Diplomacy in Practice: the EU & the World Policy Memo: A Secure Future for Ukraine

To: Josep Borell, HR/VP
From: Julian Heiss
Re: Adopting a proactive approach to reach a lasting European security framework
Date: May 1, 2024

The EU's current security cooperation regime with Ukraine lacks concrete commitments, leaving the nation vulnerable amid ongoing Russian aggression. A return to the status quo ante bellum is not possible, NATO and EU accession should remain the end goal. The proposed alternatives, mimicking other international security models, fail to meet needs or risk further militarization and moral hazards. However, the path to these goals is obstructed by a lack of clear timelines and definitive actions. This ambiguity benefits Russia, which has exploited similar situations in the lead-up to its current invasion. To reach a sustainable end state, Europe must adopt a proactive stance and create a strategic plan that addresses how Russia can be treated in a post-conflict scenario. This approach will require substantial European leadership to shift from reactive support to active engagement in Ukraine's defense and future assurances vis-à-vis Russia – and it will require discreet high-level diplomacy to not undermine public Ukrainian resolve while navigating Russia's escalation dominance.

Context

Since the NATO Vilnius summit in June last year, which did not end in an invitation of Ukraine to join NATO, a coalition of the willing, centered around the G7 states, has pursued bilateral security cooperation agreements to interlace Ukraine into a

Euro-Atlantic web of support. Similarly, opening negotiations for the Ukrainian accession to the EU sent the political signal that Ukraine's future is one as a European state. Both these processes, however, are missing concrete timelines. A fact that Russia has doubly exploited in 2014 and 2022, and thus a mistake that should not be repeated.

A fear of escalation has prevented European leaders from unequivocally stating that Ukraine should be part of NATO and Ukraine. There are also still alternative suggestions floated, including modeling a security framework akin to Israel's Qualitative Majority Edge (QME) or codified agreements like in the case of the U.S.-Japan security treaty.

The current security cooperations, while giving the partners much room for how to fill them with life, do not constitute hard guarantees: Just as much room as they give for potential help, they give room for the option of leaving Ukraine by itself. The vague nature of current support also stems from the notion that it is up to the Ukrainian democracy to choose the security model it wants and at which costs it is willing to bear. Polls indicate that a significant majority of the Ukrainian population is against entering negotiations in which territorial concessions are at stake. The inherent credibility problem is that the cooperations address help in the case of a future attack on Ukraine, all while support in the current attack stays below the levels outlined in the agreements.

As it is now, the long-term vision for Ukraine is contingent on a ceasefire – which in turn is contingent on a popular Ukrainian buy-in. For the EU, this setup is passive in nature and with inherent inconsistencies in the underlying incentives.

Analysis of Challenges

Choosing the Destination: NATO is the Best Security Guarantee   The alternatives to Ukraine's NATO accession are born out of a hesitancy to proclaim a solution, that in some narratives is the reason for Russia's aggression in the first place. However, modeling security frameworks after other contentious cases seems an ill-guided approach. Finland and Sweden have joined NATO, Israel's security model has shown its ephemerality, Taiwan's security is not steadfast, and Japan and South Korea might as well be in NATO if they were not located in Asia. A model based on a domestic qualitative military edge, while not being practical against a nuclear adversary, is the high level of militarization needed for a country that has been fraught with war already – it outsources the burden of defense on Ukraine. European countries are incentivized to lean back and use Ukraine as its moat, ramping up their defense industries, but not their military maturity. Also, in case of a ceasefire which leaves some of Eastern Ukraine in Russian hands for the time being, it could create a moral hazard dilemma exactly as in the case of the U.S. support for Israel. The problem with Ukraine's accession to NATO and the EU is not in the end state, it lies in the path toward it. Rather than the text in articles V and 42.7 in NATO and EU respectively (words can be overcome by other words) it is the geopolitical reality that is stopping accession. If European leaders and the EU are aware of this fact, they can allocate their efforts accordingly.

Finding the Path: Undermining Russia's Escalation Dominance   For any chosen model that includes active participation of non-Ukrainian states in its security, there is the question of how to get it into effect, how to get from sending arms to

active participation in deterrence. As it stands, Russia can block the accession by prolonging the war, and Russia cannot be stopped from prolonging the war: even if the whole of Ukraine were retaken, the war cannot be stopped against Russia's will by brute force alone. Russia will always be able to fire missiles from its territory. The threat by other nuclear powers of responding to further aggression with nuclear escalation could stop the war at once, or spiral into nuclear war. Thus, an alternative path toward NATO accession needs to include negotiations with Russia, and negotiating with Russia means thinking about a post-war agreement with Russia. Any understanding that leads to a halt of fights will thus need to include assurances for Russia – both in the present and the future. And the threats (as well as support) need to walk a closer line next to escalation than is currently done.

Walking the Path: War Termination Includes Negotiation   There is an apparent tension between supporting the Ukrainian people and its government, and inserting oneself in negotiating a solution that could involve a loss of territorial sovereignty. Yes, such an agreement cannot be implemented over the heads of Ukrainians, but it can be developed without waiting until the tiredness of war has pushed polling numbers in the country sufficiently down. As the EU is helping Ukraine in its war efforts, it is well in its rights to try to get a ceasefire implemented, if at the same time it does not undermine the Ukrainian efforts. Absent a willingness to support with more than training and materiel – a move that is not pursued out of fear of escalation – the Western alliance will need to push for a sooner war termination.

Propositions

Don't follow the US.   By putting a premium on the U.S. leadership in military support, the EU is slowing itself down. The U.S. is as much constrained by domestic politics as the EU is. The EU should agree internally on a long-term vision with Ukraine in NATO and EU. Then, while still striving for cooperation with the U.S., it should be bolder in its military support and not make it contingent on U.S. involvement.

Accept the need to deal with temporary realities.   EU leaders must realize that security guarantees might be a prerequisite for a halt of fighting rather than a response to it. Initial negotiations and agreements might have to happen before Ukraine has regained its territorial status quo ante bellum. As long as such territorial concessions are not given a permanent status, they might constitute a temporary reality.

Have a plan for Russia, not just for Ukraine.   Putin does not want an off-ramp, but vis-à-vis any leadership post-Putin there will need to be assurances side by side with security guarantees for Ukraine that act as deterrent threats. There need to be positive assurances, tied to specific sets of concessions by the Russian side. This could, for example, be the resumption of trade relations in sectors of secondary importance after a demilitarization of Eastern Ukraine, even if the territories are not fully returned to Ukrainian authority yet.

Show public resolve, but start negotiations.   Any preliminary negotiations need to use similar back channels as are currently being used to reduce the risk of inad-

vertent escalation. These diplomatic efforts must not undermine Ukrainian resolve, either privately or publicly, and must therefore happen with Ukrainian knowledge. However, Ukrainian leadership must not be allowed to veto these efforts.

Conclusion

If the EU and its allies value the escalatory risks of inserting themselves actively in the conflict too high, it needs to clarify an alternative strategy. To effectively support Ukraine in its aspirations for NATO and EU integration, the EU must redefine its approach to provide more definitive support. This involves not only strengthening the security framework but also ensuring a pathway that includes both active engagement and thoughtful negotiations with Russia to secure a stable post-war landscape. These efforts should aim to restore Ukraine's territorial integrity to the status quo ante bellum, while simultaneously building a security architecture that deters future aggression and accommodates geopolitical realities. The path forward requires a bold stance from the EU to move beyond dependency on U.S. policy directions, assert its own strategic interests, and work towards a resolution that respects Ukraine's sovereignty and addresses the underlying tensions with Russia. This balanced approach will necessitate robust, discreet diplomatic initiatives, coupled with clear, actionable commitments that move inch-wise toward Ukrainian security.