutrality based on security guarantees and capability to defend itself is the only sustainable way forward for accommodating both Europe, Ukraine and Russia's security interests. The negotiations in Istanbul on the 29th of March indicated a positive move towards this direction, nevertheless, Russia's behaviour during the past month has well dispelled any reasonable assumptions that a sustainable ceasefire can be reached with the current leadership. Therefore, for Ukraine to become a win-win scenario between both Russia and the EU's security interests, its neutrality needs to be undergirded by a robust defensive capability system. This can only begin by providing Ukraine with modern and *de-Russianised* air and anti-missile defence systems, taking into account that the most human life losses during this war were owed to Russia's large arsenal of long-range cruise missiles.

Last but not least, civilian security remains a crucial component of the post-2020 priorities. In this regard, the EU's objectives have calibrated generally well to the needs signalled by the civil society. However, the extent and speed with which Ukraine's democratisation can be accomplished are directly proportional to its more pressing security concerns. Here, the EU has currently very limited options for engaging East Ukraine in meaningful diplomatic dialogue. Unlike in Moldova's peace process with Transnistria, where the EU holds an honourable track record of confidence-building, opportunities for reconciliation between Donbas and Crimea with the rest of Ukraine are very scarce. For this reason, the Union needs to leverage its involvement in an ensuing peace format through a rigorous and unwavering sanctions regime, since that would be the only feasible way in which Russia can be worn down into genuine negotiations and Ukraine's successful transition into the European community of nations can be secured.

³⁹European Union External Action (2022, March 24th).

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