

Political conditionality as EU foreign policy and crisis management tool. The case of EU wartime political conditionality vis-à-vis Ukraine

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Research idea

- Challenge of the interplay between various EU foreign policy objectives (EUGS: self-interest and/vs normative considerations)
- **Objective:** to investigate the compatibility between the EU's political conditionality as a policy tool and the EU's approach to conflict management, as rooted in the EUGS
- **Case:** single case of the EU's wartime application of conditionality vis-à-vis Ukraine
- **Case selection:**
 - First-ever case of the EU's application of political conditionality amidst a full-scale war in a target country
 - Illustrative of the evolving nexus between the EU's conflict management and enlargement policies



**European Union
Global Strategy**

Source: <https://www.schumanassociates.com/newsroom/eu-external-investment-plan-opportunity-to-present-projects-open>

Analytical approach

• Two-step approach

- Exploring the conceptual compatibility between political conditionality and three EUGS-rooted aspects of the EU's approach to conflict management
 - Long-term approach
 - State and societal resilience and
 - Local ownership
- Utilizing the case of the EU's application of conditionality vis-à-vis Ukraine amidst Russia's war against Ukraine to explore how the interplay between these features has worked in practice
- **Argument:** conditionality is intertwined with the EU's approach to crisis management but may bear conceptual contradictions with some of its aspects, such as societal resilience and local ownership

Political Conditionality

- Centrality of political conditionality in the EU's efforts to foster democratic transformation in third countries
- Diversification of EU conditionality (ex-ante, ex-post, positive and negative conditionality)
- “External incentives” and socialization models of *ex-ante* positive conditionality
- Less frequently used models:
 - Ex-ante negative conditionality
 - Ex-post positive conditionality
 - Ex-post negative conditionality



Source: <https://pathforeurope.eu/the-foreign-policy-dimension-of-the-rule-of-law-conditionality/>

Relationship between conditionality and the IA features (based on literature)



Source: Diplomacy.edu

Feature	Relationship with political conditionality
Long-term approach	<ul style="list-style-type: none">• Objective of achieving lasting peace and good governance• Focus on the institutional and social strengths of partner countries as a basis for stable peace• Offering considerable room for facilitating state and institutional development through <i>ex-ante</i> and <i>ex-post</i> conditionalities (the use of conditionality as a state-building tool in the Western Balkans)
Resilience and local ownership	<ul style="list-style-type: none">• Focus on the agency of a partner country• Dichotomy between state and societal resilience• Conditionality as a traditional tool for building state resilience• Conceptual mismatch between the top-down conditionality logic and the notions of societal resilience and local ownership

The Case of Ukraine: Setting the Scene



Source: EU Neighbours East

- **Three types of conditionality under study**
 - **Pre-accession conditionality.** Seven conditions attached to the 2022 Commission's Opinion on Ukraine's application for EU membership + follow-up conditions in connection to the adoption of the negotiating framework
 - **MFA-based conditionality.** Political conditions, attached to the EU's wartime macro-financial assistance (MFA) to Ukraine (2022-2023)
 - **Recovery-related conditionality.** Conditionality as part of the EU's approach to supporting Ukraine's post-war reconstruction + Ukraine Facility (2024-2027)

Pre-accession conditionality

- “Integration through war” situation offering momentum to the EU’s application of conditionality vis-à-vis Ukraine
- Seven conditions: focus on governance and resilience of state institutions
- Fit with long-term approach (e.g. opportunity for follow-up conditions) but (!)
- Differences in *ex-ante* conditionality’s potential to serve as a societal mobilization tool / advance societal resilience & local ownership (as exemplified by seven conditions & follow-ups)



Source: X
(European
Commission)

MFA-based conditionality (2022-2023)

- MFA-based conditionality as complementary to the seven conditions in sensitive areas
- A solely intergovernmental bargaining strategy, fitting the long-term approach and the ambition of building resilience of state institutions
- Perceived domestically as a technical issue



Source: DG NEAR

Recovery-related conditionality (2024-2027)



Source: DG NEAR

- Enlargement-recovery nexus in EU policy documents
- Continuity of recovery efforts (no clear borderline between wartime / post-war recovery) matching the long-term approach
- Broad room to promote the resilience of state institutions
- Compatibility with the ownership principle - depends on implementation (NGOs' involvement into the 'making' of a Ukraine Plan?)
- Focus on societal resilience - oriented reforms / potential for societal mobilization under the Ukraine Facility:
 - Strong investment component (focus on businesses)
 - Decentralization

	Long-term approach	Resilience of state institutions	Societal resilience	Local ownership
Pre-accession conditionality	Uncontested compatibility, given the duration of the enlargement process	Uncontested compatibility, opportunity to focus on specific institutions	<ul style="list-style-type: none"> Compatibility largely depends on the scope of conditionality and progress of both the war and enlargement process. Likely to deteriorate in the absence of tangible progress. 	Compatibility largely depends on the design of a respective funding instrument and national procedures and practices for reform plans' development and compliance monitoring
MFA-based conditionality	Compatibility depends on the EU's complementary approach to conditionality and coordination with other instruments		Not compatible, focus on top-down logic and state institutions	
Recovery-related conditionality	Uncontested compatibility, given the scale of recovery effort needed for Ukraine	Compatibility largely depends on the design of a respective funding instrument, Ukraine Plan – positive example	Compatibility largely depends on the design of a respective funding instrument and national procedures and practices for reform plans' development and compliance monitoring	

Summary of the findings based on the case of Ukraine