

Strategic Thinking in Times of Crisis

Polish-German Cooperation on the Eastern Neighbourhood

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The ongoing crisis concerning Ukraine and Russia has called existing policy towards Russia and the countries of the Eastern Partnership strongly into question, both on the EU and member-state levels. In the past few years Germany and Poland have achieved a deeper level of substantive discussion and cooperation among policymakers and experts regarding the post-Soviet region. Despite certain differences in approach, e.g. regarding questions of European security, Poland and Germany should try to build on this recent history of cooperation in order to shape future EU policy towards Russia and the Eastern Partnership states. Important commonalities and a useful complementarity in German and Polish approaches should make an intensified cooperation possible, especially since both countries clearly share a long-term interest in seeing the region become politically and economically stable and democratic. It should, however, be emphasized that it will not be sufficient for Poland and Germany to act alone. Rather, they need to be deeply engaged in building coalitions within the EU and with other partners - both for implementing reforms in Ukraine and for resolving the numerous acute conflicts between Ukraine and Russia.

Rationale for Joint Action

Action is needed in three areas: 1) assisting Ukraine with reforms; 2) altering Russia's behaviour in its neighbourhood; 3) fostering discussion and negotiation formats.

The question of whether Ukraine becomes an efficiently functioning democratic state which is capable of protecting its sovereignty has key importance for Germany, Poland and the EU as a whole. There is a stable critical mass in Ukrainian society ready to fight against any re-emergence of a corrupt authoritarian system. Therefore if Ukraine fails in its efforts to reform its political and economic institutions and falls under the sway of Russia, the result will be a form of permanent volatility within large segments of Ukrainian society. This will be extremely dangerous not only for EU member states neighbouring Ukraine (Poland, Slovakia, Hungary and Romania) but also for the EU as a whole. It would mean continuous instability on the eastern border of the EU and NATO – not only for years but for decades.

A successfully reformed Ukraine will not only have positive consequences for the EU by creating a stable environment on its border, along with opportunities for trade and cooperation. It will also serve as an encouraging example for societies in autocratically ruled countries in Eastern Europe, including Russia. Therefore support for Ukraine today is an investment in a future democratic Eastern Europe in the long term.

However, positive changes in Ukraine can happen only if profound reforms are implemented, both in the economic realm (e.g. concerning energy efficiency and the fight against corruption) and in spheres such as public administration, the judiciary, and the security structures. Experience has shown that change in Ukraine is most likely when there is pressure from both Ukrainian society and the international community. Germany and Poland can play a very important role in mobilizing this pressure, as well as in providing expertise and concrete forms of assistance to the reform agenda. The results of the parliamentary elections on 26 October 2014 are a positive signal that the new parliament and government will be reform-oriented. However, influential actors who prefer the "old rules of the game" are present even in pro-reform and pro-European political parties, and will present a major obstacle to implementing the reform programme.

With regard to altering Russia's behaviour, Ukraine has become a test case for which set of rules will prevail in the coming years in determining the European regional order. One set would involve an attempt to devise a working European security arrangement from which all can benefit, as well as to pursue socio-economic cooperation with the goal of achieving greater stability and prosperity across the continent. The other set would be based on spheres of influence, and would result in the renewed presence of two different blocs in Europe, of which the Russian-dominated one would be economically weak and increasingly prone to emphasize military power, thus posing a growing threat to other parts of Europe.

The current crisis, which has resulted from Russian aggression in Ukraine and has led to the illegal annexation of Crimea and to an undeclared war in the Donbas, has made the second scenario (the renewed presence of two blocs) much more likely than before. It has also demonstrated that Russia is interested in a weak, unstable Ukraine which can be forced to submit to Russia's wishes and is prevented from pursuing meaningful integration with the West. The fact that the Russian authorities recognized de facto the so-called elections held by the separatists in parts of the Donbas on 2 November 2014 provides evidence that official Moscow is still not interested in de-escalating the crisis in Eastern Ukraine. Thus positive developments in Ukraine cannot happen without a well-shaped deterrence of Russia, which is attempting to hinder Ukraine from making the transition to liberal democracy, genuine sovereignty and effective socio-economic reforms.

Nor is the Russian-Ukrainian conflict occurring in a vacuum. Two other countries – Moldova and Georgia – have also signed Association Agreements (including DCFTAs) with the EU. They too are subject to Russian pressure and are hoping for EU support. German and Polish actions with regard to Ukraine will thus have an influence on Russia's behaviour towards its other neighbours as well, as well as on how elites and societies in these countries perceive the EU and its member states.

Finally, it is necessary to search for solutions to aspects of the ongoing crisis through discussion and negotiations. One example of an interim solution is the agreement reached on 31 October 2014 between Ukraine and Russia on gas issues, which was successfully facilitated by outgoing Commissioner for Energy Günther Oettinger. Other options include the "Normandy" format (consisting of Germany, France, Ukraine and Russia), which has been used to keep channels of communication among high-ranking politicians open, as well as the "Contact Group" under OSCE auspices.

So far the potential of such formats is limited due to Russia's insistence on destabilizing the Eastern neighbourhood to ensure its own dominance. The fate of the Minsk agreements reached in September is a demonstration of this. Nonetheless, due to the paucity of other instruments it is necessary to continue to pursue formats for discussion and negotiation purposes. The existence of such formats allows for the use of windows of opportunity when background conditions and the calculations of the actors involved change. Ongoing communication also makes it possible to assess when the time has arrived for a productive discussion of overarching issues such as free trade frameworks or European security concerns.

Recommendations

The recommendations presented here fall into three main groups, in line with the rationale for joint action presented above. The majority of the recommendations can be found in the category "Support for Ukraine", since this is the area where German and Polish interests coincide most clearly and completely. The two countries complement each other in the sense that Germany has previously focused primarily on Russia and Poland on the Eastern Partnership (and Ukraine in particular). Furthermore, together Poland and Germany can amass significant support within the EU for common approaches, since by pooling their efforts they can appeal to a wide swath of EU member states, including most of those with major interests in the Eastern neighbourhood. Of course these joint efforts will need to be embedded in the overall EU context, and it may make sense to involve other member states in some of the actions proposed below.

Support for Ukraine

- Germany and Poland should take the initiative to create a list of countries willing and able to provide concrete support to Ukrainian reforms in specific areas. Particular member states could take the lead in certain fields (e.g. judiciary reform, public administration reform, decentralization, constitutional reform etc.). A coordinating body could be set up to allow for exchanges of information on progress in the various reform areas and to ensure coherence across them. This body should maintain close communication with the Support Group for Ukraine created by the European Commission in April 2014. Contact should be established between the member states and the Strategic Advisory Groups which work in the framework of the National Council for Reforms, as well as with the “Reanimation Package for Reforms”, a Ukrainian civil society initiative which possesses significant expertise in the various reform fields and monitors their development closely (<http://platforma-reform.org/>).
- German-Polish programmes in the field of energy efficiency could prove very fruitful since Germany is a European leader on this issue and Poland has acquired relevant experience in improving its energy efficiency over the past 25 years. Assistance is particularly needed in making the transition to metered gas consumption in residential buildings as well as in modernizing thermal power stations, especially those relevant for district heating. Berlin and Warsaw should also urge Kyiv to fulfil Ukraine's obligations as a member of the Energy Community, and offer their assistance in doing so.
- The Polish and German governments, using their diplomatic representations in Ukraine, could jointly foster dialogue with representatives of small and medium-sized enterprises (SMEs) in Ukraine and help to promote links between these representatives and interested economic actors in Germany and Poland. This can be done in conjunction with other relevant parties, such as the German Chamber of Commerce (AHK) and the German political foundations.
- Polish and German civil society organizations should receive government support to offer training and advice according to the needs of their Ukrainian counterparts, especially in the fight against corruption. Strengthening existing networks between civil society organizations across borders should be encouraged, e.g. through joint events organized by the German and Polish embassies in Kyiv.
- The Polish and German diplomatic representations should serve as a conduit for conveying the concerns of reform-oriented civil society organizations in Ukraine not only to Berlin and Warsaw, but also to other member states. They should coordinate these efforts with the EU Delegation in Ukraine in order to complement its work with Ukrainian civil society and to ensure open channels of communication between the member states and Brussels in this area.
- A greater Polish and German presence in the Ukrainian regions is necessary. Poland could take the lead here since it has consulates in several Ukrainian cities. Joint official delegations could be organized below the ministerial level, including representatives of development agencies, NGOs, business, etc. The emphasis should be on Eastern and Southern Ukraine, but the Western and Central regions should not be completely excluded.
- Germany and Poland should assist the Ukrainian authorities in the implementation of their remaining obligations in the Visa Liberalization Action Plan. The introduction of a visa-free regime in the summer of 2015 would send a powerful signal to Ukrainian society of tangible EU interest. Berlin and Warsaw could discuss existing obstacles to producing an adequate quantity of biometric passports with Kyiv at the political and expert levels in order to allow Ukrainians to profit from the visa-free regime as quickly as possible.
- The role of the European University Viadrina in Frankfurt/Oder as a bridge between Polish and German students and researchers could be expanded to create a trilateral platform for intensified contacts with counterparts from Ukraine. A strengthened focus on Ukrainian studies could complement this trilateral

approach.

- Support for programmes targeting youth should be expanded. An excellent vehicle for this is the Deutsch-Polnisches Jugendwerk/Polsko-Niemiecka Współpraca Młodzieży, which has already acquired experience in carrying out projects involving Ukrainian participants.
- Humanitarian aid to Ukraine should be continued. At the very least Poland and Germany should coordinate their actions in this field. Joint actions would be desirable, in order to convey a message of EU cohesiveness to the Ukrainian side. Assistance to internally displaced persons (IDPs) is crucial and can help reduce tensions between this group and other segments of Ukrainian society. Offers should also be made to the Ukrainian government to provide expertise on organizing IDP-related programmes. The provision of field hospitals and/or medical personnel capable of treating wounded soldiers and civilians would be equally useful and have an important symbolic as well as practical value to Ukrainians. All humanitarian aid provided should be visibly marked as coming from Germany and/or Poland.
- Germany and Poland should begin a bilateral discussion on the question of assistance to the Ukrainian army. This discussion could eventually be expanded to include other interested NATO and EU member states. While it is unlikely that there will be an overarching NATO and/or EU consensus about which types of assistance should be provided, a debate on this matter can increase the transparency and coherence of positions across the member states and in Brussels.

Deterrence of Russia

- Sanctions seem to be the main available instrument of EU policy towards Russia in the current circumstances. Therefore Poland and Germany should develop a common position on the specific criteria necessary for either eliminating some of the sanctions or for intensifying them. These criteria could then be discussed within the EU context.
- The two countries should work together to ensure that the existing level of support for sanctions within the EU remains in place and becomes more cohesive. Poland could make efforts to convince its Visegrad partners – Hungary and Slovakia in particular - to take a more supportive line. Germany could discuss issues related to sanctions with other member states, such as Austria and Italy, and could encourage France to continue to adhere to its current position regarding the Mistral.
- Germany and Poland could put together a team of experts to evaluate the impact of sanctions (and counter-sanctions) on both Russia and the EU to date (and their potential for future impact) and distribute this information within the EU. If the sanctions are long-term, this could evolve into a mechanism for periodic evaluation of their impact. In addition, Poland and Germany should lend their support to analysis and activities within the EU aiming at the medium- to long-term reduction of dependence on Russia for energy sources, natural gas in particular.
- German and Polish media could cooperate on efforts to counter some of the worst aspects of Russian propaganda related to the crisis. Polish and German journalists could jointly visit Ukraine to collect information on the situation there, focusing on debunking the main myths propagated by the Russian media. They could engage in joint as well as separate reporting in German and Polish outlets, and participate in events together in Kyiv and the Ukrainian regions.

Discussion and Negotiation Formats

- Poland and Germany should task their expert communities with assessing the role and success of the

various discussion and negotiation formats to date, with a view to improving the potential of these formats (or possible new ones) in the future. This task should include specialists in the field of conflict research as well as experts on the post-Soviet region.

- Germany, Poland and France should engage in a frank discussion about the potential of the Weimar Triangle format to address various aspects of the current crisis. Ideally, a consensus should be reached on which aspects are better tackled uni- or bilaterally, and which could benefit from the involvement of all three states. The experience already gained in this format, e.g. during the joint efforts of the German, Polish and French foreign ministers in Ukraine in February 2014, should be taken into account in this context.
- Poland and Germany should coordinate their crisis-related activities not only with one another, but also with other EU member states and with the EU institutions in Brussels. They should serve as a model for a transparent approach to these activities within the EU by informing relevant actors of their intentions and completed actions, as well as by involving key stakeholders from the member-state and Brussels levels in their planning when appropriate.

Conclusions

Although – as the above recommendations demonstrate - there are many measures which can be pursued immediately, the fundamental elements of the current crisis will be with us for a long time to come. The problems Ukraine is facing mean that even a relatively effective reform process will take years to be implemented, and considering the obstacles to reform in the Ukrainian context the process will no doubt experience frequent setbacks. The same applies to the implementation of the Association Agreement and its corresponding DCFTA.

On the level of Ukrainian-Russian relations, virtually all evidence indicates that Moscow will continue its efforts to destabilize Ukraine in the foreseeable future, This means not only a more difficult reform context for Ukraine, but also a continued high level of tension in the EU-Russia and NATO-Russia relationships. Achieving a situation in which constructive cooperation among sovereign states is the norm in Europe will require continuous efforts along all three dimensions described above. Germany and Poland can make an important contribution to this agenda by working together on measures which both deliver short-term benefits and fit into a larger strategic framework.

This strategic approach has the potential not only to reshape relations between the EU and NATO and their member states on one hand and Ukraine and Russia on the other, but also to affect developments in the broader Eastern neighbourhood, and in Moldova and Georgia in particular. Contributing to the reform process in Ukraine will send the message to these two countries that the EU will be prepared to support them in a similar manner. If assistance to Ukraine is well-coordinated, then mechanisms will be in place which will make helping other countries easier and more efficient. The deterrence measures taken with regard to Russia will reassure Georgia and Moldova that the EU is serious about providing resistance to Russia's actions against them. Poland and Germany should be aware of these wider implications when coordinating their actions vis-à-vis Russia and Ukraine.

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