

# The on-going violence in Ukraine demonstrates the weakness of EU crisis diplomacy

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*Despite a ceasefire being announced in Ukraine on 5 September, violence has continued, with the UN High Commissioner for Human Rights announcing on 20 November that an estimated 13 people a day have been killed in fighting since the agreement was reached. [Iulian Romanyshyn](#) and [Dorina Baltag](#) write on the EU's overall approach to crisis diplomacy in Ukraine. They argue that despite some limited successes such as the agreement to guarantee Russian gas supplies, it will be necessary for the EU to take a much harder line with Russia if a genuine solution is to be reached.*



Since the start of the Russia-Ukraine crisis, the diplomatic performance of the European Union has been under close scrutiny. As a postmodern actor, the EU differs from nation states in the way it approaches world affairs by promoting multilateral diplomacy over military force as a solution to international crises. This is why effective multilateralism is the cornerstone not only of its [security strategy](#), but of its entire foreign policy.



Brussels' choice of political and diplomatic options over military ones in the Russia-Ukraine conflict came as no surprise. Given the fact that the EU itself was created as a peace project on the premise that war in Europe was unthinkable, the EU's reactions to events in Ukraine have reignited heated discussions about the EU's role in the pan-European security architecture.

## Assessing the EU's crisis management and diplomacy in Ukraine

What is initially striking about the EU's diplomatic performance in the Russia-Ukraine conflict is the EU's choice of negotiation strategy. This is especially obvious when we think of the EU as a multilateral entity. While the first high-level negotiations [organised in Geneva](#) in April 2014 witnessed US Secretary of State John Kerry and EU High Representative Catherine Ashton mediating talks between Ukrainians and Russians, later talks saw the French and German Foreign Ministers replace the EU High Representative.

From a diplomatic perspective, this was always highly questionable. France and Germany are far from being neutral brokers for Russia-Ukraine negotiations. Their close ties with Moscow regarding arms sales and energy, coupled with the decades-long 'Russia first' policy toward the EU's Eastern neighborhood had the potential to raise concerns. French and German bloc diplomacy may be a way to provide the EU with an advanced position; yet, the French-led mediation of the Russia-Georgia ceasefire in August 2008, which resulted in compromising Georgian sovereignty and Tbilisi's ultimate loss of control over breakaway regions of Abkhazia and South Ossetia, is still fresh in the mind.

The EU's mantra of seeking compromise has delivered mixed-outcomes, often resulting in a number of ill-founded concessions allowing President Putin to gain an upper hand in the conflict. It is not a coincidence that the third member of the Weimar Triangle – Poland – is not represented at the negotiation table, although it is perhaps still unexpected, given the crucial role of its ex-Foreign Minister Sikorski in ending violence in Kyiv earlier in February. Without asking Moscow much in return, EU leaders were eager to endorse Ukrainian President Petro Poroshenko's unilateral ceasefire in June.

The EU's delegation of crisis management responsibilities to the Organization for Security and Co-operation in Europe (OSCE) has also raised further questions about its diplomacy capabilities. In Eastern Europe, the OSCE is best-known for successful election monitoring rather than its conflict prevention or crisis management practice and its prestige is in decline. So far, the OSCE has failed to solve a single inter-state dispute across a wide range of protracted conflicts in the post-Soviet space. Moreover, it may be perceived by some as being part of the problem,

rather than the solution, especially when one recalls that the OSCE accepted the ‘peacekeeping’ status of the Russian military troops in Transnistria.

One should also keep in mind that Moscow holds veto power over all crucial decisions in the organisation based on consensus decision-making. Moscow used the OSCE presence at the contact group negotiations in Minsk to legitimise the [September 2014 ceasefire](#) deal, effectively transitioning the conflict into a ‘frozen’ phase. The OSCE border monitoring in Eastern Ukraine that followed the [Minsk Protocol](#) holds little more than symbolic meaning: its observers are allowed to be stationed only in two check points on the 400-km-long uncontrolled borderline.

Recently, the EU’s diplomatic skills as a mediator rendered more successful results. The EU’s intervention helped to [broker a deal](#) on 30 October over a protracted gas dispute between Kyiv and Moscow. Russia pledged to renew its gas supplies to Ukraine and guarantee an uninterrupted gas supply to EU countries in the upcoming winter season. Unlike the 2006 or 2009 gas disputes, the EU did not step aside on the basis that the dispute is of a commercial nature which should be resolved between the two countries themselves.

However, the result of the [negotiations](#) on trade on 12 September between the EU, Russia and Ukraine took many by surprise: postponing the implementation of the EU-Ukraine free trade area until 2016 in exchange for Putin’s word not to impose a trade embargo on Ukraine. As a diplomatic move, was this a step toward the stabilising of Ukraine? This seems unlikely: the ban announced by Russia in October on imports of Ukrainian fruit and vegetables for ‘health concerns’ signals that Russian efforts to disrupt Ukraine’s modernisation are far from over. This is particularly evident given a similar ban had already been introduced on Moldovan imports only a month earlier when the country started to implement a free trade deal with the EU. This was underlined when reports emerged of [Russian tanks](#) entering Eastern Ukraine on 7 November.

### Improving the EU’s diplomatic performance

The new European Commission, which took office on 1 November, has a chance to improve the EU’s record and address its flawed credibility, at least in the areas mentioned above. First, if the newly appointed EU High Representative Federica Mogherini is serious about Ukraine, she should reclaim a full seat at the negotiation table and insist on bringing the negotiations back to the Geneva format. Second, the EU should seek to replace the OSCE observers with its own monitoring mission that has access to an entire segment of uncontrolled border. The EU could also rely on its already existing capabilities – such as the EU Delegation in Kyiv or the [EUBAM](#) border monitoring mission – through extending their mandate to proper crisis-management tasks.

Third, it is vital the EU avoids granting unilateral concessions to Putin as goodwill gestures. Instead, the Union should strengthen the sanctions regime every time Moscow continues to violate Ukraine’s sovereignty and territorial integrity. The EU’s current and future sanctions can be lifted altogether only, and only if, Russia comes back to the status quo that existed before March 2014 when it invaded Crimea. Finally, the EU should continue to be involved in the energy negotiations between Kyiv and Moscow and fully exploit its negotiation stance. In the current energy talks, for instance, the EU could have leveraged its position by disclosing results regarding the on-going antitrust investigation against the Russian energy giant Gazprom, which was opened by the European Commission in 2012. In addition, rather than being a neutral broker, the EU should fully support Ukraine as a member of the European Energy Community that pledged to implement the EU’s energy norms and standards of fair competition– the same



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standards that Moscow currently ignores.

The EU's modest diplomatic performance confirms a pattern of avoiding power and responsibility in the conflict. If the Union does not want to fall into irrelevance, foremost in its own neighbourhood, it will require taking a harder line when it comes to defending what it stands for. As former EU diplomat [Robert Cooper](#) once wrote, 'among ourselves, we keep the law but when we are operating in the jungle, we must also use the laws of the jungle'.

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*Note: This article gives the views of the authors, and not the position of EUROPP – European Politics and Policy, nor of the London School of Economics.*

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