

The Role of Differentiation in EU Foreign, Security and Defence Policy Cooperation with Neighbouring Countries

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Abstract

The EU extensively practices differentiation in its foreign, security and defence policy, both internally and externally towards its neighbours. Neighbouring countries are plugged into the EU's Common Foreign and Security Policy and its Common Security and Defence Policy to different degrees, and also cooperate with groups of member states informally outside of the EU framework. The paper focuses on external differentiation in foreign and security policy, undertaking an in-depth assessment of the ways in which Albania, Georgia, Moldova, Montenegro, North Macedonia, Norway, Serbia, Turkey, Ukraine and the UK cooperate with the EU in foreign and security policy. The paper focuses on the effectiveness, sustainability and legitimacy of the EU's external differentiation with its partners. Finally, it makes recommendations for how the EU and its partners might deepen foreign and security policy cooperation.

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Executive summary

The EU extensively practices differentiation in its foreign, security and defence policy, both internally and externally towards its neighbours. Neighbouring countries are plugged into the EU's Common Foreign and Security Policy (CFSP) and its Common Security and Defence Policy (CSDP) to different degrees, and also cooperate with groups of member states informally outside of the EU framework. This paper focuses on the EU's relationships with its partners, analysing a selection of the EU's cooperation arrangements with countries in its neighbourhood.

The paper focuses on ten partners drawn from three groups of countries neighbouring the EU, grouped in relation to their contractual relations with the EU. The first group are countries which are official candidates for EU membership: Albania, Montenegro, North Macedonia, Serbia and Turkey. The second group are European states that are eligible for membership but are not seeking EU accession: Norway and the UK. The third group are the Eastern Partnership countries that have Association Agreements with the EU: Moldova, Georgia and Ukraine.

The paper assesses the formal and informal arrangements that each partner country has made to cooperate with the EU in foreign, security and defence policy. It looks at when and how countries with differing relationships with the Union align themselves with CFSP, how cooperation works in security and defence, and how the EU's partners cooperate with groups of member states in parallel to EU structures. It also analyses how effective, sustainable and legitimate the different forms of cooperation are.

On the whole, we find that the EU's arrangements for external differentiation in foreign and security policy provide for limited involvement by the Union's partners, with the EU not wanting to compromise its decision-making autonomy. The degree of cooperation between the EU and each partner varies principally depending on the level of political alignment between them. Being a candidate for EU membership or a NATO member does not necessarily lead to a close partnership, as exemplified by how Turkey–EU cooperation has been undermined by political tensions. This implies that the sustainability of cooperation ultimately depends on ongoing political alignment between the EU and its partners.

The paper concludes with some proposals for how the EU can maximise the effectiveness of differentiation by deepening foreign policy cooperation with its partners. By allowing its partners more frequent and early consultation and greater access to EU defence industrial tools, the EU would become a stronger actor. It would also reduce the risk that informal cooperation between third countries and groups of member states taking place outside of EU structures may undermine the common foreign and security policy.

Introduction

This paper analyses external differentiation in European foreign, security and defence policy, focusing on the role of neighbouring states with varying depths of contractual engagement with the EU. Differentiation, defined as “any modality of integration or cooperation that allows states (members and non-members) and sub-state entities to work together in non-homogeneous, flexible ways” (Lavenex and Križić 2019: 3), is an important feature of the EU’s foreign and security policy. External differentiation in foreign and security policy encompasses a wide range of arrangements, ranging from legally binding formal ones like that between the EU and Canada to largely informal arrangements, like that between the EU and Norway.

For the EU, cooperating with its partners in foreign and security policy, whether formally or informally, is above all a way to increase the effectiveness of its own policy. Partners have no formal role in EU decision-making but can make valuable contributions, adding diplomatic weight to EU policies and initiatives, providing unique insights and making valuable operational contributions to Common Security and Defence Policy (CSDP) missions and operations. The EU’s partners can also contribute, both financially and through the involvement of their defence industries, to the EU’s efforts to develop its military capabilities. Moreover, by consulting and cooperating with its partners the EU can make them feel more valued, strengthening bilateral relations and keeping them broadly aligned with its foreign policy. At the same time, some member states cooperate with non-member states in flexible groups outside of the EU framework, such as the E3 grouping France, Germany and the UK or the French-led European Intervention Initiative.

The paper assesses the ways in which third countries in the EU’s neighbourhood plug into the EU’s Common Foreign and Security Policy (CFSP) and its CSDP. Our case selection is guided by the varying contractual relations which the neighbouring countries have with the EU. The first group are countries that are official candidates for EU membership: Albania, Montenegro, North Macedonia, Serbia and Turkey. The second group are European states that are eligible for EU membership but that do not seek accession: Norway and the UK. The third group are Eastern Partnership countries that have concluded Association Agreements with the EU: Moldova, Georgia and Ukraine.

Using evidence from 19 original interviews with EU and national diplomats, members of parliament and experts, plus desk research, the cases assess the formal and informal arrangements that the EU’s partners have for cooperation with the Union in foreign policy and security policy. Each case study provides an overview of the relationship and looks at why differentiation takes the form it does. With an eye to assessing the sustainability of differentiation, we also focus on its effectiveness and legitimacy (Lavenex and Križić 2019: 18). We then undertake a comparative assessment, focusing on explaining the varying degrees of cooperation, and assessing their overall effectiveness and sustainability. The conclusions propose some policy recommendations for how the EU could deepen cooperation with its partners.

1. Turkey

EU–Turkey differentiated cooperation in foreign and security policy goes back to Turkey’s associate membership of the Western European Union (WEU) in 1992. Turkey participated in the meetings of the WEU Council, its working groups and subsidiary bodies, but without voting rights. It could appoint liaison officers and take part in WEU operations on equal terms with full members. Given its NATO membership, Turkey as an associate WEU member had the right to be consulted on WEU operations, and to be involved in operations using NATO assets (Cebeci 1999, Missiroli 2002: 10-12).

This changed with the WEU’s dissolution, after which Turkey’s anxiety about being left out of autonomous EU security and defence policy structures increased. Ankara vetoed the establishment of a formal EU–NATO cooperation framework until its key demands were met with the 2003 Berlin Plus arrangements, which stipulated that non-EU NATO members could participate in EU missions using NATO assets. This paved the way to sizeable contributions by Turkey in nine EU-led missions and operations, mainly in the form of troops and personnel, making it the largest contributor after France, Germany and the UK (Müftüler-Baç 2017: 428), and “the largest single third country contributor to CSDP” (European Commission 2020e: 109).

Intensified cooperation lasted until Cyprus’s EU accession. Berlin Plus did not allow for the inclusion of non-NATO and non-Partnership for Peace states in NATO–EU cooperation, to alleviate Turkish concerns regarding the involvement of Cyprus. Nonetheless, after Cyprus’s EU accession, the EU insisted that Cyprus become party to this cooperation (Cebeci 2011: 100). Turkey, in turn, vetoed a NATO–Cyprus security agreement which would lead to Cyprus’s inclusion in the Partnership for Peace and thus in EU–NATO cooperation. Turkey’s veto went together with Cyprus’s veto of the EU–Turkey Security Agreement on the exchange of classified material and of Turkish membership in the European Defence Agency (EDA) (Cebeci 2011: 100).

This double veto, which has lasted to this day, led to the freezing of EU–NATO dialogue and prevents substantial EU–NATO cooperation beyond Berlin Plus. At the operational level Turkey often turns a blind eye to EU–NATO cooperation, but at the strategic and policy levels cooperation is hampered (Aydın-Düzgüt and Tocci 2015: 123). Nonetheless, Turkey continues to take part in the EU’s EUFOR Althea with one manoeuvre company and five liaison monitoring teams consisting of 242 personnel, making it the second largest personnel contributor to the operation.¹ It has also submitted applications to continue contributing to EU civilian missions in Ukraine and Kosovo after its participation was suspended following the 2016 coup attempt (European Commission 2020e: 109-110).

1 Turkish Armed Forces (TAF) website: *Contribution of the TAF to Peace Support Operations*, <https://www.tsk.tr/Sayfalar?viewName=ContributionToTafToPeace>.

In 2017 the EU announced Permanent Structured Cooperation (PESCO) as a way to allow willing member states to integrate further in defence (Biscop 2020), thereby launching a new form of differentiation within CSDP, potentially open to third countries. This led to some, albeit very limited, discussion in Turkey on whether this could and/or should be a way to return to formally cooperating with the EU on security and defence (Aydın-Düzgit and Marrone 2018). The prevailing perception across the Turkish political elite that PESCO is a weak initiative, alongside the fact that Cyprus can veto Turkey's participation, quickly ended the debate (Aydın-Düzgit et al. 2020). Nonetheless, officially Turkey "continues to request to be involved in EU defence initiatives", namely PESCO as well as the European Defence Fund (EDF) (European Commission 2020e: 110), while the EU "refuses to even discuss it" (Interview 1).

As a country negotiating EU accession, Turkey is expected to align with CFSP. Its alignment rate with Council decisions and with declarations made by the High Representative on the EU's behalf was high between 2006 and 2011, ranging between 74 and 98 per cent. Turkey's alignment rate has considerably declined since then and stood at 21 per cent in 2019 (Müftüler-Baç 2017: 428, European Commission 2020e: 107). EU–Turkey dialogue on foreign and security issues is formalised through the High-Level Political Dialogue between the EU High Representative, EU Commissioner for Enlargement and the Neighbourhood, the Turkish Foreign Minister and the Turkish Minister for EU Affairs. Foreign and security related issues are also covered in Political Directors' meetings. Yet, as the low rates of alignment attest, there are growing frictions between the EU and Turkey most notably on the Eastern Mediterranean, Syria and Russia, among other issues.

There are two points concerning the foreign and security relationship between Turkey and the EU over which there seems to be widespread agreement across the Turkish political spectrum. The first is the perception of the EU as a relatively weak foreign and security actor which often fails to "deliver results" (Interview 7). The second is that the EU does not treat Turkey fairly in foreign and security policy issues involving Cyprus and Greece. Although the Turkish opposition is critical of the government's "style", pointing at its unilateralism and overreliance on hard power, it does not contest the substance of Turkish claims (Interview 8).

The effectiveness and sustainability of the current EU–Turkey framework for cooperation illustrates some of the limits of differentiation. When Turkey was politically aligned with the EU, cooperation meant the Union was able to benefit from Turkey's added diplomatic weight. But Turkey has not been as satisfied with cooperation given that the EU has been unwilling to involve Turkey in its defence structures. Since 2003, the interlocking Turkish and Cypriot vetoes have meant that EU–Turkey cooperation and EU–NATO cooperation have been characterised by friction. As shown by the deterioration in cooperation after the emergence of broader EU–Turkey disagreements, differentiation has not proven particularly sustainable. Although the potential for more EU–Turkey differentiated integration is present at least in the institutional sense, with the possibility of Turkey's involvement in PESCO projects, the EDF and EDA, this does not seem plausible in the near future.

2. Albania, Montenegro, North Macedonia and Serbia

Cooperation between the EU, Albania, Montenegro, North Macedonia and Serbia offers an interesting example of external differentiation in foreign and defence policy. Cooperation with the four candidate countries is based on the Stabilisation and Association Agreements that the EU has concluded with each of the four countries, which commit the signatories to deepening foreign and security policy cooperation. Within the framework of these Agreements, the EU and each partner country hold regular exchanges on foreign and security policy.

Every year a Stabilisation and Association Council takes place between the EU and each of the four countries. This normally involves the country's foreign minister and the High Representative and Commissioner for neighbourhood and enlargement on the EU's side. Foreign ministers from the four Western Balkan countries have also taken part in informal meetings of EU foreign ministers in the Gymnich format to discuss issues of mutual interest. Additionally, the European External Action Service (EEAS) Deputy Secretary General meets with the political directors of Western Balkans candidate countries plus Bosnia and Kosovo twice a year for consultations. Albania, North Macedonia, Montenegro and Serbia also hold regular meetings with the EU's Political and Security Committee (PSC) in various formats. Finally, each of the Western Balkan countries has more informal and ad-hoc contacts with EU officials. In addition, Serbia has a yearly political dialogue with the EU at the political directors' level. All these consultations focus on both regional and global issues (Interviews 4, 5, 6, 17, 18 and 19).

As candidates for EU membership, Albania, Montenegro, North Macedonia and Serbia have an obligation to align with EU foreign policy. Albania, Montenegro and North Macedonia have a very high level of alignment. Both Albania and Montenegro had an alignment rate of 100 per cent in 2019 (European Commission 2020a and 2020b). Meanwhile, North Macedonia aligned with the EU on 92 per cent of the occasions on which it was invited to do so. Notably, North Macedonia has not aligned with the EU's restrictive measures against Russia (European Commission 2020c). The three countries also regularly align with EU statements at international organisations like the UN. Serbia's level of alignment with the EU is significantly lower, at 60 per cent in 2019 (European Commission 2020d). Serbia has not aligned with EU sanctions on Russia, Venezuela, Myanmar and Iran and with declarations by the HR on Hong Kong. Serbia also has not aligned with EU sanctions on Belarus although it aligned with declarations by the HR on the Presidential elections and the escalation of violence in the country. Serbia has also promised to move its Embassy in Israel to Jerusalem in 2021, going against the EU's position in that regard. More broadly, while Serbia aspires to EU membership and has been forging closer relations with NATO, it criticised the EU during the COVID-19 pandemic, while praising China. Serbia has also built closer ties with Beijing, both economically and in the security field, with joint police exercises and purchases of surveillance equipment which the EU views with concern (Interviews 17 and 18). At the same time, Serbia has close relations with Russia – including joint military drills and purchases of arms (European Commission

2020d).

Albania, Montenegro, North Macedonia and Serbia have each concluded an agreement to exchange and protect classified information with the EU (European Commission 2020a, 2020b, 2020c and 2020d). Albania, Montenegro, North Macedonia and Serbia also have concluded Framework Participation Agreements with the EU, allowing them to contribute personnel to CSDP missions, without however having a say in the missions' planning.

Albania, Montenegro, North Macedonia and Serbia are currently participating in several CSDP missions and operations. Out of the four, Serbia makes the most sizeable contribution: it is contributing to EU training missions in Mali, the Central African Republic (CAR) and Somalia, and to Atalanta (European Commission 2020d). Belgrade is keen to emphasise its contribution and would like to have regular consultations with the EU in relation to CSDP issues (Interview 19). Albania is contributing personnel to the EU's EUFOR Althea operation in Bosnia and Herzegovina and to the EU's training mission in Mali, EUTM Mali. Montenegro is contributing to the EU's mission to counter piracy off the Horn of Africa, EUNAVFOR Atalanta, and to EUTM Mali. North Macedonia is contributing to operation Althea in Bosnia and in 2021 it will deploy officers to participate in the EU's military training mission in the CAR, EUTM RCA (European Commission 2020a, 2020b and 2020c). As far as participation in the EU's Battlegroups is concerned, North Macedonia has participated in the past and plans to contribute in 2023; Albania plans to contribute in 2024; and Serbia is currently contributing and will also contribute in 2023 (EUMS 2019, Interviews 5 and 6). Additionally, Albania, Montenegro, North Macedonia and Serbia have military-to-military contacts with EU military bodies. Their Chiefs of Defence have participated in select sessions of conferences of the EU Military Committee, and North Macedonia's military academy is a network partner to the European Security and Defence College² (EEAS 2019).

In the defence industrial sphere, cooperation between the four countries and the EU is relatively limited. Serbia is the only country out of the four to have an Administrative Arrangement with the EDA, and is involved, for example, in the Agency's work on countering improvised explosive devices and helicopter training. Through cooperation with the EDA, Serbia aims to improve the capacity of its forces, spur modernisation and build trust with the EU (Interview 19). None of the four countries are currently participating in PESCO projects or benefitting from the EDF and its precursors. There is interest in participating in PESCO, but the hurdles to participation are significant, with the rules stipulating that third countries must provide substantial added value to a project (Interviews 4, 5, 6, 17, 18 and 19). However, Albania, Montenegro and North Macedonia are cooperating with the EU in countering hybrid threats. The three have contributed to an EU "hybrid risk survey". On the basis of responses they provided, the EEAS and the Commission prepared a report identifying their main vulnerabilities and providing recommendations on how to increase resilience (European Commission 2020a, 2020b and 2020c).

2 European Security and Defence College (ESDC) website: *Institutes*, <https://wp.me/PaJK5k-uy>.



From the EU's perspective, the arrangements to cooperate with Albania, Montenegro, North Macedonia and Serbia are effective. The EU has been able to draw on its partners' resources for CSDP missions and operations, and to maximise the possibility that its partners will be aligned with its foreign policy. Cooperating with neighbours can also enhance the legitimacy of EU foreign policy. From the point of view of the EU's partners, cooperation is a way to show commitment to obtaining membership and to signal political alignment with the EU, and also to have regular structured discussions to make the EU aware of their views. Meanwhile, participating in CSDP missions is a way of increasing the capability of their own military forces, to gain interoperability with EU forces and become familiar with EU procedures. However, whether cooperation can be sustained depends on whether a country continues to be interested in EU membership and politically aligned with the EU. If countries lose interest in membership or if the accession process loses momentum, foreign policy cooperation could become patchier. Conversely, differentiated integration could deepen further if relations become closer, with the EU's partners becoming more involved in PESCO, the EDA the EDF and potentially also cooperating more closely with groups of member states.

3. Norway

The EU's relationship with Norway is an example of "deep" differentiated integration in foreign and security policy. Norway does not have a formal cooperation agreement with the EU in foreign and security policy. Instead, the two cooperate on a flexible and ad-hoc basis. Cooperation is partly based on the European Economic Area (EEA) Agreement, which calls for strengthening foreign policy dialogue. There are informal exchanges at the ministerial level at the annual meeting of the EEA council. Norway, together with the other EEA states, also holds regular meetings with the EEAS on issues of mutual interest (Interview 9). At the same time, Norway has extensive bilateral cooperation with the EU. There is a biannual dialogue on foreign policy between Norway's Foreign Minister and the foreign minister of the EU's rotating presidency. Norway's Foreign Minister has regular meetings with the HRVP, and every six months the head of the Norwegian Foreign Ministry meets with the EEAS Secretary General.

There are also a range of ad-hoc contacts with EEAS officials at senior and working levels and Norway has been invited to brief the PSC. Norway has seconded staff to the EEAS to work on projects in which it has interest (Interview 9). The EU invites Norway to align with its statements and restrictive measures, and Norway usually does so. When it does not, this is not normally because underlying views diverge but because aligning with EU positions could hamper Norway's peace and reconciliation efforts. The EU and Norway cooperate closely in development assistance, mostly on the ground. Norway contributes to the EU Trust Fund for Africa and has regularly organised donor conferences with the EU (Norwegian Ministry of Foreign Affairs 2015).

In the defence field, Norway signed a Framework Participation Agreement in 2004 to participate in CSDP missions and operations and has participated in a dozen

operations since then, most notably Operation Atalanta off the Horn of Africa. It is up to Norway to show interest in participating in a given mission, and Norway is excluded from the early stages of planning. However, the more active Oslo is in the lead-up to a mission, the more information the EU is willing to share with it. Norwegian ministers have argued that greater decision-shaping ability would make participation in CSDP missions more attractive to Norway (Skogen 2018). Norway evaluates participation on a case-by-case basis and is currently privileging the UN framework given its term as a non-permanent member of the UN Security Council (Interview 16). Norwegian units have also participated in EU Battlegroups.

Norway has concluded an agreement to exchange classified information with the EU, and it was the first country outside the EU to sign a cooperation agreement with the EDA in 2006. This allows for the exchange of information and for Norway to promote its views in the Agency. It also allows Norway to participate in the EDA's projects, and Norway does in fact take part in a range of projects, albeit without decision-making rights (Norwegian Ministry of Foreign Affairs 2013, Interview 16). Moreover, member states do not want non-members to influence capability development and as a result Norway is currently excluded from the Coordinated Annual Review of Defence led by the EDA as well as its Capability Development Plan.

Norway's involvement in EU security and defence is very deep. Through its membership in the EEA, Norway is an integral part of the EU single market, including in the defence field. Norway implements EU defence directives aimed at creating a more open defence market in Europe. The EEA Agreement also means that Norway is formally associated to the EDF and participated in its precursor, the Preparatory Action on Defence Research which ran from 2017 to 2019. Norway will contribute 2.5 per cent of the EDF budget, will have speaking rights and be able to make proposals and voice objections, but not vote. Norway will also be able to participate in PESCO projects and it has requested to join the military mobility project (Siebold and Stewart 2021, Interview 16).

Norway wants to further deepen its foreign policy relationship with the EU. Its "Strategy for Cooperation with the EU 2018–2021" says it wishes to: i) deepen political dialogue and coordination; ii) strengthen practical cooperation; and iii) promote favourable conditions for Norway's defence industry. Norway seeks early and continuous dialogue with the EU, for example early exchange of information when the EU is deciding on sanctions. Oslo would also like to be involved earlier when the EU is planning a CSDP operation, for example taking part in the EU's Military Planning and Conduct Capability (Norwegian Ministry of Foreign Affairs 2018).

The EU's cooperation with Norway is an effective and sustainable example of differentiated integration in foreign and security policy. By consulting and coordinating with Norway the EU is able to add substantial diplomatic weight and legitimacy to its diplomacy, especially in areas where Norway has specific expertise. Norway's contributions to CSDP missions can also be valuable. And Norway's defence industry, while small, is an important component of the European defence industrial base. From the point of view of sustainability, EU–Norway cooperation appears highly sustainable. Because of their shared values and foreign policy outlook, Norway and



the EU are likely to remain closely aligned in foreign policy. Norway wants a closer relationship, but whether the EU is willing to grant this remains to be seen, as Norway already has what amounts to a privileged status amongst the EU's partners.

4. The UK

The UK–EU foreign policy relationship is a unique instance of differentiation, given that it starts from a process of disintegration. The UK–EU Trade and Cooperation Agreement does not cover foreign policy cooperation. Initially both the UK and the EU believed reaching an agreement on foreign and defence policy cooperation would be easy. The Political Declaration alongside the 2019 Withdrawal Agreement talked of “ambitious, close and lasting” security cooperation (European Union and United Kingdom 2019: 188). Based on this, the EU produced a draft agreement similar to the EU–Japan Strategic Partnership Agreement. EU officials argued that in some areas, like sanctions, the agreement gave the UK a lot of influence (Interview 3). The draft agreement also allowed for intensified information exchange during the planning stages of CSDP missions as well as coordination of development assistance, allowed for the UK's involvement in the EDA's activities and facilitated the exchange of intelligence (Bond 2020).

However, during the post-Brexit transition period, Boris Johnson's government became uninterested in formal cooperation. British Foreign Secretary Dominic Raab limited contacts with the EU and sought to de-emphasise Europe, saying that the government aimed to build partnerships in the Indo-Pacific. The UK thought that the EU's proposed agreement did not reflect its political importance and that most European foreign policy coordination happened outside the EU anyway, in NATO or in small groups like the E3, which has led European diplomacy towards Iran. Johnson's government was also sceptical that EU defence initiatives such as the EDF would be successful, and the EU was only willing to offer British firms limited access to these initiatives anyway (Bond 2020, Whitman 2020). Finally, the UK did not want to appear subordinate to the EU by simply being invited to align with CFSP (Interview 2).

UK–EU cooperation is likely to be very limited in the immediate term. The British government is unwilling to have formal links with the EU and is denying the EU delegation to the UK the diplomatic status EU delegations are normally afforded elsewhere in the world. One exception is sanctions policy: in December 2020 the UK and EU concluded an agreement on exchanging classified information, which will make coordination easier.

The effectiveness and sustainability of such limited cooperation arrangements are doubtful. The EU will find it difficult to coordinate with the UK and will be unable to count on the UK for added diplomatic, military and defence industrial weight. But the UK is also unlikely to be satisfied. Without regular dialogue, it will find it difficult to find out what member states and EU institutions think and to influence them. Member states are only likely to involve London when it is in their interest to do so. And if EU defence tools like the EDF become more successful, British defence firms may be gradually excluded from the European market, even if in theory they could

also participate.

The lack of a formal UK–EU agreement means that for the foreseeable future the UK will rely on informal consultations with member states to influence European foreign and security policy. The UK will try to deepen bilateral partnerships, especially with France and Germany. The UK will also continue to be involved in cooperation formats involving small groups of member states, instances where internal and external differentiation in EU foreign and security policy intersect. The most prominent example is the E3, but the UK is also involved in France's European Intervention Initiative, designed to foster a common strategic culture and made up of 12 EU member states (including Denmark, which has an opt-out from CSDP), plus the UK and Norway. The UK also has longstanding links with the Netherlands, Denmark, Sweden, Norway, Finland and the Baltic states, which form the Joint Expeditionary Force.

Such small-group informal cooperation outside of the EU can be effective for the UK and for those member states involved. However, it risks undermining EU foreign policy, especially if the largest member states find that acting through the EU is difficult and ineffective and turn to cooperation with the UK in informal frameworks instead. This would generate disunity, as smaller member states were not happy about being excluded from the E3 even when the UK was an EU member. With the UK no longer in the EU, friction will be higher. In theory then, it would be in the interests of both the EU and the UK to conclude a formal foreign policy agreement. But while the EU wants to, the UK is unwilling. Nevertheless, a future British government might change its mind about having formal ties with the EU. And, depending on the overall state of the UK–EU relationship, the EU might be willing to offer the UK a deeper relationship than it did in its original draft agreement.

5. Georgia, Moldova and Ukraine

Though there are six countries in the Eastern Partnership (EaP) (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine), only Georgia, Moldova and Ukraine are actively seeking a perspective of EU membership. Foreign and security cooperation between Georgia, Moldova and Ukraine is another interesting example of foreign and security policy differentiation. Cooperation between each country and the EU is based on the Association Agreements the three countries signed in 2014. These commit them to convergence with CFSP. On the basis of their Association Agreement, each of the three countries has an annual Association Council with the EU, where they are usually represented by the Prime Minister, and the EU by the High Representative and the Commissioner for neighbourhood policy (Interview 11).

Alone of the three, Ukraine holds an annual summit with the EU in addition to the Association Council. Ukraine's Foreign Minister is sometimes invited to meet EU Foreign Ministers when Ukraine is on the Foreign Affairs Council agenda. There are also frequent bilateral contacts at senior levels with the EEAS and the Commission (Interview 14). The Ukrainian foreign ministry's political director meets with the EEAS political director and the PSC chair twice yearly to discuss Crimea and the



Donbas, and Ukraine's first Deputy Foreign Minister holds annual consultations with the EEAS and the Commission on the occupation of Crimea (Interview 14). Georgia has a regular security dialogue with the EU on regional conflicts, cyber security and hybrid warfare, involving the EEAS Deputy Secretaries General for Political Affairs and for Common Security and Defence Policy and Crisis Response alongside senior representatives from the Georgian foreign, defence and interior ministries (Interview 12). Moldova has sought such a dialogue, but the EU has not yet agreed (Interview 10). Additionally, EaP countries individually or in groups have meetings with the EEAS, particularly on CSDP missions. For example, the Georgian defence ministry holds talks with the EEAS (Interviews 10, 12 and 15).

In the first five months of 2020 Ukraine aligned with 81 per cent of CFSP declarations; in the first ten months of 2017 (the last period with comparable figures) with 88 per cent (European Commission and HRVP 2017 and 2020b). Moldova aligned with 68 per cent of declarations in 2018 and 69 per cent in 2017 (European Commission and HRVP 2018 and 2019). Georgia aligned with 61 per cent in 2019, but only 56 per cent in 2018 (European Commission and HRVP 2020a). The three also align on an ad-hoc basis with EU statements in international organisations. According to the authors' calculations, in 2020 the EU issued 63 declarations. Georgia aligned itself with 36, Moldova with 42 and Ukraine with 50. When countries do not align with EU actions, there are sometimes obvious reasons. For example, neither Georgia nor Ukraine aligned with EU sanctions on Turkey, because both see good relations with Ankara as important given their conflicts with Russia (Interviews 11 and 12).

Georgia, Moldova and Ukraine all have Framework Participation Agreements with the EU governing their participation in CSDP (European Union and Ukraine 2005, European Union and Moldova 2012, European Union and Georgia 2013). Ukraine contributed to EU operations in Bosnia in the early 2000s and to the EU's anti-piracy operation off Somalia in 2014. It took a break from deploying forces to EU operations after Russia's annexation of Crimea and invasion of the Donbas but will send troops to Operation Althea in Bosnia later this year. Participation in CSDP operations is a way for Ukraine to show it can contribute to the EU's security and a learning opportunity for its personnel (Interview 13). Ukraine has also provided personnel to EU Battlegroups and maintained its commitments despite the fighting in the Donbas (Turner 2011, Mission of Ukraine to the EU 2017, EUMS 2015, 2017 and 2019, Interview 14). Moldova is contributing to the EU missions in Mali and the CAR (Interview 10). Meanwhile, Georgia is currently the largest contributor per capita to the EU operation in the CAR and has attached troops to the EU training mission in Mali and to the EU Advisory Mission to Ukraine.

Alone of the three, Ukraine has an Administrative Arrangement with the EDA (EDA and Ministry of Defence of Ukraine 2015). Ukraine is likely to ask to take part in PESCO projects that are of interest to it and where it has expertise. Georgia is seeking a similar agreement with the EDA and hopes to participate in PESCO projects after 2026 (Interview 15). Moldova's defence industry is small, and it does not expect to be involved in PESCO unless a member state invites it for political reasons.

Apart from the official cooperation formats between the EU and the three countries, there are informal frameworks involving some or all of them and groups of member states. Each year Visegrád foreign ministers meet with their counterparts from the six Eastern Partnership countries, with the Commission and the EEAS invited. Lithuania holds meetings on security and defence with the three, inviting the EEAS, the Commission and some member states (Interview 12). And Lithuania, Poland and Ukraine formed the “Lublin Triangle” in July 2020 to coordinate on foreign policy and bring Ukraine closer to the EU and NATO (Bornio 2020).

From the EU’s perspective, cooperation with the Eastern Partners is effective. Through consultations the EU ensures it is aware of what its partners think and maximises the chances that they are aligned with its own foreign policy. Partners’ alignment with EU policy increases its legitimacy. In addition, the EU directly benefits from its partners’ expertise, and from their material resources when they contribute to CSDP missions and operations. Consultations are a way for the EU to make partners feel that their views are being considered, even though they do not always feel the Union takes their views seriously: other than in relation to the unresolved conflicts on their territories, the EU does not seek their input. Some of the Union’s partners, particularly Ukraine, want deeper cooperation with the EU – something the EU is not keen on for now. Differentiation may deepen in the future, for example if countries become involved in PESCO projects, or their firms involved in the EDF. But ultimately its sustainability depends on the degree to which Ukraine, Georgia and Moldova remain aligned with the EU.

6. Comparative assessment

The case studies analysed differentiation in foreign and security policy between the EU and a wide range of partners in its neighbourhood. The different relationships vary between the almost completely informal, in the case of the current EU–UK relationship, to highly institutionalised, in the case of the EU’s relationships with Albania, Georgia, Moldova, Montenegro, North Macedonia, Serbia and Ukraine. And the EU’s relationship with Turkey is an example of an institutionalised relationship that has severely suffered due to broader disagreements. However, despite their different characteristics, all of the arrangements are based on the principle that non-members cannot undermine the EU’s decision-making autonomy.

The degree of foreign policy cooperation between the EU and its partners depends above all on the closeness of relations and foreign policy alignment. Cooperation does not necessarily reflect the degree to which a relationship is formalised and does not necessarily depend on whether the partner is formally a candidate for EU membership or a NATO member. Turkey is a NATO member and is negotiating EU membership. But in practice Turkey–EU relations have deteriorated so much that Ankara is subject to EU sanctions. Albania, Georgia, Moldavia, Montenegro, North Macedonia, Serbia and Ukraine have very similar arrangements to cooperate with the EU. But in recent years the EU has worked more closely with Ukraine than other countries, due to Ukraine’s size and political importance, even though it is not a NATO member or an accession candidate. Ukraine also has more consultations



with the EU than Georgia or Moldova, even though in theory the three have the same status. Meanwhile, Serbia's often difficult relationship with the EU means foreign policy cooperation is less intense than one might expect given its status as a candidate country. Finally, while Norway does not formally have a deeper foreign policy relationship with the EU than countries in the Western Balkans or the Eastern Partnership, Oslo's foreign policy expertise, diplomatic capacity and close political alignment with the EU mean that Norway has more frequent consultations than most membership candidates. Norway is also the only one of the case studies assessed that sends staff to the EEAS.

When it comes to security and defence cooperation with the EU, NATO members and accession candidate countries also do not have a significant advantage. To participate in CSDP missions the EU requires its partners to conclude a framework participation agreement, and there is no advantage to being a NATO member. Influence depends on how much a partner country is willing to contribute to a mission. The more a country adds politically and in terms of capabilities, the more the EU is willing to informally consult with it. Countries that seek EU membership have the greatest incentive to make substantial contributions to EU operations, to signal they want closer ties to the EU, acquire valuable experience and ensure the interoperability of their military with EU forces. Conversely, countries that don't seek EU membership are more likely to judge whether to take part in a mission solely based on whether they think it is aligned with their security aims.

NATO members are also not advantaged when it comes to defence industrial cooperation with the EU. For example, Ukraine and Serbia have concluded an Administrative Arrangement with the EDA – unlike NATO members Albania, Montenegro, North Macedonia, Turkey and the UK. The criteria for participation in PESCO projects also mean that being a NATO member does not per se put a country at an advantage, as participation depends on fulfilling stricter criteria about alignment with EU values and making an important contribution to an individual project. As far as the EDF is concerned, the key distinction is between countries that participate in the EU single market and others. Norway, which participates in the single market through the EEA, is formally associated to the EDF. This is a status that is not currently available to countries that are not EEA members, and their defence firms face limits on their access to the Fund, which makes participation difficult for many of them.

Member states also have their own relationships with partners, in parallel to that of the EU. This leads to several instances where internal and external differentiation intersect. Many of these frameworks relate to the UK's involvement in European security. The most prominent example is perhaps the E3, which sometimes also includes the EU High Representative. Cooperation between the UK and groups of member states also takes place in groups like the French-led European Intervention Initiative and the UK-led Joint Expeditionary Force. But the UK is not the only third country involved in cooperation with groups of member states, as shown by the Visegrád group's cooperation with Eastern Partnership countries or by the Lithuanian–Polish–Ukrainian “Lublin Triangle”. Informal cooperation with groups of member states can help keep the EU's partners aligned with its aims, but there is

also a risk that it may lead to disunity and undermine CFSP and CSDP if member states prefer working with partners outside of EU structures.

Conclusions and recommendations

This paper has analysed external differentiation in the EU's common foreign and security policy, assessing the EU's relationships with ten partners in the EU's neighbourhood. On the whole, the EU's current arrangements for differentiated integration in foreign and security policy allow for limited involvement by its partners, with the EU not wanting to compromise its decision-making autonomy or create precedents by formally giving one country significantly more influence than others. In practice, the degree of cooperation between the EU and each partner varies principally depending on the degree of political alignment between them. Being a candidate for EU membership or a NATO member does not necessarily lead to a close partnership, as exemplified by how Turkey and the EU have grown apart in recent years.

The EU is currently taking stock of how it cooperates with partners as part of its "Strategic Compass" process, due to be completed during the 2022 French Presidency of the Union. The EU could reap benefits and maximise the effectiveness of differentiation in foreign and security policy by allowing its partners to contribute more to shaping its policies, while preserving full decision-making autonomy. Deeper cooperation with partners would also be a way for the Union to minimise the risk that some member states will turn to cooperating with partners outside of the EU framework, which risks undermining CFSP and CSDP.

The EU should consider holding more frequent and broad-ranging foreign policy consultations with partners at both senior and working levels, both with the EEAS and with Council working groups. The EU should consider allowing close partners to second staff to the EEAS on the Norwegian model to increase understanding of how the EU institutions function and to facilitate policy coordination. This would allow the EU to benefit from partners' specialist knowledge and to maximise the effectiveness and legitimacy of its action by enacting more coordinated responses with them. The EU should also consider involving its partners at an earlier stage of planning for CSDP missions and operations. This would make them more willing to contribute, potentially allowing for more ambitious, visible, and effective EU action abroad. In the defence industrial field, the primary aim of the EDF is to buttress the European defence industrial base. But, after taking stock of how the EDF and PESCO have performed in their first few years, the EU may want to make it easier for its partners' defence industries to benefit from the EDF and to take part in PESCO projects. A restrictive approach risks cutting off the industries of close partners like the UK and Norway, making it harder for the EU to develop the defence capabilities it needs.

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EU Integration and Differentiation
for Effectiveness and Accountability

Differentiation has become the new normal in the European Union (EU) and one of the most crucial matters in defining its future. A certain degree of differentiation has always been part of the European integration project since its early days. The Eurozone and the Schengen area have further consolidated this trend into long-term projects of differentiated integration among EU Member States.

A number of unprecedented internal and external challenges to the EU, however, including the financial and economic crisis, the migration phenomenon, renewed geopolitical tensions and Brexit, have reinforced today the belief that **more flexibility is needed within the complex EU machinery**. A Permanent Structured Cooperation, for example, has been launched in the field of defence, enabling groups of willing and able Member States to join forces through new, flexible arrangements. Differentiation could offer a way forward also in many other key policy fields within the Union, where uniformity is undesirable or unattainable, as well as in the design of EU external action within an increasingly unstable global environment, offering manifold models of cooperation between the EU and candidate countries, potential accession countries and associated third countries.

EU IDEA's key goal is to address **whether, how much and what form of differentiation is not only compatible with, but is also conducive to a more effective, cohesive and democratic EU**. The basic claim of the project is that differentiation is not only necessary to address current challenges more effectively, by making the Union more resilient and responsive to citizens. Differentiation is also desirable as long as such flexibility is compatible with the core principles of the EU's constitutionalism and identity, sustainable in terms of governance, and acceptable to EU citizens, Member States and affected third partners.



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