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**Chair of Security Studies**

**EU-NATO Security Cooperation:  
facing challenges and opportunities in the Southern and Eastern  
Flanks.**

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# Table of Contents

<i>Acknowledgements</i> .....	3
<i>Table of Contents</i> .....	4
<i>List of Figures</i> .....	6
<i>Introduction</i> .....	7
<b><i>Chapter 1: EU-NATO Cooperation: origins and developments</i></b> .....	<b>10</b>
<b>1.1 NATO in the post-Cold War world</b> .....	<b>11</b>
<b>1.2 The development of a European defence identity</b> .....	<b>15</b>
<b>1.3 EU-NATO Cooperation</b> .....	<b>21</b>
1.3.1 EU-NATO Cooperation in a new global political and security environment.....	23
1.3.2 Recent developments and challenges.....	26
<b><i>Chapter 2: EU-NATO difficult cooperation in maritime operations in the Mediterranean.</i></b> .....	<b>29</b>
<b>2.1 NATO’s involvement in the Mediterranean area</b> .....	<b>30</b>
<b>2.2 European Union’s involvement in the Mediterranean area</b> .....	<b>34</b>
2.2.1 European Union’s missions in the Mediterranean .....	39
<b>2.3 EU – NATO Cooperation in maritime domains</b> .....	<b>44</b>
2.3.1 A model of coordination .....	44
2.3.2 EUNAVFOR MED Sophia and NATO’s Operation Sea Guardian .....	46
2.3.3 EUNAVFOR MED Irini and NATO cooperation .....	48
<b>2.4 Assessing EU – NATO Maritime Cooperation</b> .....	<b>50</b>
<b><i>Chapter 3 - Ukraine-Russia conflict from 2004 to 2022: An overview of EU-NATO responses and cooperation in face of the crisis</i></b> .....	<b>53</b>
<b>3.1 Ukraine Russia relations – an historical overview</b> .....	<b>54</b>
<b>3.2 The Orange Revolution</b> .....	<b>57</b>
3.2.1 EU and NATO responses to the Orange Revolution .....	59

<b>3.3 2006-2009 Gas Disputes between Ukraine and Russia.....</b>	<b>62</b>
3.3.1 EU and NATO reactions.....	65
<b>3.4 2014's Revolution and the Russian annexation of Crimea .....</b>	<b>67</b>
3.4.1 Western response .....	71
3.4.2 European Union's response .....	72
3.4.3 NATO's response .....	74
3.4.4 EU-NATO cooperation in face of the crisis .....	76
<b>3.5 The 2022 Russian invasion of Ukraine .....</b>	<b>77</b>
3.5.1 European Union's actions in face of the war.....	79
3.5.2 NATO's actions .....	81
3.5.3 EU-NATO cooperation: an assessment of its development .....	82
<b><i>Chapter 4 - An assessment of EU-NATO Cooperation and theoretical insights.....</i></b>	<b>85</b>
<b>4.1 EU-NATO Cooperation: an assessment of the two case studies .....</b>	<b>85</b>
<b>4.2 The main theories of international relations.....</b>	<b>88</b>
<b>4.3 Matching theory to practice.....</b>	<b>92</b>
<b>4.4 From current practice to policy proposals for the future.....</b>	<b>96</b>
<b><i>Conclusion.....</i></b>	<b>100</b>
<b><i>Bibliography .....</i></b>	<b>103</b>
<b><i>Summary.....</i></b>	<b>120</b>

## List of Figures

<b>Figure 1: Lives saved in EU Mediterranean operations (2015-2022)</b> .....	40
<b>Figure 2: Map of the different Search and Rescue (SAR) zones, highlight of Irini's different zone of action.</b> .....	42
<b>Figure 3: Map of European CSDP missions currently deployed</b> .....	44
<b>Figure 4: European Union CSDP Missions and Operations 2020.</b> .....	44
<b>Figure 5: Naval operations in the Mediterranean.</b> .....	47
<b>Figure 6: Ukraine in between the USSR and independence</b> .....	55
<b>Figure 7: Ukrainian Import Prices for Natural Gas 2000-2008 (US\$/mcm)</b> .....	64
<b>Figure 8: Map of Crimea and Russian Operations, March 2014</b> .....	69
<b>Figure 9: The Russian-Ukrainian Frontline</b> .....	70
<b>Figure 10: Russia's Invasion</b> .....	78

## Introduction

“Today, the EU is surrounded by instability and conflicts and faces a war on its borders. We are confronted with a dangerous mix of armed aggression, illegal annexation, fragile states, revisionist powers and authoritarian regimes. (...) All of these threats undermine EU security along our southern and eastern borders and beyond.”<sup>1</sup>

This is how the European Union’s Strategic Compass has defined the environment in which the EU is finding itself, an everyday more complex setting where there are precarious equilibria and numerous potential challenges and threats exist. This situation inevitably needs a new holistic and cohesive approach, conscious of the opportunities and challenges present. In this sense, the Strategic Compass has put the accent on the fact that cooperation between institutions like the Union and NATO is pivotal and essential in such a complex prospective. “A stronger and more capable EU in the field of security and defence will contribute positively to global and transatlantic security and is complementary to NATO, which remains the foundation of collective defence for its members. The transatlantic relationship and EU-NATO cooperation, in full respect of the principles set out in the Treaties and those agreed by the European Council, including the principles of inclusiveness, reciprocity and decision-making autonomy of the EU, are key to our overall security”.<sup>2</sup>

It is indeed upon this EU-NATO cooperation as “key to our overall security” that this whole work is constructed. The aim of this thesis is the one of understanding the extent of EU-NATO cooperation and assess its evolution, current functioning, but most importantly its effectiveness in facing the threats posed by the present international situation. This will be done through the help of two different case studies that feature the coordination of NATO and the European Union in the Southern and Eastern Flanks of the Union. As a matter of fact, these two case studies will outline the diverse results coming from situations in which this cooperation exists and its function on one side, and what happens when the coordination is not really effective on the other.

Going more in detail, the first chapter will focus on the origins and development of EU-NATO cooperation. This journey starts from the idea of try preventing future conflicts and deterring aggressions in the aftermaths of the Second World War, and the establishment of the North Atlantic

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<sup>1</sup> European Union External Action Service, *A STRATEGIC COMPASS FOR SECURITY AND DEFENCE*, March 2022, available at: [https://www.eeas.europa.eu/sites/default/files/documents/strategic\\_compass\\_en3\\_web.pdf](https://www.eeas.europa.eu/sites/default/files/documents/strategic_compass_en3_web.pdf).

<sup>2</sup> European Union External Action Service, *A STRATEGIC COMPASS FOR SECURITY AND DEFENCE*, March 2022, available at: [https://www.eeas.europa.eu/sites/default/files/documents/strategic\\_compass\\_en3\\_web.pdf](https://www.eeas.europa.eu/sites/default/files/documents/strategic_compass_en3_web.pdf).

Treaty Organization and the European Economic Community. From this first idea that delineated NATO as an exclusively military alliance and the EEC as a purely economic organization, the focus moves on the single peculiar development of the two institutions. NATO is indeed analyzed in light of its evolution after the end of the Cold War, when the main reason for its establishment came to disappear, the EU, on the other hand, considering the willingness to establish a European defence identity, which actually started in 1948 with the creation of the Western European Union. Then, the relationship between NATO and the EU is taken in consideration from its very beginning with a cooperation between NATO and the WEU to the creation of a formal framework of cooperation with the EU, the Berlin Plus Agreement of 2003, finally with the most recent developments within a new global political and security environment.

The second chapter evolves around the first case study, namely EU-NATO difficult cooperation in maritime operations in the Mediterranean. As a matter of fact, it takes into consideration the involvement of the two organizations in the area, with their different policies, partnerships and missions. It moves on to the analysis of some frameworks that feature the cooperation of EU and NATO naval forces, Operation Sea Guardian and EUNAVFOR MED Sophia followed then by EUNAVFOR MED Irini always with NATO's Sea Guardian. These two sets of missions are compared to understand the degree of their cooperation and their differences, highlighting what has been functioning for the effectiveness of their mandate and what has hindered it. The case study shows how the lack of coordination, especially at the political level and because of political deadlocks, creates difficulties in achieving the objectives and also hampers the credibility of the missions and of the organizations.

The third chapter takes into analysis the second case study, the Ukraine-Russia crisis from 2004 to 2022, and focuses on the evolution of the responses and reactions of NATO and EU. Starting from the Orange Revolution of 2004 and the Gas crisis of 2006 and 2009, where the reactions have mostly been individual, the Russian illegal annexation of Crimea in 2014 triggered the start of an effective cooperation between NATO and the EU in their response. The focus moves then to the Russian invasion of Ukraine of February 2022, which features an unexpected coherent, cohesive and coordinated reaction of two organizations. This case study shows how coordinated actions, information sharing and common planning between NATO and the EU strongly reinforce their effectiveness and credibility.

The fourth and last chapter is aimed at assessing EU-NATO cooperation, especially in light of the two case studies presented in the previous chapters. This assessment tries to figure out which



are the main elements favoring or hindering cooperation. After this evaluation, the focus moves on how EU-NATO cooperation fits within the main theories of international relations, as realism, liberalism and constructivism. Lastly, some policy proposals are set out to enhance and ameliorate the functioning and effectiveness of this cooperation.

## Chapter 1: EU-NATO Cooperation: origins and developments

“Cooperation between the European Union and NATO is crucial to the security of our entire continent, and of the Atlantic space, on both sides of the Atlantic.”<sup>3</sup> These are words by the High Representative/ Vice President Federica Mogherini at the Future of EU-NATO Cooperation Conference in 2016 and nowadays they result to be more relevant than ever.

In the aftermaths of the Second World War, an idea found widespread consensus and endorsement, namely the willingness to try preventing future conflicts and deterring aggressions. From this intent and in order to formalize this cooperation, different international agreements and organizations saw the light and, in particular, the Euro-Mediterranean region witnessed the institution of two main organizations: the North Atlantic Treaty Organization and the European Economic Community, which then became known as the European Union. Since their birth, NATO in 1949 and the first stage of the European Community in 1951,<sup>4</sup> the two organizations were considered as two different boxes, or in the words of the former US Ambassador to NATO, Robert E. Hunter, “NATO and the European Union are two institutions living in the same city (Brussels) on different planets”.<sup>5</sup> As a matter of fact, NATO has always been an exclusively military alliance governed by a political decision-making body and the European Union started, as shown by its first formulations, as a purely economic organization which then expanded gradually its competencies.

Throughout the Cold War, this difference in competences was clear-cut, with NATO strongly concentrated on territorial defence and in countering the Soviet threat, guaranteeing the security of Western Europe. Therefore, the relationship between the Atlantic Alliance and the European Communities was formally based on the fact that the former provided a strong security framework within which the European integration process could take place.<sup>6</sup> Nevertheless, as highlighted before,

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<sup>3</sup> High Representative/Vice President Federica Mogherini, *Speech by High Representative/Vice-President Federica Mogherini at the Future of EU-NATO Cooperation conference*, in “The Future of EU-NATO Cooperation conference”, European Union External Action, 21 November 2016, available at: [https://eeas.europa.eu/headquarters/headquarters-homepage\\_nb/15413/The%20Future%20of%20EU-NATO%20Cooperation%20conference](https://eeas.europa.eu/headquarters/headquarters-homepage_nb/15413/The%20Future%20of%20EU-NATO%20Cooperation%20conference) .

<sup>4</sup> Based on the Schuman plan, Germany, France, Italy, the Netherlands, Belgium and Luxembourg sign a treaty to run their coal and steel industries under a common management. In this way, no single country can make the weapons of war to turn against others and the European Coal and Steel Community comes into being in 1952. In 1957, the 6 founding countries expand their cooperation to other economic sectors by signing the Rome Treaties and creating the European Economic Community (EEC), and the European Atomic Energy Community (Euratom). European Union, *History of the European Union 1945-59*, European Commission, Directorate-General for Communication, available at: [https://european-union.europa.eu/principles-countries-history/history-eu/1945-59\\_en](https://european-union.europa.eu/principles-countries-history/history-eu/1945-59_en) .

<sup>5</sup> Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin .

<sup>6</sup> Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin .

the two organizations were born under the same intentions and for this reason they actually shared many of the main fundamental values such as democracy, individual freedoms, and the rule of law. Moreover, this is quite logic by highlighting the fact that the large majority of the states forming the two organizations are both NATO Allies and EU members, counting 21 member states in common, and the others belonging in any case to what is known as the Western world, sharing strong historical and political ties.<sup>7</sup>

With the end of the nuclear threat and the détente coming from the conclusion of the Cold War, these equilibria between the two organizations changed. This new world asset marked in a way the end of the main and original reason of existence of the North Atlantic Treaty Organization. In this changed picture, the European Communities and then the European Union, from the entry into force of the Maastricht treaty in 1992, started to be seen as not only as a civilian power, but as a growing power also in the realm of security and defence. Notwithstanding the fact that the beginning of this evolution actually found its start with the creation of the Western European Union in 1954,<sup>8</sup> it is with the institutionalization of the intergovernmental Common Foreign and Security policy in the Maastricht treaty of 1992 that some issues of coordination started to arise, mainly due to the strongly overlapping membership of the two organizations. These developments in the NATO-EU relationship and how they started a path towards cooperation in the realm of security and defence will be analysed in the next paragraphs.

## 1.1 NATO in the post-Cold War world

NATO can be considered the oldest military alliance having been in existence for more than 70 years now. Notwithstanding the great changes that the world witnessed in these last 7 decades, NATO gave proof of a great capacity of adaptability and resilience to this fast-changing world. This happened especially as the world entered in the post-Cold War period. As a matter of fact, the fall of the Berlin Wall and the Soviet Union, brought to NATO to face a scenario in which it was deprived

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<sup>7</sup> Simion E., *NATO-EU COOPERATION*, in “International Conference KNOWLEDGE-BASED ORGANIZATION”, Vol. XXIV No 1, 2018, SACTREPEUR NATO HQ, Romania.

<sup>8</sup> Western European Union (WEU) was born out of the Treaty on Economic, Social and Cultural Collaboration and Collective Self-Defence signed in Brussels on 17 March 1948. Although the Treaty did not officially set up an international organisation the arrangement was referred to as the Brussels Treaty Organisation, or Western Union. The Treaty was supplemented and amended by a protocol signed in Paris on 23 October 1954, setting up Western European Union. The five original signatories to Western Union (Belgium, France, Luxembourg, the Netherlands and the United Kingdom) were joined by the Federal Republic of Germany (FRG) and Italy. Dumoulin A., *The origins and development of WEU*, in CVCE.eu, University of Luxembourg, July 2016, available at: <https://www.cvce.eu/en/recherche/unit-content/-/unit/72d9869d-ff72-493e-a0e3-bedb3e671faa/578edfb4-179a-486e-a75a-a1347ee1167c> .

of its main adversary, therefore, the main threat it was supposed to deter was no longer there.<sup>9</sup> Strong debates about the future of the organization arose, but even more the very existence of NATO started to be questioned. For these reasons NATO found itself needing to adapt and broaden the scope and the tools used to fulfil its defence and deterrence duties. It became increasingly obvious that NATO's core mission had to adapt to the new challenges of this post-Cold war asset. 1991, in fact, marked the adoption of a first Strategic Concept for the Atlantic Alliance. NATO's Heads of State and Government agreed to transform the Alliance to reflect the new, more promising, era in Europe.<sup>10</sup> With such a document, NATO was then acknowledging that the security environment was changing deeply and that there was a concrete need to adapt the alliance to endure its effectiveness. "Since 1989, profound political changes have taken place in Central and Eastern Europe which have radically improved the security environment in which the North Atlantic Alliance seeks to achieve its objectives (...) The political division of Europe that was the source of the military confrontation of the Cold War period has thus been overcome."<sup>11</sup>

However, NATO's new role was tested with the insurgence of new ethnic, intrastate types of conflict in Central and Eastern Europe as a consequence of the collapse of the Soviet Union. Violence moved from the most traditional type of conflict between states to violence and conflict within states, driven by identity and ethnicity issues. These new conflicts started characterizing the post-Cold War era<sup>12</sup> and challenged the Alliance and its functions in the security environment of the 1990s. This has been acknowledged by the Strategic Concept stating that "the risks to Allied security that remain are multi-faceted in nature and multi-directional, which makes them hard to predict and assess (...) Risks (...) from the adverse consequences of instabilities that may arise from the serious economic, social and political difficulties, including ethnic rivalries and territorial disputes, which are faced by many countries in central and eastern Europe."<sup>13</sup> Therefore, NATO committed itself to the instauration of a cooperation relationship to these countries that happened to be part of what was the Warsaw Pact.

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<sup>9</sup> Burton J., *NATO's Durability in a Post-Cold War World*, State University of New York Press, 2018, available at: <https://www.perlego.com/book/2673229/natos-durability-in-a-postcold-war-world-pdf>.

<sup>10</sup> Lațici T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020; North Atlantic Treaty Organization, *The Alliance's New Strategic Concept*, November 1991, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_23847.htm](https://www.nato.int/cps/en/natohq/official_texts_23847.htm).

<sup>11</sup> North Atlantic Treaty Organization, *The Alliance's New Strategic Concept*, November 1991, para 1, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_23847.htm](https://www.nato.int/cps/en/natohq/official_texts_23847.htm).

<sup>12</sup> The prevalence of these types of conflict during this period is striking. 57 armed conflicts took place between 1989 and 2001, in 45 different locations, only three of them were within states. Burton J., *NATO's Durability in a Post-Cold War World*, State University of New York Press, 2018, available at: <https://www.perlego.com/book/2673229/natos-durability-in-a-postcold-war-world-pdf>.

<sup>13</sup> North Atlantic Treaty Organization, *The Alliance's New Strategic Concept*, November 1991, para 8-9, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_23847.htm](https://www.nato.int/cps/en/natohq/official_texts_23847.htm).

This was done through the creation of the North Atlantic Cooperation Council (NACC) which held its first meeting in December 1991.<sup>14</sup> The NACC became an important forum throughout 1992 and 1993 for intensified cooperation and dialogue on multiple issues between NATO, Central and Eastern European states, and Russia. Consultation within the Council were centered on some security concerns which still had to do with the Cold War, such as the withdrawal of Russian troops from the Baltic States, but also on the regional and intrastate conflicts breaking out in the former Soviet Union and in the former Yugoslavia. Political cooperation was instituted on many security and defence issues while also military cooperation started on the ground. It is safe to say, then, that the NACC broke new grounds of cooperation in many ways. As a matter of fact, this multilateral political consultation helped building the confidence that was needed to pave the way for the launch of the Partnership for Peace (PfP) in 1994.<sup>15</sup> This NATO program was meant to encourage cooperation and trust between NATO and non-NATO members by offering the possibility of developing practical bilateral cooperation and choosing their own priorities. The main purpose was the one of increasing stability, diminishing threats to peace and building strengthened security relationships.<sup>16</sup> All states participating in the NACC were invited to join the Partnership, together with the states participating in the Conference on Security and Cooperation.<sup>17</sup>

By favoring the control and transparency of the armed forces and of the defence budgets, the Partnership for Peace was also seen as a fundamental stage of the eventual full NATO membership. As a matter of fact, it started providing an institutional mechanism through which aspirant members could make the necessary reforms for the accession procedure.<sup>18</sup> Since 1992, in fact, some countries had started lobbying for their inclusion in the NATO membership, seen as a first step the path towards

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<sup>14</sup> The NACC was a manifestation of the “hand of friendship” extended at the July 1990 summit meeting in London, when Allied leaders proposed a new cooperative relationship with all countries in Central and Eastern Europe in the wake of the end of the Cold War. The 11 former Soviet republics of the newly formed Commonwealth of Independent States were invited to participate in the NACC. Georgia and Azerbaijan joined the NACC in 1992 along with Albania, and the Central Asian republics soon followed suit. North Atlantic Treaty Organization, *North Atlantic Cooperation Council (NACC) (Archived)*, January 2017, available at: [https://www.nato.int/cps/en/natolive/topics\\_69344.htm](https://www.nato.int/cps/en/natolive/topics_69344.htm) .

<sup>15</sup> North Atlantic Treaty Organization, *North Atlantic Cooperation Council (NACC) (Archived)*, January 2017, available at: [https://www.nato.int/cps/en/natolive/topics\\_69344.htm](https://www.nato.int/cps/en/natolive/topics_69344.htm) .

<sup>16</sup> Activities on offer under the PfP programme touch on virtually every field of NATO activity, including defence-related work, defence reform, defence policy and planning, civil-military relations, education and training, military-to-military cooperation and exercises, civil emergency planning and disaster response, and cooperation on science and environmental issues. Since April 2011, all PfP activities and exercises are in principle open to all NATO partners, be they from the Euro-Atlantic region, the Mediterranean Dialogue, the Istanbul Cooperation Initiative or global partners. Currently, there are 20 countries in the Partnership for Peace programme. North Atlantic Treaty Organization, *Partnership for Peace programme*, March 2020, available at: [https://www.nato.int/cps/en/natohq/topics\\_50349.htm](https://www.nato.int/cps/en/natohq/topics_50349.htm) .

<sup>17</sup> Efforts were made also to implement to strengthen the Conference on Security and Cooperation, which became the Organisation for Security and Cooperation in 1995. Burton J., *NATO's Durability in a Post-Cold War World*, State University of New York Press, 2018, available at: <https://www.perlego.com/book/2673229/natos-durability-in-a-postcold-war-world-pdf> .

<sup>18</sup> Burton J., *NATO's Durability in a Post-Cold War World*, State University of New York Press, 2018, available at: <https://www.perlego.com/book/2673229/natos-durability-in-a-postcold-war-world-pdf> .

the European Union and the possibility to be under the nuclear umbrella protection of the US.<sup>19</sup> Many partners were deepening their cooperation with NATO, in particular in support of defence reform and the transition towards democracy, and several partners were by then also actively supporting the NATO-led peacekeeping operation in Bosnia and Herzegovina started in 1995.

While the Partnership for Peace is still functioning even if it underwent many reforms and developments, the NACC was then succeeded by the Euro-Atlantic Partnership Council in 1997.<sup>20</sup> The creation of this institution, bringing together 30 Allies and 20 partner countries, reflected the desire of the Alliance to build a security forum “for a more enhanced and operational partnership, matching the increasingly sophisticated relationships being developed with partner countries.”<sup>21</sup> This framework composed by two key mechanisms, namely the Euro-Atlantic Partnership Council (EAPC) and the Partnership for Peace (PfP) programme, has come to be delineated as the Euro-Atlantic Partnership bringing together Allies and partner countries from Europe, the Caucasus and Central Asia for dialogue and consultation to foster security, stability and democratic transformation across the Euro-Atlantic area.<sup>22</sup>

NATO, then, was put to the test having to deal with the consequences of the collapse of the Soviet Union and the rise of ethnic, intrastate conflicts. The Alliance managed these circumstances going through intensive institutional realignments and the creation of new partnerships and

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<sup>19</sup> The reunification of Germany in October 1990 brought the territory of the former East Germany into the Alliance and the new democracies of Central and Eastern Europe were eager to guarantee their freedom by becoming integrated into Euro-Atlantic institutions. NATO enlargement was the subject of lively debate in the early 1990s. Many analysts were unsure of the benefits that enlargement would bring and concerned about the possible impact on Alliance cohesion and solidarity, and on relations with other states, as Russia. The Alliance then carried out a Study on NATO Enlargement in 1995, concluding that the end of the Cold War provided a unique opportunity to build improved security in the entire Euro-Atlantic area and that NATO enlargement would contribute to enhanced stability and security for all. It would do so by encouraging and supporting democratic reforms, including the establishment of civilian and democratic control over military forces; fostering patterns and habits of cooperation, consultation and consensus-building characteristic of relations among members of the Alliance; and promoting good-neighbourly relations. The Alliance invited the Czech Republic, Hungary and Poland to begin accession talks at the Alliance’s Madrid Summit in 1997. These three countries became the first former members of the Warsaw Pact to join NATO in 1999. North Atlantic Treaty Organization, *Enlargement*, May 2020, available at: [https://www.nato.int/cps/en/natolive/topics\\_49212.htm](https://www.nato.int/cps/en/natolive/topics_49212.htm) .

<sup>20</sup> Meetings of the EAPC are held monthly at the level of ambassadors, annually at the level of foreign or defence ministers and chiefs of defence, as well as occasionally at summit level. Consultation and cooperation takes place in a wide range of areas including crisis-management and peace-support operations; regional issues; arms control and issues related to the proliferation of weapons of mass destruction; international terrorism; defence issues such as planning, budgeting, policy and strategy; civil emergency planning and disaster preparedness; armaments cooperation; nuclear safety; civil-military coordination of air traffic management; and scientific cooperation. The EAPC has also taken initiatives to promote and coordinate practical cooperation and the exchange of expertise in key areas, as combating terrorism, border security, and other issues related to the proliferation of weapons of mass destruction and small arms and light weapons. North Atlantic Treaty Organization, *Euro-Atlantic Partnership Council*, March 2020, available at: [https://www.nato.int/cps/en/natohq/topics\\_49276.htm](https://www.nato.int/cps/en/natohq/topics_49276.htm) .

<sup>21</sup> North Atlantic Treaty Organization, *Euro-Atlantic Partnership Council*, March 2020, available at: [https://www.nato.int/cps/en/natohq/topics\\_49276.htm](https://www.nato.int/cps/en/natohq/topics_49276.htm) .

<sup>22</sup> North Atlantic Treaty Organization, *Euro-Atlantic Partnership*, June 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_67979.htm](https://www.nato.int/cps/en/natohq/topics_67979.htm) .



cooperation frameworks. In addition to this new arrangements and challenges foreseen for the Atlantic Alliance in the post-1991 Europe, the Strategic Concept welcomed “the enhancement of the role and responsibilities of European members of the Alliance”, highlighting that “the strengthening of the European pillar within the Alliance, will not only serve the interests of the European states but also reinforce the integrity and effectiveness of the Alliance as a whole”.<sup>23</sup> The wording of the Strategic Concept is meant to mirror the US willingness to encourage European NATO members to develop their own military and defence capabilities. However, they were advocating that this would happen within the Alliance and not outside of it. This in opposition to some of the debates arguing for the establishment of a European defence identity to be directly answerable to the Western European Union and not NATO, within NATO’s border, or a European Force operating under NATO but outside of the borders.<sup>24</sup> The debate about the eventual independence or autonomy of a European defence system has been going on since, and still there has not been found an equilibrium between the different positions.

## 1.2 The development of a European defence identity

The idea behind a common foreign and security policy in Europe dates back to the very beginning of the European process in 1948. Issues of national security and foreign policy in the post Second World War scenario were of primary importance and fundamental for the development of the European integration. Within the Schuman Plan setting the base for the European Coal and Steel Community (ECSC) in 1950 by the French government, another framework was presented, namely the Pleven Plan for a European Defence Community (EDC).<sup>25</sup> This would have foreseen the integration of West Germany and its eventual rearmament, as advocated by the US in face of the Korean War. A European Defence Treaty was signed in Paris in May 1952,<sup>26</sup> and it proposed the creation of a European army to be placed under a single military and political European authority. Moreover, it committed to design a political superstructure aimed at giving to the EDC a direction

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<sup>23</sup> North Atlantic Treaty Organization, *The Alliance's New Strategic Concept*, November 1991, para 2, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_23847.htm](https://www.nato.int/cps/en/natohq/official_texts_23847.htm) .

<sup>24</sup> Burton J., *NATO's Durability in a Post-Cold War World*, State University of New York Press, 2018, available at: <https://www.perlego.com/book/2673229/natos-durability-in-a-postcold-war-world-pdf> .

<sup>25</sup> The Pleven Plan, proposed in 1950 by then French Prime Minister René Pleven, although it was drafted mainly by Jean Monnet, in response to the American call for the rearmament of West Germany, was meant to prevent the military possibility of Germany’s making war again and to harness the German military potential in case of conflict with the Soviet bloc. The plan aimed to achieve a commendable balance by limiting German rearmament to an objective and controllable contribution to the future forces of the EDC and focused on the formation of a pan-European defence architecture, as an alternative to West Germany’s proposed accession to NATO. Jiménez-Ugarte J., *From the European Defence Community to Permanent Structured Cooperation*, in Ramírez J.M., Biziewski J., “Security and Defence in Europe”, Springer, 2020, page 83.

<sup>26</sup> The Treaty of Paris for the constitution of the EDC was signed by the six foreign ministers of France, West Germany, Italy and the three Benelux countries.

and legitimacy. The draft of this treaty establishing a European Political Community and its defence counterpart sparked debate, especially in France. The plan for a European Defence Community was then rejected by the French National Assembly in 1954.<sup>27</sup>

In parallel with the plan of the EDC, with the Treaty on Economic, Social and Cultural Collaboration and Collective Self-Defence, signed in Brussels on 17 March 1948,<sup>28</sup> the Western European Union (WEU) was created, even if it did not provide for the establishment of an international organisation.<sup>29</sup> The treaty was then supplemented and amended with a protocol signed in Paris in August 1954, called the modified Brussels treaty, which formally established the WEU. The five original signatories to Western Union, namely Belgium, France, Luxembourg, the Netherlands and the United Kingdom, were then joined by the Federal Republic of Germany and Italy. Considering that the goal of the treaty was to show that the western European states could cooperate in matters of security and defence to encourage the US to continue playing a role in Europe's security, the WEU remained a smaller and subordinated system to NATO. For this reason, the organization earned itself the nickname of the "Sleeping Beauty" and slowly faded away in a dormant state.<sup>30</sup> Until 1984, the WEU was mostly used as a forum for consultation and discussion, contributing to the dialogue on European security and defence.<sup>31</sup> The WEU was then revitalized several times, and in particular in 1992 with the Petersberg Task Declaration. The formulation of this set of new tasks for the organization was meant to give an operational role to the WEU, in particular after the limited role played in the Gulf conflict in 1990 and EU's military impotence during the first year of the war in Yugoslavia.<sup>32</sup> These consisted in "humanitarian and rescue tasks, peacekeeping tasks, and tasks of combat forces in crisis management, including peacemaking" and they highlighted

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<sup>27</sup> CVCE.EU, *The failure of the European Defence Community (EDC)*, UNILU, July 2016, available at: [https://www.cvce.eu/en/education/unit-content/-/unit/1c8aa583-8ec5-41c4-9ad8-73674ea7f4a7/bd191c42-0f53-4ec0-a60a-c53c72c747c2/Resources#38ec6c23-d27f-436e-86fc-5801d776ec20\\_en&overlay](https://www.cvce.eu/en/education/unit-content/-/unit/1c8aa583-8ec5-41c4-9ad8-73674ea7f4a7/bd191c42-0f53-4ec0-a60a-c53c72c747c2/Resources#38ec6c23-d27f-436e-86fc-5801d776ec20_en&overlay) ; Giegerich B., Foreign and Security Policy, in Wallace H., Pollack M.A., and Young A.R., "Policy-Making in the European Union", 7th Edition, September 2017.

<sup>28</sup> The Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence, was signed in Brussels on 17 March 1948 by Belgium, France, Luxembourg, the Netherlands and the United Kingdom. It entered into force on 25 August 1948. Jiménez-Ugarte J., *From the European Defence Community to Permanent Structured Cooperation*, in Ramírez J.M., Biziewski J., "Security and Defence in Europe", Springer, 2020, page 79.

<sup>29</sup> In practice it led to the creation of an organisation known as the "Brussels Treaty Organisation" or "Western Union". Jiménez-Ugarte J., *From the European Defence Community to Permanent Structured Cooperation*, in Ramírez J.M., Biziewski J., "Security and Defence in Europe", Springer, 2020, page 79.

<sup>30</sup> Dumoulin A., *The origins and development of WEU*, in CVCE.eu, University of Luxembourg, July 2016, available at: <https://www.cvce.eu/en/recherche/unit-content/-/unit/72d9869d-ff72-493e-a0e3-bedb3e671faa/578edfb4-179a-486e-a75a-a1347ee1167c> .

<sup>31</sup> EEAS, *Shaping of a Common Security and Defence Policy*, July 2016, available at: <https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy-en> .

<sup>32</sup> Van Staden A., Homan K., Kreemers B., Pijpers A. and De Wijk R., *The Petersberg Tasks: Towards a European Strategic Concept*, Clingendael Institute, 2000, available at: <https://www.jstor.org/stable/pdf/resrep05570.6.pdf> .



how much the WEU was a laboratory for European defence cooperation. As a matter of fact, the Petersberg tasks held a prominent place in the formulation of a Common European Security and Defence Policy (CSDP), established within the Maastricht Treaty in 1992.

“A common foreign and security policy is hereby established which shall be governed by the following provisions”,<sup>33</sup> this is how Article J of the Maastricht treaty introduced the second intergovernmental pillar of the new European Union. It was aimed at the safeguard of the common values, fundamental interests, and independence of the Union, and to strengthen its security and its member states. Moreover, it meant to preserve peace and international security, promoting international cooperation, together with developing and consolidating democracy, the rule of law and the respect for human rights and fundamental freedoms. Within this framework, the WEU was to be closely associated with the CFSP and most importantly acting as a bridge between the European Union and NATO. This was the first step gradually moving towards a common defence system.<sup>34</sup>

Nevertheless, the launching of the European Security and Defence Policy (ESDP), as an integral part of the CFSP, took place only in 1999 with the adoption of the Amsterdam Treaty.<sup>35</sup> It is actually within this framework that the concrete change of direction and definition of the new objectives of the CFSP for the integrity of the Union took place. This impetus was backed by a bilateral Franco British meeting at the end of 1998,<sup>36</sup> which produced the St. Malo Declaration calling for capacity of the European Union “for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises”,<sup>37</sup> a statement of intent then endorsed by all the other member states in a European Council meeting in

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<sup>33</sup> European Union, Treaty on European Union (Consolidated Version), Treaty of Maastricht, 7 February 1992, O.J. (C191) 1, 31 I.L.M. 253 available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A11992M%2FTXT>.

<sup>34</sup> Bindi F., *European Union Foreign Policy: A Historical Overview*, in Bindi F., Angelescu I., “The Foreign Policy of the European Union: Assessing Europe’s Role in the World”, Brookings Institution Press, 2012.

<sup>35</sup> The Treaty of Amsterdam was the result of the 1996–1997 Intergovernmental Conference (IGC) among the then 15 EU member states (March 1996–June 1998). Its three core objectives were making Europe more relevant to its citizens, enabling it to work better and preparing it for enlargement, and giving it greater capacity for external action. Vanhoonacker S., *The Amsterdam Treaty*, Department of Political Science, Maastricht University, May 2020, available at: <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1094?print=pdf>.

<sup>36</sup> Bilateral meeting between then President Jacques Chirac of France and UK Prime Minister Tony Blair in Saint-Malo (France), in December 1998. The resulting declaration indicated for the first time a Franco-British consensus on the evolution of a defence component for the European Union: its wording constituted the basis for the agreement at EU level in Cologne. EEAS, *Shaping of a Common Security and Defence Policy*, July 2016, available at: <https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy- en>.

<sup>37</sup> Joint Declaration on European Defence, Joint Declaration issued at the British-French Summit, Saint-Malo, 4 December 1998, CVCE.EU, available at: [https://www.cvce.eu/content/publication/2008/3/31/f3cd16fb-fc37-4d52-936f-c8e9bc80f24f/publishable\\_en.pdf](https://www.cvce.eu/content/publication/2008/3/31/f3cd16fb-fc37-4d52-936f-c8e9bc80f24f/publishable_en.pdf).

Cologne in 1999. The main debate in the intergovernmental conferences was centered around two main issues that arose from the previous Maastricht treaty, a more efficient decision-making process<sup>38</sup> and the development of the security dimension of the CFSP. Institutional innovations were introduced revising some provisions in terms of decision making and constructive abstention, however the most important one was the creation of the figure of the High Representative for CFSP which merged with the one of the Secretary General of the Council (HR/SG).<sup>39</sup> This fundamental step, together with the institutionalized possibility for the EU to “avail itself of the WEU to elaborate and implement decisions and actions of the Union with defence implications”,<sup>40</sup> embodied the new objectives of the CFSP to give a concrete dimension, face and most importantly credibility to ESDP. As a matter of fact, the WEU’s defining objectives, the Petersberg Tasks, were incorporated in the treaty in article 17 TEU determining the spectrum of military actions and functions that the European Union could undertake in its crisis management operations, including peacekeeping and humanitarian tasks.<sup>41</sup>

The role of the High Representative was given at the Cologne Summit of 1999 to the former NATO Secretary General, Javier Solana, who made himself the real external face of CFSP. He succeeded in raising the international profile and operational ambition of ESDP by becoming a key actor in different international developments, namely in the Middle East and in the Western Balkans. The importance of the mandate of Solana in terms of the development of the objectives of the ESDP has to be found also in the creation of the European Security Strategy (EES), which paved the way for a series of documents, periodically drafted, giving the guidelines, the values and the goals for the

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<sup>38</sup> As a matter of fact, being an intergovernmental issue, the decisions regarding the second pillar were taken by member states by unanimity on initiative of the European Commission. The final compromise introduced by the treaty consisted in unanimity remaining the rule but allowing the use of QMV for implementing decisions. The same applied for decisions implementing common strategies, a newly introduced instrument used by the European Council to determine an overall policy frame toward a particular country or region (Art. 23, Title V, TEU, 1992). In addition, Amsterdam also introduced the use of constructive abstention: this new form flexibility made it possible for member states to abstain from a decision without blocking it (Art. 23, Title V, TEU, 1992). Vanhoonacker S., *The Amsterdam Treaty*, Department of Political Science, Maastricht University, May 2020, available at: <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1094?print=pdf>.

<sup>39</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 18.

<sup>40</sup> Article J.7, Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain Related Acts, signed in Amsterdam, 2 October 1997, available at: <https://www.europarl.europa.eu/topics/treaty/pdf/amst-en.pdf>.

<sup>41</sup> Following this need for the EU to have its own operational capability and in response to the events in Kosovo, at the Helsinki European Council in December 1999, it was agreed that the EU would have to be able, on a voluntary basis, to deploy up to 60,000 troops within sixty days for at least one year to deal with Petersberg task operations. This was matched by a civilian crisis management system for training and assistance of local forces with the priority of rule of law and civil protection. For these reasons, new permanent political and military bodies were established under the European Council. Vanhoonacker S., *The Amsterdam Treaty*, Department of Political Science, Maastricht University, May 2020, available at: <https://oxfordre.com/politics/view/10.1093/acrefore/9780190228637.001.0001/acrefore-9780190228637-e-1094?print=pdf>; Giegerich B., *Foreign and Security Policy*, in Wallace H., Pollack M.A., and Young A.R., “Policy-Making in the European Union”, 7<sup>th</sup> Edition, September 2017.

EU institutions in terms of security and defence.<sup>42</sup> The EES adopted in 2003 followed the need to provide a common strategic vision to enhance internal cohesion at EU level. With the title “A Secure Europe in a Better World”, it singled out five main threats, namely terrorism, the proliferation of weapons of mass destruction, regional conflicts, state failure and organized crime. The strategy called for a preventive and collective engagement of the union for avoiding new conflicts, especially within the European neighboring countries, also paving the way for the parallel creation of the European Neighborhood Policy in 2003. Within this framework, more than 23 missions were carried out by EU governments until 2009, since the first was launched in 2003.<sup>43</sup> Its role proved fundamental also in developing cooperation between the European Union and NATO through the Berlin Plus Arrangement giving the possibility to ESDP missions to rely on NATO capabilities. As a matter of fact, during the Summit, it was announced the end of the WEU by the start of 2001 and the arrival of a legitimate EU defense policy. The EU would then take over the WEU institutions and personnel. Javier Solana was appointed WEU secretary-general in addition to his role as High Representative for the CFSP.<sup>44</sup> How these events affected and shaped the relationship between the EU, NATO and the WEU will be analysed later on.

With the adoption of the Lisbon Treaty in 2009, the development of the objectives of the ESDP becomes even clearer. As a matter of fact, it introduced a new institutional structure by defining two different treaties and a European legal personality of the Union. Besides that, it was formally defined that the scope of CFSP includes “all areas of foreign policy and all questions relating to the Union’s security”.<sup>45</sup> Under the Common Security and Defence Policy, the treaty incorporated all the developments of the ESDP since 1999, including both a mutual assistance and a solidarity clause<sup>46</sup> and also expanding the previous Petersberg Tasks under article 42 TEU.<sup>47</sup> All functions of the WEU

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<sup>42</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 19-20.

<sup>43</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 21-22.

<sup>44</sup> Bindi F., *European Union Foreign Policy: A Historical Overview*, in Bindi F., Angelescu I., “The Foreign Policy of the European Union: Assessing Europe’s Role in the World”, Brookings Institution Press, 2012.

<sup>45</sup> Article 24 TEU, *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*, signed at Lisbon, 13 December 2007, 2007/C 306/01, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT> .

<sup>46</sup> Solidarity Clause: “the Union and its Member States shall act jointly in a spirit of solidarity if an EU Member State is the object of a terrorist attack or the victim of a natural or man-made disaster”. Article 222 TFEU, *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*, signed at Lisbon, 13 December 2007, 2007/C 306/01, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT> .

<sup>47</sup> TEU Art. 42 further expanded the Petersberg tasks to include: humanitarian and rescue tasks; conflict prevention and peace-keeping tasks; tasks of combat forces in crisis management, including peacemaking; joint disarmament operations; military advice and assistance tasks; post-conflict stabilisation tasks. EEAS, *Shaping of a Common Security and Defence Policy*, July 2016, available at: [https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy-\\_en](https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy-_en)

were then incorporated by the treaty, consequently the organization was officially closed down in June 2011.<sup>48</sup> As a matter of fact, the mutual assistance clause, embodied in article 42.7 TEU,<sup>49</sup> was inspired by Article V of the WEU Treaty. Nevertheless, the article included a caveat securing that “commitments and cooperation in this area shall be consistent with commitments under the North Atlantic Treaty Organisation, which, for those States which are members of it, remains the foundation of their collective defence and the forum for its implementation”.<sup>50</sup> In addition to all these elements, the Lisbon Treaty also strongly extended the role of the HR/VP also heading the Foreign Affairs Council and the newly instituted European External Action Service. The first to be appointed with this role was Catherine Ashton, who faced the challenge of implementing these changes leading to the formal external representation of the Union.<sup>51</sup>

A new strategic definition of the objectives of the CSDP, the ‘Global Strategy on Foreign and Security Policy’, was drafted in 2016 under HR/VP Mogherini. The new strategy emphasized the need for an EU consistent, comprehensive, and common foreign policy with a long-term approach in the framework of both civilian and military missions. All this became more relevant with the new challenges that developed, namely the terrorist attacks on the European soil and the Brexit referendum. These new objectives and the actual implementation in front of the new threats and challenges were revealed in the recent development of some clauses and institutions that were envisaged in the Lisbon treaty but never really implemented, such as the security guarantee and the PESCO to further enhance cooperation between member states.<sup>52</sup>

On the whole, the evolution of the main objectives of the ESDP can be witnessed in the continuous thrive by the European member states for a stronger and more concrete coordination between their actions in security and defence domains which started in 1999 and is still ongoing. The need for a strengthened action with more credibility and carried out at a common level is evident in

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<sup>48</sup> EEAS, *Shaping of a Common Security and Defence Policy*, July 2016, available at: <https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy-en>.

<sup>49</sup> It states that “if a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 [the right to self-defence] of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States”. Article 42 TEU, *Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community*, signed at Lisbon, 13 December 2007, 2007/C 306/01, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12007L%2FTXT>.

<sup>50</sup> Article 42 TEU.

<sup>51</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 23.

<sup>52</sup> EEAS, *Shaping of a Common Security and Defence Policy*, July 2016, available at: <https://eeas.europa.eu/topics/common-security-and-defence-policy-csdp/5388/shaping-of-a-common-security-and-defence-policy-en>.

the constantly evolving system of institutions and strategic objectives that are needed to face the new challenges and threats that the Union as a whole is presented, and which cannot be tackled effectively by the single member states.

### 1.3 EU-NATO Cooperation

As already outlined before, since the birth of the European Communities that were to become the European Union, the common link with NATO was the safeguard and guarantee of peace and security on the European continent and the promotion of a rule-based international order anchored in international law. Nevertheless, until the end of the Cold War, historical decisions and events had brought the two organizations looking in different directions: one responsible for collective defence and deterrence and the other for economic, social development and softer areas of security. As a matter of fact, they were often likened to Mars and Venus.<sup>53</sup> With the end of the confrontation between the US and the USSR, the role of the US in Europe was expected to shrink as there was the idea that Western Europe would not need US's security umbrella in the same way it had during the Cold War. Moreover, the European Union started to define its own security and defence identity with the institutionalization of the intergovernmental Common Foreign and Security policy first in the Maastricht treaty of 1992 and then developed and incorporated in all subsequent treaties. Notwithstanding all these elements, it became clear through the years that NATO as a whole and especially the US still had a role to play in the European region. This, however, did not come without difficulties and tensions over the Atlantic, especially concerning issues about the interventions in the Western Balkans conflicts and Kosovo. Yet, the situation highlighted how the European Union was still strongly dependent on the US for defence and security matters even in its neighborhood region. These elements inevitably brought the EU and NATO to towards a closer cooperation which was already starting with the Western European Union, then incorporated in the ESDP.

NATO, within the Strategic Compass of 1991, had indeed endorsed the development of European defence capacity as a fundamental element to ensure the security and effectiveness of the Alliance as a whole. The European Union, on its part, already with the Amsterdam treaty highlighted the willingness to develop a cooperation relationship with NATO, also considering that the WEU was even previously conducting joint missions<sup>54</sup> with the Alliance and it also had the task of creating a

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<sup>53</sup> Lațici T., *The Wind in the Sails of EU-NATO Cooperation: How Strong and Where To?*, in "L'Europe en Formation", 2019/2 (n° 389), pp. 67-84, available at: <https://www-cairn-info.acces-distant.sciencespo.fr/revue-l-europe-en-formation-2019-2-page-67.htm> .

<sup>54</sup> The joint naval operation with NATO in the Adriatic Sea, Operation Sharp Guard from June 1993 to October 1996. Sharp Guard was launched to enforce the economic sanctions and arms embargo more effectively and under a single



European Security and Defense Identity (ESDI) within NATO structures.<sup>55</sup> Notwithstanding these elements, only from January 2001 the relations between NATO and the EU were institutionalized with the establishment of joint meetings and the first formal bilateral meeting took place in May 2001, mostly due to the tensions developed across the Atlantic in those years. Through the creation of the ESDP and their own military and civilian capabilities outlined in the Cologne and Helsinki Summits of 1999, Europe also wanted to exercise more influence, power, and control within NATO. This issue worried many of the Atlanticist countries as they feared that this call for more influence and autonomy would have brought the US to a more isolationist behavior. However, both the heads of states of the countries with the double membership and the HR/VP highlighted multiple times how they remained committed to NATO and to its mission and how the ESDP was not a threat to the alliance. Things calmed down once the first European Security Strategy was issued in 2003 and the US Secretary of State, Madeleine Albright, called for the 3Ds, namely no duplication of NATO assets, no discrimination against non-EU NATO members and no decoupling of the EU from the US.<sup>56</sup> The US then came to agree to the ESDP and to a potentially increased EU role in the defence and security of Europe.

Following these events, the NATO-EU Declaration on ESDP was agreed in December 2002 reaffirming the EU assured access to NATO's planning capabilities for its own military operations, based on the conclusions of NATO's 1999 Washington summit, but also reiterated some political principles of the strategic partnership.<sup>57</sup> The EU-NATO relationship came to be governed by a comprehensive framework of cooperation envisaged through the Berlin Plus Agreement. This landmark agreement was concluded by the EU's High Representative/Secretary General Javier Solana and NATO Secretary General Lord Robertson in March 2003. The Berlin Plus arrangements allowed the EU to make use of NATO assets and capabilities for EU-led crisis management

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commander. Laçi T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020.

<sup>55</sup> The ESDI was to create a European pillar within NATO, partly to allow European countries to act militarily where NATO wished not to, and partly to alleviate the United States' financial burden of maintaining military bases in Europe. The Berlin agreement allowed European countries (through the WEU) to use NATO assets when so wished. Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1).

<sup>56</sup> Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1).

<sup>57</sup> Effective mutual consultation; equality and due regard for the decision-making autonomy of the EU and NATO; respect for the interests of the EU and NATO members states; respect for the principles of the Charter of the United Nations; coherent, transparent and mutually reinforcing development of the military capability requirements common to the two organisations. NATO, *THE NATO-EU STRATEGIC PARTNERSHIP*, available at: <https://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf>.

operations, including command arrangements and assistance in operational planning. It also permitted NATO to support EU-led operations in which NATO as a whole was not engaged and it gave the EU access to NATO planning.<sup>58</sup> The conclusion of this agreement facilitated the launch of the EU's first-ever military operation, Operation Concordia,<sup>59</sup> in the former Yugoslav Republic of Macedonia in December 2003 which took over the responsibilities of the NATO-led mission, Operation Allied Harmony. Subsequently, the EU-led Operation Althea was launched in Bosnia and Herzegovina in 2004. In parallel of these missions, an agreement was also signed on Military Permanent Arrangements establishing a NATO Permanent Liaison Team at the EU Military Staff and an EU Cell at SHAPE and at NATO's Joint Forces Command in Naples. These dual NATO-EU posts guaranteed the linkage between the EU's and NATO's operational chain of command.<sup>60</sup> This relationship between EU forces and NATO forces has often been defined as "separable but not separated", the same forces and capabilities, indeed, form the basis of both EU and NATO efforts.

### 1.3.1 EU-NATO Cooperation in a new global political and security environment

Notwithstanding the significant steps taken to cooperate on crisis management in the early 2000s, from 2004 until 2013, NATO-EU cooperation was almost frozen with the two organizations still looking in different directions. Informal social relations were maintained throughout the years among high level officials of NATO and EU, but as war seemed to have moved away from the European continent, the Union focused on social and economic development thanks and in face of the 2008 financial crisis started diminishing the defence spending. NATO's focus shifted too towards

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<sup>58</sup>The agreement consists of the following major elements: a NATO-EU Security Agreement (covers the exchange of classified information under reciprocal security protection rules); assured EU access to NATO's planning capabilities for actual use in the military planning of EU-led crisis management operations; availability of NATO capabilities and common assets, such as communication units and headquarters for EU- led crisis management operations; procedures for release, monitoring, return and recall of NATO assets and capabilities; Terms of Reference for NATO's Deputy SACEUR - who in principle will be the operation commander of an EU- led operation under the "Berlin Plus" arrangements (and who is always a European) - and European Command Options for NATO; NATO-EU consultation arrangements in the context of an EU-led crisis management operation making use of NATO assets and capabilities; incorporation within NATO's long-established defence planning system, of the military needs and capabilities that may be required for EU-led military operations, thereby ensuring the availability of well-equipped forces trained for either NATO-led or EU-led operations. NATO, *THE NATO-EU STRATEGIC PARTNERSHIP*, available at: <https://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf>.

<sup>59</sup> NATO supported the EU on strategic, operational and tactical planning. This mission was the first in which NATO assets had been made available to the EU. Concordia was terminated on 15 December 2003 and replaced by Proxima, an EU-led police mission. NATO, *THE NATO-EU STRATEGIC PARTNERSHIP*, available at: <https://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf>.

<sup>60</sup> Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1); NATO, *THE NATO-EU STRATEGIC PARTNERSHIP*, available at: <https://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf>.

crisis management and expeditionary operation out of its main area.<sup>61</sup> In addition to these elements, with the accession of Cyprus to the EU in 2004 and Turkey's membership of NATO, any effort to further institutionalize the NATO-EU partnership was affected. Consequently, the Berlin Plus framework was not invoked again and the EU's Operation Althea in Bosnia and Herzegovina remains the only operation in this framework.<sup>62</sup> Nevertheless, the discussions to improve the strategic partnership between the two never stopped, especially with the boost given by the NATO's Declaration on Alliance Security at the Strasbourg-Kehl summit of 2009, when France formally re-joined the Alliance's military structures that it had left in 1966.<sup>63</sup> Once again NATO leaders restated the importance of a stronger and more capable European defence as the efforts of the two organizations should reinforce and complement each other.<sup>64</sup> In 2013, the president of the EU Commission visited NATO Headquarters, which was followed by the NATO Secretary General addressing the EU Parliament's Committee on Foreign Affairs and Subcommittee on Security and Defense and the European Council in Brussels. Moreover, he participated in an informal meeting of EU foreign ministers.<sup>65</sup> However, with the spring of 2014 a new security and political environment delineated and inevitably affected the cooperation effort of NATO and the EU.

In the last decade, and in particular since the illegal annexation of Crimea in 2014 by Russia and the violations of the territorial integrity of Ukraine, a series of shocks, crisis and new threats came to radically transform the security environment in the European region. Among them, the annexation of Crimea, a new reality of terrorist attacks, unprecedented migration and refugee crisis, the Brexit vote, the election of Donald Trump as President of the United States, the new threats coming from

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<sup>61</sup> Lařici T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020; Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1).

<sup>62</sup> Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin, page 3.

<sup>63</sup> "We warmly welcome the French decision to fully participate in NATO structures; this will further contribute to a stronger Alliance." North Atlantic Treaty Organization, *Strasbourg / Kehl Summit Declaration*, April 2009, available at: [https://www.nato.int/cps/en/natolive/news\\_52837.htm](https://www.nato.int/cps/en/natolive/news_52837.htm); Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 60.

<sup>64</sup> "NATO recognises the importance of a stronger and more capable European defence, and welcomes the EU's efforts to strengthen its capabilities and its capacity to address common security challenges that both NATO and the EU face today. These developments have significant implications and relevance for the Alliance as a whole, which is why NATO stands ready to support and work with the EU in such mutually reinforcing efforts, recognising the ongoing concerns of Allies." North Atlantic Treaty Organization, *Strasbourg / Kehl Summit Declaration*, April 2009, available at: [https://www.nato.int/cps/en/natolive/news\\_52837.htm](https://www.nato.int/cps/en/natolive/news_52837.htm).

<sup>65</sup> Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1), page 225.



cyber warfare, climate change, pandemics, and disruptive technologies.<sup>66</sup> All these events occurred sharing at least one feature, namely the fact of being common to both the European Union and NATO. Inevitably, these elements called for fresh urgency to the efficient improvement of the EU-NATO relationship in approaching these challenges. In a joint declaration issued in July 2016 within the NATO Summit in Warsaw, the leaders of the EU and NATO, namely the President of the European Council, the President of the European Commission, and the Secretary General of NATO, stated that they believed the time had come to give new substance to the EU-NATO strategic partnership. The leaders said that the two organisations had to step up their efforts to find new ways of working together with a new level of ambition.<sup>67</sup> A concrete package of 42 measures to put in practice the joint declaration was endorsed. The measures covered seven areas for intensified cooperation and included: “bolstering resilience to hybrid threats, ranging from disinformation campaigns to acute crises; enhancing the cooperation between NATO’s Operation Sea Guardian and the EUNAVFOR Operation Sophia in the Mediterranean Sea; improving the exchange of information on cyber threats and the sharing of best practices on cyber security; ensuring the coherence and complementarity of each other’s defence planning processes; conducting parallel and coordinated exercises, including joint decision-making at highest levels; support local capacities of partner countries in the sectors of security and defence”.<sup>68</sup> The NATO Secretary General and the EU High Representative started to report regularly to NATO Allies and EU Member States with regards to the status and the development of this cooperation, and their 2017 conclusions indicated considerable progress. In December 2017, further steps were taken to boost NATO-EU cooperation adding 32 new measures including in three new areas: military mobility to ensure the quick movement of forces and equipment; information-sharing in the fight against terrorism and strengthening coordination of counter-terrorism support for partner countries; the promotion of women's role in peace and security.<sup>69</sup> The following year, in July 2018, the EU and NATO signed another joint declaration, confirming their commitment to implement the first declaration but also to recognise the efforts of

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<sup>66</sup> Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin, page 5; Lațici T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020.

<sup>67</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 60.

<sup>68</sup> North Atlantic Treaty Organization, *Relations with the European Union*, March 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_49217.htm](https://www.nato.int/cps/en/natohq/topics_49217.htm) ; Simion E., *NATO-EU COOPERATION*, in “International Conference KNOWLEDGE-BASED ORGANIZATION”, Vol. XXIV No 1, 2018, SACTREPEUR NATO HQ, Romania.

<sup>69</sup> Simion E., *NATO-EU COOPERATION*, in “International Conference KNOWLEDGE-BASED ORGANIZATION”, Vol. XXIV No 1, 2018, SACTREPEUR NATO HQ, Romania.

the EU to booster European security and defence through permanent structured cooperation (PESCO) and the European Defence Fund (EDF).<sup>70</sup>

Notwithstanding these elements, it should anyway be recalled that the series of events started in 2014 created a response in European countries bringing a push, even if not uniform, towards what has been known as “strategic autonomy”. The latter can be defined as the institutional capacity to plan and conduct independently military operations in all kinds of conflicts, included high intensity ones, and to develop and product autonomously defence capacities with the minimal or absent assistance from the part of the United States. The idea was already taking pace within some member countries since 2010, however, it is with the European Global Strategy of 2016 that the debate spreads in Europe.<sup>71</sup>

### 1.3.2 Recent developments and challenges

The 2016 declaration then marks a key shift in mentality through an important phrase that will be highlighted in different subsequent occasions, “a stronger EU makes a stronger NATO”.<sup>72</sup> Nevertheless, there have been some issue that have continuously hindered the smooth and efficient functioning of the EU-NATO cooperation. First of all, as already outlined, the Berlin Plus Agreement has been implemented in the framework of only two operations, Operation Concordia, in the former Yugoslav Republic of Macedonia in December 2003 and subsequently the military operation in Bosnia and Herzegovina in 2004. It is becoming clearer, then, that this is no longer the adequate tool to regulate the EU-NATO relations. Both the EU and NATO have expressed their willingness to work closely to achieve their common goals, namely the security and stability of Europe and its neighborhood, but they have failed in reaching a common ground. This is mainly caused by the different memberships of countries, which are hampering this relationship. This is exactly the case for countries like Turkey and Cyprus, with the former blocking Cyprus from participating to meetings because of their ongoing dispute, impeding the share of information and intelligence freely between the two organizations.<sup>73</sup> Another issue that may come about because of these different memberships

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<sup>70</sup> Laïci T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020.

<sup>71</sup> Mazziotti Di Celso M., Sebastiani L., *LA NATO E L'UNIONE EUROPEA*, in “Verso un nuovo Concetto strategico della NATO. Prospettive e interessi dell'Italia”, (a cura di) Natalizia G., Termine L., Centro Studi Geopolitica.info, in collaborazione con il Centro di Ricerca “Cooperazione con l'Eurasia, il Mediterraneo e l'Africa subsahariana (CEMAS)” di Sapienza Università di Roma, Osservatorio di Politica Internazionale, December 2021, pages 29-31.

<sup>72</sup> Laïci T., *The Wind in the Sails of EU-NATO Cooperation: How Strong and Where To?*, in “L'Europe en Formation”, 2019/2 (n° 389), pp. 67-84, available at: <https://www-cairn-info.acces-distant.sciencespo.fr/revue-l-europe-en-formation-2019-2-page-67.htm> .

<sup>73</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 60.

is the existence of different views and interests, with some countries having a more Atlantic approach while others being more focused on Europe. This clash of visions became evident with the NATO split over the intervention in Iraq in 2003,<sup>74</sup> and more recently there have been developments and changes in the interests of countries like the US and the EU, with the former moving towards the Indo-Pacific region and the Union focusing on the Mediterranean issues, the Middle East and Northern Africa region. Divergences and negative relationships between countries bring the logistic organization of meetings to be difficult to arrange and developments in the EU-NATO relationship almost impossible to reach.

Notwithstanding these challenges, EU and NATO have continued to cooperate in military and civil missions on the ground, coordinating their work and achieving results in different domains, like the maritime and capability development ones. Over the past 20 years, NATO and the EU have gone from coexistence to cooperation and their respective strategic thinking seems to have become increasingly aligned in spite of their different scopes and aims.<sup>75</sup> New security challenges are requiring capabilities and tools, both military and civilian, that the EU and NATO singularly do not possess. Both do share a lot of interests and objectives, but the challenge ahead is to maintain and improve this relationship. NATO- EU cooperation is becoming indispensable to lead to an effective and multifaceted response to contemporary security threats and there are valuable signs that the two organizations are willing to intensify their cooperation.

“We must use the new momentum to ensure that we, finally, equip ourselves with the mindset, the means and the mechanisms to defend our Union, our citizens and our partners. In so doing, the EU will also help to strengthen NATO and become a stronger Transatlantic partner: a partner that is more capable of sharing the burden of maintaining international peace and security. Russia’s aggression against Ukraine has shown both how essential NATO is for the collective defence of its members and the important role that the EU plays in today’s complex security and defence environment.”<sup>76</sup> These are the words of HR/VP Borrell in the presentation of the EU’s Strategic Compass of March 2022. From his statement, it is possible to understand, once again, how important is for the effectiveness and credibility of both organizations to develop their cooperation more in depth as they are trying to do since 2016 by establishing permanent liaisons or participating in each

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<sup>74</sup> NATO intervention in Iraq was strongly opposed by Belgium, France, Germany and Luxembourg.

<sup>75</sup> De Maio G., *Opportunities to deepen NATO-EU Cooperation*, in “THE NEW GEOPOLITICS EUROPE”, Foreign Policy at Brookings, December 2021, available at: [https://www.brookings.edu/wp-content/uploads/2021/12/FP\\_20211203\\_nato\\_eu\\_cooperation\\_demaio.pdf](https://www.brookings.edu/wp-content/uploads/2021/12/FP_20211203_nato_eu_cooperation_demaio.pdf).

<sup>76</sup> HR/VP Borrell J., *A STRATEGIC COMPASS TO MAKE EUROPE A SECURITY PROVIDER*, European External Action Service, March 2022, available at: [https://eeas.europa.eu/sites/default/files/strategic\\_compass\\_hrvp-foreword-en.pdf](https://eeas.europa.eu/sites/default/files/strategic_compass_hrvp-foreword-en.pdf).

other's crisis management exercises. How their relationship will change is still to be assessed, even considering the recent issuing of the European Strategic Compass and the future release of the NATO Strategy Concept. However, given the current developments in the geopolitical international scenario it is important to observe the behavior of these two organizations as they are inevitably setting the pace for their future relationship and collaboration.

The following chapters of this thesis will indeed focus on the recent concrete developments of this cooperation through the analysis of two different case studies. The aim is to understand the real implementation of the relationship developed within the framework of the Joint Declarations between NATO and the EU, and most importantly to try highlighting which are the conditions that favour this cooperation and the elements that instead are hindering it.

## Chapter 2: EU-NATO difficult cooperation in maritime operations in the Mediterranean.

The Mediterranean basin represents a fundamental global crossroad as it includes three of the nine main chokepoints in the world, passages of the highest strategic importance. Despite accounting for only 1% of the world's oceans, this sea generates around 15% of global maritime traffic and 20% of the related economic value: it is a fundamental global socio-economic crossroad.<sup>77</sup> The Mediterranean region is a space where the key contemporary challenges intersect as it is the fulcrum of three continents, very different among themselves leading to a really complex area with different economic, political, social and religious systems. "Over the last decade, the deep transformations that swept through the wider Mediterranean region have led to new challenges that overlap with old crises. We are witnessing state fragility, humanitarian crises, migration flows, conflicts, security threats, socio-economic inequalities, challenges to the shipping community as well as rethinking of energy choices and a major shift in the energy field. All of this directly affects the region's security."<sup>78</sup> The stability of the area is an essential element for the European defence and security framework and the Mediterranean is fully entangled in the current global history.

As already highlighted in this work, today, international security and crisis management need more than ever a multidimensional and global approach. For this reason, an EU-NATO maritime cooperation is essential for a coordinated response to the variety of Mediterranean issues. The coordination effort of the two organizations started at the beginning of the 21<sup>st</sup> century and it is still of the utmost importance in the framework of the Mediterranean area. Most recently, the need for enhanced cooperation between the EU and NATO grew as consequence of the events following the outbreak of the so-called Arab Spring bringing civil wars, important migratory flows towards Europe and new international security threats, such as the resurgence of terrorism.<sup>79</sup> The aim of this chapter will be the one of first analysing the evolution of the two organizations' presence in the Mediterranean region through their different policies, partnerships and practical actions. The focus will then move to the EU- NATO cooperation effort in maritime domains, within the Mediterranean, to face the new

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<sup>77</sup> Redaelli R., *In and out of history: the geopolitical role of the Mediterranean in a changing international system*, in "Shared Awareness and Deconfliction in the Mediterranean SHADE MED 2021: Sharing security, culture and values for a shared prosperity in the Med", Operation EUNAVFOR MED IRINI, July 2021.

<sup>78</sup> Agostini F., *Preface*, in "Shared Awareness and Deconfliction in the Mediterranean SHADE MED 2021: Sharing security, culture and values for a shared prosperity in the Med", Operation EUNAVFOR MED IRINI, July 2021.

<sup>79</sup> Krimi S., *THE NATO AGENDA FOR SECURITY IN THE MEDITERRANEAN Preliminary Draft Report*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), NATO Parliamentary Assembly, March 2021, available at: <https://www.nato-pa.int/download-file?filename=/sites/default/files/2021-04/021%20PCNP%2021%20E%20-%20THE%20NATO%20AGENDA%20FOR%20SECURITY%20IN%20THE%20MEDITERRANEAN%20.pdf>.

challenges, focusing on the specific framework of the cooperation among missions of both organizations, especially the most recent ones as EUNAVFOR MED Irini and NATO Sea Guardian Operation.

## 2.1 NATO's involvement in the Mediterranean area

As highlighted above, the Euro-Atlantic area and the Mediterranean share many common security challenges, therefore, their security cannot be separated but indeed should be considered as complementary. Since the end of the Cold War, security threats in the Mediterranean and North African regions have been generated by conflict spill-over from fragile or failing states, instability caused by and stemming from terrorism and transnational terrorist groups, as well as all forms of illegal trafficking, cyber threats, chemical, biological, radiological and nuclear threats, together with challenges in maritime security.<sup>80</sup> An important part of the post-Cold war Alliance's adaptation was then to demonstrate that the stability of the Mediterranean area was closely linked to the ensuring of security in Europe as "transatlantic security cannot be divorced from security in the Mediterranean".<sup>81</sup> The Mediterranean, or NATO's southern flank, is a place where a lot of external and internal challenges come together, testing both the relevance and unity of the alliance. It is also a place where the role of NATO now and in the future is ambiguous and contested, both by its members and by regional actors. Ongoing conflicts in Afghanistan and Iraq, the war in Syria, the collapse of Libya, the risk of further state-breakings in the Middle East, North Africa and the Sahel due to economic, social and political inequality, and climate change are among the factors that have contributed to a situation of durable chaos.<sup>82</sup> For these reasons, NATO initiated an effort of coordination in the area with non-NATO countries having interests in the Mediterranean region. With the overall aim of contributing to regional security and stability, of achieving a better mutual understanding and dispelling misconceptions about NATO, the Mediterranean Dialogue (MD) was launched in 1994.<sup>83</sup>

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<sup>80</sup> North Atlantic Treaty Organization, *Mediterranean Dialogue*, December 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_52927.htm](https://www.nato.int/cps/en/natohq/topics_52927.htm).

<sup>81</sup> Profazio U., *Introduction*, in Ardemagni E., Atmaca N., El Houdaigui R., Kiros K. and Politi A., (edited by) Profazio U., "EXPANDING NATO'S PARTNERSHIPS IN THE SOUTHERN REGION. WHY AND HOW?", Joint Paper NATO Defense College Foundation, Policy Center for the New South, October 2021, available at: <https://www.policycenter.ma/publications/expanding-nato's-partnerships-southern-region-why-and-how>.

<sup>82</sup> Brandsma C., *NATO and the Mediterranean*, in IEMed Mediterranean Yearbook 2019, European Institute of the Mediterranean, 2019, available at: <https://www.iemed.org/publication/nato-and-the-mediterranean/?lang=fr>.

<sup>83</sup> While some Allies, particularly Italy and Spain, were pushing for a full-blown partnership structure like the far-reaching PfP program dedicated to European states, most member states were concerned that NATO would be overburdened by reaching out in two different directions. This meant that the MD was at first little more than a consultative forum. The goal of the Dialogue is to deconstruct the myth of an Alliance searching for new enemies, and to dispel fears that a new European security structure might exclude—and harm—its southern neighbors. Gaub F., *Against All Odds: Relations between NATO and the MENA Region*, Strategic Studies Institute, US Army War College, August 2012, pp. 6-7, available at: <http://www.jstor.com/stable/resrep11632>; Stoicescu K., *NATO's Southern Neighbourhood: The Alliance Needs a Strategy for the Regions to its South*, Policy paper, International Centre for Defence and Security, February 2021.



In 1995, Egypt, Israel, Mauritania, Morocco and Tunisia joined the Dialogue,<sup>84</sup> followed by Jordan in 1997 and Algeria in 2000.<sup>85</sup> The establishment of the Dialogue represents one of NATO's main steps to adapt to the security environment faced in the post-Cold War, and it has become a "key instrument in support of the Alliance's overall strategy of partnership, dialogue, and cooperation".<sup>86</sup>

The Dialogue is a flexible and unique forum, which has continuously evolved over the years to respond to changes in the region. It started timidly and was originally limited to twice-yearly meetings between embassies in Brussels, and members of NATO Headquarters' international staff. The bilateral forum developed over the years into a more substantial cooperation. The MD, then, progressively became more significant in both military and political terms and now its practical components include participation in military exercises, training courses and other academic activities in NATO's colleges and schools, and mutual visits. Participants to the Dialogue can engage both bilaterally (NATO+1) and multilaterally (NATO+7) with meetings taking place at different levels, from Head of States to Ambassadors and staff levels.<sup>87</sup> Discussions provide the opportunity to share views on security issues relevant to the region and to consider ways of broadening the political and practical dimensions of the Mediterranean Dialogue. The Dialogue is founded on six key principles which have never changed, namely non-discrimination, self-differentiation, two-way engagement, non-imposition, diversity and complementarity to other international initiatives in the region.<sup>88</sup>

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<sup>84</sup> The original members of the MD were chosen by consensus in the Alliance. This is an important point, as it explains why the first MENA partners of NATO were all states considered stable and friendly toward the West—Egypt, Tunisia, Morocco, Mauritania, Israel and, a few months later, Jordan. The criterion has been bemoaned by MD members, who would have liked to see Syria, Lebanon, and Libya (under Gaddafi) invited as well. Gaub F., *Against All Odds: Relations between NATO and the MENA Region*, Strategic Studies Institute, US Army War College, August 2012, pp. 6-7, available at: <http://www.jstor.com/stable/resrep11632>.

<sup>85</sup> North Atlantic Treaty Organization, *Mediterranean Dialogue*, December 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_52927.htm](https://www.nato.int/cps/en/natohq/topics_52927.htm).

<sup>86</sup> Stivachtis Y.A., Jones B., *NATO's MEDITERRANEAN DIALOGUE: AN ASSESSMENT*, Research Institute for European and American Studies (RIEAS), Research Paper No 137, November 2009.

<sup>87</sup> Political consultations in the NATO+1 format are held on a regular basis both at Ambassadorial and working level. These discussions provide an opportunity for sharing views on a range of issues relevant to the security situation in the Mediterranean, and the further development of the political and practical cooperation dimensions of the Dialogue. Meetings in the NATO+7 format, including NAC+7 meetings, are also held on a regular basis, following the NATO Ministerial meetings, Summits of Heads of State and Government, and other major NATO events. These meetings represent an opportunity for NATO's Secretary General to brief Mediterranean Dialogue Ambassadors on the Alliance's current agenda. Stivachtis Y.A., Jones B., *NATO's MEDITERRANEAN DIALOGUE: AN ASSESSMENT*, Research Institute for European and American Studies (RIEAS), Research Paper No 137, November 2009; North Atlantic Treaty Organization, *Mediterranean Dialogue*, December 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_52927.htm](https://www.nato.int/cps/en/natohq/topics_52927.htm); Gaub F., *Against All Odds: Relations between NATO and the MENA Region*, Strategic Studies Institute, US Army War College, August 2012, pp. 6-7, available at: <http://www.jstor.com/stable/resrep11632>; Stoicescu K., *NATO's Southern Neighbourhood: The Alliance Needs a Strategy for the Regions to its South*, Policy paper, International Centre for Defence and Security, February 2021.

<sup>88</sup> Non-discrimination: all partners are offered the same basis for cooperation and discussion with NATO; Self-differentiation: the Dialogue allows for a tailored approach to the specific needs of each partner; Two-way engagement: the MD is a two-way street, wherein the Alliance seeks contributions from partners for the success of the Dialogue through a regular consultation process, and partners express their needs and goals to NATO; Non-imposition: partners are free to

In 1997, the Mediterranean Cooperation Group (MCG) was established to give greater impetus to the initiative, while cooperation was increased and relations were strengthened through multiple visits and bilateral agreements. In 2011, the MCG was succeeded by the Political and Partnerships Committee, which was itself succeeded in 2014 by the Partnerships and Cooperative Security Committee, which now has the overall responsibility for the MD meeting on a regular basis to discuss all matters pertaining to the Dialogue and its development. At the Istanbul Summit in 2004, NATO invited Mediterranean partners to establish a more ambitious and expanded framework instituting an annual Mediterranean Dialogue Work Program on agreed priority areas as the main element of cooperation. Further endorsement of cooperation and strengthening of the work of the Dialogue were taken at the Berlin Meeting in 2011 and at the NATO Summit in Brussels of June 2021. The MD is regularly praised in NATO declarations and MD member states were consulted when the Alliance drafted the new Strategic Concept in 2010. The relevance of this tool of partnership can even be witnessed in the fact that MD countries have contributed throughout the years in NATO operations in Kosovo, Libya, and Afghanistan. Moreover, it should be added that six of the seven MD countries have concluded Individual Partnership Cooperation Programs with NATO, which are designed to deepen their relationship with NATO by offering tailored advice on reforms.

Notwithstanding the fact that in light of the elements above, the MD could be considered a quite successful program, it is enough to compare it with efforts like the Euro-Atlantic Partnership Council (EAPC), involving the 28 Allies and 22 PfP Partners, that it becomes clear that the Dialogue is more of a confidence-building measure than a real partnership. NATO has failed in developing jointly defined challenges and in determining benefits for both the Alliance and the Mediterranean partners. This has resulted in NATO's intentions in the region not being always clear, becoming an element hindering the improvement of the political aspect of the partnership. Despite the considerable progress made between the Alliance and its Mediterranean partners, there is thus room for improvement.<sup>89</sup>

For what concerns NATO's effective presence in the Mediterranean, it is important to underline how the only Article 5 operation on anti-terrorism that NATO has ever had was indeed in the

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choose the pace and extent of their cooperation with NATO; Diversity: the MD respects and takes into account the specific regional, cultural and political contexts of the respective partners; Complementarity: NATO's initiative complements that of other international organisations in the region. North Atlantic Treaty Organization, *Mediterranean Dialogue*, December 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_52927.htm](https://www.nato.int/cps/en/natohq/topics_52927.htm).

<sup>89</sup> Gaub F., *Against All Odds: Relations between NATO and the MENA Region*, Strategic Studies Institute, US Army War College, August 2012, pp. 6-7, available at: <http://www.jstor.com/stable/resrep11632>.



Mediterranean, namely Operation Active Endeavour (OAE).<sup>90</sup> It was launched in support of the United States immediately after 9/11<sup>91</sup> aiming at demonstrating NATO's solidarity and helping deter and disrupt terrorist activity in the Mediterranean. With the mandate of OAE focused on deterring, defending, disrupting and protecting against terrorist-related actions, the operation had a strong effect on the security and stability of the Mediterranean bringing benefits for trade and economic activities. NATO's presence in these waters benefited all shipping travelling through the Straits of Gibraltar by improving perceptions of security and controlling suspect vessels. Most importantly, the operation brought NATO to strengthen its relations with partner countries, especially those participating in the Alliance's Mediterranean Dialogue.<sup>92</sup> Throughout the years following its deployment, the Alliance decided multiple times to enhance the duties of the OAE thanks to its achievements.

With the advent of the Arab Spring in 2011 and its subsequent consequences in the region, new challenges and opportunities arose in the Mediterranean with an increase in the demand for assistance with counterterrorism, migrations, security sector reform, and defense capacity building.<sup>93</sup> The question for a NATO Strategy for the South soon emerged on the agenda and with the Wales Summit in 2014 an internal review process of the southern flank was launched. This had the purpose of better understanding the security environment in the region and determining appropriate reforms for NATO structures, leading to the adoption of a framework for the South at the 2016 Warsaw Summit.<sup>94</sup> The framework delineated in this occasion provided the initial step for strengthening training, exercises and operations in the Mediterranean region, including the possibility of deploying the NATO Response Force, if needed. In 2017, a new Strategic Direction South (NSD-S) Hub was instituted, based at the Allied Joint Forces Command in Naples. The NSD-S Hub's mission was aimed at

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<sup>90</sup> The operation was under the overall command of, and was conducted from, Maritime Command Headquarters, Northwood, United Kingdom, through a task force deployed in the Mediterranean. Task Force Endeavour consisted of a balanced collection of surface units, submarines and maritime patrol aircraft. The operation also regularly made use of NATO's two high-readiness frigate forces, which are permanently ready to act and capable of conducting a wide range of maritime operations. The operational pattern used surface forces as reaction units to conduct specific tasks such as locating, tracking, reporting and boarding of suspected vessels in the light of intelligence. NATO's Standing Naval Forces rotated in providing periodic support to OAE either through "surges" (when an entire force participates) or through individual units being put on call at times when the operation had no assigned forces. North Atlantic Treaty Organization, *Operation Active Endeavour (Archived)*, October 2016, available at: [https://www.nato.int/cps/en/natohq/topics\\_7932.htm](https://www.nato.int/cps/en/natohq/topics_7932.htm)

<sup>91</sup> The deployment was one of eight measures taken by NATO to support the United States in the wake of the terrorist attacks of 11 September 2001, following the invocation of Article 5, NATO's collective defence clause, for the first time in the Alliance's history. It was the first time that NATO assets were deployed in support of an Article 5 operation. North Atlantic Treaty Organization, *Operation Active Endeavour (Archived)*, October 2016, available at: [https://www.nato.int/cps/en/natohq/topics\\_7932.htm](https://www.nato.int/cps/en/natohq/topics_7932.htm).

<sup>92</sup> North Atlantic Treaty Organization, *Operation Active Endeavour (Archived)*, October 2016, available at: [https://www.nato.int/cps/en/natohq/topics\\_7932.htm](https://www.nato.int/cps/en/natohq/topics_7932.htm).

<sup>93</sup> Lesser I., Brandsma C., Basagni L. and L  t   B., *The Future of NATO's Mediterranean Dialogue: Perspectives on Security, Strategy and Partnership*, The German Marshall Fund of the United States, June 2018.

<sup>94</sup> Brandsma C., *NATO and the Mediterranean*, in IEMed Mediterranean Yearbook 2019, European Institute of the Mediterranean, 2019, available at: <https://www.iemed.org/publication/nato-and-the-mediterranean/?lang=fr>.

contributing to NATO's situational awareness of the Mediterranean and neighbouring areas and to better understand how to address them.<sup>95</sup>

Following the Warsaw Summit, NATO decided to launch a new and broader maritime operation in the Mediterranean, namely Operation Sea Guardian, meant to substitute Operation Active Endeavour without the "Article 5" attribute. Sea Guardian is a flexible maritime operation, able to potentially cover the full range of NATO's maritime security operation (MSO) tasks. The operation, which is still working at the moment, is currently performing three tasks in the Mediterranean Sea: maritime situational awareness, counter-terrorism at sea and support to capacity-building.<sup>96</sup> Through the operation, NATO is helping to maintain a secure and safe maritime environment also through the cooperation with other actors, such as the European Union. As a matter of fact, Sea Guardian supported the EU's Operation Sophia with regard to information-sharing, logistical support and the implementation of the United Nations Security Council Resolution 2357 (the arms embargo against Libya) and also addressing migration issues in the Central Mediterranean.<sup>97</sup>

It becomes evident, then, how the Mediterranean offers and needs opportunities to develop and deepen maritime cooperation at operational and tactical levels between the Atlantic Alliance and the EU. However, this aspect will be analysed further on in this chapter taking into consideration previous and current experiences and successes.

## **2.2 European Union's involvement in the Mediterranean area**

Since its birth, the European Union started to keep relations and build agreements with the countries of the so-called Mediterranean region. In the beginning, all relations with the Southern neighbors were focused on trade and commercial ties, but, later on, exchanges between the two shores of the Mediterranean began also to move in the realm of foreign affairs and external relations, on issues such as wars, conflicts, and social development. Since the 1990s the European Union started

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<sup>95</sup> Brandsma C., *NATO and the Mediterranean*, in IEMed Mediterranean Yearbook 2019, European Institute of the Mediterranean, 2019, available at: <https://www.iemed.org/publication/nato-and-the-mediterranean/?lang=fr> .

<sup>96</sup> Operation Sea Guardian can execute any of the four additional MSO tasks, if requested by the NAC: uphold freedom of navigation, conduct maritime interdiction, fight the proliferation of weapons of mass destruction, and protect critical infrastructure. North Atlantic Treaty Organization, *Operation Sea Guardian*, May 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_136233.htm](https://www.nato.int/cps/en/natohq/topics_136233.htm) .

<sup>97</sup> North Atlantic Treaty Organization, *Operation Sea Guardian*, May 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_136233.htm](https://www.nato.int/cps/en/natohq/topics_136233.htm) ; Brandsma C., *NATO and the Mediterranean*, in IEMed Mediterranean Yearbook 2019, European Institute of the Mediterranean, 2019, available at: <https://www.iemed.org/publication/nato-and-the-mediterranean/?lang=fr> .

developing a defined framework for engagement in the Southern shore culminating with the creation of a regional policy for the Mediterranean region.<sup>98</sup>

The European Union was first born as the EEC, so as an essentially economic actor. In this view, the economic and trade relations with countries of the North Africa region were of particular importance. As a matter of fact, as early as 1969, the EEC concluded five-year agreements with Algeria, Morocco and Tunisia labelled as Cooperation Agreements even if their main focus was indeed commerce. In the following years the Global Mediterranean Policy was constituted as the framework under which agreements with seven Mediterranean countries and Jordan were to be negotiated. This policy, however, expanded beyond trade coming to include also economic and financial aid for the North African countries.<sup>99</sup> According to the 1973 resolution, establishing the Global Mediterranean Policy (GMP), the European Parliament recommended “the improvement of the organization of Mediterranean production and markets”, “joint action by the Six on the basis of a coherent overall approach”, and “the promotion of an active development policy”.<sup>100</sup> Since these first connections, commercial relations between the European Union and the Middle East and North Africa (MENA) evolved in a relevant fashion, and these are not anymore the only and exclusive field of interactions between the two shores. In 1990, after the EU’s enlargement involving Greece, Portugal and Spain, the objectives of the GMP were redefined with the Renovated Mediterranean Policy (RMP). The focus was moved to the support for the implementation of the IMF’s and World Bank’s structural adjustment programs, and it financed regional cooperation activities. Since 1995 the volume of trade between the two sides increased even more.

In 1970, the EU started also to be seen as a civilian power, a positive force in world politics. Indeed, the EC took concrete steps towards this kind of representation. The first step came with the

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<sup>98</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 124.

<sup>99</sup> The GMP mapped the Mediterranean countries in two categories: first, those European countries for which the accession door to the Community was kept open. The stipulations of association agreements with Malta and Cyprus were preparing for the establishment of a customs union. Association agreements with Greece and Turkey included a view to possible accession. Similarly, the free trade agreement with Portugal was formulated within the framework of EFTA. In a few years the sense of a Global Mediterranean approach was significantly undermined when Greece and Spain were no longer interested in the GMP because they applied for full membership in the Community; second, there were the non-European Mediterranean countries and those countries which do not directly border the Mediterranean Sea (such as Jordan) but which the Community perceived as significantly “linked” to the EC. For these countries, the Community started to seek a specific transformation of already existing agreements into “a new more global system”, Existing agreements in this category included association agreements with Morocco and Tunisia (1969), and preferential trade agreements with Israel (1964), Egypt and Lebanon (1972). In addition, there was a non-preferential trade agreement with Yugoslavia (1970). Khalifa Isaac S., Esmat Kares H., *The European Community Framing of the Mediterranean (1970-1990)*, Working Papers No. 1, MEDReset, April 2017.

<sup>100</sup> Khalifa Isaac S., Esmat Kares H., *The European Community Framing of the Mediterranean (1970-1990)*, Working Papers No. 1, MEDReset, April 2017.

inauguration of the European Political Cooperation framework (EPC), through which multilateral coordination of the Community's external relations would be pursued. The framework delivered several important milestones for relations between the EC and its southern neighbours.<sup>101</sup> In the years leading to the 1990s and throughout the decade, several international developments led to a change in the way Europe dealt with the southern neighbourhood, moving to a proactive engagement first with the RMP, mentioned above, and then with the Barcelona Process.<sup>102</sup>

As a matter of fact, it became clear the necessity for a regional dialogue and cooperation among the North African countries in a region, like the Mediterranean one, in which social stabilization and provision of security are of the utmost importance. The Barcelona process,<sup>103</sup> also known as the Euro-Mediterranean Partnership, established in November 1995, had then the aim of creating a framework of regional cooperation and integration to foster the economy and to promote European values. The ambitious and long-term objective wanted to turn the Mediterranean into an area of dialogue, exchange and cooperation guaranteeing peace, stability and prosperity.<sup>104</sup> The Barcelona Process was based on three main principles equality in the partnership; complementing rather than displacing bilateral activities; comprehensiveness, decentralization and gradualism in the approach. These principles were aimed at improving democratic structure in the region, enhancing liberalized trade and free market, achieving peaceful settlement of disputes, regional cooperation and cultural dialogue. In practice, the Barcelona Process was delineated in three baskets: politics and security; economic and financial; and socio-cultural.<sup>105</sup> By 2010, a free trade zone in the Mediterranean was to be established through liberalization. Moreover, taxes on imports into Europe were to decrease gradually, whereas southern states retained the possibility to protect their industries

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<sup>101</sup> Khalifa Isaac S., Esmat Kares H., *The European Community Framing of the Mediterranean (1970-1990)*, Working Papers No. 1, MEDReset, April 2017; Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 126.

<sup>102</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-129.

<sup>103</sup> It included 12 countries: Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Palestine, Syria, Tunisia and Turkey. Libya was excluded due to the sanctions, but the regime showed no interest in joining even after sanctions were lifted in 2003. Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-129.

<sup>104</sup> Patten C., *Foreword*, in "The Barcelona process: five years on 1995-2000", Euro-Mediterranean Partnership, European Commission, 2000; Şençelebi C. *EUROPEAN UNION and THE MEDITERRANEAN: BEFORE and AFTER THE ARAB SPRING*, Ankara Avrupa Çalışmaları Dergisi, Cilt:14, No:1, 2015.

<sup>105</sup> These baskets were: Political and Security Partnership proposing establishing a common Euro-Mediterranean area of peace and stability based on fundamental principles including respect for human rights and democracy; Economic and Financial Partnership sought to create an area of shared prosperity through liberalization of economies in the region and formation of free trade area by 2010 supported by substantial EU financial support for economic transition and for reform process; Social, Cultural and Human Partnership aiming at creation of cross-cultural interactions and exchanges as well as support for development of civil societies which will generate political pluralism and democracy. Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-129; Şençelebi C. *EUROPEAN UNION and THE MEDITERRANEAN: BEFORE and AFTER THE ARAB SPRING*, Ankara Avrupa Çalışmaları Dergisi, Cilt:14, No:1, 2015.

from more competitive EU products for 12 years. Free movement of capital was also facilitated to enhance European investments in the southern states. The agreements also addressed the integration of immigrants in Europe and irregular migration. Regular political dialogue between the two sides and a general commitment to human rights were institutionalized.<sup>106</sup> The process was, indeed, quite ambitious covering aspects of the social, economic and political relations between the EU and the states on the southern shores of the Mediterranean.<sup>107</sup> Although this partnership framework was seen as regional, it mainly consisted of individually negotiate bilateral association agreements tailored to each state and resulting from lengthy and difficult negotiations. The whole process was moreover hindered by the terrorist attacks of September 2001 and by the invasion of Iraq of 2003.

Notwithstanding the difficulties encountered by the Process, the first assessment of this new project enhanced its key principles as still very much valid and relevant. As a matter of fact, the European Neighbourhood Policy (ENP) launched in 2004 was created in light of the same key elements characterizing the Process even if the new framework would come to comprehend all direct neighbours of the enlarged EU.<sup>108</sup> The aim of such a policy was to avoid the emergence of new dividing lines between the enlarged EU and its neighbours while strengthening the stability, prosperity and security of all of them. The ENP embraces both Eastern and Mediterranean neighbors with a view to further promoting integration, the values of democracy, rule of law and on the respect of human rights.<sup>109</sup> In 2011, in view of the events stemming from the outbreak of the Arab Springs, the ENP and the other policies focusing on the Southern neighbourhood were recalibrated highlighting the need for a more responsive approach also considering the peculiar demands of the region. This inevitably brought to a formal review of the ENP with a reconsideration of policy

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<sup>106</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-129 .

<sup>107</sup> Şençelebi C. *EUROPEAN UNION and THE MEDITERRANEAN: BEFORE and AFTER THE ARAB SPRING*, Ankara Avrupa Çalışmaları Dergisi, Cilt:14, No:1, 2015.

<sup>108</sup> The European Neighbourhood Policy (ENP) governs the EU's relations with 16 of the EU's closest Eastern and Southern Neighbours. To the South: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, Palestine, Syria and Tunisia and to the East: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Russia takes part in Cross-Border Cooperation activities under the ENP and is not a part of the ENP as such. European Commission, *European Neighbourhood Policy and Enlargement Negotiations*, available at: [https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy\\_fr](https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy_fr) .

<sup>109</sup> European Commission, *European Neighbourhood Policy and Enlargement Negotiations*, available at: [https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy\\_fr](https://ec.europa.eu/neighbourhood-enlargement/european-neighbourhood-policy_fr) ; Ayadi R., Gadi S., *The Future of Euro-Mediterranean Regional Cooperation: The Role of the Union for the Mediterranean*, in IEMed, November 2011, available at: <https://www.iemed.org/publication/the-future-of-euro-mediterranean-regional-cooperation-the-role-of-the-union-for-the-mediterranean/?lang=fr> .

priorities and instruments due to the continuing interplay between regional instability and conflict, radicalization and irregular migrations.<sup>110</sup>

In front of the lack of concrete progress since 1995 in the relationship between the two shores of the Mediterranean, in 2007 the newly elected French President Nicolas Sarkozy urged a redefinition of Euro-Mediterranean relations. To overcome these limitations and revive Euro-Mediterranean cooperation, a new institutional architecture was envisaged, namely the Union for the Mediterranean (UfM).<sup>111</sup> Unlike the Barcelona Process, however, the UfM became a distinct body from the EU. With its 43 member states, the UfM has sought “to address common challenges facing the Mediterranean Region” and also to “enhance multilateral relations, increase co-ownership of the process, [...] and translate it into concrete projects, more visible to citizens.”<sup>112</sup> It seeks, then, to achieve these objectives through regular meetings at the ministerial level as well as through projects in the region.<sup>113</sup> However, the UfM has inevitably been caught in the frictions among its member states<sup>114</sup> and in the political developments of the Arab Springs.

Notwithstanding all the different initiatives and the multiple obstacles that have hindered them, the European Union has restated on several occasions the importance and its commitment to the relationship and cooperation with the southern neighbourhood. Within the 25<sup>th</sup> anniversary of the Barcelona Declaration, indeed, the EU issued a joint communication for “a new, ambitious and innovative Agenda for the Mediterranean”. The agenda incorporates new areas and forms of cooperation, it offers opportunities for new partnerships on strategic priorities among which human

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<sup>110</sup> Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-130.

<sup>111</sup> On 13th July 2008, Heads of State and Government of the 43 countries gathered in Paris for a Summit of Heads of State and Government to launch the UfM under the official denomination of “Barcelona Process: Union for the Mediterranean”. Ayadi R., Gadi S., *The Future of Euro-Mediterranean Regional Cooperation: The Role of the Union for the Mediterranean*, in IEMed, November 2011, available at: <https://www.iemed.org/publication/the-future-of-euro-mediterranean-regional-cooperation-the-role-of-the-union-for-the-mediterranean/?lang=fr> .

<sup>112</sup> Ayadi R., Gadi S., *The Future of Euro-Mediterranean Regional Cooperation: The Role of the Union for the Mediterranean*, in IEMed, November 2011, available at: <https://www.iemed.org/publication/the-future-of-euro-mediterranean-regional-cooperation-the-role-of-the-union-for-the-mediterranean/?lang=fr> .

<sup>113</sup> Six initiatives forming the UfM’s backbone were brought forward to achieve the objectives set by the 1995 Barcelona Declaration: De-pollution of the Mediterranean; Creation of maritime and land highways; Civil protection; Promotion of alternative energies and the Mediterranean Solar Plan; Higher education and research: Euro-Mediterranean University (inaugurated in 2008 and based in Slovenia); Mediterranean Business Development Initiative. Ayadi R., Gadi S., *The Future of Euro-Mediterranean Regional Cooperation: The Role of the Union for the Mediterranean*, in IEMed, November 2011, available at: <https://www.iemed.org/publication/the-future-of-euro-mediterranean-regional-cooperation-the-role-of-the-union-for-the-mediterranean/?lang=fr> .

<sup>114</sup> Most notably the Arab-Israeli conflict, tensions between Cyprus, Greece and Turkey as well as between Algeria and Morocco. Missiroli A. (edited by), *THE EU AND THE WORLD: PLAYERS AND POLICIES POST-LISBON A HANDBOOK*, European Union Institute for Security Studies, 2016, page 127-130.

and economic development, green and digital transition, peace and security.<sup>115</sup> High Representative/Vice-President Josep Borrell highlighted the importance of this new Agenda, “A strengthened Mediterranean partnership remains a strategic imperative for the European Union. 25 years after the Barcelona Declaration and 10 years after the Arab Spring, challenges in the Mediterranean – many of which resulting from global trends – remain daunting. To address these challenges, we need to renew our mutual efforts and act closely together as partners, in the interest of all of us.”<sup>116</sup>

### 2.2.1 European Union’s missions in the Mediterranean

The presence of European Union’s missions in the Mediterranean started with the Mare Nostrum Operation launched by the Italian Government on 18 October 2013, following a shipwreck in Lampedusa where 400 people lost their lives.<sup>117</sup> The mission was envisaged as a military and humanitarian operation to tackle the humanitarian emergency in the Strait of Sicily, due to the dramatic increase in migration flows. Operation Mare Nostrum had therefore the twofold purpose of safeguarding human lives at sea and bringing to justice human traffickers and smugglers. The operation which was heavily funded by the Italian government with a budget of 9 million Euro per month and rescued more than 130,000 migrants within its one-year operational period was officially ended in November 2014. Mare Nostrum was meant to be substituted by Operation Triton operated by the European Border and Coast Guard Agency Frontex.<sup>118</sup> Nevertheless, the budget of Triton amounted to only 2.9 million Euro per month and was financed by the EU and there have been several reports showing an increase of the number of migrants drowned at sea after the ending of Mare Nostrum. As a matter of fact, unlike the vessels involved in Mare Nostrum those being used for Triton merely patrol the border up to 30 nautical miles from the Italian and Maltese coasts.<sup>119</sup> The core tasks of Triton were indeed the surveillance of the EU’s external borders and the prevention of foreign

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<sup>115</sup> European Commission, High Representative of the Union for Foreign Affairs and Security Policy, *Renewed partnership with the Southern Neighbourhood: A new Agenda for the Mediterranean*, JOINT COMMUNICATION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS, February 2021.

<sup>116</sup> European Commission, *Southern Neighbourhood: EU proposes new Agenda for the Mediterranean*, Press Release, February 2021, available at: [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_21\\_426](https://ec.europa.eu/commission/presscorner/detail/en/ip_21_426).

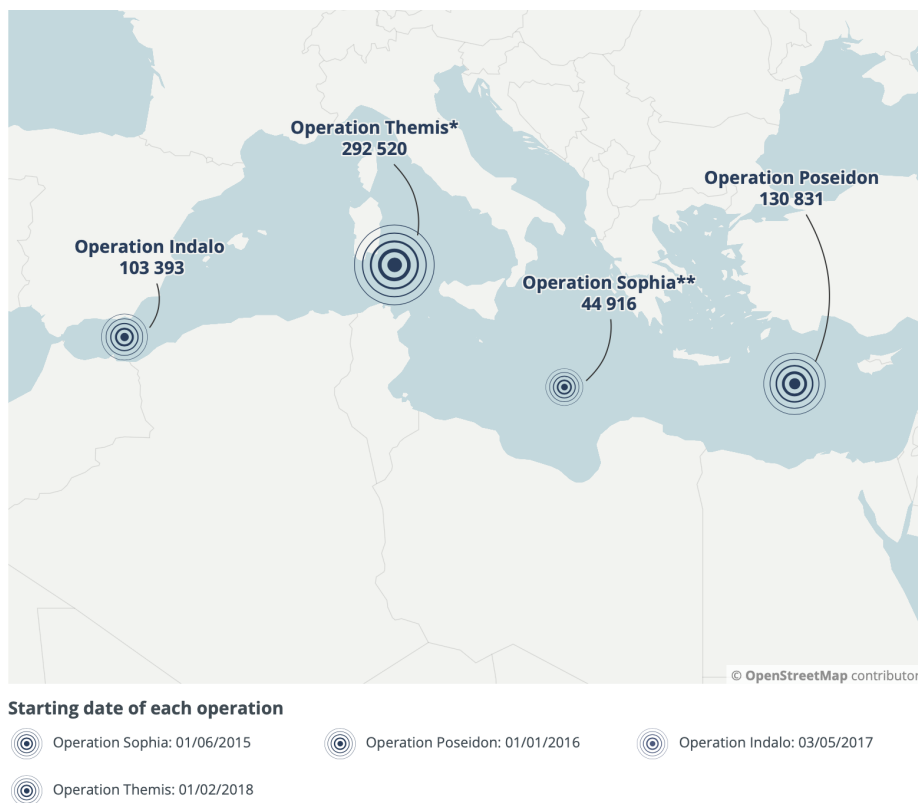
<sup>117</sup> This Operation was an upgrade of the force for monitoring migration flows already operating within the operation Constant Vigilance, which the Italian Navy has been conducting since dal 2004, permanently deploying a ship in the Strait of Sicily along with maritime patrol aircraft. Ministero della Difesa, *Mare Nostrum Operation*, Marina Militare, available at: <https://www.marina.difesa.it/EN/operations/Pagine/MareNostrum.aspx>.

<sup>118</sup> Laux M., *The evolution of the EU’s naval operations in the Central Mediterranean: A gradual shift away from search and rescue*, Heinrich-Böll-Stiftung, Washington DC, April 2021, available at: <https://us.boell.org/en/2021/04/16/evolution-eus-naval-operations-central-mediterranean-gradual-shift-away-search-and>

<sup>119</sup> European Parliament, *Mare Nostrum*, in “Parliamentary Questions”, May 2015, available at: [https://www.europarl.europa.eu/doceo/document/E-8-2015-008611\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-8-2015-008611_EN.html).



terrorist fighters entering the EU. Therefore, the control carried out by the missions remains limited to European territorial waters. In February 2018, Operation Triton was replaced by Operation Themis characterized by a stronger focus on law enforcement and security. This was aimed at better reflecting the changing patterns of migration and face the increased flows of irregular migration. The mandate included a reduction in the distance of patrolling bringing it from 30 to 24 miles from the Italian coast and excluding the Maltese waters. The European Parliament had already criticized Triton for not being sufficiently effective, Themis' contribution to rescue at sea resulted even less sufficient. In addition to this criticism, Malta refused to recognize the operation from the moment that Themis' mandate included the duty to disembark migrants to the closest port and not only to Italian ones. These elements started showing the disunity among EU states, but not only, on how to handle migration in the Central Mediterranean.<sup>120</sup>



121

**Figure 1: Lives saved in EU Mediterranean operations (2015-2022)**

571 660 lives saved and 20 694 fatalities in the Mediterranean since 2015.

\*Operation Themis includes figures from the former Operation Triton since 1 February 2016.

\*\*Operation Sophia was terminated as of 31 March 2020. During its operation 44 916 persons were rescued.

<sup>120</sup> Laux M., *The evolution of the EU's naval operations in the Central Mediterranean: A gradual shift away from search and rescue*, Heinrich-Böll-Stiftung, Washington DC, April 2021, available at: <https://us.boell.org/en/2021/04/16/evolution-eus-naval-operations-central-mediterranean-gradual-shift-away-search-and-rescue>.

<sup>121</sup> Map: Council of the European Union, *Infographic - Lives saved in EU Mediterranean operations (2015-2022)*, May 2022, available at: <https://www.consilium.europa.eu/en/infographics/saving-lives-sea/>.



With 1,255,600 first-time migrants applying for asylum in the EU and 3771 people dying in the attempt in 2015 alone,<sup>122</sup> the European Union decided it was time for a change of pace in dealing with this migration crisis. A special meeting of the European Council in April 2015 concluded that the EU would “mobilise all efforts at its disposal to prevent further loss of life at sea and to tackle the root causes of the human emergency”.<sup>123</sup> Member states then agreed to strengthen EU’s presence at sea to fight the trafficking, prevent illegal migration flows and to reinforce the internal solidarity and responsibility. This was done through the establishment of a Common Security and Defence Policy crisis management operation within the framework of EU Maritime Security Strategy,<sup>124</sup> namely EUNAVFOR MED Sophia.<sup>125</sup> The core mandate of the operation aimed at the “disruption of the business model of human smuggling and trafficking networks in the Southern Central Mediterranean through the identification, capturing, and disposal of vessels and associated assets suspected of being employed for smuggling or trafficking activities”.<sup>126</sup> In 2016 the mandate of the missions was further extended to include the training of the Libyan Coast Guard and Libyan navy and also to oversee the arms embargo on the high seas, stipulated by the UN Security Council Resolutions<sup>127</sup>. A year later the surveillance on illegal trafficking such as oil exports was added according to UNSCR 2146 (2014)<sup>128</sup> and UNSCR 2362 (2017).<sup>129</sup> EUNAVFOR MED Sophia, then, showed a development of cooperation with the Libyan Coast Guard. This element together with the fact that the various amendments brought the mandate to no longer having the priority of rescuing people in distress at sea originated many points of criticism. As a matter of fact, Sophia became an instance where there

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<sup>122</sup> European Union Agency for Fundamental Rights (FRA), *Asylum and migration into the EU in 2015*, in “FRA Fundamental Rights Report 2016 (Annual report)”, 2016, available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2016-fundamental-rights-report-2016-focus-0\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-fundamental-rights-report-2016-focus-0_en.pdf).

<sup>123</sup> European Council, *Special meeting of the European Council, 23 April 2015 – statement*, Press Release, April 2015, available at: <https://www.consilium.europa.eu/en/press/press-releases/2015/04/23/special-euco-statement/>.

<sup>124</sup> The European Union Maritime Security Strategy (EUMSS) covers both the internal and external aspects of the Union’s maritime security. It serves as comprehensive framework, contributing to a stable and secure global maritime domain, in accordance with the European Security Strategy (ESS), while ensuring coherence with EU policies, in particular the Integrated Maritime Policy (IMP), and the Internal Security Strategy (ISS). The EU’s maritime security strategy (EUMSS) is built upon closer collaboration within the EU, across regional and national levels. The strategy aims to protect the strategic maritime interests of the European Union worldwide, such as overall security and peace; rule of law and freedom of navigation; external border control; maritime infrastructure (ports, underwater pipelines and cables, windfarms etc.); natural resources and environmental health; climate change preparedness. Strengthening the link between internal and external security, the EUMSS combines the objectives of the European Security Union strategy with blue economy topics. European Commission, *Maritime security strategy*, available at: [https://ec.europa.eu/oceans-and-fisheries/ocean/blue-economy/other-sectors/maritime-security-strategy\\_fr](https://ec.europa.eu/oceans-and-fisheries/ocean/blue-economy/other-sectors/maritime-security-strategy_fr).

<sup>125</sup> Riddervold M., *The Maritime Turn in EU Foreign and Security Policies: Aims, Actors and Mechanisms of Integration*, Palgrave Macmillan, 2018, page 59-60.

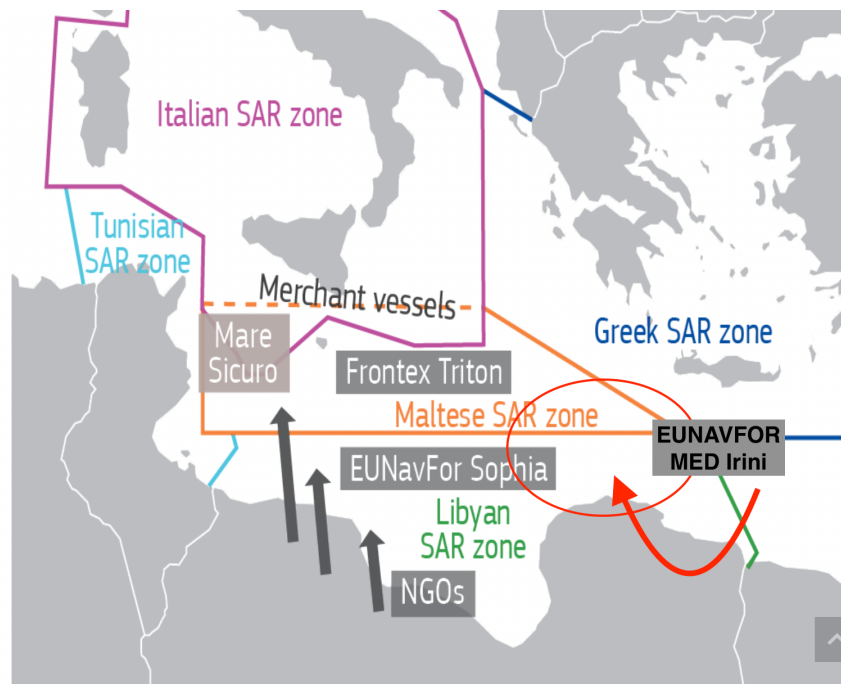
<sup>126</sup> Riddervold M., *The Maritime Turn in EU Foreign and Security Policies: Aims, Actors and Mechanisms of Integration*, Palgrave Macmillan, 2018, page 59-60.

<sup>127</sup> UN Security Council Resolution (UNSCR) 2292 (2016) and later agreed in UNSCR 2357 (2017).

<sup>128</sup> Resolution 2146 (2014) Banning Illicit Crude Oil Exports from Libya, Authorizing Inspection of Suspect Ships on High Seas.

<sup>129</sup> Resolution 2362 (2017), Security Council Extends Mandate of Expert Panel on Libya, Sanctions Related to Illicit Petroleum Exports.

was a potential conflict between preventing migrants reaching the EU's shores, on the one hand, and protecting these people in line with their human rights, on the other.<sup>130</sup>



131

**Figure 2: Map of the different Search and Rescue (SAR) zones, with a highlight of Irini's different zone of action, as it was feared it would become a pull factor for migrants.**

With the institution of the Operation Irini, the Foreign Affairs Council officially ended Operation EUNAVFOR MED Sophia. Operation EUNAVFOR MED Irini was launched in March 2020 as the outcome of the Berlin International Conference on Libya of January 2020, to establish a new Common Security and Defence Policy Operation in the Mediterranean, mainly focused on the implementation of the UN Security Council Resolutions on the arms embargo on Libya through aerial, satellite and maritime assets. Mission Irini, which took over Sophia, differs significantly from it and once more shows the change in the approach dictated by the strong political constraints and the public opinion. This was mainly due to the EU's limited political cohesion on Libya and the issue of migrations in the Central Mediterranean. Irini is then conducted in the East of the Central Mediterranean closer to Benghazi and the Suez Canal, which is an area that is not so frequently used

<sup>130</sup> This development in the mandate of Operation Sophia is evidence of the great criticism that the operation received in acting as a pull factor and how this was weaponized in the political realms of many European countries. To further avoid contact with migrant vessels and related rescue responsibilities, since March 2019, surveillance drones were deployed to capture relevant information on smuggling/distress incidents. Riddervold M., *The Maritime Turn in EU Foreign and Security Policies: Aims, Actors and Mechanisms of Integration*, Palgrave Macmillan, 2018, page 59-60; Laux M., *The evolution of the EU's naval operations in the Central Mediterranean: A gradual shift away from search and rescue*, Heinrich-Böll-Stiftung, Washington DC, April 2021, available at: <https://us.boell.org/en/2021/04/16/evolution-eus-naval-operations-central-mediterranean-gradual-shift-away-search-and-rescue>.

<sup>131</sup> Map: European Commission, *Irregular Migration via the Central Mediterranean*, in "EPSC Strategic Notes", European Political Strategy Centre, February 2017, available at: [https://ec.europa.eu/info/sites/default/files/irregular-migration-mediterranean-strategic-note\\_issue\\_22\\_0\\_en.pdf](https://ec.europa.eu/info/sites/default/files/irregular-migration-mediterranean-strategic-note_issue_22_0_en.pdf).

as a route by migrants from Libya, as it can be seen in figure .<sup>132</sup> Irini is acting under the UN mandate, in accordance with the relevant UN Security Council Resolutions framework. The primary aim of the operation is the implementation of the arms embargo on Libya decided by the Security Council.<sup>133</sup> Nevertheless, the mission has three additional secondary tasks, namely preventing the illicit traffic of oil, dismantling the human trafficking networks, and training and capacity building of the Libyan Coast Guard and Navy.<sup>134</sup> However, the mandate of the mission has been the result of a political compromise reached between the member states on how to act in the Mediterranean and how to overcome previous disagreements on the issue. As a matter of fact, the main aim of Irini shifted to the contribution of peace and stability in Libya through the monitoring of the embargo.<sup>135</sup> Notwithstanding these elements, the mission has proven to be quite successful, and it was officially extended for another 2 years.<sup>136</sup>

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<sup>132</sup> This decision was taken to reach a common position with the member states which feared that the presence of EU vessels in the area would become a pull factor.

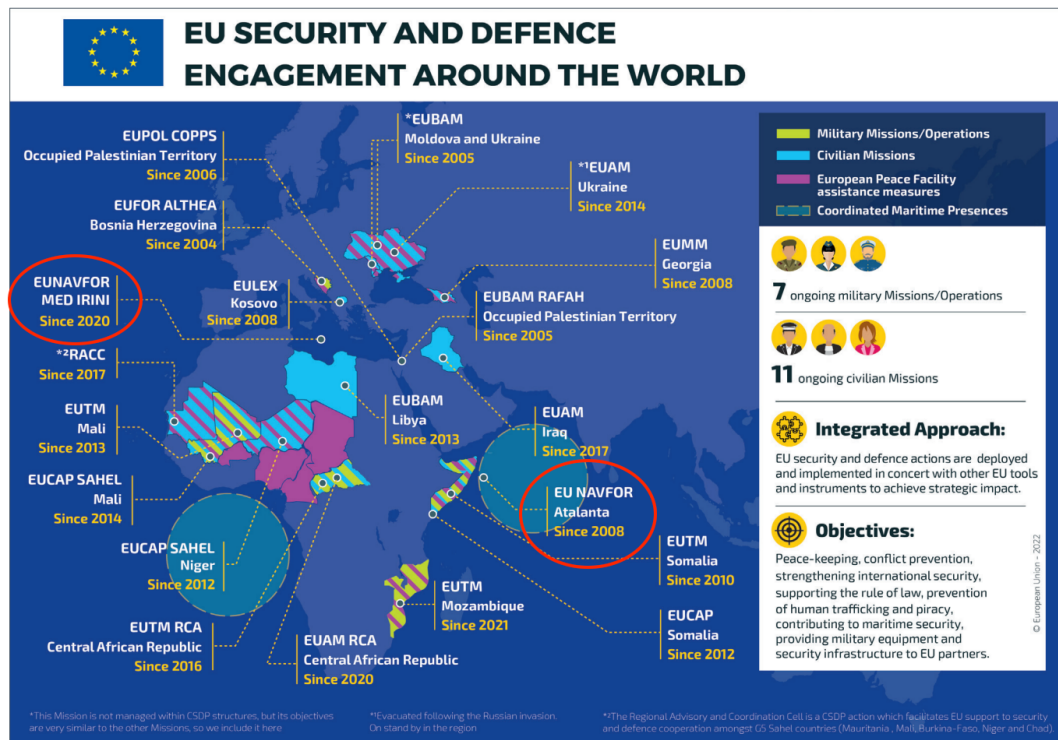
<sup>133</sup> United Nations Security Council Resolution 2292 (2016) and UNSCR 2578 (2021).

<sup>134</sup> European external Action Service, *Operation EUNAVFOR MED IRINI - Results report - September 2021*, October 2021.

<sup>135</sup> By focusing on naval interdictions, the Libyan Government of National Accord (GNA) has denounced the operation as most of its arms' shipments come by sea from Turkey, and then they are strongly halted by Irini's activity. This becomes even more relevant if we consider that the Benghazi-based Libya National Army (LNA), led by General Haftar, receives its supplies via land from the United Arab Emirates, Jordan and Egypt, or sometimes by air through borders and airspaces that are beyond the control of Irini. Not being able of entering the territory of Libya, Irini can monitor the situation only by satellite as the territorial areas do not include the airspace. Moran, J., *Operation Irini in Libya*, 2020.

<sup>136</sup> Council of the EU, *Council extends the mandate of Operation IRINI until 2023*, Press Release, March 2021.

In the figure here below, the main and current European CSDP missions are showed with a particular focus on maritime operations, in particular EUNAVFOR Atalanta and EUNAVFOR MED IRINI substituting EUNAVFOR MED SOPHIA. Taking in consideration these last two mission, the next part of the chapter will be aimed at analyzing the relationship and cooperation between NATO and the EU in maritime operations.



137

Figure 3: Map of European CSDP missions currently deployed

## 2.3 EU – NATO Cooperation in maritime domains

### 2.3.1 A model of coordination

Following what has been outlined in the previous paragraphs, it is fundamental to understand how the Mediterranean plays a pivotal role in the equilibrium not only of the European area but also of the Atlantic region. Therefore, single EU and NATO interventions together with EU-NATO maritime cooperation have proven essential, especially for a coordinated response to the variety of issue that are continuously arising in the Mediterranean.<sup>138</sup> EU-NATO cooperation in maritime domains started in September 2008, as NATO and EU naval forces are deployed side by side with

<sup>137</sup> European Union External Action Service, *EU MISSIONS AND OPERATIONS*, in “Strategic Compass”, March 2022, available at: [https://www.eeas.europa.eu/sites/default/files/documents/EU-mission-and-operation\\_2022-new-layout-V2.pdf](https://www.eeas.europa.eu/sites/default/files/documents/EU-mission-and-operation_2022-new-layout-V2.pdf).

<sup>138</sup> Marcuzzi S., *NATO-EU maritime cooperation: for what strategic effect?*, in “NATO Defence College Policy Brief N.7”, NATO Defence College, December 2018.

respectively Ocean Shield and EUNAVFOR Atalanta, off the coast of Somalia for anti-piracy missions, in particular in the Gulf of Aden.<sup>139</sup> The region, indeed, has become a focal area for the study of the relationship between the European Union and the North Atlantic Treaty Organization. Both organizations have conducted counter piracy operations to reinstall stability in the region and to reduce the number and frequency of disruptions to international shipping routes, without having any formal political framework for cooperation. As a matter of fact, the two operations run outside the so-called Berlin Plus framework and no joint planning had been envisaged. However, those counter-piracy operations were lightly coordinated, and they were able to rather successfully deliver on their mandate.<sup>140</sup> The lack of a formal framework for cooperation and the very different structures of the two chains of command, which strongly limited the information sharing, has been overcome thanks to a discrete collaboration at the operational level<sup>141</sup> together with the establishment of the Shared Awareness and Deconfliction (SHADE) Group.<sup>142</sup> The threat arising from the piracy problem was and still is real, and so is the international sense of responsibility of dealing with the issue effectively and on a cooperative basis. For these reasons, in response to some unsuccessful attempts of cooperation and few pirated ships in the Somali basin, the EU and NATO started to do what was needed to make this cooperation work leading to an excellent coordination between the two. Coordination is based on a six-months rotation and the use of innovative information and communications systems. Moreover, the 21 coinciding member states between EU and NATO and the fact that there is only one set of forces for each member states means that personnel are transferred

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<sup>139</sup> Because of the importance of the Gulf of Aden as a major international trading route and strategic choke point, many nations have seen their economic and security political interests challenged in this context. Developments in recent years have led to comprehensive international engagement in the region, including a strong maritime presence with several multinational contingents in place that are made up of military contributions by more than 30 countries. Other than for its strategic importance, the maritime security situation around the Horn of Africa has received scholarly attention as a 'laboratory for international military naval coordination'. Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in "Cooperation and Conflict Vol. 50, No. 1", SAGE Publications, March 2015, pp. 107-127; North Atlantic Treaty Organization, *NATO – EU Relations*, Public Diplomacy Division (PDD) – Press & Media Section, July 2016, available at: [https://www.nato.int/nato\\_static\\_fl2014/assets/pdf/pdf\\_2016\\_07/20160630\\_1607-factsheet-nato-eu-en.pdf](https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2016_07/20160630_1607-factsheet-nato-eu-en.pdf).

<sup>140</sup> Marcuzzi S., *NATO-EU maritime cooperation: for what strategic effect?*, in "NATO Defence College Policy Brief N.7", NATO Defence College, December 2018; Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in "Cooperation and Conflict Vol. 50, No. 1", SAGE Publications, March 2015, pp. 107-127.

<sup>141</sup> There is strong empirical evidence that international personnel within both organizations have been very keen to develop informal practices to facilitate coordination, information exchange and deconfliction, and to embark on avenues of interaction outside the formal EU-NATO relations(...) This 'bottom-up pressure' can to a large degree be attributed to the sheer operational necessity of making the relationship work in practice. Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in "Cooperation and Conflict Vol. 50, No. 1", SAGE Publications, March 2015, pp. 116-117.

<sup>142</sup> It meets at a tactical level in Bahrain every eight weeks and involves all fleets operating in the region. This allows EU and NATO to coordinate their actions and exchange best practices with one another as well as with independent deployers (e.g. China) and US-led Combined Maritime Forces (a coalition focusing primarily on counter-terrorism operations). Umlaufová A., *NATO – EU Maritime Cooperation*, PRAŽSKÝ STUDENTSKÝ SUMMIT, BACKGROUND REPORT| XXII | NATO | 01, 2016, available at: [https://www.studentsummit.cz/wp-content/uploads/2019/02/NATO\\_cooperation\\_final.pdf](https://www.studentsummit.cz/wp-content/uploads/2019/02/NATO_cooperation_final.pdf).

between the organizations and the two operations creating a common understanding at the political and operational level.<sup>143</sup>

### 2.3.2 EUNAVFOR MED Sophia and NATO's Operation Sea Guardian

EU-NATO coordination in the Mediterranean follows to a large extent the model provided by EUNAVFOR Atalanta and NATO's Ocean Shield off the coast of Somalia. Cooperation in this framework occurred at first through the EU's military operation EUNAVFOR MED Sophia and NATO's Sea Guardian Operation. As outlined above, Sophia started its activity in 2015 following a mandate to patrol the sea to disrupt and stop the migrant smugglers and traffickers' activities and in a second moment to train the Libyan coastguard and navy. On the other hand, Sea Guardian was launched in November 2016 with tasks including maritime capacity-building, situational awareness and counter-terrorism.<sup>144</sup> Operation Sophia and Sea Guardian, therefore, were very different missions geographically, legally, and operationally as shown in figure 3 below. Yet the two organizations committed to cooperate.

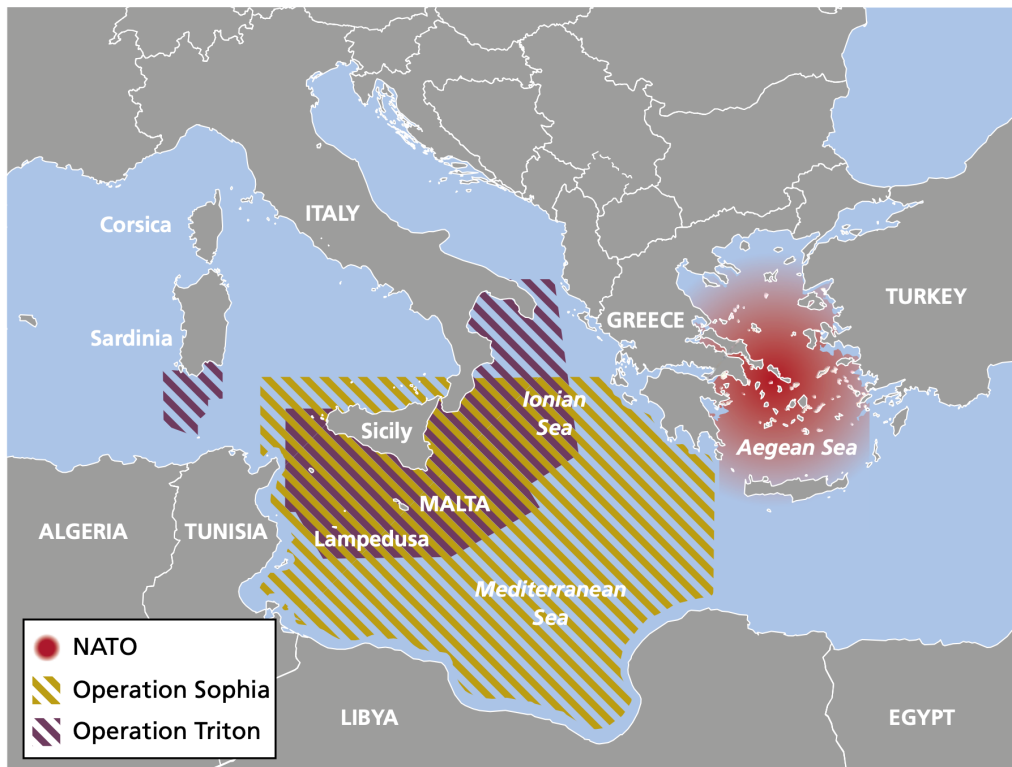
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<sup>143</sup> Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in "Cooperation and Conflict Vol. 50, No. 1", SAGE Publications, March 2015, pp. 118-120.

<sup>144</sup> A detachment of Standing NATO Maritime Group 2, complemented by Allied naval assets, was also deployed to the Aegean Sea to help tackle human trafficking and illegal immigration since February 2016. It transmits information to the relevant Greek and Turkish coastguards as well as to the EU Frontex agency. In order to coordinate their action, Frontex and the NATO Maritime Command (MARCOM) approved, in March 2016, arrangements at the operational and tactical level. Marcuzzi S., *NATO-EU maritime cooperation: for what strategic effect?*, in "NATO Defence College Policy Brief N.7", NATO Defence College, December 2018; Laïci T., *The Wind in the Sails of EU-NATO Cooperation: How Strong and Where To?*, in "L'Europe en Formation", 2019/2 (n° 389), pp. 67-84, available at: <https://www-cairn-info.acces-distant.sciencespo.fr/revue-l-europe-en-formation-2019-2-page-67.htm>; Krimi S., *THE NATO-EU PARTNERSHIP IN A CHANGING GLOBAL CONTEXT*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), NATO Parliamentary Assembly, November 2020.

The Standing NATO Maritime Groups are a multinational, integrated maritime force made up of vessels from various Allied countries. These vessels are permanently available to NATO to perform different tasks ranging from exercises to operational missions. They help to establish Alliance presence, demonstrate solidarity, conduct routine diplomatic visits to different countries, support partner engagement, and provide a variety of maritime military capabilities to ongoing missions. SNMG1 and SNMG2 function according to the operational needs of the Alliance, therefore helping to maintain optimal flexibility. They fall under the authority of Allied Maritime Command (MARCOM). North Atlantic Treaty Organization, *NATO's maritime activities*, May 2021, available at: [https://www.nato.int/cps/en/natohq/topics\\_70759.htm](https://www.nato.int/cps/en/natohq/topics_70759.htm)





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*Figure 5: Naval operations in the Mediterranean: the map shows the areas of action of EU Operation Sophia, FRONTEX's Operation Triton and of NATO's SNMG2. It should be highlighted that NATO's Operation Sea Guardian covered the whole Mediterranean basin.*

The cooperation between the two operations was officially formalized with the signing in Warsaw of a Joint declaration in 2016.<sup>146</sup> The Joint Declaration highlights the crucial need to broaden the operational collaboration at sea and on migration through mutual reinforcement of the activities in the Mediterranean. The alliance, in this occasion, stated that “We have agreed, in principle, on a possible NATO role in the Central Mediterranean, to complement and/or, upon European Union request, support, as appropriate, the EU's Operation Sophia through the provision of a range of capabilities including Intelligence, Surveillance and Reconnaissance, and logistics support; through contribution to capacity building of the Libyan coastguard and navy, if requested by the legitimate Libyan authorities and/or the EU; and in the context of the implementation of UNSCR 2292 on the situation in Libya, in close coordination with the EU.”<sup>147</sup> Such cooperation was concretely set up in the Administrative Arrangement between NATO Maritime Command (MARCOM) and Sophia's

<sup>145</sup> House of Lords European Union Committee, *Operation Sophia, the EU's naval mission in the Mediterranean: an impossible challenge*, 14th Report of Session 2015–16, May 2016, available at: <https://publications.parliament.uk/pa/ld201516/ldselect/ldeucom/144/144.pdf>.

<sup>146</sup> North Atlantic Treaty Organization, *Joint declaration by the President of the European Council, the President of the European Commission, and the Secretary General of the North Atlantic Treaty Organization*, Press Release (2016) 119, July 2016, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_133163.htm](https://www.nato.int/cps/en/natohq/official_texts_133163.htm).

<sup>147</sup> North Atlantic Treaty Organization, *Warsaw Summit Communiqué Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Warsaw 8-9 July 2016*, Press Release (2016) 100, July 2016, Paragraph 93, available at: [https://www.nato.int/cps/en/natohq/official\\_texts\\_133169.htm](https://www.nato.int/cps/en/natohq/official_texts_133169.htm); Umlaufová A., *NATO – EU Maritime Cooperation*, PRAŽSKÝ STUDENTSKÝ SUMMIT, BACKGROUND REPORT | XXII | NATO | 01, 2016, available at: [https://www.studentsummit.cz/wp-content/uploads/2019/02/NATO\\_cooperation\\_final.pdf](https://www.studentsummit.cz/wp-content/uploads/2019/02/NATO_cooperation_final.pdf).



Operational Headquarters, signed on 30 May 2017.<sup>148</sup> The missions' coordination resulted in the notable enhancement of the maritime situational awareness through a closer exchange of information. This was done without a formal information sharing agreement,<sup>149</sup> but on a case-by-case basis through the decision of the EU's liaison officer posted at MARCOM and of the national military authorities of both EU and NATO.<sup>150</sup> Moreover, the two missions used to cooperate also on logistics, medical facilities and shared daily situational reports and schedules for their activities. The cooperation proved fundamental also in the training and capacity building of the Libyan Coast Guard and Navy.<sup>151</sup> In theory, NATO's direct support to Sophia's ships was also envisaged but this kind of collaboration never materialized.<sup>152</sup> It has been argued that the intelligence sharing and the overall interoperability of the two operations could have been enhanced through more exercises and more compatible internal working procedures. However, despite these criticisms and the ones accusing the missions of being a pull factor for migration, this EU-NATO cooperation sent a strong political message by having both organizations and their respective member states working together for the same purpose.<sup>153</sup>

### 2.3.3 EUNAVFOR MED Irini and NATO cooperation

Following this fruitful agreement and the suspension of EUNAVFOR MED Sophia, Operations Irini officially asked NATO collaboration and the development of a cooperation agreement similar to the one with Sophia. Such an agreement would be crucial for the enhancement of the European Naval Mission Irini. Moreover, it would play as a strong stabilizing instrument in the Libyan regional balance with positive consequences. Irini's support to the Libyan Government of National Accord (GNA) would be essential to continue the political and capacity building process that started with the previous mission. However, the GNA does not accept the continuation of this military assistance because of the so-called bias of the mission.<sup>154</sup> By strengthening and integrating

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<sup>148</sup> Marcuzzi S., *NATO-EU maritime cooperation: for what strategic effect?*, in "NATO Defence College Policy Brief N.7", NATO Defence College, December 2018.

<sup>149</sup> This is the case for information sharing between NATO and FRONTEX in the Aegean.

<sup>150</sup> Marcuzzi S., *NATO-EU maritime cooperation: for what strategic effect?*, in "NATO Defence College Policy Brief N.7", NATO Defence College, December 2018.

<sup>151</sup> Krimi S., *THE NATO AGENDA FOR SECURITY IN THE MEDITERRANEAN Preliminary Draft Report*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), NATO Parliamentary Assembly, March 2021.

<sup>152</sup> For example, when the EU operation had to divert ships, Operation Sophia could ask NATO to provide additional escort.

<sup>153</sup> Laïci T., *The Wind in the Sails of EU-NATO Cooperation: How Strong and Where To?*, in "L'Europe en Formation", 2019/2 (n° 389), pp. 67-84, available at: <https://www-cairn-info.acces-distant.sciencespo.fr/revue-l-europe-en-formation-2019-2-page-67.htm>.

<sup>154</sup> The focus on naval interdictions part of the mandate of EUNAVFOR MED Irini has been criticized by the Libyan GNA. It has denounced the operation as biased as most of the GNA arms' shipments come by sea from Turkey, and for this reason they are strongly halted by Irini's activity. This becomes even more relevant if we consider that the Benghazi-based Libya National Army (LNA), led by General Haftar, receives its supplies via land from the United Arab Emirates, Jordan and Egypt, or sometimes by air through borders and airspaces that are beyond the control of Irini. Geri

the European military assets, NATO contribution to the mission would stem the criticism on impartiality of Irini and it would also participate in further dismantling security threats to the region coming from outside the alliance. Not being able of entering the territory of Libya, Irini can monitor the situation only by satellite as the territorial areas do not include the airspace.<sup>155</sup> These issues represent a big problem for the effectiveness of the operation and the only way of overcoming these shortcomings would imply the help of NATO and its assets. NATO surveillance assets, like AWACS radar planes with the Airborne Warning And Control System, and Global Hawk drones would allow to control air and terrestrial traffic in detail with great precision and help deciding on which airports and borders' points to focus the satellites.<sup>156</sup> All NATO members would then gain from this cooperation.

Nevertheless, such an agreement still has not materialized. Both the EU and NATO have expressed their willingness to work closely to achieve their common goals, namely the security and stability of Europe and its neighborhood, but they have failed in reaching a common ground. This is mainly caused by the non-EU NATO members which are hampering this relationship. NATO, as a matter of fact, denied it because of Turkey, which accuses Irini of being against Ankara and penalizing the GNA through its action at sea while benefiting Haftar's LNA.<sup>157</sup> Turkey's foreign ministry even declared that "The EU's Irini Operation is rewarding Haftar, and punishing the U.N.-recognised Libyan Government", highlighting how this is a sign of how the EU and the operation Irini are biased against Turkey.<sup>158</sup>

This hostile situation has brought to different incidents taking place in the Mediterranean and concerning the inspection of some vessels having a Turkish flag involving both the Irini's and NATO Sea Guardian Operation's fleets. These incidents not only endangered Irini's credibility and its mandate, but also NATO political coordination in Operation Sea Guardian as "NATO allies shouldn't be turning fire control radars on one another".<sup>159</sup> In addition to that, considering the main claim of

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M., *IRINI: Why an EU-NATO cooperation is urgent for Libyan peace and why Turkey should accept it*, 2020; Moran, J., *Operation Irini in Libya*, Centre for European Policy Studies, 2020, available at: <https://www.ceps.eu/operation-irini-in-libya/>.

<sup>155</sup> The operation has access apart from air and naval assets also to space one, like satellites to check the flows by air and land. However, these satellites can be used in an effective manner only by having intelligence on the ground suggesting specific locations at which the assets should be pointed, otherwise the satellite will pass two times a day just spotting some areas.

<sup>156</sup> Geri M., *IRINI: Why an EU-NATO cooperation is urgent for Libyan peace and why Turkey should accept it*, The Euro-Gulf Information Centre, August 2020, available at: <https://www.egic.info/irini-eu-nato-cooperation-is-urgent>.

<sup>157</sup> Geri M., *IRINI: Why an EU-NATO cooperation is urgent for Libyan peace and why Turkey should accept it*, 2020. Krimi S., *THE NATO AGENDA FOR SECURITY IN THE MEDITERRANEAN Preliminary Draft Report*, 2021.

<sup>158</sup> Reuters Staff, Gumrukcu T. and Kucukgocmen A., *Turkey says EU sanctions on Turkish firm over Libya embargo show bias*, in Reuters, September 2020.

<sup>159</sup> Conley H.A., Ellehuus R., *How NATO Can Avoid a Strategic Decoupling in the Eastern Mediterranean*, Center for Strategic & International Studies, July 2020.

Turkey of Operation Irini being flawed in favor of LNA, the continuous Turkish veto to a Irini-NATO cooperation seems a bit contradictory, given the advantages that Turkey would gain with greater control of land and air military traffic. Moreover, Turkey's consent to the unanimous decision about the cooperation agreement between NATO and Irini would be fundamental in bringing on the stabilization process in Libya. Bearing in mind the possibility of a conflict's escalation, the December 2021 postponed elections and the continuous migration challenges, NATO and the EU need to be an effective and unified presence in the Mediterranean. As already stated, a collaboration between the NATO commands and Irini would have comprehensively positive consequences both for the region and the Alliance. HR/VP Borrell highlighted how the EU and NATO are "discussing how to establish a new arrangement of cooperation (...) between Operation Irini and NATO, once again in our shared interest."<sup>160</sup> In this view, both organizations are engaged in exploring how to enhance this coordination and complementarity of efforts in the maritime domain, through regular exchanges as within the SHADE MED<sup>161</sup>, with the most recent one being cohosted by Irini and NATO Maritime Command.<sup>162</sup>

## 2.4 Assessing EU – NATO Maritime Cooperation

In light of what has been highlighted through this chapter, it can be said that NATO and the EU do share a lot of interests and objectives, in the European southern flank and especially in the Mediterranean. The security of EU and NATO are interconnected and the partnership at every level of cooperation between the two organisations strengthens their transatlantic link. Starting from the coordination of the missions in the Gulf of Aden, to EUNAVFOR MED Sophia, EUNAVFOR MED Irini and NATO Operations Sea Guardian, all of them helped the Euro-Atlantic community to significantly enhance the Mediterranean security. Nevertheless, it is without any doubt that maritime cooperation between the two organizations faces several difficulties and obstacles which have structural, political and practical origins.

Starting from the political obstacles, the issue of the different membership of the two organizations strongly hinders any development in cooperation agreements. Turkey is one of the key protagonists of this debate. As a matter of fact, Turkey not being an EU member state and a most importantly being in difficult acceding process to the Union has always had serious concerns over

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<sup>160</sup> Cook L., The Associated Press, *Why is Turkey the key to unlocking a NATO-EU naval operation?*, Defense News, June 2020.

<sup>161</sup> Shared Awareness and De- Confliction in the Mediterranean.

<sup>162</sup> Operation EUNAVFOR MED IRINI, *Road to SHADE MED 2021 - New direction in maritime security*, WEBINAR streaming, September 2021.

becoming marginalized as a third state. Moreover, the dispute among Cyprus and Turkey complicated even more the picture once Cyprus became a EU member state.<sup>163</sup> Turkey, indeed, has since continued to block any attempt at establishing stronger formal cooperative ties between the alliance and the EU, mainly by denying Cypriot participation in EU-NATO meetings and excluding the involvement of any future EU member state without a security arrangement with NATO.<sup>164</sup> Cyprus too as non-NATO and a non-PfP member has used the stance as an EU member to marginalize Turkey by blocking cooperation between the EU and Turkey from within the EU. This political situation inevitably brought to practical obstacles and in the lack of formal frameworks for cooperation as widely shown in the difficult relationship between EUNAVFOR MED Irini and Operation Sea Guardian.

Besides these political and consequent practical impediments, the international staff of the two organizations is faced with another type of problem, namely institutional differences and incompatibilities. There are two independent non-integrated chains of command with each a very different hierarchical nature, organizational logic and levels in one structure are not mirrored in the other. These institutional limitations bring into the picture problems with the security agreements, especially for the sharing of sensitive information, which do not extend to Cyprus. Therefore, communication and information systems (CIS) infrastructure cannot be shared between the two operations. This passing of sensitive information and relevant intelligence is, indeed, the most challenging problem that the EU and NATO have to surmount when they cooperate in a non-Berlin Plus setting, which is almost always the case. In a situation where Berlin Plus is used as a framework, a restricted NATO document can only be sent to EU member states that have signed security agreements with NATO, which excludes Cyprus. Outside this framework, NATO staff recognizes that everything would be dealt at the level of 27 member states, therefore including Cyprus.<sup>165</sup> Institutional red lines remain a constant source of frustration at the operational level, where even if bound to operate within these limitations, there is the ambition and the willingness to “make things work”, improving operational effectiveness and limiting the collateral damages of non-cooperation. International staff both within operations and in Brussels have found ways to make this cooperation

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<sup>163</sup> Missiroli A., *EU-NATO Cooperation in Crisis Management: No Turkish Delight for ESDP*, in “Security Dialogue”, Vol. 33, No. 1, Sage Publications, March 2002, pp. 9-26; Bilgin P., *The 'Peculiarity' of Turkey's Position on EU-NATO Military/Security Cooperation: A Rejoinder to Missiroli*, in “Security Dialogue”, Vol. 34, No. 3, Sage Publications, September 2003, pp. 345- 349.

<sup>164</sup> Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in “Cooperation and Conflict Vol. 50, No. 1”, SAGE Publications, March 2015, pp. 107-127.

<sup>165</sup> Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in “Cooperation and Conflict Vol. 50, No. 1”, SAGE Publications, March 2015, pp. 107-127.

work through the development of informal practices to facilitate coordination, the exchange of information and to interact outside the formal EU-NATO channels.

It should be said that cooperation even if not complete is present to a certain extent. The lessons learnt and best practices developed within the different missions are significant for EU-NATO relationship and its future development. Moreover, there are valuable signs that they are willing to intensify their cooperation on future challenges and threats in the Mediterranean. As it has been demonstrated, the European Union cannot do this alone, a collective effort is needed to enhance the security of the Mediterranean. Even if these informal procedures for cooperation have in a way crystallized, it is unlikely that they will be established in formal reforms of the Berlin Plus agreement and of the official coordination between NATO and the EU. There is reason to assume, indeed, that for any major formal change overriding the political and institutional blockages between the two organizations to happen, “the EU and NATO would have to be faced with an imperative to pool forces in a belligerent high-intensity scenario”.<sup>166</sup>

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<sup>166</sup> Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in “Cooperation and Conflict Vol. 50, No. 1”, SAGE Publications, March 2015, pp. 107-127.

## Chapter 3 - Ukraine-Russia conflict from 2004 to 2022: An overview of EU-NATO responses and cooperation in face of the crisis.

“Taking into account its size, geopolitical location, military, and industrial and agricultural potential, Ukraine will continue to influence security and stability in its region as well as the whole of Europe. The question is whether this influence will be positive or negative.”<sup>167</sup> These were the words of former Foreign Minister of Ukraine, Tarasyuk, in 2010. Following the succession of events started in the beginning of 2022 and escalated in the Russian invasion of Ukraine on the 24<sup>th</sup> of February, it is inevitable to highlight how these are still very much relevant, even 12 years after.

Ukraine is the largest neighbouring country on Russia’s Western borders,<sup>168</sup> and it shares an history of both strong and disputed ties with Russia, which start back at the beginning of the 20<sup>th</sup> century. For these reasons and others that will be thoroughly analyzed further on in this chapter, the position of Ukraine in the geopolitical context has always been of important relevance. Its relationship with Russia, the European Union and NATO has been in the last 30 years source of stability or instability in the wider European region. This chapter will indeed focus on the developments of these relationships, with a special focus on how NATO and the European Union behaved in face of the ties between Russia and Ukraine, but most importantly on the evolution of their reactions following the major crisis happened between the two neighbouring countries. This analysis will start highlighting briefly the historical backgrounds of the connection between Ukraine and Russia, and then move to the 2004 political crisis in Ukraine, also known as Orange Revolution, the 2009 cut of gas supplies by Russia in Ukraine, and the 2014 Russia’s annexation of Crimea. This episode clearly marked a shift in the post-cold war attitude of both NATO and the EU, with a formal revision of their foreign and security strategies. As a matter of fact, the 2014 annexation and subsequent events were considered by some to mark the end of the post-cold war period and, indeed, the “beginning of a new epoch of security policy in European history”.<sup>169</sup> In the end, the events occurred since the start of

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<sup>167</sup> Tarasyuk B. (Ambassador and former Foreign Minister of Ukraine), *Changes in Ukraine and Their Implications for Security in Europe*, in Wolf R., Weissinger-Baylon R., Baylon A.D., “Global Security the growing challenges: Proceedings of the 27th International Workshop on Global Security”, Center for Strategic Decision Research, 2010, available at: [https://www.csdrr.org/2010%20Book/Berlin%20Proceedings%203.3%20MB%20PDF%20-%2027th%20Internat%20Workshop%20on%20Global%20Security%202010%20\(2\).pdf](https://www.csdrr.org/2010%20Book/Berlin%20Proceedings%203.3%20MB%20PDF%20-%2027th%20Internat%20Workshop%20on%20Global%20Security%202010%20(2).pdf)

<sup>168</sup> Sauer T., *The Origins of the Ukraine Crisis and the Need for Collective Security between Russia and the West*, in *Global Policy* Volume 8, Issue 1, February 2017.

<sup>169</sup> “In Europe the post-Cold War period ended on 28 February 2014. Historians have discussed when the Cold War ended: was it when the Berlin Wall fell on 9 November 1989, when the Warsaw Pact closed shop in 1991, or when the Soviet Union broke down during the same year? Historians will also discuss whether 28 February 2014 marked the beginning of a new epoch of security policy in European history.” Rasmussen M.V., Struwe L.B., Hoffman R., Pradhan-Blach F., Kidmose J., Breitenbauch H., Kristensen K.S., Dahl A.S., *The Ukraine Crisis and the End of the Post-Cold War European Order: Options for NATO and the EU*, Centre for Military Studies, 2014, p.8.

2022 will be taken into consideration, with an account of the Russian invasion of Ukraine and the following war. A focus on the reactions of both the EU and NATO and of their resulting cooperation to face effectively the situation will be taken. The aim of this analysis will be the one of looking at the evolution of the cooperation between NATO and the EU in relation with such events and the international scene.

### 3.1 Ukraine Russia relations – an historical overview

As a former Soviet republic, Ukraine has deep cultural, economic and political bonds with Russia. Ukraine has long played an important, even if sometimes overlooked, role in the global security order.<sup>170</sup> Ukraine was a cornerstone of the Soviet Union, behind only Russia, it was the second-most populous and powerful of the fifteen Soviet republics, home to much of the union's agricultural production, defense industries, and military, including the Black Sea Fleet and some of the nuclear arsenal. Ukraine's history as an independent state goes back to few years of a Ukrainian People's Republic established between the collapse of the Russian Empire in 1917 and the consolidation of the Soviet Union. The Ukrainian Soviet Socialist Republic was founded in 1921 and Ukraine was included into the Soviet Union the following year.<sup>171</sup> This incorporation established the territorial boundaries, recognised Ukrainians as the republic's nationality, and, for 70 years, offered the republic's leaders a substantial degree of autonomy in the internal government. For many Russians, after hundreds of years in which at least some part of Ukraine was part of the Russian Empire or the Soviet Union, Ukraine is part of Russia, without which Russia is incomplete.<sup>172</sup> The Russian foundation myth, indeed, sees the origins of today's Russia in medieval Kyiv.<sup>173</sup> Moreover,

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<sup>170</sup> Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/backgrounder/ukraine-conflict-crossroads-europe-and-russia> .

<sup>171</sup> Mpoke Bigg M., *A timeline of the tensions between Russia and Ukraine*, The New York Times, April 2022, available at: <https://www.nytimes.com/2022/02/18/world/europe/russia-ukraine-timeline.html> ; Fitzpatrick S., *Ukraine as a 'borderland': a brief history of Ukraine's place between Europe and Russia*, The Conversation, March 2022, available at: <https://theconversation.com/ukraine-as-a-borderland-a-brief-history-of-ukraines-place-between-europe-and-russia-178168> .

<sup>172</sup> D'Anieri P., *Ukraine and Russia: From Civilized Divorce to Uncivil War*, Cambridge University Press, November 2019, available at: <https://www.cambridge.org/core/books/ukraine-and-russia/79808958692B1FC526995DF7F3BD92DA> , pp. 9-10.

<sup>173</sup> Russians call the Kievan Rus this Orthodox medieval state which was centred around the contemporary Ukrainian capital, Kyiv, as the common point of origin for both Ukrainians and Russians. Ukrainians, meanwhile, refer to the same place as the Kyivan Rus and the cradle of their own nation. These are not Russian lands but the "lands of the Rus". The word "Rus" derives from the old east Slavic word *Росѣ* (which reads as "Rous" when you convert from Cyrillic into Roman letters). The word refers to the land of a people called Rus: the common ancestors of today's Russians, Ukrainians and Belarusians. Throughout history, there have been Russian rulers who have believed in their mission to "gather the Russian lands", the land of the Rus. Others have simply used the idea to justify Russia's hegemonic ambitions. Mick C., *How Moscow has long used the historic Kyivan Rus state to justify expansionism*, in The Conversation, March 2022, available at: <https://theconversation.com/how-moscow-has-long-used-the-historic-kyivan-rus-state-to-justify-expansionism-178092> .



in 1954, Soviet leader Nikita Khrushchev transferred Crimea from Russia to Ukraine to strengthen the “brotherly ties between the Ukrainian and Russian peoples.”<sup>174</sup> For this reason, since the fall of the Union, many Russian nationalists in both Russia and Crimea longed for a return of the peninsula, also considering that the city of Sevastopol has been home port for Russia’s Black Sea Fleet, the dominant maritime force in the region.



175 **Figure 6: Ukraine in between the USSR and independence**

Ukraine declared independence on 23rd August 1991. In early December the Ukrainian declaration was ratified by a referendum with a 90% “yes” vote.<sup>176</sup> Russia did not simply let Ukraine go its own way because most Russians felt Ukraine was an intrinsic part of Russia, but Ukraine’s independence in 1991 was enabled by the weakening and collapse of the Soviet state. As a matter of fact, nationalists across the Soviet Union took advantage of Gorbachev’s political liberalization to press for independence. In March 1990, indeed, elections were held for the republic-level parliaments,

<sup>174</sup> Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia> .

<sup>175</sup> Map by Laura Canali, 2021. Canali L., *L’Ucraina fra URSS e indipendenza*, Limes, December 2021, available at: <https://www.limesonline.com/carta-ucraina-fra-urss-e-indipendenza/126018> .

<sup>176</sup> On December 1, Ukraine held its referendum on independence and its presidential election. All six presidential candidates supported independence. Kravchuk, the acting president, former speaker of the Verkhovna Rada, and former ideology chief the Communist Party of Ukraine, won easily, with 61.6 percent of the vote. The referendum asked simply: “Do you support the Declaration of Independence of Ukraine?” the text of which was appended. The result was overwhelming: 92.3 percent voted in favor of independence. In every single region of Ukraine, including Crimea and the city of Sevastopol, a majority supported independence. However, in Crimea and Sevastopol, the majorities were much smaller than elsewhere: 54.2 and 57.1 percent, respectively. In both Donetsk and Luhansk oblasts, 83.9 percent voted for independence. D’Anieri P., *Ukraine and Russia: From Civilized Divorce to Uncivil War*, Cambridge University Press, November 2019, available at: <https://www.cambridge.org/core/books/ukraine-and-russia/79808958692B1FC526995DF7F3BD92DA> ; Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations> .

and for the first time, candidates who were not members of the Communist Party of the Soviet Union (CPSU) were allowed to run.<sup>177</sup> In Ukraine, Leonid Kravchuk was elected as first president.<sup>178</sup> Nevertheless, due to the strong connection Ukraine had with the Soviet Union and the long period of strict dependence from the whole Moscow's apparatus, the country started to deal with a great share of profound internal crisis. For this reason, at first the separation was more formal than substantial. From the economic, political and administrative point of view, indeed, Ukraine, besides being the bigger country of the post-Soviet bloc after Russia, had the strongest interdependence with Russia, above all considering the pervasive corruption and interference of subjects coming from the Soviet apparatus. The economic crisis,<sup>179</sup> experienced since 1991 when the Soviet-style planned economy collapsed, brought widespread economic suffering, shortages, blackouts, inflation, and spiking emigration.<sup>180</sup> This led to a mass privatization of state-owned enterprises creating a class known as the oligarchs, made up of former Communist elites and others with connections in the government, who got control of over 50% of GDP at little or no cost. Although this situation initially was fundamental in helping Ukraine's biggest business to restore their productive capacity and jump-starting the economy, they quickly began using their connections to stifle competition spreading corruption and leading the economy to struggle in growth or in diversifying beyond basic commodities.<sup>181</sup> In addition to this profound crisis, Ukraine remained in possession of a significant stockpile of nuclear weapons that had belonged to the Soviet Union, also considering the fact that Russia's Black Sea Fleet was stationed in the city of Sevastopol. Taking into account the 1986 Chernobyl nuclear disaster, denuclearization became a popular theme among Ukrainian nationalists and this desire of being a nonnuclear weapons state was made clear in Ukraine's 1990 declaration of sovereignty.<sup>182</sup> However, it was not until 1994 that, under the Budapest Memorandum, Ukraine gave

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<sup>177</sup> D'Anieri P., *Ukraine and Russia: From Civilized Divorce to Uncivil War*, Cambridge University Press, November 2019, available at: <https://www.cambridge.org/core/books/ukraine-and-russia/79808958692B1FC526995DF7F3BD92DA>

<sup>178</sup> Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations>.

<sup>179</sup> Gross domestic product plunged by over 60% in the early 1990s, and inflation skyrocketed to more than 10,000%. For ordinary Ukrainians, this collapse meant massive poverty and hardship: Approximately 50% of households lived on less than \$5.50 per day, and life expectancy declined by five years. Gorodnichenko Y., *Ukraine's economy went from Soviet chaos to oligarch domination to vital global trader of wheat and neon – and now Russian devastation*, in *The Conversation*, March 2022, available at: <https://theconversation.com/ukraines-economy-went-from-soviet-chaos-to-oligarch-domination-to-vital-global-trader-of-wheat-and-neon-and-now-russian-devastation-178971>.

<sup>180</sup> Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations>.

<sup>181</sup> Gorodnichenko Y., *Ukraine's economy went from Soviet chaos to oligarch domination to vital global trader of wheat and neon – and now Russian devastation*, in *The Conversation*, March 2022, available at: <https://theconversation.com/ukraines-economy-went-from-soviet-chaos-to-oligarch-domination-to-vital-global-trader-of-wheat-and-neon-and-now-russian-devastation-178971>.

<sup>182</sup> D'Anieri P., *Ukraine and Russia: From Civilized Divorce to Uncivil War*, Cambridge University Press, November 2019, available at: <https://www.cambridge.org/core/books/ukraine-and-russia/79808958692B1FC526995DF7F3BD92DA>, pp. 47-53.

up its nuclear arsenal in exchange for a commitment from Moscow “to respect the independence and sovereignty and the existing borders of Ukraine”,<sup>183</sup> and security assurances provided by the US, Russia, UK and France to guarantee Ukrainian territorial integrity.<sup>184</sup> To all these issues it is important to add the fact that approximately eight million ethnic Russians were living in Ukraine as of 2001, mostly in the south and east.<sup>185</sup> This created a strong cleavage, with a more nationalist, Ukrainian-speaking population in western parts of the country generally supporting greater integration with Europe, while a mostly Russian-speaking community in the east favored closer ties with Russia. Overall, then, in its three decades of independence, Ukraine has sought to forge its own path as a sovereign state while looking to align more closely with Western institutions, including the EU and NATO. However, Kyiv struggled to balance its foreign relations and to bridge deep internal divisions. All this with Russia being keen to preserve its political influence in Ukraine and throughout the former Soviet Union. Losing a permanent hold on Ukraine, and letting it fall into the Western orbit, would have been seen by many as a major blow to Russia’s international prestige.<sup>186</sup>

### 3.2 The Orange Revolution

It is within this framework that the so-called Orange Revolution<sup>187</sup> took place starting in November 2004 in the wider context of the Colored Revolutions, which overturned pro-Russian governments also in Serbia and Georgia. The spark that ignited the popular fire in Ukraine's case was election fraud. During the run-off elections seeing as the main opponents Viktor Yanukovich, Russia’s preferred candidate, and Victor Yushchenko, a pro-western opposition candidate, the nonpartisan exit polls had given Yushchenko a commanding lead compared to the Yanukovich. Nevertheless, once the official results came in, Yanukovich had supposedly beaten the challenger by 2.5%. The result was immediately challenged. As a matter of fact, at first the Central Election Commission<sup>188</sup> reported that voter turnout in Ukraine's Russian-speaking eastern districts was

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<sup>183</sup> Mpoke Bigg M., *A timeline of the tensions between Russia and Ukraine*, The New York Times, April 2022, available at: <https://www.nytimes.com/2022/02/18/world/europe/russia-ukraine-timeline.html> .

<sup>184</sup> Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations> .

<sup>185</sup> Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia> .

<sup>186</sup> Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia> .

<sup>187</sup> Yushchenko’s campaign colors gave the revolution its name. Although not a true revolution in the proper sense - wholesale replacement of the regime, its political elite, and dominant idea - it nevertheless is considered a landmark revolutionary event in the political history of Ukraine. Harasymiw B., *Orange Revolution*, in Internet Encyclopedia of Ukraine, 2020, available at: <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CO%5CR%5COrangeRevolution.htm> .

<sup>188</sup> After the first round of the presidential election on October 31, the Central Election Commission, which was effectively controlled by the government, delayed the announcement of the final vote counts for many days, arousing widespread

consistent with the nationwide average. However, eastern Donetsk region, Yanukovich's home base, went from a voter turnout of 78% to 96.2% overnight, with support for Yanukovich at around 97%. In neighboring Luhansk, turnout climbed from 80% at the time the polls closed to 89.5% the next morning, with Yanukovich winning 92% or more of the votes. Overall, approximately 1.2 million new votes went to the regime's favorite, giving him enough for a comfortable 800,000-vote margin of victory.<sup>189</sup>

In face of this result, Yushchenko declared the victory had been stolen from him and urged citizens to gather at Maidan, Kyiv's Independence Square in the center of the city. In the morning hours of November 22, thousands gathered at Maidan, growing to finally reach roughly one million in the following hours.<sup>190</sup> Each presidential candidate declared himself president creating a situation of triple sovereignty, the outgoing but still incumbent Kuchma, the official winner of the runoff, Yanukovich, and Yushchenko, whose swearing in had been covered by the increasingly open national media.<sup>191</sup> On November 27, after days of mass protests and the siege of the cabinet of ministers, the presidential administration, and Kuchma's residence parliament met and by a clear majority voted to declare the poll invalid. Six days later, Ukraine's supreme court annulled the results of the second round, accepting Yushchenko's evidence of massive fraud and official high-level conspiracy, calling then for new elections.<sup>192</sup> On December 26, Ukrainians went to the polls for the third time attracting the largest contingent of international observers in history: more than 12,000 monitors from Europe,

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suspicion of vote rigging. In the end, however, it announced that Yushchenko had won over Yanukovich by the tiniest of margins. But since neither candidate won an absolute majority, a run-off election was scheduled for November 21. It was also widely expected that the incumbent regime would rig the run-off elections. Åslund A., Mcfaul M., *Introduction: Perspectives on the Orange Revolution*, in "Revolution in orange : the origins of Ukraine's democratic breakthrough", Carnegie endowment for international peace, 2006, available at: <https://carnegieendowment.org/files/AslundIntr1.pdf>

<sup>189</sup> Karatnycky A., *Ukraine's Orange Revolution*, in "Foreign Affairs", Vol. 84, No. 2, pp.35-52, Council on Foreign Relations, March-April 2005, available at: [https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab_segments=&origin=&acceptTC=1) .

<sup>190</sup> A city of 1,500 tents was swiftly set up on the Khreshchatyk, Kyiv's main thoroughfare adjacent to Maidan. Masses of people roamed the streets at all times, their numbers ballooning to hundreds of thousands every evening when Yushchenko and other revolutionary leaders spoke from a major stage on the square. Åslund A., Mcfaul M., *Introduction: Perspectives on the Orange Revolution*, in "Revolution in orange : the origins of Ukraine's democratic breakthrough", Carnegie endowment for international peace, 2006, available at: <https://carnegieendowment.org/files/AslundIntr1.pdf>

<sup>191</sup> Karatnycky A., *Ukraine's Orange Revolution*, in "Foreign Affairs", Vol. 84, No. 2, pp.35-52, Council on Foreign Relations, March-April 2005, available at: [https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab_segments=&origin=&acceptTC=1) .

<sup>192</sup> Karatnycky A., *Ukraine's Orange Revolution*, in "Foreign Affairs", Vol. 84, No. 2, pp.35-52, Council on Foreign Relations, March-April 2005, available at: [https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/20034274.pdf?refreqid=excelsior%3A5b16849e942b5a469e5309b4f107829f&ab_segments=&origin=&acceptTC=1) .

North America, Russia, and Asia took part. Yushchenko received 52% of the votes and Yanukovich 44%, with a winning margin of 2.2 million votes out of 28 million cast.

The Orange Revolution, besides preventing Kremlin-backed candidate Yanukovich from stealing the Ukrainian presidency, who, however, won the 2010 presidential elections, had profound effects on Ukraine and its population. For the first thirteen years of independence, indeed, the political, cultural, social, and economic boundaries between Ukraine and Russia had remained blurred, but the 2004 events put a clear dividing line. The protests served as a national awakening, establishing Ukraine's democratic credentials, and bringing the country on a path that diverged strongly from the increasing authoritarian Russia of Vladimir Putin. Russia's initial response was a mixture of indignation and disbelief which then became "anger at what was seen as a grave betrayal on the part of Russia's European and North American partners. Moscow regarded the West's vocal support for the pro-democracy protests in Ukraine as nothing less than an act of international aggression. This was considered a direct attempt to interfere in Russia's internal affairs and confirmation of the Western world's implacable hostility."<sup>193</sup>

### 3.2.1 EU and NATO responses to the Orange Revolution

It can be said that the 2004 elections brought about the most radical shake-up of Ukraine's political scene since Ukraine's independence with the prospect of big changes both in terms of domestic and foreign policy. Yushchenko, as newly elected president, promised to work hard to improve Ukraine's ties with the West, making clear the willingness for the country to join the EU and NATO. As a matter of fact, he reminded European leaders multiple times that Ukraine has a place in Europe, "I don't feel comfortable striving to join Europe, I feel like I am a European. I live in a European country and possess European values"<sup>194</sup> and again "our road to the future is that of a united Europe(...) My goal is a Ukraine in a united Europe".<sup>195</sup>

For what concerns European Union reaction and response to the events following the 22<sup>nd</sup> of November 2004, the European Parliament made a firm commitment to resolving the situation and

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<sup>193</sup> Dickinson P., *How Ukraine's Orange Revolution shaped twenty-first century geopolitics*, Atlantic Council, November 2020, available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/how-ukraines-orange-revolution-shaped-twenty-first-century-geopolitics/> .

<sup>194</sup> Davos World Economic Forum in January 2005. Wolczuk K., *Ukraine after the Orange Revolution*, Policy Brief, Centre for European Reform, February 2005, available at: [https://www.cer.eu/sites/default/files/publications/attachments/pdf/2011/policybrief\\_ukraine\\_feb2005-852.pdf](https://www.cer.eu/sites/default/files/publications/attachments/pdf/2011/policybrief_ukraine_feb2005-852.pdf) .

<sup>195</sup> European Parliament, *The European Parliament's support for the 'Orange Revolution' in Ukraine is a step towards an ambitious Wider Europe – Neighbourhood Policy*, Press Service, December 2004, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+IM-PRESS+20050819FCS00984+0+DOC+PDF+V0//EN&language=EN> .



upholding democracy, especially in light of the Partnership and Cooperation agreement between the Union and Ukraine signed in 1998.<sup>196</sup> On December 2<sup>nd</sup>, the European Parliament adopted a resolution saying that “it strongly condemns the conditions under which the second round of the presidential elections in Ukraine have taken place” and “expresses its solidarity with the Ukrainian people”. It moreover condemned the decision by the Central Electoral Commission and called for the annulment of the second round and the reorganization of elections. Few days after this resolution, the European Commission adopted action plans within the European Neighbourhood Policy framework for seven countries, among which Ukraine. The aim of the plan was the one of “hold out the prospect, not of membership but of gradual integration into certain EU policies.”<sup>197</sup> In light of these elements, it was recognized the importance of Ukraine as a “key neighbour and strategic partner with deep historical, cultural and economic links to the Member states of the EU” and the Parliament underlined its support for Ukraine’s desire for EU integration. However, many Ukrainians started believing that the lack of any prospect for EU membership reduced the attraction for the action plan.<sup>198</sup>

Ukraine’s relationship with NATO had better prospects than the one with the EU. First of all, NATO had an open door policy with less complex accession criteria and processes than the EU.

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<sup>196</sup> The PCA developed some institutional connections between Ukraine and the EU, but it was not a “prescription” for EU membership. After the initial negotiations, the EU did not immediately ratify the Ukrainian PCA. It took another four years for the PCA to come into effect, and this initial lack of interest in Ukraine set the tone for the relationship between the two. In 1998, the EU ratified the PCA and Ukraine officially declared its intention to join the Union. Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California, Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>; European Parliament, *The European Parliament’s support for the ‘Orange Revolution’ in Ukraine is a step towards an ambitious Wider Europe – Neighbourhood Policy*, Press Service, December 2004, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+IM-PRESS+20050819FCS00984+0+DOC+PDF+V0//EN&language=EN> .

<sup>197</sup> European Parliament, *The European Parliament’s support for the ‘Orange Revolution’ in Ukraine is a step towards an ambitious Wider Europe – Neighbourhood Policy*, Press Service, December 2004, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+IM-PRESS+20050819FCS00984+0+DOC+PDF+V0//EN&language=EN> .

<sup>198</sup> The ENP does not offer the prospect of EU membership. Accession has been the EU’s most successful foreign policy tool, helping Central and Eastern Europe along the path of economic and political transition. Ukraine argues that, unlike Morocco or Israel, which are also included in the ENP, it is a European country and as such is entitled to a ‘membership perspective’. Even though Ukraine falls far short of many EU standards, there is no doubt about its ‘Europeanness’ in geographical, cultural and historical terms. The Orange Revolution showed that Ukrainians adhere to the democratic values espoused by the EU. The EU’s reluctance to offer a ‘membership perspective’ significantly weakens its leverage over Ukraine’s development. It also undermines the position of pro- reform forces that advocate the ‘European’ model of development for Ukraine. Many Ukrainians are getting skeptical, asking whether the EU really welcomes their democratic revolution. A more positive EU stance would signal to Ukrainians that they are welcome in Europe, and it would mitigate their sense of exclusion and suspicion of EU double standards. Wolczuk K., *Ukraine after the Orange Revolution*, Policy Brief, Centre for European Reform, February 2005, available at: [https://www.cer.eu/sites/default/files/publications/attachments/pdf/2011/policybrief\\_ukraine\\_feb2005-852.pdf](https://www.cer.eu/sites/default/files/publications/attachments/pdf/2011/policybrief_ukraine_feb2005-852.pdf) ; European Parliament, *The European Parliament’s support for the ‘Orange Revolution’ in Ukraine is a step towards an ambitious Wider Europe – Neighbourhood Policy*, Press Service, December 2004, available at: <https://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+IM-PRESS+20050819FCS00984+0+DOC+PDF+V0//EN&language=EN> .

Ukraine, after its independence, immediately joined the North Atlantic Cooperation Council (NACC), and NATO Secretary-General Woerner made his first official visit to Kyiv on February 22, 1992.<sup>199</sup> In 1995, NATO upgraded Ukraine's PfP status with the Individual Partnership Program (IPP), and Ukraine willingly participated in the first Planning and Review Process (PARP) to improve military interoperability with NATO. In addition to that, since 2002 Ukraine's relationship with NATO was governed by the NATO-Ukraine Action Plan,<sup>200</sup> which aimed at political and military reform to identify objectives and priorities towards full integration into Euro-Atlantic security structures and to provide future NATO-Ukraine cooperation.<sup>201</sup> For these reasons, the newly elected president made clear the interest towards NATO and for closer ties with the organization. In the aftermaths of the Orange Revolution, in particular the US were quick in supporting Ukraine and President Bush in 2005 even stated "I'm a supporter of the idea of Ukraine becoming a member of NATO. I think it's important. ...[The United States] want to help your government make the difficult decisions and difficult choices necessary to become available for membership in NATO".<sup>202</sup> The relationship between NATO and Ukraine, then, improved dramatically with the establishment of first a new PfP Trust Fund project<sup>203</sup> and then NATO agreed to launch an Intensified Dialogue (ID) with Ukraine<sup>204</sup> in order to foster the reforms necessary for future Euro-Atlantic integration.<sup>205</sup> As a matter

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<sup>199</sup> Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California, Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>

<sup>200</sup> This Action Plan was created pursuant to the decision of the NATO-Ukraine Commission to deepen and broaden the NATO-Ukraine relationship, and reflects Ukraine's Strategy on Relations with the North Atlantic Treaty Organisation (NATO). It builds upon the Charter on a Distinctive Partnership, signed in Madrid on 9 July 1997, which remains the basic foundation of the NATO-Ukraine relationship. North Atlantic Treaty Organization, *NATO-Ukraine Action Plan*, November 2002, available at: [https://www.nato.int/cps/ar/SID-40166323-FEE6CCD2/natolive/official\\_texts\\_19547.htm](https://www.nato.int/cps/ar/SID-40166323-FEE6CCD2/natolive/official_texts_19547.htm)

<sup>201</sup> Woehrel S., *Ukraine's Orange Revolution and U.S. Policy*, CRS Report for Congress, Congressional Research Service, April 2005, available at: <https://sgp.fas.org/crs/row/RL32845.pdf> ; North Atlantic Treaty Organization, *NATO-Ukraine Action Plan*, November 2002, available at: [https://www.nato.int/cps/ar/SID-40166323-FEE6CCD2/natolive/official\\_texts\\_19547.htm](https://www.nato.int/cps/ar/SID-40166323-FEE6CCD2/natolive/official_texts_19547.htm) .

<sup>202</sup> Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California, Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>

<sup>203</sup> It aimed at destroying an estimated 133,000 tons of excess munitions and 1.5 million small arms, light weapons, and Man-Portable Air Defense Systems (MANPADS) located in Ukraine. Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California, Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>

<sup>204</sup> At a meeting in Vilnius on 21 April, NATO invited Ukraine to begin an 'Intensified Dialogue' on Ukraine's aspirations to membership and relevant reforms, without prejudice to any eventual Alliance decision. The meeting of the NATO-Ukraine Commission at the level of Foreign Ministers, also agreed on a series of concrete and immediate measures to enhance cooperation in support of Ukraine's reform priorities. North Atlantic Treaty Organization, *NATO launches 'Intensified Dialogue' with Ukraine*, NATO Update, April 2005, available at: <https://www.nato.int/docu/update/2005/04-april/e0421b.htm> .

<sup>205</sup> Ukraine is ultimately eligible for NATO membership under Article 10 of the Washington Treaty, which declares that, by unanimous consent, NATO members can invite other European states that further NATO principles and "contribute to the security of the North Atlantic area to accede to the Treaty." Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California,



of fact, Ukraine must still implement many of the political, economic, and security reforms before it is prepared for accession into NATO. However, the Orange Revolution presented an opportunity to deepen the NATO-Ukraine relationship and most importantly to expand and consolidate the recent Ukrainian democratic gains. Ukraine, indeed, declared its intention to join NATO in 2002 but the great share of political corruption hindered this possibility. The Orange Revolution and democratic election of Yushchenko supplied the missing political element needed to make Ukraine a stronger asset for NATO security tasks and crisis response operations, also offering a prime geopolitical position between Europe and Asia.<sup>206</sup>

### 3.3 2006-2009 Gas Disputes between Ukraine and Russia

From 2004 and the Orange Revolution, Ukraine, notwithstanding its steps closer to the Western political and security realm, lived major and continuous political turmoil and tense relations with Moscow. In particular, gas disputes between Ukraine and Russia, which came to amount to gas wars, marked the years 2006 and 2009. As a matter of fact, since the 1960s, Ukraine has been a major corridor for the transit of Soviet and, later, Russian gas to Europe. With the dissolution of the Soviet Union, Russia became almost completely dependent on Ukraine's gas transit capacities. For this reason, Moscow tried multiple times to get control of this transportation system unsuccessfully and, therefore, started to understand how to bypass it by constructing new pipelines. From these Russian efforts numerous gas disputes arose between Ukrainian oil and gas company Naftogaz Ukrayiny and Russian gas supplier Gazprom, in which Moscow tried to make Ukraine look as an unreliable gas transit partner for Europe.<sup>207</sup>

In the winter of 2005, Russia and Ukraine clashed over prices for the first time following the 2004 pro-Western Orange Revolution. A dispute arose over the price of gas as prices were rising to new heights, as shown in figure 7,<sup>208</sup> and, in addition, relations between the two countries has started to deteriorate disastrously. "Gazprom started demanding that from the beginning of 2006, Ukraine

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Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>

<sup>206</sup> Cramer C. S., *The Great Orange Hope Ukraine, NATO, and the dilemma of European integration after the Orange Revolution*, Naval Postgraduate School Monterey, California, Calhoun: The NPS Institutional Archive, December 2005, available at: <https://ia803001.us.archive.org/33/items/thegreatorangeho109451828/thegreatorangeho109451828.pdf>

<sup>207</sup> Russia provides approximately a quarter of the natural gas consumed in the European Union; approximately 80% of those exports travel through pipelines across Ukrainian soil prior to arriving in the EU, Prokip A., *A New Era of Gas Wars between Ukraine and Russia?*, in "Focus Ukraine", Wilson Center, November 2020, available at: <https://www.wilsoncenter.org/blog-post/new-era-gas-wars-between-ukraine-and-russia> .

<sup>208</sup> By late 2005, the \$50-80/mcm which the countries of the former Soviet Union were paying for Russian gas contrasted sharply with European border prices of 3-4 times that level. Stern J., *The Russian-Ukrainian gas crisis of January 2006*, Oxford Institute for Energy Studies, January 2006, available at: <https://www.oxfordenergy.org/wp-content/uploads/2011/01/Jan2006-RussiaUkraineGasCrisis-JonathanStern.pdf> .

must pay “European prices” of between \$160-230/mcm unless it was prepared to consider allowing Gazprom an equity stake in the transit pipeline network.” Gazprom also suggested that if Ukraine could not afford these higher prices, the company would extend loans and President Putin offered that the increase could be suspended for three months before the switch to market prices. In response to the Ukrainian refusal of these suggestions Gazprom cut off supplies on January 1<sup>st</sup>, 2006.<sup>209</sup> The fall in volumes delivered to European Union countries caused an outcry all over Europe.<sup>210</sup> Gazprom accused Ukraine of stealing gas from export pipelines and on January 2<sup>nd</sup>, Gazprom announced that it would pump an additional 95 million cubic metres per day into the network to compensate for Ukrainian withdrawals. By January 4<sup>th</sup>, Russian gas deliveries to Europe were back to normal levels and no EU country needed to interrupt supplies to customers because of the reduction of Russian supplies.<sup>211</sup> Then, Gazprom and Naftogaz announced an end to the dispute with the signing of a 5 year contract, with Ukraine agreeing to a price of \$95 per tcm and the introduction of intermediary RosUkrEnergo, which then became a source of conflict for successive agreements.<sup>212</sup> The situation calmed until October 2007,<sup>213</sup> when new disputes began over Ukrainian gas debts bringing the relations to become tense once again in the last months of 2008.

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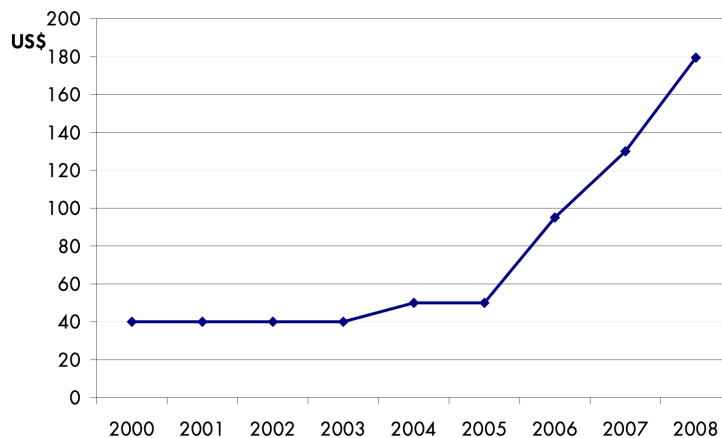
<sup>209</sup> Stern J., *The Russian-Ukrainian gas crisis of January 2006*, Oxford Institute for Energy Studies, January 2006, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2011/01/Jan2006-RussiaUkraineGasCrisis-JonathanStern.pdf>.

<sup>210</sup> By January 2, Hungary was reported to have lost up to 40% of its Russian supplies; Austrian, Slovakian and Romania supplies were said to be down by one third, France 25-30% and Poland by 14%. Italy reported having lost 32 million cubic metres, around 25% of deliveries, during January 1-3. German deliveries were also affected but no further details are known. Stern J., *The Russian-Ukrainian gas crisis of January 2006*, Oxford Institute for Energy Studies, January 2006, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2011/01/Jan2006-RussiaUkraineGasCrisis-JonathanStern.pdf>.

<sup>211</sup> Stern J., *The Russian-Ukrainian gas crisis of January 2006*, Oxford Institute for Energy Studies, January 2006, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2011/01/Jan2006-RussiaUkraineGasCrisis-JonathanStern.pdf>.

<sup>212</sup> Reuters Staff, *TIMELINE: Gas crises between Russia and Ukraine*, Reuters, January 2009, available at: <https://www.reuters.com/article/us-russia-ukraine-gas-timeline-sb-idUSTRE50A1A720090111>.

<sup>213</sup> Gazprom said Ukraine had accumulated over \$1.5 billion in debts for supplies in 2007, when it was paying \$130 per tcm, and after weeks of talks and contradictory statements from both sides, it halved supplies briefly at the beginning of March. Supplies were resumed after Naftogaz agreed to pay back the debt. Reuters Staff, *TIMELINE: Gas crises between Russia and Ukraine*, Reuters, January 2009, available at: <https://www.reuters.com/article/us-russia-ukraine-gas-timeline-sb-idUSTRE50A1A720090111>.



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Figure 7: Ukrainian Import Prices for Natural Gas 2000-2008 (US\$/mcm)

The gas dispute erupting in January 2009 was by far the most serious. First of all, in mid-December Gazprom stated that a debt of \$2.195 billion had accumulated. Naftogaz made a payment of \$800 million and promised that a further \$200 million would soon be paid, but it also stated that it no longer owed money to Gazprom.<sup>215</sup> The two sides failed, then, to agree a price for Russian gas supply to Ukraine and a tariff for the transit of Russian gas to Europe before previous agreements expired on 31 December 2008. Russian exports to Ukraine were cut off on 1 January leading to shortages of gas in multiple Eastern European countries. Exports to 16 EU member states and Moldova were drastically reduced on January 6<sup>th</sup> and cut completely from the next day. On January 5<sup>th</sup>, Gazprom claimed that during the first four days of the year Ukraine had stolen 65.3 mmcm of gas and called upon Ukraine to make this up by supplying from its own resources a corresponding volume on its western border.<sup>216</sup> Russia's reputation as a supplier and Ukraine's reputation as a transit country were seriously damaged. For 13 days gas was cut off completely to countries in south-eastern Europe being 100% dependent on Russian imports, and partially to other countries. The Russian and Ukrainian sides blamed each other and neither moved towards agreement. It is important to highlight how unprecedented this situation was as supplies to Europe had never been halted since the gas transit

<sup>214</sup> Graph Source: Institute for Economic Research and Policy Consulting, Kiev, [http://ier.org.ua/papers\\_en/v12\\_en.pdf](http://ier.org.ua/papers_en/v12_en.pdf), in Russian Analytical Digest, *The Russian-Ukrainian Gas Trade*, "The Russian-Ukrainian Gas Conflict", Center for Security Studies, ETH Zurich, January 2009, available at: <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/RAD-53.pdf>.

<sup>215</sup> Although it had to pay for November supplies before the end of 2008, no payment for December supplies would be due until the end of January 2009. Pirani S., Stern J., Yafimava K., *The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment*, Oxford Institute for Energy Studies, February 2009, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2010/11/NG27-TheRussoUkrainianGasDisputeofJanuary2009AComprehensiveAssessment-JonathanSternSimonPiraniKatjaYafimava-2009.pdf>.

<sup>216</sup> Pirani S., Stern J., Yafimava K., *The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment*, Oxford Institute for Energy Studies, February 2009, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2010/11/NG27-TheRussoUkrainianGasDisputeofJanuary2009AComprehensiveAssessment-JonathanSternSimonPiraniKatjaYafimava-2009.pdf>.

system was built in Soviet times.<sup>217</sup> On January 19<sup>th</sup>, the two sides signed an agreement to end the dispute, and the heads of Gazprom and Naftogaz signed supply and a transit contract, both covering the ten years period 2009–19. Gas flows to Europe restarted on the morning of January 20<sup>th</sup> and two days later were returning to normal levels.<sup>218</sup>

### 3.3.1 EU and NATO reactions

For what concerns the European Union, a great share of the member states was affected by these gas disputes, especially the January 2009 one. Therefore, despite its desire to remain on the sidelines, the Union felt obliged to engage in the bilateral issues. The European Commission, in close coordination with the Council Presidency, ensured coordination within the EU and facilitated contacts with the interested parties. In addition, to address the difficult access to the relevant information, a fact-finding mission composed of representatives of the Commission and the Czech Presidency was deployed to Kyiv and Moscow on January 4<sup>th</sup>. Later on, experts from the industry and the European commission were deployed in coordination with the European Gas Industry to monitor the gas flows. A monitoring mission, composed of European, Russian and Ukrainian experts, was also established and deployed on the 11-12 of January, without achieving any real objective.<sup>219</sup> However, these disputes have highlighted the need for the Union to address the problem with a long-term political action aimed at tackling the constrictions on gas imports from different points of view, with energy, foreign, and economic policies. Notwithstanding the loss of credibility of both Ukraine and Russia, supplies from Russia made up 42% of EU-27 gas imports. The EU had then put forward the idea of a pan-European energy community to enlarge and regulate the common market, establishing a legal

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<sup>217</sup> In 2006 the shortfalls in supplies to Europe resulted not from European supplies being completely halted, but from Ukraine being cut off and diverting a proportion of European volumes for its own use. Pirani S., Stern J., Yafimava K., *The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment*, Oxford Institute for Energy Studies, February 2009, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2010/11/NG27-TheRussoUkrainianGasDisputeofJanuary2009AComprehensiveAssessment-JonathanSternSimonPiraniKatjaYafimava-2009.pdf>.

<sup>218</sup> Pirani S., Stern J., Yafimava K., *The Russo-Ukrainian gas dispute of January 2009: a comprehensive assessment*, Oxford Institute for Energy Studies, February 2009, available at: <https://www.oxfordenergy.org/wpcms/wp-content/uploads/2010/11/NG27-TheRussoUkrainianGasDisputeofJanuary2009AComprehensiveAssessment-JonathanSternSimonPiraniKatjaYafimava-2009.pdf>.

<sup>219</sup> European Commission, *THE JANUARY 2009 GAS SUPPLY DISRUPTION TO THE EU: AN ASSESSMENT*, COMMISSION STAFF WORKING DOCUMENT, Accompanying document to the proposal for a Regulation of the European Parliament and of the Council concerning measures to safeguard security of gas supply and repealing Directive 2004/67/EC, July 2009, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52009SC0977&from=EN>; Pirani S., *The Russo-Ukrainian Gas Dispute, 2009*, in “The Russian-Ukrainian Gas Conflict”, Russian Analytical Digest, Center for Security Studies, ETH Zurich, January 2009, available at: <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-security-studies/pdfs/RAD-53.pdf>; Westphal K., *Europe Held Hostage?*, in “The Russian-Ukrainian Gas Conflict”, Russian Analytical Digest, Center for Security Studies, ETH Zurich, January 2009, available at: <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-security-studies/pdfs/RAD-53.pdf>.

foundation based on shared commercial and ecological norms, with incentives for states through new infrastructure projects.<sup>220</sup>

For what concerns NATO, some argue that the gas dispute of January 2009 was, indeed, an almost direct consequence of the pledge made by NATO at the Bucharest Summit in April 2008 that Ukraine and Georgia would eventually become NATO member states.<sup>221</sup> As a matter of fact, the Bucharest Summit declaration stated “NATO welcomes Ukraine’s and Georgia’s Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO. Both nations have made valuable contributions to Alliance operations. (...) Today we make clear that we support these countries’ applications for MAP. Therefore, we will now begin a period of intensive engagement with both at a high political level to address the questions still outstanding pertaining to their MAP applications.”<sup>222</sup> Notwithstanding the low support for NATO within Ukraine’s population, 2009 was seen as a decisive year for undertaking crucial steps in the path towards both NATO and EU integration. First the Georgia crisis in August 2008, in which Ukraine was accused by Russia of supporting Georgia, and then the second gas crisis highlighted the strong opposition of Russia for Ukraine’s aspirations of NATO membership.<sup>223</sup> Nevertheless, following the crisis, in August 2009, NATO and Ukraine took their relationship to a higher level by the signing of a Declaration to Complement the Charter on a Distinctive Partnership between NATO and Ukraine. This declaration actually gave the NATO-Ukraine Commission a primary role in the process launched at Bucharest deepening political dialogue and cooperation between the parties and also underpinning Ukraine’s reform efforts.<sup>224</sup>

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<sup>220</sup> Westphal K., *Europe Held Hostage?*, in “The Russian-Ukrainian Gas Conflict”, Russian Analytical Digest, Center for Security Studies, ETH Zurich, January 2009, available at: <https://css.ethz.ch/content/dam/ethz/special-interest/gess/cis/center-for-securities-studies/pdfs/RAD-53.pdf>.

<sup>221</sup> This statement represented the first time that the Alliance made a prediction about any nations’ future membership status, and did so in a way that is inconsistent with the known practices of NATO enlargement. For what concerns Georgia, this would have brought to the Russia- Georgia crisis of 2008. Lazarević D., *NATO Enlargement to Ukraine and Georgia: Old Wine in New Bottles?*, in “Connections”, Vol. 9, No. 1, Winter 2009, pp. 29-66, available at: [https://www.jstor.org/stable/pdf/26326193.pdf?refreqid=excelsior%3Adf122a9c0f1dd856d6cddbffa8f5172&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/26326193.pdf?refreqid=excelsior%3Adf122a9c0f1dd856d6cddbffa8f5172&ab_segments=&origin=&acceptTC=1).

<sup>222</sup> North Atlantic Treaty Organization, *Bucharest Summit Declaration*, Press Release, April 2008, available at: [https://www.nato.int/cps/en/natolive/official\\_texts\\_8443.htm](https://www.nato.int/cps/en/natolive/official_texts_8443.htm).

<sup>223</sup> Lazarević D., *NATO Enlargement to Ukraine and Georgia: Old Wine in New Bottles?*, in “Connections”, Vol. 9, No. 1, Winter 2009, pp. 29-66, available at: [https://www.jstor.org/stable/pdf/26326193.pdf?refreqid=excelsior%3Adf122a9c0f1dd856d6cddbffa8f5172&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/26326193.pdf?refreqid=excelsior%3Adf122a9c0f1dd856d6cddbffa8f5172&ab_segments=&origin=&acceptTC=1).

<sup>224</sup> North Atlantic Treaty Organization, *NATO and Ukraine strengthen their cooperation*, Press Release, August 2009, available at: [https://www.nato.int/cps/en/natohq/news\\_57028.htm](https://www.nato.int/cps/en/natohq/news_57028.htm).



### 3.4 2014's Revolution and the Russian annexation of Crimea

Considering what has been highlighted above, by 2013 there was little or no doubt about Russia's views on the rapprochement between Ukraine and both the EU and NATO. The Kremlin perceived EU and NATO penetration into the near abroad as a direct threat to Russian interests, and this had been strongly proved by the events taking place from 2004.<sup>225</sup> The European Union started to negotiate an Association Agreement (AA) with Ukraine in 2007 and a Deep and Comprehensive Free Trade Area (DCFTA) in 2008. In 2010 Viktor Yanukovich replaced Yushchenko as president, therefore many were surprised that the path towards a closer association with the EU went on. At the same time, the Eurasian Customs Union came into force in 2010,<sup>226</sup> and Moscow put pressure on Ukraine to join. Yanukovich signed up as an observer in the Customs Union in the summer of 2013, while in 2012 Ukraine initiated the AA and DCFTA with the EU,<sup>227</sup> but both the EU and Russia presented the issue as a zero-sum choice.<sup>228</sup> On the 21<sup>st</sup> of November 2013, the Ukrainian president announced that the negotiation of the AA and DCFTA with the EU would be suspended. This declaration shocked the European leaders, but most importantly the Ukrainian public. It is indeed the reaction of the Ukraine public that led to the Euromaidan protests of 2013, within which the Ukrainian

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<sup>225</sup> Hill W., *No Place for Russia European Security Institutions Since 1989*, Columbia University Press, 2018, available at: <https://www.perlego.com/book/773786/no-place-for-russia-european-security-institutions-since-1989-pdf>.

<sup>226</sup> Within the customs union, most internal trade has been liberalised (bar certain sectors like sugar, tobacco, alcohol or rice) and since July 2011, border controls between its members have largely disappeared. Members established a common external trade tariff in January 2010 and about 85% of import duties. Since 2012, the customs union has been run by a 'Eurasian Economic Commission', expected to become the centrepiece of the Eurasian Union. This body sets key rules for the customs union and is tasked with handling Russia's trade relations with third countries and relations with the World Trade Organization (WTO) on behalf of all three partners. Designed with the hope of eventually guaranteeing the free movement of capital and labour, the Eurasian Union is expected to have a say in the macroeconomic, financial, competition and energy policies of its members. The Commission is also in charge of harmonising the bloc's technical and sanitary standards, as the absence of shared and mutually recognised standards has proven to be a major obstacle to further economic integration. Dreyer I., Popescu N., *The Eurasian Customs Union: The economics and the politics*, European Union Institute for Security Studies, March 2014, available at: [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief\\_11\\_Eurasian\\_Union.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_11_Eurasian_Union.pdf).

<sup>227</sup> As the Vilnius Eastern Partnership Summit approached, the greatest obstacle to signing these agreements seemed to be Yanukovich's continuing reluctance, despite growing pressure from Brussels and other EU capitals. The Vilnius Summit in November 2013 was a critical turning point for the EU to assess its EaP policy's effectiveness, potential and regional challenges. Hill W., *No Place for Russia European Security Institutions Since 1989*, Columbia University Press, 2018, available at: <https://www.perlego.com/book/773786/no-place-for-russia-european-security-institutions-since-1989-pdf>.

<sup>228</sup> EU officials told Yanukovich that membership in the Customs Union would be incompatible with an AA and DCFTA. Putin replied bluntly: "We are... warning in advance and saying: we understand all this, it's your choice, go ahead if you want to, but keep in mind that we will somehow have to protect our market and introduce protective measures. We are saying this openly and in advance, so that afterwards you will not accuse us of interfering with anyone or questioning another country's sovereign right to decide in favor of the EU." In addition, Russia exerted intense pressure on Yanukovich through trade sanctions, banning the import of Ukrainian goods or their transit over its territory to China. It also threatened Ukraine's security, fomenting unrest in the east of Ukraine and Crimea. Hill W., *No Place for Russia European Security Institutions Since 1989*, Columbia University Press, 2018, available at: <https://www.perlego.com/book/773786/no-place-for-russia-european-security-institutions-since-1989-pdf>; Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations>.

people took the streets as they perceived Yanukovich's decision as a betrayal by a deeply corrupt and incompetent government.<sup>229</sup> Having lost all legitimacy, the support of ruling elites and of his own political party, Yanukovich fled to Russia in February 2014. The interim government that followed this pro-Western revolution and the flee of the former president eventually signed a trade agreement with the European Union, seen as a first step towards membership.

These events were pivotal factors in the Russian annexation of Crimea<sup>230</sup> in 2014. As a matter of fact, Moscow was not really expecting the events that occurred in Ukraine after the declaration of suspension of the AA with the EU. The response of the government towards the protesters in the Euromaidan square turned violent<sup>231</sup> and, as already highlighted, the president left the country together with many of the ruling elite. Then, Russia responded with two separate and concurrent military operations, striking while Ukraine was vulnerable with a temporary government and unprepared military. First, Moscow chose to invade and annex Crimea in between February and early March 2014. At the same time, Russia fomented a political protest movement that quickly escalated into a violent insurgency in Eastern Ukraine between February and May.<sup>232</sup>

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<sup>229</sup> Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/background/ukraine-conflict-crossroads-europe-and-russia> .

<sup>230</sup> As a result of the Ottoman-Russian wars, starting from the 18th century Crimea became a Russian colony and was part of the Russian Empire and then the Soviet Union for about 168 years. In October 1921, the Crimean Autonomous Soviet Socialist Republic was proclaimed as a legal unit of the RSFSR. One year later, in 1922, Crimea became part of the Soviet Union. Until the dissolution of the Soviet Union, the region remained within the USSR. In February 1954, based on a decree issued by the Presidium of the Supreme Soviet of the USSR, Crimea was transferred from the Crimean Oblast of the RSFSR to the Ukrainian Soviet Republic. The transfer was a symbolic gesture marking the 300th anniversary of Ukraine belonging to the Russian Empire. The transfer did not have any legal basis. Following the referendum held in Ukraine in February 1991, the status of the Crimean oblast was changed to an autonomous republic within Ukraine. Ismayilov E., *Russia's military interventions in Georgia and Ukraine: interests, motives, and decision-making*, Academica Press, 2021, available at: <https://www.perlego.com/book/2434679/russias-military-interventions-in-georgia-and-ukraine-interests-motives-and-decisionmaking-pdf> .

<sup>231</sup> Over a hundred people were shot by police snipers in the last days of the protests in Kyiv's central streets.

<sup>232</sup> Kofman M., Migacheva K., Nichiporuk B., Radin A., Tkacheva O., Oberholtzer J., *Lessons from Russia's Operations in Crimea and Eastern Ukraine*, RAND Corporation, 2017, pp.1-2.



Russia first invaded Ukraine when it annexed Crimea, starting its operation on the 22/23<sup>rd</sup> of February 2014, the details of the operation are displayed in figure 8. 30,000 troops without insignia<sup>233</sup> were deployed to seize control of the region, its infrastructures and to stage a referendum to legitimize the occupation.<sup>234235</sup> Russia annexed Ukraine with almost no direct casualties.<sup>236</sup> Putin spoke in the Kremlin on the 18<sup>th</sup> of March 2014 about how “in people’s hearts and minds, Crimea has always been an inseparable part of Russia” and by March 26, the annexation was essentially complete. This reflects the focus of creating the conditions for those parts of Russia separated from the mother country to return and make Russia a whole again.<sup>237</sup>



RAND RR1498-2.1

Figure 8: Map of Crimea and Russian Operations, March 2014

<sup>233</sup> Russian special operations forces engaged in nonlinear/hybrid warfare are known euphemistically as zelonyye chelovechki or “green men”. According to President Vladimir Putin, they are in fact members of “self-defence groups” organised by the locals who bought all their uniforms and hardware in a shop. Shevchenko V., “Little green men” or “Russian invaders”?, BBC News, March 2014, available at: <https://www.bbc.com/news/world-europe-26532154>.

<sup>234</sup> The Crimean “self-defense” militias seized government buildings, air bases, and military installations. On March 11, 2014, a joint resolution between Sevastopol and the Supreme Council of Crimea declared their intention to hold a referendum to join Russia. On March 18, 2014, a treaty was signed to incorporate all of Crimea, including Sevastopol, into the Russian Federation. The United States Army Special Operations Command, “Little Green Men”: A Primer on Modern Russian Unconventional Warfare, Ukraine 2013–2014, Johns Hopkins University Applied Physics Laboratory by the National Security Analysis Department, 2015, available at: [https://www.jhuapl.edu/Content/documents/ARIS\\_LittleGreenMen.pdf](https://www.jhuapl.edu/Content/documents/ARIS_LittleGreenMen.pdf).

<sup>235</sup> The referendum was held on March 16. Voters were offered two choices, neither of which was to maintain the existing situation: 1 Are you in favor of the reunification of Crimea with Russia as a part of the Russian Federation? 2 Are you in favor of restoring the 1992 Constitution and the status of Crimea as a part of Ukraine? The turnout and vote figures that were released officially, 83 percent turnout with 95.5 percent in favor of annexation by Russia, were almost certainly false. D’Anieri P., *Ukraine and Russia: From Civilized Divorce to Uncivil War*, Cambridge University Press, November 2019, pp.228-229.

<sup>236</sup> During the Russian annexation of Crimea from 23 February through 19 March 2014, six people were killed, including three protesters (two pro-Russian and one pro-Ukrainian), two Ukrainian soldiers and one Russian Cossack paramilitary.

<sup>237</sup> Rasmussen M.V., Struwe L.B., Hoffman R., Pradhan-Blach F., Kidmose J., Breitenbauch H., Kristensen K.S., Dahl A.S., *The Ukraine Crisis and the End of the Post-Cold War European Order: Options for NATO and the EU*, Centre for Military Studies, 2014.



**Figure 9: The Russian-Ukrainian Frontline**

As a matter of fact, the offensive then moved to the region of Eastern Ukraine, as shown in figure 9. In April, Russian-backed separatist rebels seized some towns in predominantly Russian-speaking regions of Donetsk and Luhansk. Armed conflict in the region quickly broke out between Russian-backed forces and the Ukrainian military, heightening ethnic divisions. Russian special forces, together with local militias in Donetsk and Luhansk, declared the independent “people’s republics” leading to open military conflict with Ukrainian armed forces. Pro-Russian insurgents in the two regions declared themselves independent nations following the referendums on self-rule that

<sup>238</sup> Figure 8: Kofman M., Migacheva K., Nichiporuk B., Radin A., Tkacheva O., Oberholtzer J., *Lessons from Russia's Operations in Crimea and Eastern Ukraine*, RAND Corporation, 2017, p. 7.

<sup>239</sup> Figure 9: Canali L., *La linea del fronte russo-ucraino*, Limes, October 2021, available at: <https://www.limesonline.com/carta-ucraina-donbas-guerra-linea-del-fronte-russia/124542>.

Ukraine's ruling government and other countries in the west deemed illegitimate.<sup>240</sup> On May 22<sup>nd</sup>, rebels from the Donetsk and Luhansk regions announced the establishment of New Russia, an area including southern and eastern Ukraine. President Vladimir Putin insisted that Russia was not invading eastern Ukraine and denied any military involvement, but there were no doubts that Russian soldiers, tanks, and self-propelled artillery had been crossing the border. The conflict soon transitioned to an active stalemate in the form of a persistent hybrid war, with regular episodes of bombings, fighting along the front line separating Russian and Ukrainian controlled borders in the region.<sup>241</sup> Between 2014 and 2021 the conflict cost Ukraine more than \$10 billion, caused 14,000 deaths, and left Donbas the most land mined area in Europe.<sup>242</sup> Diplomatic efforts started in 2014 and 2015 through the Minsk agreements, involving Russia, Ukraine and the Organization for Security and Co-operation in Europe (OSCE) with Germany and France acting as mediators.<sup>243</sup>

### 3.4.1 Western response

The order of Russia's President Putin for Russian troops to enter Crimea as a response to the Ukrainian revolution marked for many Western countries the end of the Post- Cold War period and, most importantly, the beginning of a new epoch of security policy, in particular, in European history.<sup>244</sup> From an international law point of view, the majority of the international community has called upon states not to recognize changes in the status of the Crimea region. Within the United Nations General Assembly (UNGA) resolution of 27 March 2014, 100 states, including all Western states, out of the United Nations' 193 member states affirmed the territorial integrity of Ukraine, comprehensive of Crimea. Considering the non-binding character of General Assembly's resolutions, this majority expressed the predominant opinion of the international community,<sup>245</sup> seeing the

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<sup>240</sup> The Associated Press reports that according to organizers roughly 89% of voters in the Donetsk province and 96% of voters in the nearby Luhansk province supported independence. Feeney N., *Pro-Russia Insurgents Declare Independence in Eastern Ukraine*, The Time, May 2014, available at: <https://time.com/96102/ukraine-donetsk-independence-russia/> .

<sup>241</sup> Fisher M., *Everything you need to know about the 2014 Ukraine crisis*, Vox, September 2014, available at: <https://www.vox.com/2014/9/3/18088560/ukraine-everything-you-need-to-know> .

<sup>242</sup> In the summer of 2014, Malaysia Airlines flight 17 was shot down by a Russia-supplied surface to air missile operated by pro-Russia separatists. Almost 300 passengers and crew were killed. Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations> .

<sup>243</sup> The agreement framework included provisions for a cease-fire, withdrawal of heavy weaponry, and full Ukrainian government control throughout the conflict zone. However, efforts to reach a diplomatic settlement and satisfactory resolution were largely unsuccessful. Fisher M., *Everything you need to know about the 2014 Ukraine crisis*, Vox, September 2014, available at: <https://www.vox.com/2014/9/3/18088560/ukraine-everything-you-need-to-know> .

<sup>244</sup> Rasmussen M.V., Struwe L.B., Hoffman R., Pradhan-Blach F., Kidmose J., Breitenbauch H., Kristensen K.S., Dahl A.S., *The Ukraine Crisis and the End of the Post-Cold War European Order: Options for NATO and the EU*, Centre for Military Studies, 2014.

<sup>245</sup> Only 11 states voted against the resolution, 58 abstained and 24 remained absent. Thus, a considerable number of UN member states, including China, avoided a direct answer regarding the question of illegality. Therefore, the UNGA vote also demonstrates a certain fragmentation of the international community along geopolitical lines and alliances. Mälksoo

annexation of Crimea as illegal and as a major violation of international law.<sup>246</sup> Following this position, the Western countries, and in particular the EU and NATO, responded to annexation of Crimea through different means.

### 3.4.2 European Union's response

The 2014 crisis and the illegal annexation of Crimea was considered a wake-up call, forcing the European Union to strongly reconsider and re-examine the relations with Russia and those in their shared neighbourhood.<sup>247</sup> In response to the events taking place since February 2014, the EU adopted a number of statements condemning Russia's actions and, moreover, the member states agreed on a set of sanctions to impose on Russia. In early March 2014, the President of the European Commission and President of the European Council together with the G7 leaders decided to suspend the participation in the preparation of the G8 summit, which was to be held in Russia later in the year and which was then canceled. An extraordinary meeting of the EU's political leaders was held on the 6<sup>th</sup> of March issuing a joint statement condemning Russia's "unprovoked violation of Ukrainian sovereignty and territorial integrity"<sup>248</sup> and calling for the immediate withdrawal of Russian forces. They also considered the decision of the Supreme Council of the Autonomous Republic of Crimea of holding "a referendum on the future status of the territory" as "contrary to the Ukrainian Constitution and therefore illegal". Bilateral talks with the Russian Federation on visa matters and on a comprehensive new Agreement aimed to replace the existing Partnership and Cooperation Agreement<sup>249</sup> were suspended.<sup>250</sup>

The European Union's response, then, was articulated in a three-stage sanctions mechanism encompassing first diplomatic sanctions, discussed above, secondly targeted measures against

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L., *The Annexation of Crimea and Balance of Power in International Law*, in "The European Journal of International Law" Vol. 30 no. 1, Oxford University Press, 2019, available at: <http://www.ejil.org/pdfs/30/1/2964.pdf>.

<sup>246</sup> Mälksoo L., *The Annexation of Crimea and Balance of Power in International Law*, in "The European Journal of International Law" Vol. 30 no. 1, Oxford University Press, 2019, available at: <http://www.ejil.org/pdfs/30/1/2964.pdf>.

<sup>247</sup> Guildford M.D., *EU–Russia Relations: Effects of the 2014 Ukraine Crisis*, in RUSSIAN ANALYTICAL DIGEST No. 158, December 2014.

<sup>248</sup> Council of the European Union, *COUNCIL REGULATION (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*, March 2014, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A32014R0269>.

<sup>249</sup> The EU-Russia Partnership and Cooperation Agreement had been in force since 1997.

<sup>250</sup> Council of the European Union, *COUNCIL REGULATION (EU) No 269/2014 of 17 March 2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine*, March 2014, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A32014R0269>; Fella S., *The EU response to the Russian invasion of Ukraine*, Commons Library Research Briefing, March 2022, available at: <https://researchbriefings.files.parliament.uk/documents/CBP-9503/CBP-9503.pdf>.

individuals and legal entities, including travel bans and freezing of assets in the European Union, and lastly, sectoral economic sanctions. EU foreign ministers agreed a package of restrictive measures against officials with a role in threatening the territorial integrity of Ukraine. The list of persons and entities subject to sanctions was progressively expanded throughout 2014. In July, additional sanctions including the restricted access to capital markets, embargoes on the import and export of arms and related material, and export bans for dual use goods for military end users and of certain energy-related equipment and technology, were adopted against the Russian Federation. Further trade and investment restrictions were also placed on Crimea and Sevastopol resulting in their complete economic isolation from the European Union. In March 2015, the European Council agreed to link the duration of sanctions to the complete implementation of the Minsk ceasefire agreements, which were then prolonged several times between 2016 and 2021. By October 2021, EU restrictive measures applied to a total of 185 persons and 48 entities, and in January 2022, the sanctions imposed in 2014 were extended for a further six months until the end of July 2022.<sup>251</sup>

In addition to the diplomatic and economic sets of sanctions, the European Union approved proposals aimed at providing economic and financial support to Ukraine, including a decision providing up to €1bn in macro-financial assistance to support economic stabilization and reform. A regulation for granting unilateral trade preferences and the temporary reduction or elimination of customs duties before the implementation of the EU-Ukraine association agreement was also adopted. In December 2014, the EU Advisory Mission Ukraine (EUAM Ukraine) was created, and international advisors were brought to the country from Europe. The Ukrainian government reached out to the EU for support to reform law enforcement, the rule of law institutions and to re-establish trust with the people. EUAM has worked to advance a sustainable reform of the civilian security sector, giving strategic advice and practical support according to EU standards and international principles of good governance and human rights.<sup>252</sup>

On the whole, the EU has been very gradual in its roll-out of sanctions, in an attempt to leave the door open for negotiations, even giving at first a one-week ultimatum to change course in Ukraine

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<sup>251</sup> Fella S., *The EU response to the Russian invasion of Ukraine*, Commons Library Research Briefing, March 2022, available at: <https://researchbriefings.files.parliament.uk/documents/CBP-9503/CBP-9503.pdf> ; Fischer S., *European Union Sanctions Against Russia*, Stiftung Wissenschaft und Politik German Institute for International and Security Affairs, March 2015, available at: [https://www.swp-berlin.org/publications/products/comments/2015C17\\_fhs.pdf](https://www.swp-berlin.org/publications/products/comments/2015C17_fhs.pdf) .

<sup>252</sup> The EUAM mandate is implemented according to three pillars of activity: Strategic advice on civilian security sector reform, in particular, the need to develop civilian security strategies; Support for the implementation of reforms through the delivery of practical advice, training and other projects; And cooperation and coordination ensure that reform efforts are coordinated with Ukrainian and international actors. European Union External Action Service, *About Us*, EUAM Ukraine, available at: <https://www.euam-ukraine.eu/our-mission/about-us/> .



or face tougher sanctions.<sup>253</sup> The sanctions had, indeed, diverse effects on the political, economic and social situation in Russia, even if it has been stated that “Russia has enough of a buffer to weather a 2-3 year financial storm, and Moscow appears to be betting that it will blow over relatively soon”<sup>254</sup>, therefore being ready to absorb the shock of even tougher sanctions. Despite the sanctions, in fact, Russia was still deeply involved in Ukraine and stepped up its military engagement in the Donbas even after the restrictive measures were announced. European Union’s sanctions remained soft and were rather limited to some sectors and focused on specific individuals. This was aimed at limiting potential collateral damage and it did not really have significant impact apart from on the Russian firms and individuals specifically targeted.<sup>255</sup>

### 3.4.3 NATO’s response

For what concerns NATO’s response, NATO Secretary General Rasmussen referred to Russia’s military aggression as “the most serious crisis in Europe since the fall of the Berlin Wall,” and declared that NATO can “no longer do business as usual with Russia.”<sup>256</sup> NATO strongly condemned Russian actions in Ukraine and took steps aimed both at reassuring allies and partners in Central and Eastern Europe and at deterring further Russian aggression. The Alliance then focused on actions demonstrating its support for Ukraine and its territorial integrity, assuring the continuation of previously planned military exercises in Ukraine and elsewhere in the region. The focus of NATO support was based on four areas: rehabilitation for injured troops, cyber defence, logistics, and command and control and communications. Alliance’s assistance to boost cooperation with Ukraine came to around 15 million euros.<sup>257</sup> NATO, however, did not provide lethal military aid, arguing that such assistance could lead to a further escalation of the conflict, but Secretary General Rasmussen announced the creation of several new NATO trust fund to help develop Ukrainian defense

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<sup>253</sup> The EU has given Putin’s Russia one week of grace to change the game. In a similar vein, some EU diplomats in Brussels have said that the European Council gave the Commission and the EEAS one week to do an “impact assessment” of the sanctions war on EU economies before going further. This should have given EU countries’ experts time to haggle over the details of the EU measures. Blockmans S., *How should the EU respond to Russia's war in Ukraine?*, Centre for European Policy Studies, September 2014, available at: [https://www.ceps.eu/wp-content/uploads/2014/09/EU%20Response%20to%20Russia%20over%20Ukraine%20CEPS%20Commentary%20S%20Blockmans\\_0.pdf](https://www.ceps.eu/wp-content/uploads/2014/09/EU%20Response%20to%20Russia%20over%20Ukraine%20CEPS%20Commentary%20S%20Blockmans_0.pdf).

<sup>254</sup> Dreyer I., Popescu N., *Do sanctions against Russia work?*, European Union Institute for Security Studies, December 2014, available at: [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief\\_35\\_Russia\\_sanctions.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_35_Russia_sanctions.pdf).

<sup>255</sup> Bělín M., Hanousek J., *Making sanctions bite: The EU–Russian sanctions of 2014*, VoxEU CEPR, April 2019, available at: <https://voxeu.org/article/making-sanctions-bite-eu-russian-sanctions-2014>.

<sup>256</sup> Belkin P., Mix D.E., Woehrel S., *NATO: Response to the Crisis in Ukraine and Security Concerns in Central and Eastern Europe*, Congressional Research Service, July 2014, available at: <https://sgp.fas.org/crs/row/R43478.pdf>.

<sup>257</sup> North Atlantic Treaty Organization, *NATO leaders pledge support to Ukraine at Wales Summit*, September 2014, available at: [https://www.nato.int/cps/en/natohq/news\\_112459.htm](https://www.nato.int/cps/en/natohq/news_112459.htm).

capacity.<sup>258</sup> Moreover, NATO announced the suspension of all practical civilian and military cooperation with Russia in the framework of the NATO- Russia Council, without, anyway, interrupting the political dialogue. Since 2016, all these efforts have been organised within a Comprehensive Assistance Package including a wide range of capacity-building programmes and trust funds, focused in key areas like cyber defence, logistics and countering hybrid warfare.<sup>259</sup>

The key driver in these NATO's actions has been the United States, taking additional military measures to reassure its allies and partners. These included "the deployment of U.S. fighter jets and 600 paratroopers to Poland and the Baltic states, and U.S. naval vessels to the Black and Baltic Seas".<sup>260</sup> In addition, there was a proposal from the Obama Administration for a European Reassurance Initiative (ERI), which would have enabled augmented U.S. troop rotations and military infrastructure in Central and Eastern Europe.<sup>261</sup> The Ukrainian government was also supplied with some nonlethal military assistance, \$1 billion loan guarantee and \$150 million in financial assistance.

Notwithstanding these elements, there had been criticism calling for more robust forward or permanent deployment of U.S. and NATO forces in Central and Eastern Europe to reassure allies and deter Russia, with additional military exercises in the region, military assistance to Ukraine in the form of military training and anti-tank and anti-aircraft weapons. Leaders in Poland and the Baltic State advocated for permanent NATO troop deployments on their territories. Other allies, on the contrary, cautioned against a further militarization of NATO relations with Russia, also considering NATO's 1997 pledge to refrain from permanently stationing substantial combat forces in countries that joined NATO after the collapse of the Soviet Union. Nonetheless, at the 2016 NATO Summit in Warsaw, member states agreed to enhance NATO's forward presence in the east and southeast of the Alliance through the enhanced forward presence, made of four multinational battalion-size battlegroups in Estonia, Latvia, Lithuania and Poland, on a rotational basis.<sup>262</sup>

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<sup>258</sup> Belkin P., Mix D.E., Woehrel S., *NATO: Response to the Crisis in Ukraine and Security Concerns in Central and Eastern Europe*, Congressional Research Service, July 2014, available at: <https://sgp.fas.org/crs/row/R43478.pdf> .

<sup>259</sup> North Atlantic Treaty Organization, *NATO's response to Russia's invasion of Ukraine*, April 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_192648.htm](https://www.nato.int/cps/en/natohq/topics_192648.htm) .

<sup>260</sup> Belkin P., Mix D.E., Woehrel S., *NATO: Response to the Crisis in Ukraine and Security Concerns in Central and Eastern Europe*, Congressional Research Service, July 2014, available at: <https://sgp.fas.org/crs/row/R43478.pdf> .

<sup>261</sup> In June 2014, the Obama Administration requested congressional approval for \$925 million in the Department of Defense's FY2015 Overseas Contingency Operations (OCO) budget to fund the ERI.

<sup>262</sup> These battlegroups, led by the United Kingdom, Canada, Germany and the United States respectively, are robust and combat-ready forces. This military presence is defensive, proportionate and in line with international commitments. It represents a significant commitment by Allies and is a tangible reminder that an attack on one is an attack on all. North Atlantic Treaty Organization, *NATO's military presence in the east of the Alliance*, March 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_136388.htm](https://www.nato.int/cps/en/natohq/topics_136388.htm) .



This crisis heightened concerns for the future direction and scope of the transatlantic security relationship. A reassessment of the transatlantic community's progress towards the goal of a Europe "whole, free, and at peace" was called for. Questions about NATO's commitment and capacity to defend its member states and about the nature of the alliance's relationship with Russia were raised and were actually the basis for both the Wales Summit of September 2014, but most importantly for the Warsaw Summit of 2016, which was pivotal in the definition of the future of NATO's path and its cooperation relationship with the European Union.

#### **3.4.4 EU-NATO cooperation in face of the crisis**

It can be stated without any doubts, then, that the Ukraine crisis and the Crimea's illegal annexation by Russia strongly hit both NATO and the EU and forced them to reconsider their security assets and relations in Europe. The ultimate response from the EU and NATO was a combination of two sets of decisions of rather different nature, with, on one side, the EU creating the Normandy Format,<sup>263</sup> adopting economic sanctions, and deploying a reform-mandated mission within the civilian security sector; on the other, NATO providing security and deterrence to the Allies bordering Ukraine through improving its defence and deterrence. The real momentum for deepening EU-NATO cooperation stemmed from the crisis in Ukraine. The situation obliged both organizations to act, limited coordination to achieve a common strategic purpose was indeed set in place reaching overall reasonably well coordinated and complementary responses. However, exactly from this limited cooperation, the need to do more together to reach strategic results in the future became evident. 2014 opened a window of opportunity to further develop EU-NATO cooperation, even if it was the international system that forced both the EU and NATO to cooperate more.<sup>264</sup>

The December 2013 European Council dedicated to European defence and priority actions for stronger cooperation and the 2014 NATO Wales Summit clearly highlighted that both players were conscious of the urgent need to adjust their strategic sense of direction and capabilities to the newly emerging geopolitical realities.<sup>265</sup> At the 2014 Wales Summit, NATO recognised explicitly and substantively the role of the NATO-EU strategic partnership in all its dimensions, from the political dialogue between organisations to the complementarity of European operations and initiatives in

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<sup>263</sup> The Normandy format is a diplomatic grouping created in June 2014 with the aim of finding a peaceful resolution to the conflict following Russia's military aggression.

<sup>264</sup> Shevchuk S., *Closer EU-NATO cooperation: Overcoming political deadlock through the development of modus operandi*, Atlantic Forum, September 2020, available at: [https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#\\_ednref](https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#_ednref).

<sup>265</sup> Duke S., Vanhoonacker S., *EU-NATO relations*, in Chappell L., Mawdsley J., Petrov P., "The EU, Strategy and Security Policy", Taylor and Francis, 2016.

different realms. This marked a more relevant and important progress with NATO-EU cooperation than in the previous two decades. As already highlighted in this work, this agreement on furthering NATO and EU cooperation brought, in the margins of the NATO Summit in Warsaw 2016, the President of the European Council, the President of the European Commission, and the Secretary General of NATO to sign a historic Joint Declaration outlining seven areas for intensified cooperation recognizing the crucial nature of this partnership.<sup>266</sup> It can be said, indeed, that even if the measures adopted by the two organizations in this framework were complementary but not totally aligned and still highlighted fault lines between two, the enhancement of EU-NATO cooperation started exactly from the needs arising from their responses. The achievements resulted in the outlined areas of cooperation, as joint efforts to address hybrid threats, reinforce cybersecurity, and improve military mobility, and overall EU-NATO cooperation have been strengthened by the processes, dynamics and major crises, in particular the 2014 Ukraine crisis affecting both the EU and NATO.<sup>267</sup>

### 3.5 The 2022 Russian invasion of Ukraine

On February 24, 2022, Russia launched a full-scale military invasion of Ukraine. Fighting in the country has caused, until now, more than three thousand civilian deaths<sup>268</sup> and internally displaced more than seven million people. However, the path towards the invasion started much before. In October 2021, Russia began moving troops and military equipment near its border with Ukraine, and intelligence from November and December 2021 showed heavy weaponry moving toward Ukraine with no official explanation. By December, more than one hundred thousand Russian troops were in place near the Russia-Ukraine border. Following these events Russia's foreign ministry issued a series of requests, calling for the United States and NATO to cease any military activity in Eastern Europe and Central Asia, to commit against further NATO expansion towards Russia, and to prevent Ukraine from joining NATO in the future.<sup>269</sup> These demands were rejected and warnings about the imposition

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<sup>266</sup> The Joint Declaration of 2016 was a political intention expressed by institutional leaders and did not commit member state governments to its implementation. Only later, in December 2016, did the respective Councils within both organisations adopt conclusions to implement the Joint Declaration. Following the first Joint Declaration, there was a second Joint Declaration signed in 2018. Shevchuk S., *Closer EU-NATO cooperation: Overcoming political deadlock through the development of modus operandi*, Atlantic Forum, September 2020, available at: [https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#\\_ednref](https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#_ednref); Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin.

<sup>267</sup> Shevchuk S., *Closer EU-NATO cooperation: Overcoming political deadlock through the development of modus operandi*, Atlantic Forum, September 2020, available at: [https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#\\_ednref](https://atlantic-forum.com/content/closer-eu-nato-cooperation-overcoming-political-deadlock-through-development-modus-operandi#_ednref); Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin.

<sup>268</sup> The number of civilian casualties is thought to be higher than reported since different mass graves were discovered.

<sup>269</sup> Some Western analysts see Russia's 2022 invasion as the culmination of the Kremlin's growing resentment toward NATO's post-Cold War expansion into the former Soviet sphere of influence. Russian leaders, including Putin, have

of extreme severe sanctions in case of invasion were issued. In addition, the US sent additional military assistance to Ukraine, including ammunition, small arms, other defensive weaponry and three thousand US troops were deployed to Poland and Romania to counter Russian troops stationed near the borders with Ukraine<sup>270</sup> and reassure NATO allies. In parallel with these events, negotiations started to take place between the United States, Russia, and European powers as France and Germany, which, nonetheless, did not result in a resolution. After weeks of tensions, President Putin, on the 21<sup>st</sup> of February 2022, recognized the non-government controlled areas of the Donetsk and Luhansk regions as independent entities and to send Russian troops into those areas.



Fonte: Liveuamap e autori di Limes aggiornata al 25 aprile 2022 ore 19

271

Figure 10: Russia's Invasion

Few days later, Russia announced the start of a “special military operation” launching a full-scale land, sea, and air invasion targeting Ukrainian military assets and cities across the country. The graphic representation of the Russian invasion is displayed in figure 10. Russian forces attacked from Donbas, Crimea and neighbouring Belarus. Their initial objective was to install a Russian puppet

alleged that the United States and NATO repeatedly violated pledges they made in the early 1990s to not expand the alliance into the former Soviet bloc. They view NATO’s enlargement during this tumultuous period for Russia as a humiliating imposition about which they could do little but watch. Masters J., *Ukraine: Conflict at the Crossroads of Europe and Russia*, Council on Foreign Relations, April 2022, available at: <https://www.cfr.org/backgrounder/ukraine-conflict-crossroads-europe-and-russia> .

<sup>270</sup> Satellite imagery showed the largest deployment of Russian troops to its border with Belarus since the end of the Cold War. Center for Preventive Action, *Conflict in Ukraine*, in “Global Conflict Tracker”, Council on Foreign Relations, May 2022, available at: <https://www.cfr.org/global-conflict-tracker/conflict/conflict-ukraine> .

<sup>271</sup> Map: Liveuamap and Limes’ authors, updated to the 25<sup>th</sup> of April 2022 at 7pm. Limes, *Il caso Putin*, April 2022, p. 9.

government in Kyiv, which soon failed as Ukrainian resistance was prepared, organized and effective with the whole nation mobilizing against the invading force.<sup>272</sup> The United Nations, G7, the EU and other countries condemned from the beginning Russian actions and supported Ukrainian forces. On the 2<sup>nd</sup> of March, in an emergency UN Session, 141 of 193 member states voted to condemn Russia's invasion of Ukraine and demanded that Russia immediately cease its use of force in Ukraine. As the initial Russian invasion slowed down, long-range missile strikes caused significant damage to Ukrainian military assets, urban residential areas, communication, transportation and civil infrastructures. Ukrainian civilians repeatedly reported war crimes committed by Russian forces including accounts of summary executions, torture, and rape. Humanitarian crisis with acute shortages of food, water, and heat were experienced in different cities, and in particular in the city of Mariupol, which was damaged or destroyed for the 90%. In mid-April, a new major offensive in eastern Ukraine was launched by Moscow, following its failed attempt to seize Kyiv.<sup>273</sup> The conflict has been persistent and on the 9<sup>th</sup> of May, during the celebrations for the 77<sup>th</sup> anniversary of Soviet Union Victory over Nazi Germany, Putin confirmed the continuation of the Russian special military operation in Ukraine without anyway clarifying the objectives of the operation.<sup>274</sup> How the war will develop and which will be the possible future scenarios are elements difficult to assess. The Russian military has suffered catastrophic losses and failed to achieve its key objectives, while Ukraine has fought tenaciously and secured the support of the entire democratic world.<sup>275</sup> Putin's predicament is likely to worsen in the coming months, with the possibility of conflict escalations, and, on the other hand, negotiations at high political level are still going on between Russia, Ukraine and major Western countries.

### 3.5.1 European Union's actions in face of the war

Following the Russian recognition of the Donetsk and Luhansk areas, the President of the European Council, Charles Michel, and President of the European Commission, Ursula von der Leyen, issued a statement denouncing this decision as "illegal and unacceptable". They expressed the full solidarity of the EU towards Ukraine and the support for its sovereignty and territorial integrity. To further support this position, the EU, in accordance with USA, UK and Canada, issued the first of

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<sup>272</sup> Lutsevych O., Wallace J., *Ukraine-Russia relations*, Chatham House, November 2021, available at: <https://www.chathamhouse.org/2021/11/ukraine-russia-relations>.

<sup>273</sup> Center for Preventive Action, *Conflict in Ukraine*, in "Global Conflict Tracker", Council on Foreign Relations, May 2022, available at: <https://www.cfr.org/global-conflict-tracker/conflict/conflict-ukraine>.

<sup>274</sup> Nelli Feroci F., *Il 9 maggio a Mosca e Strasburgo*, Istituto Affari Internazionali, May 2022, available at: <https://www.affarinternazionali.it/9maggio-due-celebrazioni-divergenti-a-mosca-e-strasburgo/>.

<sup>275</sup> Kuzio T., *Vladimir Putin is running out of options to avoid defeat in Ukraine*, Atlantic Council, May 2022, available at: <https://www.atlanticcouncil.org/blogs/ukrainealert/vladimir-putin-is-running-out-of-options-to-avoid-defeat-in-ukraine/>.

five packages of sanctions, designed to weaken Russia's economic base, depriving it of critical technologies and markets, and significantly curtailing its ability to wage war.<sup>276</sup> This first package comprehended individual sanctions against members of the Russian State Duma; restrictions on economic relations with the non-government controlled areas of the Donetsk and Luhansk; restrictions on Russia's access to the EU's capital and financial markets and services. In addition to these measures, Germany's Chancellor said that Germany would be halting the certification of the Nord Stream 2 gas pipeline running from Russia to Germany. The EU HR/VP Borrell also stated that the EU would "raise the level of sanctions substantially, according with Russian behaviour".<sup>277</sup>

As a matter of fact, once the full-scale invasion was initiated on the 24<sup>th</sup> of February, the European Council condemned Russia as "grossly violating international law and undermining European and global security and stability" and demanded the unconditional withdrawal. The involvement of Belarus was also strongly condemned.<sup>278</sup> Measures to "impose massive and severe consequences on Russia for its action" were then adopted with the subsequent packages of sanctions. These imposed individual sanctions against Vladimir Putin and Sergey Lavrov among others; sanctions covering the finance, energy, transport and technology sectors; suspension of visa facilitation provisions for diplomats and officials; the closure of EU airspace to all Russian aircraft; the prohibition on transactions with the Russian Central Bank; SWIFT bans; prohibition on new investments in the Russian energy sector and on imports of some raw materials; closure of EU ports to all Russian vessels and many others.<sup>279</sup>

It should, then, be highlighted how the EU has shown unity and strength and has provided Ukraine and the countries that are giving protection for people fleeing the war, with coordinated humanitarian, political, financial and material support.<sup>280</sup> In addition, the Union promised to facilitate the military assistance to Ukraine in line with almost all member states. This is quite relevant as it

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<sup>276</sup> Fella S., *The EU response to the Russian invasion of Ukraine*, Commons Library Research Briefing, March 2022, available at: <https://researchbriefings.files.parliament.uk/documents/CBP-9503/CBP-9503.pdf>; Council of the European Union, *EU response to Russia's invasion of Ukraine*, Last reviewed on May 17, 2022, available at: <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/>.

<sup>277</sup> Fella S., *The EU response to the Russian invasion of Ukraine*, Commons Library Research Briefing, March 2022, available at: <https://researchbriefings.files.parliament.uk/documents/CBP-9503/CBP-9503.pdf>.

<sup>278</sup> Sanctions against Belarus (9 March 2022): SWIFT ban for three Belarusian banks; prohibition on transactions with the Central Bank of Belarus; limits on financial inflows from Belarus to the EU; prohibition on the provision of euro-denominated banknotes to Belarus. Council of the European Union, *EU response to Russia's invasion of Ukraine*, Last reviewed on May 17, 2022, available at: <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/>.

<sup>279</sup> Council of the European Union, *EU response to Russia's invasion of Ukraine*, Last reviewed on May 17, 2022, available at: <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/>.

<sup>280</sup> Measures include: reception of refugees through the temporary protection mechanism; €93 million in humanitarian aid for Ukraine and Moldova; material assistance to Ukraine and its neighbouring countries through the EU civil protection mechanism; €17 billion to support member states hosting refugees; €1.2 billion in macro-financial assistance to foster stability; €1 billion to support the Ukrainian armed forces.



was not strictly forward that the Union would not divide itself in front of such a situation, especially when these kinds of sanctions and assistance were to be adopted. Following the weak support for the limited sanctions imposed in 2014, it is probable that Russia considered the possibility of stronger sanctions in case of escalation but not to this extent.<sup>281</sup>

### 3.5.2 NATO's actions

NATO, along with the European Union and other partners, has helped coordinate Allies' adoption of the unprecedented set of restrictive measures placed on Russia following its brutal and unacceptable actions. NATO Secretary-General Jens Stoltenberg called Russia's moves "the biggest security threat in a generation" and the Alliance called on Russia to cease hostilities immediately, withdraw all its forces from Ukraine and work towards a peaceful diplomatic solution. NATO, declared by Biden "more unite than ever",<sup>282</sup> affirmed that the military alliance would defend every inch of its territory should Russia attack a member country, but, nonetheless, it will not deploy forces to Ukraine, which is not a NATO member, nor will it enforce a no-fly zone over Ukraine. This decision was backed by the US<sup>283</sup> with the aim of avoiding any direct confrontation with Russia and any further escalation of the conflict. In this sense, also the delivery of weapons and military equipment, as well as the imposition of sanctions, is taking place outside the NATO framework through the individual member states. The organization has indeed repeatedly emphasized its role as a defensive alliance, and that it is not seeking a war with Russia.<sup>284</sup> Therefore, all measures are and will remain preventive, proportionate and non-escalatory

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<sup>281</sup> Alcaro R., *Guerra in Ucraina: potenziale e limiti dell'Europa 'geopolitica'*, Istituto Affari Internazionali, March 2022, available at: <https://www.affarinternazionali.it/guerra-in-ucraina-potenziale-e-limiti-delleuropa-geopolitica/> ; Farina S., *Le risposte di Usa, Nato e Ue ai piani di Putin*, Istituto Affari Internazionali, March 2022, available at: <https://www.affarinternazionali.it/usa-ue-nato-putin/> .

<sup>282</sup> Popli N., *How NATO Is Responding to Russia's Invasion of Ukraine*, Time, February 2022, available at: <https://time.com/6151115/nato-russia-ukraine-article-4/> .

<sup>283</sup> U.S. President Joe Biden declared this attack "unprovoked and unjustified" and has since issued severe sanctions in coordination with European allies, including sanctions that target four of Russia's largest banks, its oil and gas industry, and the financial assets of Putin and Russian Foreign Minister Sergey Lavrov. Biden also confirmed he will not send any forces into Ukraine. The U.S. has about 90,000 troops already stationed in Europe, most of which are based in Germany, and will deploy an additional 7,000 troops to Germany this week. The U.S. continues to commit military assistance to Ukraine. Biden announced an additional \$800 million in military assistance. Since Russia's invasion, the United States has committed \$3.4 billion in security assistance, including heavy weapons and artillery. Popli N., *How NATO Is Responding to Russia's Invasion of Ukraine*, Time, February 2022, available at: <https://time.com/6151115/nato-russia-ukraine-article-4/> .

<sup>284</sup> Popli N., *How NATO Is Responding to Russia's Invasion of Ukraine*, Time, February 2022, available at: <https://time.com/6151115/nato-russia-ukraine-article-4/> ; Clapp S., *Russia's war on Ukraine: NATO response*, European Parliamentary Research Service, April 2022, available at: <https://epthinktank.eu/2022/04/23/russias-war-on-ukraine-nato-response/> .



Nevertheless, to deter further Russian aggression and reassure its Allies, NATO has substantially enhanced its own deterrence posture, with large deployments of troops and equipment to the eastern flank of the Alliance's territory. Elements of the NATO Response Force, a multinational rapid-response force, were deployed and with the substantial reinforcement by NATO Allies, there are currently 40 000 troops under direct NATO command stationed on the eastern flank. Moreover, within the extraordinary NATO Summit of the 24<sup>th</sup> of March, leaders agreed to the establishment of four further multinational battlegroups, in Bulgaria, Hungary, Romania and Slovakia. This brings the total number of battlegroups to eight, the "biggest reinforcement of Alliance collective defence in a generation".<sup>285</sup>

Throughout the war extraordinary NATO meetings and a NATO summit were held, together with consultations within the NATO-Ukraine Commission (NUC). The Alliance has been also assisting the coordination of request for assistance and supporting Allies in delivering humanitarian and non-lethal aids. It also agreed to enhance practical support to regional partners, including Georgia and Bosnia and Herzegovina in realms as cybersecurity and defence, but also to increase practical and political cooperation with Asia-Pacific partners on different issues.<sup>286</sup> It remains without any doubt, then, that NATO's next Strategic Concept will need to set guidelines for NATO's future relationship with Russia and provide a roadmap for the Alliance's adaptation to a more volatile and competitive world, inevitably including significant developments in all domains.<sup>287</sup>

### 3.5.3 EU-NATO cooperation: an assessment of its development

From what it has been outlined above, it becomes evident that there has been a united response of NATO and the European Union in face of the Ukraine war. The Ukraine war has altered the

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<sup>285</sup> In addition, NATO Secretary-General Jens Stoltenberg recently announced that NATO is working to transform the Alliance's presence in the east to a large, permanent military presence. NATO had already decided in 2014 to enhance its deterrence posture in the east, following Russia's annexation of Crimea. At the 2016 Warsaw Summit, it decided to increase NATO's forward presence on its eastern flank, an important component of NATO's deterrence and defence posture and reassurance measure. In 2017 the first four multinational battlegroups were deployed to Poland, Lithuania, Latvia and Estonia. Clapp S., *Russia's war on Ukraine: NATO response*, European Parliamentary Research Service, April 2022, available at: <https://epthinktank.eu/2022/04/23/russias-war-on-ukraine-nato-response/> .

<sup>286</sup> Clapp S., *Russia's war on Ukraine: NATO response*, European Parliamentary Research Service, April 2022, available at: <https://epthinktank.eu/2022/04/23/russias-war-on-ukraine-nato-response/> ; North Atlantic Treaty Organization, *NATO's response to Russia's invasion of Ukraine*, April 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_192648.htm](https://www.nato.int/cps/en/natohq/topics_192648.htm) ; North Atlantic Treaty Organization, *NATO Allies agree to further strengthen and sustain support for Ukraine*, April 2022, available at: [https://www.nato.int/cps/en/natohq/news\\_194319.htm](https://www.nato.int/cps/en/natohq/news_194319.htm) .

<sup>287</sup> Clapp S., *Russia's war on Ukraine: NATO response*, European Parliamentary Research Service, April 2022, available at: <https://epthinktank.eu/2022/04/23/russias-war-on-ukraine-nato-response/> ; North Atlantic Treaty Organization, *NATO's response to Russia's invasion of Ukraine*, April 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_192648.htm](https://www.nato.int/cps/en/natohq/topics_192648.htm) ; Marrone A., *Ucraina: come cambia la strategia militare Nato*, Istituto Affari Internazionali, February 2022, available at: <https://www.affarinternazionali.it/nato-guerra-ucraina/> .

political, strategic and economic framework conditions for European regional cooperation and transatlantic relations, bringing back to the European bloc some reminiscence of the Cold War. The multidimensional nature of security issues was brought to the fore front, together with the highly integrated nature of the Western alliance system, made of NATO and the EU. The war is likely to provide a renewed impetus for both the EU's Common Foreign and Security Policy and for enhanced EU-NATO cooperation.<sup>288</sup>

Rapid European responses, with promises from member states to increase defence budgets, were triggered by the war. Tools such as NATO's Very High Readiness Joint Task Force and the European Peace Facility were quickly used, indicating a new readiness to act. A great share of intelligence among the EU and NATO, NATO and Ukraine, NATO and states like Sweden and Finland was implemented.<sup>289</sup> The European Parliament recently adopted a resolution noting NATO as the foundation of the collective defence of the Member States who are NATO allies, and welcoming the unity of the EU and NATO in facing Russian aggression. Moreover, NATO's presence on the Eastern border was praised together with all other actions implemented by the Alliance.<sup>290</sup> Since the invasion of Ukraine began, the EU and NATO have implemented remarkably coherent sets of responses, showing the complementarity of the two organizations' roles and highlighting what each can do best. There has been, indeed, greater cooperation among NATO and the EU in the past few months than at any time in the past three decades.<sup>291</sup>

Despite the initial divisions inside the two organizations, and especially Europe, on the actions to be implemented and the events occurred in the recent past, as NATO's military intervention in Libya in 2011 and its withdrawal from Afghanistan,<sup>292</sup> there has been a great and highly effective Western coordination on sanctions, defence, security and foreign policy in the common EU framework and NATO. This effective cooperation, which lays its foundation, as seen throughout the chapter, in the efforts made after the events of 2014 and in the joint declarations of 2016 and 2018,

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<sup>288</sup> Wunderlich U., *Russia's invasion of Ukraine: A turning point for European integration?*, London School of Economics, April 2022, available at: <https://blogs.lse.ac.uk/europpblog/2022/04/05/russias-invasion-of-ukraine-a-turning-point-for-european-integration/>.

<sup>289</sup> Keil S., Quencez M., *Will the War in Ukraine Lead to Real Transatlantic Security Burden Sharing?*, German Marshall Fund, March 2022, available at: <https://www.gmfus.org/news/will-war-ukraine-lead-real-transatlantic-security-burden-sharing>.

<sup>290</sup> Clapp S., *Russia's war on Ukraine: NATO response*, European Parliamentary Research Service, April 2022, available at: <https://epthinktank.eu/2022/04/23/russias-war-on-ukraine-nato-response/>.

<sup>291</sup> Keil S., Quencez M., *Will the War in Ukraine Lead to Real Transatlantic Security Burden Sharing?*, German Marshall Fund, March 2022, available at: <https://www.gmfus.org/news/will-war-ukraine-lead-real-transatlantic-security-burden-sharing>; Winn N., *EU and NATO policy towards Russia: from division to unity of purpose*, in "UK in a changing Europe", March 2022, available at: <https://ukandeu.ac.uk/eu-and-nato-policy-towards-russia/>.

<sup>292</sup> Dempsey J., *What Ukraine Reveals About NATO and the EU*, Carnegie Europe, February 2022, available at: <https://carnegieeurope.eu/strategieurope/86325>.

gives hope for a revolution in Euro-Atlantic security burden sharing. It has become clear that Russia did not really expect to see this unity and coordination between NATO and the EU. However, what will determine the impact of this cooperation will be the ability to sustain current efforts and address the structural issues of defense cooperation, especially in the short term within the Ukraine war framework.<sup>293</sup>

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<sup>293</sup> Keil S., Quencez M., *Will the War in Ukraine Lead to Real Transatlantic Security Burden Sharing?*, German Marshall Fund, March 2022, available at: <https://www.gmfus.org/news/will-war-ukraine-lead-real-transatlantic-security-burden-sharing> .

## **Chapter 4 - An assessment of EU-NATO Cooperation and theoretical insights**

As seen throughout this work, over the past 20 years, NATO and the EU have gone from coexistence to cooperation. Their respective strategic thinkings have started to become increasingly aligned, in spite of their different scopes and aims, to face the threat that the increasingly complex modern world is experiencing.<sup>294</sup> Notwithstanding this transatlantic development of cooperation, the two organizations have faced different and very diverse situations which have strongly influenced the extent and the effectiveness of their partnership. In the last two chapters, two different case studies were taken into consideration, first the cooperation in maritime operations, with a special focus on the Mediterranean, and then the different and coordinated reactions in face of the subsequent developments of the Russia-Ukraine crisis. The aim was the one of understanding the behavior and the interaction of the same two actors in different context to understand the shortcomings and the obstacles of their coordination.

This last chapter will then focus on the confrontation and assessment of the two different case studies and relative findings to try to figure out which are the main elements favoring or hindering cooperation. Once this evaluation has been carried out, the focus will move on how it fits within the main theories of international relations, as realism, liberalism and constructivism. On the basis of these findings, some policy proposals to enhance and ameliorate the functioning and effectiveness of EU-NATO cooperation will be made.

### **4.1 EU-NATO Cooperation: an assessment of the two case studies**

Starting from the assessment of the two case studies, it is possible to understand that the conditions surrounding the intervention of both the EU and NATO deeply influence their single actions and the extent of their cooperation. As highlighted in the previous chapters, the relationship between these two organizations goes back to 1992 and the development of a European defence capacity beyond the Western European Union. The formalization of this cooperation only came ten years later, in 2003, with the establishment of the Berlin Plus Agreement. As already underlined, the Berlin Plus arrangements allowed the EU to make use of NATO assets and capabilities for EU-led crisis management operations, including command activities and assistance in operational planning. It also permitted NATO to support EU-led operations in which NATO as a whole was not engaged

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<sup>294</sup> De Maio G., *Opportunities to deepen NATO-EU Cooperation*, in Foreign Policy at Brookings, December 2021.

and it gave the EU access to NATO planning.<sup>295</sup> Notwithstanding the fact that this agreement was pivotal in the establishment of the first-ever EU's military operation, Operation Concordia, in the former Yugoslav Republic of Macedonia in December 2003, it was never used again. It is forward then, that even if the formal basis exists, when cooperation is achieved it follows different channels, which in their turn depend on the external situation where the possible coordination between NATO and the EU could take place.

The first case study, focusing on the naval missions in the Mediterranean carried out by NATO and the EU, showed how there are two main levels of coordination, which strongly influence the overall cooperation of the organizations, namely the political and the operational levels. Starting from the political level, it is important to highlight from the beginning that the different operations conducted in the Mediterranean run outside the Berlin Plus or any other kind of joint planning. Operating without a previously agreed and regulated framework, then, brings the political level to become of the outmost importance. As a matter of fact, there are many political issues that have hindered both the use of the Berlin Plus Agreement and the taking place of cooperation outside that framework through joint planning. First of all, the different membership of the two organizations poses some obstacles, even if they share a great number of member states. Turkey, not being an EU member and having some disputes with certain EU countries, is one of the protagonists of this debate. In this sense, apart from strong opposition to the development of new cooperation frameworks if some countries are involved, the share of information has been strongly affected by this kind of issues.<sup>296</sup> Other kinds of political obstacles include the issue of the different shares of defence spending and the different interests of member states, especially between European and non-European member states.<sup>297</sup> These kinds of political deadlocks are primary in hindering cooperation between NATO and the EU.

Notwithstanding these elements, the first case study has shown how cooperation still takes place. Even considering the political and some institutional obstacles, international staff both within operations and in Brussels found ways to make this cooperation work by developing informal practices to facilitate coordination, the exchange of information and to interact outside the formal

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<sup>295</sup> NATO, *THE NATO-EU STRATEGIC PARTNERSHIP*, available at: <https://www.nato.int/docu/comm/2004/06-istanbul/press-kit/006.pdf>

<sup>296</sup> This passing of sensitive information and relevant intelligence is, indeed, the most challenging problem that the EU and NATO have to surmount when they cooperate in a non-Berlin Plus setting, which is almost always the case. Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in "Cooperation and Conflict Vol. 50, No. 1", SAGE Publications, March 2015, pp. 107-127.

<sup>297</sup> Keil S., Quencez M., *Will the War in Ukraine Lead to Real Transatlantic Security Burden Sharing?*, German Marshall Fund, March 2022, available at: <https://www.gmfus.org/news/will-war-ukraine-lead-real-transatlantic-security-burden-sharing> .

EU-NATO channels. This has been possible as there is the willingness to make things work, improve operational effectiveness and limit the damages of non-cooperation, especially when the importance of acting in coordination to tackle some problems is perceived.<sup>298</sup>

The second case study, by taking in consideration the response of both NATO and the EU in the long development of the Ukraine-Russia crisis, has in a way enhanced this last concept of a cooperation working notwithstanding the political deadlocks in cases of “emergency” or even exactly thanks to these crises. As a matter of fact, it can be said that the cooperation between NATO and the EU, after almost a decade of frozen relations because of the different objectives and interests of the two organizations, was re-enhanced with the delineation of a new security and political environment in the spring of 2014.<sup>299</sup> The annexation of Crimea was, indeed, condemned from a joint standpoint by EU and NATO. They imposed political and economic sanctions, and these have become tangible symbols of cohesion between the organizations and of the Western countries. The 2014 Ukraine-Russia crisis together with other events affecting both EU and NATO’s countries, called urgently to improve EU-NATO relationship in the approach to these challenges. The 2016 Warsaw Joint Declaration inevitably followed, stressing the determination to give new impetus and new substance to the NATO-EU strategic partnership.<sup>300</sup> This declaration set the stage for the cooperation of the following years, in which further steps to deepen this relationship were implemented. Nonetheless, the political and institutional obstacles outlined above remained and continued to influence their partnership. Once again, however, with the recent events which followed the Russian invasion of Ukraine last February, there has been the confirmation of the fact that the political and institutional obstacles are put aside when a crisis arises. As seen above, the cooperation of the two organizations was effective and rapid. They indeed took a common position in the condemnation of the invasion, sanctions were issued and aids, financial, humanitarian and military were given. Intelligence and information were shared notwithstanding the political divisions and the presence of states not members of the Alliance. The EU and NATO showed the ability of implementing a remarkably coherent sets of responses, enhancing the complementarity of the two organizations. Such a response was highly unexpected both from Russia and from the international scene. It strongly raised the

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<sup>298</sup> Gebhard C., Smith S.J., *The two faces of EU-NATO cooperation: Counter-piracy operations off the Somali coast*, in “Cooperation and Conflict Vol. 50, No. 1”, SAGE Publications, March 2015, pp. 107-127.

<sup>299</sup> Biziewski J., *Eastern Flank of EU and NATO – Challenge and Opportunity*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1).

<sup>300</sup> Yaniz F., *NATO-EU Cooperation*, in Ramirez J.M., Biziewski J.(eds.), *Security and Defence in Europe*, Advanced Sciences and Technologies for Security Applications, Springer Nature Switzerland AG, 2020, [https://doi.org/10.1007/978-3-030-12293-5\\_1](https://doi.org/10.1007/978-3-030-12293-5_1).



credibility of the single organizations, but most importantly of the possibility of their coordination, even if how this cooperation will be maintained or if it will become the rule is yet to be seen.

On the whole, then, the first case study highlighted how cooperation between NATO and the EU can be hindered by the obstacles mainly posed by the most political and institutional levels, even if a certain amount of coordination remains at the practical level. The analysis has shown how these deadlocks strongly affect the overall objective of the operations, but also the effectiveness and credibility of the single EU and NATO missions. The second case study, on the other hand, showed that the obstacles outlined above are put aside once the two organizations are facing great moments of crisis and they need to respond to external threats, leading to a strong, cohesive and effective coordination between the Alliance and the Union.

The objective is now to try to understand how these tendencies find place and their causes in the main theories of international relations, such as realism, liberalism and constructivism.

## 4.2 The main theories of international relations

The issues of cooperation between states and even more between international organizations, especially when security issues are involved, have always been matter of interest and discussions in the theories of international relations and within security studies. Security is often considered as an essentially contested concept, meaning different things to different people.<sup>301</sup> This concept strongly depends on time and place, and it involves the interpretation of the past, the understanding of the present and the perception of the future. Therefore, it is even more important “who gets to decide what security means, what issues make it onto security agendas, how those issues should be dealt with and, crucially, what happens when different visions of security collide.”<sup>302</sup> In light of these elements, the issue of cooperation in the security field has been greatly debated in the different theories, as realism, liberalism and constructivism.

Starting from the realist theory, it should be highlighted how this tradition has had a strong influence on security studies. Notwithstanding the many variants that have developed throughout the years,<sup>303</sup> they share a focus on power, fear and anarchy and that these elements are the foundation for

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<sup>301</sup> Williams P.D., McDonald M., *An introduction to security studies*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 1-2.

<sup>302</sup> Williams P.D., McDonald M., *An introduction to security studies*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 1-2.

<sup>303</sup> Six different variants of realism can be delineated: classical realism, neorealism and four flavours of contemporary realism: rise and fall, neoclassical, offensive structural and defensive structural realism.

the relations between states. State behaviour, according to this tradition, is driven by leaders' flawed human nature or by an anarchic international system. Selfish human desires for power, or the need to be secure in a self-help world, explain the seemingly endless succession of wars and conquest. This brings to a mostly negative understanding of international relations.<sup>304</sup>

According to classical realism, the desire for more power is rooted in the nature of humanity and therefore states continuously engage in trying to increase their capabilities. Moreover, the absence of a government in the international system creates a permissive condition for states, leading to anarchy. International politics is, then, characterized as evil: bad things happen because the people making foreign policy are sometimes bad. Waltz argued that systems are composed of a structure<sup>305</sup> and their interacting units,<sup>306</sup> with the only variable being the distribution of capabilities, creating a distinction between multipolar and bipolar systems. In this sense, the international political outcomes foreseen by Waltz include multipolar systems as less stable than bipolar systems; interdependence being lower in bipolarity than multipolarity; and, regardless of single units' behaviours, hegemony by any single state as unlikely or even impossible. Defensive structural realism sees that states seek security in an anarchic international system, where the main threat is coming from other states. This variation relies only on rational choice and adds the offence–defence balance as a variable.<sup>307</sup> They predict that states should support the status quo and suggest that the world is made up of states that seek an appropriate amount of power and signal to their peers that they intend no harm.<sup>308</sup> Offensive structural realists, in contrast, argue that states face an uncertain international environment where any state might use its power to harm another. Therefore, security requires acquiring as much power compared to other states as possible.<sup>309</sup> Rise and fall realism emerged as a powerful alternative to the balance of power theories by highlighting that “world peace has coincided with periods of unchallenged supremacy of power, whereas the periods of approximate balance have been the periods of war”<sup>310</sup>. Hegemony, then, is the foundation for peace, war between major powers is least likely when the international system is dominated by a single state. Balance is often associated with war, as

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<sup>304</sup> Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 17-18.

<sup>305</sup> Political structures are best conceptualized as having three elements: an ordering principle (anarchic or hierarchical), the character of the units (functionally alike or differentiated) and the distribution of capabilities.

<sup>306</sup> Two elements of the structure of the international system are considered constant: the lack of an overarching authority means that its ordering principle is anarchy, and the principle of self-help means that all of the units (states) remain functionally alike.

<sup>307</sup> This is a composite variable combining a variety of different factors that make conquest harder or easier.

<sup>308</sup> Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 21-24

<sup>309</sup> Mearsheimer argues that ultimate safety comes only from being the most powerful state in the system.

<sup>310</sup> A.F.K. Organski's classic 1958 volume, *World Politics*. Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 26-27.

conflict over system leadership is likely to occur.<sup>311</sup> Lastly, neoclassical realism highlights that states' actions depend mostly on influences located at the domestic level of analysis.<sup>312</sup> Pressures from the external system are then filtered through variables existing at the internal level, which in turn produce specific foreign policy decisions.<sup>313</sup>

Moving to the liberalism perspective of security studies, this dates back to the philosopher Immanuel Kant, who highlighted the importance of republican constitutions in producing and maintaining peace, being republican states more inclined to peaceful behaviors than other states.<sup>314</sup> He considered the situation of lawless international relations as an unstable power balance, characterized by elements making difficult for liberal political orders to maintain their republican or liberal condition. The duty of the republican state being, therefore, to strive towards law regulated international relations. Moreover, according to this traditional liberalism, among the elements providing the foundations for peace, the “federation of free states” would provide a type of collective security system.<sup>315</sup> The origins of modern commercial liberalism lie in the idea that allowing freedom to trade would civilize the citizens of a nation, facilitating a peaceful coexistence among fellow citizens and guaranteeing the rule of law. International trade would then bring nations to peace. The liberal trade doctrine believed that trade was mutually beneficial for states, where market competition was not conflict but peaceful cooperation. More recently, there have been suggestions that globalization, as free trade on a global scale, is a source of peace. Besides this more economic point of view, the democratic peace thesis holds that liberal states do not fight wars against other liberal states as liberalism has produced a cooperative foundation.<sup>316</sup> The last variation of liberalism is embodied in neo-liberal institutionalism, which concentrates on the role of international institutions in mitigating conflict. According to this theory, state preferences and state behaviours are influenced

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<sup>311</sup> When two or more states approach power parity, the declining hegemon may rationally calculate the need for preventive war in order to preserve its status as the world's top power. Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 26-27.

<sup>312</sup> Neoclassical realists contend that how a state reacts to systemic imperatives is largely shaped by the perceptions of its leaders, the culture of its military, bureaucracy and society, the nature of its domestic political institutions and the ability of its state apparatus to extract and mobilize domestic resources to achieve foreign policy goals. Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 27-28.

<sup>313</sup> Jensen M.A., Elman C., *Realisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 27-28.

<sup>314</sup> He attributed this to habits of consultation; a citizenry that had to be consulted before going to war would be unlikely to endorse war easily. He also attributed it to the legal foundations of the republican state because he believed a state built on law was less likely to endorse lawless behaviour in international relations. Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 33-36.

<sup>315</sup> The three definitive articles, which provided the actual foundations for peace: 1. The civil constitution of every state should be republican; 2. The law of nations shall be founded on a federation of free states; 3. The law of world citizenship shall be limited to conditions of universal hospitality.

<sup>316</sup> Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 36-42.

by institutions which, in this way, can change the character of the international environment by creating strong incentives for cooperation. Institutions become, therefore, desirable as they reduce transaction costs associated with activities like “rule-making, negotiating, implementing, enforcing, information gathering and conflict resolution”.<sup>317</sup> Moreover, they are durable, and they persist even after the conditions for their creation cease to exist. Institutionalization then promotes the collective interest in international stability.<sup>318</sup> Here states are central as the agents that design institutions to advance their joint interests, and institutions emerge and survive to maximize the interests of their members.<sup>319</sup> In this neo-liberal institutionalism contrasts with realism, as the latter believes that powerful states influence the formation and shape of international institutions to realize and maintain domination.<sup>320</sup>

Constructivism has become increasingly prominent in international relations, arguing that the world is constituted socially through intersubjective interactions. Agents and structures are mutually constituted, and norms and identities are central to the dynamics of world politics. According to this approach security is a social construction which influences also the meaning and the practice of security. Domestic ideational factors are, therefore, fundamental in determining these elements, in particular national identities which strongly define a state’s security policies. This applies also at the international level, where norms, as shared expectations of appropriate behavior, influence the behavior of states and their understanding of national interests. Security is, then, seen as a site of negotiation and contestation in the wider social realms of world politics. From the point of view of constructivist institutionalism, institutions are considered a collection of norms, rules and routines which shape the identities of actors through ideology, rules and norms. For constructivists, agents and structures are mutually constituted.<sup>321</sup>

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<sup>317</sup> Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp.42-46.

<sup>318</sup> Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp.42-46.

<sup>319</sup> Interests are first defined outside the institutional context, and then institutions are designed by state actors to facilitate the achievement of their joint interests.

<sup>320</sup> Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp.42-46.

<sup>321</sup> McDonald M., *Constructivisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 48-59.

### 4.3 Matching theory to practice

Having delineated the theoretical spectrum of international relations and, in particular, of security studies, it is now interesting to understand how the actual cooperation between NATO and the EU in matters of security matches these frameworks.

Starting from the realist perspective, once again we see how states are considered as “rational, security-maximising actors, whose self-interested behaviour is largely determined by the structure of the international system.”<sup>322</sup> According to this theory, alliances are formed on the aggregation of capabilities and in order to counter-balance powerful states or ones perceived as threatening adversaries, in a process often defined hard balancing.<sup>323</sup> This can be considered exactly the case for the initial constitution of the North Atlantic Alliance Organization in 1949. Major exponents of the realist tradition, indeed, were convinced that once the main reason for the creation of such alliances ceased to exist, they would disappear. In this sense, the collapse of Western European security cooperation, including NATO, was predicted, but the exact opposite actually happened.<sup>324</sup> Nonetheless, according to the realist perspective, alliances can be formed also in the absence of a clear and urgent danger, but only in a pre-emptive mode, to restrain supposed enemies. Ideological affinities and political proximity are considered, by some realists, as relevant but not decisive in alliance formation, they are only incidental.<sup>325</sup>

As we have seen the persistence and expansion of NATO after the end of the Cold War, brought some doubts on the realist theory. This marked an opportunity for neo liberalism to move from the focus on cooperation in low politics such as economy, society and environment to high politics and military security cooperation. The survival of NATO as a security institution relied on the fact that due to transaction costs and uncertainty, it is easier to maintain institutions that to create

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<sup>322</sup> Byrne A., *Conflicting Visions: Liberal and realist conceptualisations of Transatlantic alignment*, in Transworld, Working Paper 12, March 2013.

<sup>323</sup> The central motivation of alliance formation, namely power agglomeration to maximise state security against a threat, leads to two potential forms of alliance formation: balancing and bandwagoning. Balancing occurs when states join forces to avoid domination by stronger powers and is the central phenomenon of balance of power theory. Bandwagoning is instead when a state joins forces with the aggressor in the hope of either appeasing that power and diverting its attack elsewhere, or more offensively, in the hope of sharing in the spoils of the victory. Byrne A., *Conflicting Visions: Liberal and realist conceptualisations of Transatlantic alignment*, in Transworld, Working Paper 12, March 2013.

<sup>324</sup> John Mearsheimer, in 1990, predicted the collapse of Western European security cooperation, including NATO, and the return of conflict with the end of the Cold War. With the end of the Cold War, he argued, conflict would reappear in Europe owing to the absence of a clear external enemy in the form of the Soviet Union, the associated withdrawal of the United States from European commitments and the return of multipolarity. McDonald M., *Constructivisms*, in Williams P.D., McDonald M. (edited by) “Security Studies: An Introduction”, 3<sup>rd</sup> Edition, Routledge, 2018, pp. 48-59.

<sup>325</sup> Byrne A., *Conflicting Visions: Liberal and realist conceptualisations of Transatlantic alignment*, in Transworld, Working Paper 12, March 2013.

new ones. Moreover, according to the neoliberalist view, states are concerned with absolute gains and mutual gain outcomes are reachable through collective problem-solving actions.<sup>326</sup> Following this interpretation, this desire for collective problem-solving has motivated a number of transatlantic security partnerships, in many different realms.<sup>327</sup>

Constructivists have taken a further stance regarding the creation of international institutions and of cooperation among states. They have pointed to the conception of shared identity and extended it to the regional level. In this sense, the European Union can be seen as a security actor with a common identity based on a shared conception of the past. The elaboration of this shared identity has enabled the development of cooperation and ensured that institutions like NATO became more resilient than expected. Attention to the role of ideational elements and the growth of a shared identity made constructivists think to Western Europe as an example of security community and to make sense of European security dynamics.<sup>328</sup>

What can be drawn from this theoretical analysis through the main theories of international relations applied to EU and NATO, first as international organizations and then as organizations cooperating, is that they have reflected different elements from all the three main frameworks. NATO, in 1949, was born as a classic realist institution in response to a common threat. Nonetheless, against all realist expectations, NATO persisted even with the disappearance of the imminent threat that was at the basis of its institution. This brought into the scene the more liberalist view of institutions. This framework claimed that there were many reasons for the continuation of such an organization, like the reduction of transaction costs and uncertainty, together with mutual gains. In addition, it would have been more costly to create a new institution rather than maintain the existing one. This liberal perspective is also at the basis for the creation of the European Union, which started at first as an institution for economic, political and social cooperation. Here the concept of mutual gains derived from shared interests is even more relevant, and the European Union was meant to maximize and maintain those gains. Once the European Union started to become seen also as a security organization, the constructivist point of view came into play too. As a matter of fact, starting from the developing integration of the Union, a shared regional and European identity began to take the lead. The idea of common European security dynamics stressed even more this common identity and joint interests. In

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<sup>326</sup> Byrne A., *Conflicting Visions: Liberal and realist conceptualisations of Transatlantic alignment*, in Transworld, Working Paper 12, March 2013; Navari C., *Liberalisms*, in Williams P.D., McDonald M. (edited by) "Security Studies: An Introduction", 3<sup>rd</sup> Edition, Routledge, 2018.

<sup>327</sup> Byrne A., *Conflicting Visions: Liberal and realist conceptualisations of Transatlantic alignment*, in Transworld, Working Paper 12, March 2013.

<sup>328</sup> McDonald M., *Constructivisms*, in Williams P.D., McDonald M. (edited by) "Security Studies: An Introduction", 3<sup>rd</sup> Edition, Routledge, 2018, pp. 48-59.



particular, it is fundamental to recall the fact that the domain of security and defence has remained outside the shared competencies of the Union, but it is still within the single member states' control. This issue, considered as strategic for the national interests of single states, has indeed raised multiple difficulties and obstacles in the process of European integration, leading some countries to opt out from such dimension.

From this stance of interconnected theoretical perspectives, the issue of cooperation between these two organizations complicates things even more. As a matter of fact, cooperation among institutions is theoretically a liberalism's feature. Robert Keohane, one of the main theorist of institutional liberalism, indeed, defined cooperation as occurring "when actors adjust their behavior to the actual or anticipated preferences of others, through a process of policy coordination".<sup>329</sup> In this sense institutions have the ability to create a common ground for interaction and encourage cooperation among states. This considering that states have mutual interests, and that these are likely to minimize differences and smooth the way for enduring cooperation.<sup>330</sup> Cooperation between NATO and the EU started indeed with such aims, especially after the end of the Cold War with the implementation of the Berlin Plus Agreement. Constructivism here plays a role too, considering that the two organizations share a large part of member states and, beyond that, they embody the exact concept of Western powers. This and the fact that they have in common a great deal of history, inevitably have brought to the creation of a shared identity promoting joint interests and resilience of this cooperation among institutions.

Nonetheless, it should be highlighted that in the last few years, these joint interests waned and strongly hindered the coordination of NATO and the EU. First of all, as we have seen, there have been some political obstacles, especially involving the states that do not have the double membership, as Turkey and Cyprus. In addition, the interests of two sides of the Atlantic moved towards different directions, the European ones staying in the Mediterranean and Eastern Europe, while the American ones transitioning towards China and the Pacific. This distancing reflected also in some events that shed light and some doubts on the actual functioning of NATO alone but also of cooperation between NATO and the EU. Some of these events comprehend the 2021 US retirement from Afghanistan,<sup>331</sup>

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<sup>329</sup> Milner H., *INTERNATIONAL THEORIES OF COOPERATION AMONG NATIONS: Strengths and Weaknesses*, Review Article in "World Politics", Vol. 44, No. 3, Cambridge University Press, April 1992, pp. 466-496, available at: [https://www.jstor.org/stable/pdf/2010546.pdf?refreqid=excelsior%3A4351737b69770258ce339cb7afa5f574&ab\\_segments=&origin=&acceptTC=1](https://www.jstor.org/stable/pdf/2010546.pdf?refreqid=excelsior%3A4351737b69770258ce339cb7afa5f574&ab_segments=&origin=&acceptTC=1).

<sup>330</sup> Nuruzzaman M., *Liberal Institutionalism and International Cooperation after 11 September 2001*, in *INTERNATIONAL STUDIES* 45, 3, SAGE Publications, 2008, pp.193-213, available at: <https://journals.sagepub.com/doi/pdf/10.1177/002088170904500302>.

<sup>331</sup> The American president's decision to allow Afghanistan to collapse into the arms of the Taliban has started the degradation of the Western alliance and everything it is supposed to stand for in the world. Across Europe, officials have

the issue of AUKUS submarines pact between France and Australia<sup>332</sup> and also the different incidents taking place in the Mediterranean with vessels having a Turkish flag.<sup>333</sup> These events have to be considered in addition to the 2019 French President's declaration of the cerebral death of NATO and German Chancellor's claim, in 2017, that Europe could not have counted anymore of the US to guarantee its own security. Issues like these ones actually came to give credit to the realist assumption highlighted above, namely that once the main reasons or interests for the creation of the institution or of cooperation ceased to exist, they would start to disappear too.

The second case study, focusing on the EU-NATO cooperation in response to first the Russian annexation of Crimea and then to the 2022 invasion of Ukraine, has once again given some credit to the realist line of thinking. As a matter of fact, on both occasions of 2014 and 2022, it is evident how the re-emergence of the threat that was at the basis for the creation of NATO and the menace of war at the borders of the Union, made the two organization wake up and cooperate in order to act effectively and protect their interests. This perfectly embodies the realist theoretical framework, according to which alliances are formed to aggregate capabilities and counter-balance the threat posed by a common powerful adversary. Russia's invasion of Ukraine, indeed, gave new life to these institutions, in particular NATO, and enhanced their credibility. All eyes are now pointed on NATO

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reacted with a mix of disbelief and a sense of betrayal. Even those who cheered Biden's election and believed he could ease the recent tensions in the transatlantic relationship said they regarded the withdrawal from Afghanistan as nothing short of a mistake of historic magnitude. Karnitschnig M., *Disbelief and betrayal: Europe reacts to Biden's Afghanistan 'miscalculation'*, in Politico EU, August 2021, available at: <https://www.politico.eu/article/europe-reacts-bidens-afghanistan-withdrawal/>.

<sup>332</sup> Australia's unilateral cancellation of its contract to purchase French submarines and sign up for the AUKUS security pact constitutes a slap in the face for French diplomacy, described as a "stab in the back" and a "betrayal". The US had an interest in seeing Canberra cancel its contract with France and replace it with one with Washington, thus ensuring American control over a fleet of submarines. Fathi R., *Why the Australia-France submarine deal collapse was predictable*, in The Conversation, September 2021, available at: <https://theconversation.com/why-the-australia-france-submarine-deal-collapse-was-predictable-168526>.

<sup>333</sup> In June 2020, Operation Irini tried to investigate a cargo ship with a Tanzanian flag that was escorted by Turkish warships and going toward Libya. The Turkish ships prevented the Greek navy from inspecting the vessel, claiming the cargo was medical equipment. The same Çirkin freighter and Turkish vessels protecting it were involved in another more serious incident. The French Navy ship Le Courbet, operating in the Eastern Mediterranean in the framework of NATO's Operation Sea Guardian, tried to inspect the ship but the Turkish escort intervened again leading Paris to temporarily suspend its participation in Operation Sea Guardian. In November 2020 Irini inspected a Turkish-flagged container ship which was headed to Libya. According to Irini an attempt was made to seek the consent of the flag state of the ship, but from the moment it did not receive an answer from Turkey, they boarded the vessel. However, once Turkey made clear the denial of the permission to inspect the ship, Operation Irini suspended its activities. Nevertheless, Turkey submitted a complaint to the Security Council over this inspection from Irini, calling the operation as an "instrument against Turkey". Conley H.A., Ellehuus R., *How NATO Can Avoid a Strategic Decoupling in the Eastern Mediterranean*, Center for Strategic & International Studies, July 2020, available at: <https://www.csis.org/analysis/how-nato-can-avoid-strategic-decoupling-eastern-mediterranean>; Krimi S., *THE NATO AGENDA FOR SECURITY IN THE MEDITERRANEAN Preliminary Draft Report*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), NATO Parliamentary Assembly, March 2021, available at: <https://www.nato-pa.int/download-file?filename=/sites/default/files/2021-04/021%20PCNP%2021%20E%20-%20THE%20NATO%20AGENDA%20FOR%20SECURITY%20IN%20THE%20MEDITERRANEAN%20.pdf>; Security Council Reports, *Libya, June 2021 Monthly Forecast, May 2021*, available at: <https://www.securitycouncilreport.org/monthly-forecast/2021-06/libya-23.php>.

and the EU, even considering that two former neutral states, namely Sweden and Finland, formally requested to enter NATO.<sup>334</sup> Renovated interest and dedication for the effectiveness and for the cooperation of the two organization arose and it is still rising exactly because of the renaissance of a common perceived threat, just as the realist theory suggests.

From these findings, it is possible to highlight that, both theoretically and in practice, there is no clear and defined dividing line among the different frameworks of international relations applicable to the cooperation between NATO and the EU. As a matter of fact, it is evident that elements from all three theories are intertwined and connected among them, they even overlap, according to the international situation the two organizations are facing. Realism, liberalism and constructivism are all three necessities to understand the behavior of member states and the functioning of these institutions and their cooperation.

#### **4.4 From current practice to policy proposals for the future**

Having recalled the development of both NATO and EU's defence identity and their cooperation in the first chapter, moved on analysing two different case studies to understand the practice of their cooperation in different international contexts and, then, approached their relationship from a theoretical point of view, this last part is aimed at taking stock of the situation and try formulating some policy proposals for the future of this peculiar cooperation.

It is undeniable to say that EU-NATO cooperation has come a long way since the first elements of coordination that were first created between the Alliance and the WEU and then the institution of the Berlin Plus Agreement. Since 2003, extensive progress has been made in deepening this relationship, moving from “Mars and Venus” with distinct institutional personalities and responsibilities, they started to see their mandates overlapping and complementing each other in the realms of security and defence.<sup>335</sup> EU and NATO have continued to cooperate in military and civil missions on the ground, coordinating their work, achieving results in different domains and showing that they both have more to gain through joining forces rather than competing.<sup>336</sup> Discussions on improving the partnership between the two have been going on, even considering that the challenge

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<sup>334</sup> Tooze A., *Il ritorno della NATO*, The New Statesman, UK, in “Internazionale”, n.1462, May 2022.

<sup>335</sup> Latici T., *Understanding EU-NATO cooperation Theory and practice*, EPRS | European Parliamentary Research Service, PE 659.269, October 2020, available at: [https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/659269/EPRS\\_BRI\(2020\)659269\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2020/659269/EPRS_BRI(2020)659269_EN.pdf).

<sup>336</sup> De Maio G., *Opportunities to deepen NATO-EU Cooperation*, in “THE NEW GEOPOLITICS EUROPE”, Foreign Policy at Brookings, December 2021, available at: [https://www.brookings.edu/wp-content/uploads/2021/12/FP\\_20211203\\_nato\\_eu\\_cooperation\\_demaio.pdf](https://www.brookings.edu/wp-content/uploads/2021/12/FP_20211203_nato_eu_cooperation_demaio.pdf).

ahead is to maintain and improve this cooperation, especially in light of the new security challenges requiring capabilities and tools, both military and civilian, that the EU and NATO singularly do not possess. However, the path towards this stronger, better coordinated relationship is far from paved.

According to some, indeed, there is a need for NATO to “Europeanise” following EU’s development of its strategic autonomy. Following this view, with the increase of a European defensive capability, the Alliance would become primarily European. Others claim, on the other hand, the possibility for a division of labour between the two, or even a US withdrawal from the Alliance, leaving European security a European issue. Notwithstanding these different views, it is becoming increasingly clear that there is more that brings the EU and NATO together than separates them. Nonetheless, there are elements that should be improved and revised in order to strengthen the link between NATO and the EU.

- First of all, discussions between the two organizations should be further enhanced through common meetings, especially in order to find political solutions to many of the political disputes that are currently hindering the smooth development of joint actions. An overall political balance of the organization should be sought to ensure a holistic vision towards which the two organization should strive together considering “the common values, common history and special relationship shared by the EU, European members of NATO, the US and Canada”.<sup>337</sup>
- In this sense, there should be an effort to increase information exchanges, especially classified and sensitive intelligence, in order to build more confidence and foster regular updates and the share of best practices. The lack of information sharing, as it has been highlighted in the first case study, but most importantly in the recent episodes like the US withdrawal from Afghanistan, hinders the whole set of efforts made over the years by strongly affecting trust and confidence between the two organizations.
- In addition, new cooperation protocols should be established as it has become evident the fact that the 2003 agreements are no longer of practical use. This would also increase capability development and interoperability, leading to the establishment of similar standards and a more formal NATO-EU relationship.<sup>338</sup> New and updated protocols based on the understanding of

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<sup>337</sup> European Parliament, *EU-NATO cooperation in the context of transatlantic relations*, Resolution of 7 July 2021, P9\_TA(2021)0346.

<sup>338</sup> De Maio G., *Opportunities to deepen NATO-EU Cooperation*, in “THE NEW GEOPOLITICS EUROPE”, Foreign Policy at Brookings, December 2021, available at: <https://www.brookings.edu/wp->

the different needs of the two sides of the Atlantic could intensify the complementarity of the two organizations and the whole effectiveness of this relationship.

- For these elements to be effective, the EU should also boost its military and defence capability and operational headquarters, without being considered as a duplication of NATO assets.<sup>339</sup> This would allow Europe to act separately, but always in connection with NATO, in areas that are no of primary concern for Washington and the non-European members of the Alliance.<sup>340</sup> This effort for EU's defence efficacy should be matched by a complementarity within NATO, through the reinforcement of the European component of the Alliance, especially by means of the financial burden sharing.<sup>341</sup> Notwithstanding this possibility of selecting priorities and of a division of tasks between NATO and the EU, any extension of the competence area should be considered with great caution. As a matter of fact, a hypothetical expansion of NATO interests towards the Indo-Pacific could be risky and not necessary.<sup>342</sup>
- As a matter of fact, it should be kept in mind that the challenges and threats that the current world is facing are everyday more global, lacking any clear geographical limit. These challenges, among which it is possible to find the cyber threat, the space domain, and the climate change, cannot be confronted without a strong cooperative effort. NATO and the EU together can use tools and abilities that taken alone they do not possess.<sup>343</sup>

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[content/uploads/2021/12/FP\\_20211203\\_nato\\_eu\\_cooperation\\_demaio.pdf](#) ; Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin.

<sup>339</sup> Point 42: "Is convinced that the Member States must increase their efforts to meet the EU's level of ambition and improve the EU's ability to act with a more capable, deployable, interoperable and sustainable set of military and civilian capabilities and forces, which would give the EU the capacity to contribute more equitably and decisively to transatlantic security, while enabling it to advance towards strategic autonomy and further pave the way to progressively frame a European Defence Union (EDU) in the spirit of Article 42 TEU, should the European Council, acting unanimously, so decide; stresses that strategic autonomy strengthens transatlantic security, and by no means aims to duplicate measures and resources or decouple from or weaken NATO, but in fact aims to be complementary to and interoperable with NATO efforts and capabilities". European Parliament, *EU-NATO cooperation in the context of transatlantic relations*, Resolution of 7 July 2021, P9\_TA(2021)0346.

<sup>340</sup> De Maio G., *Opportunities to deepen NATO-EU Cooperation*, in "THE NEW GEOPOLITICS EUROPE", Foreign Policy at Brookings, December 2021, available at: [https://www.brookings.edu/wp-content/uploads/2021/12/FP\\_20211203\\_nato\\_eu\\_cooperation\\_demaio.pdf](https://www.brookings.edu/wp-content/uploads/2021/12/FP_20211203_nato_eu_cooperation_demaio.pdf).

<sup>341</sup> Istituto Affari Internazionali, *Il futuro della NATO e la sicurezza dell'Europa*, Webinar, May 2022, available at: <https://www.iai.it/it/eventi/il-futuro-della-nato-e-la-sicurezza-delleuropa> ; Point 45: "Underlines that the transatlantic partnership can only be successful if all Member States fulfil their commitments, including defence investment pledges, and engage in mutual support; underlines NATO's 2 % goal, reconfirmed at the September 2014 NATO Summit in Wales and fulfilled by some European NATO allies, and stresses that achieving this objective is also an investment in European security and stability, thereby ensuring preparedness for new global challenges", European Parliament, *EU-NATO cooperation in the context of transatlantic relations*, Resolution of 7 July 2021, P9\_TA(2021)0346.

<sup>342</sup> White E., Mitchell T., *Spectre of 'Indo-Pacific Nato' accelerates China's decoupling from the west*, in "The Financial Times", March 2022, available at: <https://www.ft.com/content/98529d12-6cd6-40dc-a242-3ca907f20a73>.

<sup>343</sup> Istituto Affari Internazionali, *Il futuro della NATO e la sicurezza dell'Europa*, Webinar, May 2022, available at: <https://www.iai.it/it/eventi/il-futuro-della-nato-e-la-sicurezza-delleuropa>.

- A more modern and complex vision of security, moreover, should be developed in the framework of this cooperation. The concept of human security, going beyond the traditional meaning of security and defence, should come to follow more comprehensive responses to multidimensional and complex challenges with gender-based approaches and the overall objective of ensuring good life standards, meaning taking also in consideration climate change phenomena, cultural and social issues.<sup>344</sup>

On the whole, the leaders of the two sides of the Atlantic should engage in an open, genuine and continuous political dialogue, especially focused on sensitive issues in order to build consent on common political priorities and the joint strategy to achieve them.<sup>345</sup> Anyway, there are valuable signs that the two organizations are willing to intensify their cooperation on future challenges and threats. Close cooperation between NATO and the EU has become an evident and important element in the development of an international comprehensive approach to crisis management and operations, where both civil and military approaches are needed, especially in the recent past.<sup>346</sup> The delineation of the new European Strategic Compass, of the NATO Strategic Concept and of how these two will be developed in agreement with each other will be of fundamental importance. As a matter of fact, as it has been sustained throughout this work, NATO and the EU have shown great elements of compatibility and the recent events have underlined their complementarity and what each can do best.<sup>347</sup> The real challenge will be to further the sense of community that has started to grow throughout the two organizations through the use of regular high-level and staff meetings, joint declarations, joint trainings and projects in order to enhance this cooperative effectiveness at every level, political and operational.

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<sup>344</sup> Istituto Affari Internazionali, *Il futuro della NATO e la sicurezza dell'Europa*, Webinar, May 2022, available at: <https://www.iai.it/it/eventi/il-futuro-della-nato-e-la-sicurezza-delleuropa> .

<sup>345</sup> Krimi S., *The NATO-EU Partnership in a Changing Global Context*, Political Committee (PC) Sub-Committee on NATO Partnerships (PCNP), November 2020, 037 PCNP 20 E rev.2 fin.

<sup>346</sup> North Atlantic Treaty Organization, *Relations with the European Union*, March 2022, available at: [https://www.nato.int/cps/en/natohq/topics\\_49217.htm](https://www.nato.int/cps/en/natohq/topics_49217.htm) .

<sup>347</sup> Keil S., Quencez M., *Will the War in Ukraine Lead to Real Transatlantic Security Burden Sharing?*, German Marshall Fund, March 2022, available at: <https://www.gmfus.org/news/will-war-ukraine-lead-real-transatlantic-security-burden-sharing> .



## Conclusion

We are currently living a period of great uncertainty, with complex developments and challenges that more and more often question the security and political environment and systems. As highlighted throughout this work, such circumstances have deeply influenced the evolution and responses of single national states, but most importantly of international organization from both a political and security point of view. In this sense, NATO and the European Union provide the two perfect examples. In face of events as the coloured revolutions in Eastern Europe in the first 2000s, the Arab Springs since 2011, the Ukrainian revolution in 2014 followed by the illegal annexation of Crimea and many others that could be added considering phenomena as terrorism, hybrid and cyber threats, these two organizations have responded through the adaptation of their single and coordinated strategies in order to face them at best. The NATO Wales Summit of 2014, the European Union Global Strategy of 2016, the Warsaw Summit of 2016 seeing EU and NATO working together to reach common objectives together through Joint declarations, are the outcome of this set of conditions.

It is in this context that the two case studies analyzed in this work take place. They embody the complexity of these challenges, composed of many facets which are all equally relevant for their final resolution. Going from the political to the practical implementation, they highlighted how cooperation and non-cooperation between NATO and the EU can deeply influence the evolution of these challenges, but also the effectiveness of their responses. These kinds of situations have, in fact, widely demonstrated that a coordinated and cooperative action is necessary, through the sharing of their respective tools and good practices. Notwithstanding there are different levels of cooperation possible and there are often obstacles to this cooperation especially at the political level, it has been highlighted that such problems can be put aside in cases of necessities and emergencies, demonstrating great coherence of action and effectiveness.

In light of these findings, cooperation between NATO and the EU should be rethought and enhanced through an evolution of their current cooperation frameworks and information exchanges. Nonetheless, with the recent sets of events like the war in Ukraine, huge changes are already and will be faced on the international scene in the next future. These changes will inevitably need a new and more comprehensive approach by the part of the two organizations, with an overall view of the international scene that cannot be thought in watertight compartments anymore. As we are seeing with the current situation, the spillover effects of the war in Ukraine are reaching almost every domain and they are influencing political equilibria all around the world.

In addition to these elements, the EU and NATO will have to face another important set of changes in the next few months which will strongly affect the current status and the extent of their cooperation. As a matter of fact, new dynamics are arising both inside NATO and the EU. For what concerns NATO, two historically non-aligned states have formally asked to join the Alliance, namely Sweden and Finland. These two states, besides being in close proximity to Russia, are very different from all previous states joining NATO and they will strongly affect the former equilibrium within the Alliance, as it has already become evident with Turkey's opposition to their request.<sup>348</sup> Finland and Sweden, in fact, are entering the Alliance explicitly for protection against a possible Russian menace. Furthermore, being former non-aligned states, they bring in more financial and military assets<sup>349</sup> and this will probably influence the shaping of NATO's interests through these economic and military leverages on the negotiation table. These elements will inevitably change the current dynamics inside NATO, as, first of all, the number of European Union's states would increase even more and the European pillar inside the Alliance would be strengthened, an element that states like the US will unavoidably have to take into account. Nonetheless, dynamics could be affected also within European states as the leverages hold by these two countries could move the focus of the Alliance even more towards the Baltic and the Arctic Seas, and away from areas of interest as the Mediterranean.<sup>350</sup> To all these elements, the fact that new tensions between NATO and Russia could arise, especially if Finland and Sweden start to host on their soil certain type of armaments, should be taken into account.

Moving to the European Union, the main recent pivotal development is represented by Denmark. As a matter of fact, on the first days of June, Denmark held an historic referendum to drop

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<sup>348</sup> Turkey's president, Tayyip Erdogan, had shocked fellow NATO members by saying he could not support membership for either Finland or Sweden. Ankara's main demands are for the Nordic countries to halt support for Kurdish militant groups present on their territory, and to lift their bans on some sales of arms to Turkey. Ankara says the arms ban - adopted by the Nordic countries in response to Turkey's 2019 military incursion into northern Syria against Kurdish militants - is inappropriate for prospective members of a security pact. Spicer J., Pamuk H., Emmott R., *How Turkey spoiled NATO's historic moment with Finland, Sweden*, in Reuters, May 2022, available at: <https://www.reuters.com/world/how-turkey-spoiled-natos-historic-moment-with-finland-sweden-2022-05-18/>.

<sup>349</sup> As non-aligned states, they maintained their military capability after the end of the Cold War to a degree that most other European states did not. Their militaries and defense industrial bases are superior to those of many NATO members. Finland and Sweden are likely to pay approximately 1.2% and 2.2% respectively, based on the formula that divides the costs among the members based on GDP. The real influence of Finland and Sweden, however, will come from their indirect contributions. Both are better prepared than most NATO members to defend their territory as well as to deploy forces as part of missions out of the region. In fact, both were significant contributors to NATO missions prior to applying for membership, particularly in the Balkans. Those factors will affect their direct and indirect contributions to NATO and give them far more influence than the states that joined in previous enlargements. They bring significant financial and military resources to the table and likely will use that as leverage in NATO policy discussions. Selden Z., *Will Finland and Sweden joining NATO deepen the Alliance's problems?*, in "War on the Rocks", May 2022, available at: <https://warontherocks.com/2022/05/will-finland-and-sweden-joining-nato-deepen-the-alliances-problems/>.

<sup>350</sup> This is likely to lead to a greater NATO air and naval presence in the Baltic, as well as more of a NATO focus on the Arctic. On both points, Sweden and Finland will sit closer to the British position, which has particular political significance in the post-Brexit environment. Selden Z., *Will Finland and Sweden joining NATO deepen the Alliance's problems?*, in "War on the Rocks", May 2022, available at: <https://warontherocks.com/2022/05/will-finland-and-sweden-joining-nato-deepen-the-alliances-problems/>.

the country's "opt-out" on European Defence.<sup>351</sup> The referendum obtained the highest proportion of yes votes ever, leading to the possibility for Danish troops to participate in EU military missions. Danish Prime Minister stated "We're showing, that when Putin invades a free country and threatens the stability in Europe, we others pull together, (...) When freedom knocks on Europe's door and it's war again on our continent, you cannot be neutral. We support Ukraine and the Ukrainian people."<sup>352</sup> This is a great sign of commitment to common security and of unity within Europe.

"The world is changing, and not in a good way. We need to stand together and strengthen the cooperation that strengthens our security".<sup>353</sup> This statement of the Danish Head of opposition perfectly embodies the change of policies that we are witnessing in Northern and Eastern Europe. Moreover, considering that Sweden and Finland are both European countries and that Denmark is one of the founding member states of NATO, the link between these two organizations is strengthened even more. Notwithstanding the fact that new equilibria will need to be established following these events, the potential and the effectiveness that enhanced cooperation between NATO and the EU could bring on the international scene become even more evident.

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<sup>351</sup> For 30 years, the defence reservation has meant that Denmark played no part in most European defence and security initiatives. In practical terms the Danes are not invited to meetings, have little influence and cannot take part or finance any military operations. The EU is currently involved in several military missions and voting yes could mean taking part in at least two of them, in Bosnia-Herzegovina and off the coast of Somalia. It would mean joining the EU's Common Security and Defence Policy, and it would open the door to other security-related agencies. Denmark is currently unable to work with its European allies on tackling cyber threats. Murray A., *Denmark votes to drop EU defence opt-out in 'historic' referendum*, in BBC, June 2022, available at: <https://www.bbc.com/news/world-europe-61644663> .

<sup>352</sup> Murray A., *Denmark votes to drop EU defence opt-out in 'historic' referendum*, in "BBC", June 2022, available at: <https://www.bbc.com/news/world-europe-61644663> .

<sup>353</sup> Henley J., *Denmark votes overwhelmingly to join EU's common defence policy*, in "The Guardian", June 2022, available at: <https://www.theguardian.com/world/2022/jun/01/denmark-votes-on-joining-eus-common-defence-policy> .

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**Major in Security**

**Chair of Security Studies**

**EU-NATO Security Cooperation:**  
**facing challenges and opportunities in the Southern and Eastern**  
**Flanks.**  
**- Summary -**

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## Summary

The European Union's Strategic Compass has defined the environment in which the EU is finding itself as an everyday more complex setting, where there are precarious equilibria and numerous potential challenges and threats exist. This situation inevitably needs a new holistic and cohesive approach, conscious of the opportunities and challenges present. In this sense, the Strategic Compass has put the accent on the fact that cooperation between institutions like the EU and NATO is pivotal and essential in such a complex perspective. It is indeed upon this EU-NATO cooperation as "key to our overall security" that this whole work is constructed. The aim of this thesis is to understand the extent of EU-NATO cooperation and assess its evolution, current functioning, but most importantly its effectiveness in facing the threats posed by the present international situation.

The chapters of this thesis, in fact, focus on the recent concrete developments of this cooperation through the analysis of two different case studies featuring the coordination of NATO and the European Union in the Southern and Eastern Flanks of the Union. The aim is to understand the real implementation of the relationship developed within the framework of the Joint Declarations between NATO and the EU, and most importantly to try highlighting which are the conditions that favour this cooperation and the elements that instead are hindering it.

In the aftermaths of the Second World War, an idea found widespread consensus and endorsement, namely the willingness to try preventing future conflicts and deterring aggressions. From this intent and in order to formalize this cooperation, different international agreements and organizations saw the light and, in particular, the North Atlantic Treaty Organization and the European Union. Their relationship was based on the fact that the former provided a strong security framework within which the European integration process could take place. With the end of the Cold War, the equilibrium between the two organizations changed: the EU started to be seen as not only as a civilian power, but a growing power also in the realm of security and defence; the very existence of NATO started to be questioned.

NATO, missing the core reason for its existence, had to adapt to the new challenges, like the insurgence of new ethnic, intrastate types of conflict in Central and Eastern Europe as a consequence of the collapse of the Soviet Union. NATO committed itself to the instauration of a cooperation relationship with these countries, creating different programs as the North Atlantic Cooperation Council and the Partnership for Peace (PfP) in 1994. These NATO programs were meant to encourage cooperation and trust between NATO and non-NATO members, and they even became fundamental

stages for the eventual full NATO membership. In the post 1991, the Alliance delineated its first Strategic Concept welcoming “the enhancement of the role and responsibilities of European members of the Alliance”, highlighting the importance of “the strengthening of the European pillar within the Alliance”.

The idea behind a common foreign and security policy in Europe dates back to the very beginning of the European process in 1948, with a first unsuccessful attempt, the Pleven Plan for a European Defence Community. In parallel the Western European Union (WEU) was created with a treaty signed in 1948, which, however, remained a smaller and subordinated system to NATO. It was revitalized many times, in particular in 1992 with the Petersberg Task Declaration, and became a laboratory for European defence cooperation. It held a prominent place in the formulation of a Common European Security and Defence Policy (CESDP), within the Maastricht Treaty and acted as a bridge between the EU and NATO. The launching of the European Security and Defence Policy (ESDP) took place only in 1999. In this occasion the role of the High Representative was defined and given to Javier Solana. This represented the fundamental step for developing cooperation between the EU and NATO through the Berlin Plus Arrangement giving the possibility to ESDP missions to rely on NATO capabilities. In 2016, in face of new challenges and threats, the Global Strategy on Foreign and Security Policy was drafted emphasizing the need for an EU consistent, comprehensive, and common foreign policy.

The common link between NATO and the EU was, therefore, the safeguard and guarantee of peace and security on the European continent and the promotion of a rule-based international order. In 2002 the NATO-EU Declaration on ESDP was agreed leading to the Berlin Plus Agreement and to the establishment of the EU’s first-ever military operation, Operation Concordia. From that moment until 2013, NATO-EU cooperation was almost frozen, apart from informal relations between high level officials. This partnership was affected by some political obstacles as the accession of Cyprus to the EU in 2004 and Turkey's membership of NATO. With the spring of 2014, a new security and political environment delineated and inevitably affected the cooperation effort of NATO and the EU, calling for an urgency in giving new substance to the EU-NATO strategic partnership. This effort resulted in the adoption of two joint strategies and a number of measures to be addressed jointly. Nevertheless, the smooth and efficient functioning of the EU-NATO cooperation has been hindered by a number of issues going from the inadequacy of the partnership tools and frameworks at disposal, different memberships and interests of the two organizations, to some political obstacles. However, both the EU and NATO have expressed their willingness to work closely to achieve the security and stability of Europe and its neighborhood. They have continued to cooperate in military

and civil missions on the ground, coordinating their work and achieving results. Over the past 20 years, NATO and the EU have gone from coexistence to cooperation and their respective strategic thinking seem to have become increasingly aligned. New security challenges are requiring capabilities and tools, both military and civilian, that the EU and NATO singularly do not possess and NATO- EU cooperation is becoming indispensable. Two case studies are used to concretely research this cooperation.

The first case study focuses on maritime cooperation in the Mediterranean, which represents a fundamental global crossroad and a complex space where the key contemporary challenges intersect. The stability of the area is an essential element for the European and transatlantic defence and security. An EU-NATO maritime cooperation is then essential for a coordinated response to the variety of Mediterranean issues, especially after the outbreak of the Arab Springs.

The role of NATO in the region is often ambiguous and contested. NATO initiated an effort of coordination in the area with non-NATO countries through the Mediterranean Dialogue (MD) in 1994. MD countries have contributed throughout the years in NATO operations in Kosovo, Libya, and Afghanistan, even if the dialogue is more a confidence-building measure than a real partnership. For what concerns NATO's missions in the area, the only Article 5 operation on anti-terrorism that NATO has ever had was indeed in the Mediterranean, namely Operation Active Endeavour, launched after 9/11. With the advent of the Arab Spring, new challenges and opportunities arose with an increase in the demand for assistance and a NATO Strategy for the South. NATO decided to launch a new and broader maritime operation, Operation Sea Guardian, able to potentially cover the full range of NATO's maritime security operation tasks.

Coming to Europe, the Union started to keep relations and build agreements with the countries of the Mediterranean region. At first, these were mainly economic relations but, later on, exchanges moved in the realm of foreign affairs and external relations with an important necessity for a regional dialogue and cooperation on social stabilization and security. The Barcelona process, or Euro-Mediterranean Partnership, was established in November 1995 for creating a framework of regional cooperation and integration to foster the economy and to promote European values. It was followed by the European Neighbourhood Policy (ENP), launched in 2004 and able to comprehend all direct neighbours of the enlarged EU. The aim was to avoid the emergence of new dividing lines, promoting integration, the values of democracy, rule of law and on the respect of human rights. However, limitations existed and to revive Euro-Mediterranean cooperation a new institutional architecture was envisaged, namely the Union for the Mediterranean. The EU has restated its commitment to the

relationship and cooperation with the southern neighbourhood with some of its missions, starting with the military and humanitarian Mare Nostrum Operation launched by Italy in 2013 to tackle the humanitarian emergency of migration flows. It was substituted by Operation Triton operated by Frontex, shifting its core task to surveilling EU's external borders with a limited control to European territorial waters. Triton was replaced by Operation Themis in 2018 to reflect the changing patterns of migration and face the increased migration flows. In 2015 the European Council established a CSDP operation, EUNAVFOR MED Sophia, to strengthen EU's presence at sea to fight the trafficking, prevent illegal migration flows and also reinforce cooperation with the Libyan Coast Guard. It was then substituted with another CSDP mission in 2020, EUNAVFOR MED Irini, mainly focused on the implementation of the UN Security Council Resolutions on the arms embargo on Libya. This shows the change in the approach dictated by the strong European political constraints and the public opinion.

However, the Mediterranean plays a pivotal role in the equilibrium not only of the European area, but also of the Atlantic region and, therefore, single EU and NATO interventions and EU-NATO maritime cooperation proved essential. Cooperation in maritime domains started in 2008 with anti-piracy missions in the Gulf of Aden which coordinated outside the Berlin Plus framework and without any joint planning. These were able to deliver on their mandate doing what was needed to make this cooperation work, leading to an excellent coordination. This served as model for EU-NATO coordination in the Mediterranean, which occurred at first through the EU's military operation EUNAVFOR MED Sophia and NATO's Sea Guardian Operation. These missions differed geographically, legally, and operationally. Yet, the two organizations committed to cooperate and formalized it with a Joint declaration in 2016. This resulted in the enhancement of the maritime situational awareness through a closer exchange of information and a strong political message. With Operation Irini, this cooperation was hoped to be replicated and a cooperation agreement was officially asked. NATO contribution to the mission would stem many of the criticisms on impartiality of Irini and it would further dismantle security threats to the region. Nevertheless, such an agreement still has not materialized as some non-EU NATO members have hampered the relationship, also leading to different incidents taking place in the Mediterranean, to the endangering of Irini's credibility and NATO political coordination in Operation Sea Guardian. Both the EU and NATO have expressed their willingness to work closely to reach the positive consequences that such a collaboration would have comprehensively.

NATO and the EU do share a lot of interests and objectives in the European southern flank and especially in the Mediterranean. The security of EU and NATO are interconnected and the



partnership at every level of cooperation between the two organizations strengthens their transatlantic link. Notwithstanding difficulties and obstacles which have structural, political and practical origins, it should be said that cooperation even if not complete is present to a certain extent, with the development of some best practices and informal procedures for cooperation. Moreover, there are valuable signs that they are willing to intensify their cooperation on future challenges and threats in the Mediterranean as a collective effort is strongly needed. However, to override the political and institutional blockages between the two organizations, “the EU and NATO would have to be faced with an imperative to pool forces in a belligerent high-intensity scenario”.

The second case study takes in consideration the Ukraine-Russia relationship from 2004 to 2022, with special focus on how NATO and the European Union behaved in face of the major crisis happened between the two neighbouring countries. Ukraine is the largest neighbouring country on Russia’s Western borders, and it shares an history of both strong and disputed ties with Russia. The position of Ukraine in the geopolitical context has always been of relevance and source of stability or instability in the wider European region. The Ukrainian Soviet Socialist Republic was founded in 1921 and was included into the Soviet Union for the 70 following years. For many Russians, in fact, Ukraine is part of Russia. Ukraine declared independence in 1991 following the collapse of the Soviet state, however, because of the strong interdependence with Russia, the country started to deal with internal crisis. Notwithstanding Russia’s influences, Ukraine has sought to forge its own path as a sovereign state in connection with EU and NATO.

In this context, the Orange Revolution started in in November 2004 following an election fraud in the presidential elections, which gave Yanukovich as the winner while Yushchenko was the favorite one. In face of this result, Yushchenko declared the victory had been stolen and urged citizens to gather at Maidan, Kyiv’s Independence Square. One million people gathered at Maidan and after days of mass protests the poll was declared invalid. The Orange Revolution had a strong effect of national awakening on Ukraine and its population, while Russia reacted with anger blaming the West. The 2004 elections brought a radical shake-up of Ukraine’s political scene, making clear the willingness for the country to join the EU and NATO. The EU made a firm commitment to resolve the situation and uphold democracy. The Commission adopted action plans within the European Neighbourhood Policy, highlighting the importance of Ukraine as a key neighbour. Ukraine’s relationship with NATO had better prospects, as since 2002 their relationship was governed by the NATO–Ukraine Action Plan aimed at full integration into Euro-Atlantic security structures. The Orange Revolution presented an opportunity to deepen the NATO-Ukraine relationship and to consolidate the recent democratic gains.

The relationship between Ukraine and Russia became tense again with gas disputes in 2006 and 2009. Ukraine has been a major corridor for the transit of Russian gas to Europe and these disputes arose over the price of gas as prices were rising. Russia cut off supplies in January 2006 for the first time and in January 2009. The gas dispute erupting in 2009 was the most serious leading to shortages of gas in multiple Eastern European countries. The EU was affected by these gas disputes and felt obliged to engage in the bilateral issues. A monitoring mission was established and highlighted the need to address the problem with a long-term political action to tackle constrictions on gas imports. NATO is found by some as the cause of the 2009 gas dispute because of its pledge in April 2008 that Ukraine and Georgia would eventually become NATO member states.

The Kremlin, then, started to perceive EU and NATO penetration into the near abroad as a direct threat to Russian interests, especially when the EU started to negotiate an Association Agreement (AA) with Ukraine in 2007 and a Deep and Comprehensive Free Trade Area (DCFTA) in 2008. In 2013, the Ukrainian president announced that the negotiation of the AA and DCFTA with the EU would be suspended, shocking European leaders and Ukrainian people, who reacted with the Euromaidan protests of 2013. Russia responded with two separate and concurrent military operations, striking while Ukraine was vulnerable with a temporary government and unprepared military. First, Moscow chose to invade and annex Crimea in between February and early March 2014. At the same time, Russia fomented a political protest movement that quickly escalated into a violent insurgency in Eastern Ukraine, in the regions of Donetsk and Luhansk, between February and May. The conflict soon transitioned to a persistent hybrid war, costing Ukraine more than \$10 billion and causing 14,000 deaths between 2014 and 2021.

The 2014 annexation and subsequent events were considered by some to mark the end of the post-cold war period and the beginning of a new epoch of security policy in European history. It forced the EU to reconsider the relations with Russia and those in their shared neighbourhood. It condemned Russia's actions and adopted a set of sanctions to impose on Russia: first diplomatic sanctions, secondly targeted measures against individuals and legal entities and, lastly, sectoral economic sanctions. It also approved economic and financial support to Ukraine and the EU Advisory Mission Ukraine was created. NATO strongly condemned Russian actions in Ukraine and based its aid on four areas: rehabilitation for injured troops, cyber defence, logistics, command and control, and communications. In addition, NATO announced the suspension of all practical civilian and military cooperation with Russia and, in face of criticisms for a more robust military presence in the region, at the 2016 NATO Summit in Warsaw, member states agreed to enhance NATO's presence in the east and southeast of the Alliance through the enhanced forward presence. Both NATO and the

EU were forced to reconsider their security assets and relations and their ultimate response was a combination of two sets of decisions of rather different nature. The real momentum for deepening EU-NATO cooperation stemmed from the crisis in Ukraine, as the situation obliged both organizations to act to achieve a common strategic purpose. 2014 opened a window of opportunity to further develop EU-NATO cooperation as the need to do more together in the future became evident.

In December 2021, more than one hundred thousand Russian troops were deployed near the Russia-Ukraine border. Russia's foreign ministry, then, issued a series of requests, calling for the US and NATO to cease any military activity in Eastern Europe and Central Asia, to commit against further NATO expansion towards Russia preventing Ukraine from joining NATO. These demands were rejected and after weeks of tensions, President Putin launched a full-scale military invasion of Ukraine in February 2022. Their initial objective was to install a Russian puppet government in Kyiv, which failed in front of a prepared Ukrainian resistance. The whole international community condemned from the beginning Russian actions and supported Ukrainian forces. The conflict has been persistent and on the 9<sup>th</sup> of May, 77<sup>th</sup> anniversary of Soviet Union Victory over Nazi Germany, Putin confirmed the continuation of the Russian special military operation with high possibilities of escalations notwithstanding the continuous negotiations. The EU expressed all its solidarity by denouncing Russia's actions against the sovereignty and territorial integrity of Ukraine. To further support this position, the EU issued different packages of sanctions, designed to weaken Russia's economic base, depriving it of critical technologies and markets, significantly curtailing its ability to wage war also by imposing a great number of individual sanctions and providing military support. The EU has shown unity and strength and has provided Ukraine and the countries giving protection for people fleeing the war, with coordinated humanitarian, political, financial and material support. NATO has helped coordinate Allies' adoption of restrictive measures and affirmed that the military alliance would defend every inch of its territory. To avoid any direct confrontation with Russia and further escalations, NATO will not deploy forces to Ukraine and the delivery of weapons and military equipment is carried out through the individual member states. Moreover, NATO has enhanced its own deterrence posture. It becomes evident that there has been a united response of NATO and the EU in face of the Ukraine war with a renewed impetus for both the EU's CSDP and for enhanced EU-NATO cooperation. The EU and NATO have implemented remarkably coherent sets of responses, showing the complementarity of the two organizations' roles. There has been, indeed, greater cooperation among NATO and the EU in the past few months than at any time in the past 30 years giving hope for a revolution in Euro-Atlantic security burden sharing.

Over the past 20 years, NATO and the EU have then gone from coexistence to cooperation. Their strategic thinkings have started to align to face the threat experienced in an increasingly complex modern world. The assessment of the two case studies shows that the conditions surrounding the intervention of both the EU and NATO influence their single actions and the extent of their cooperation. The first case study, focusing on the naval missions in the Mediterranean carried out by NATO and the EU, showed how there are two main levels of coordination influencing cooperation, namely the political and the operational levels. The political level highlights that the operations conducted in the Mediterranean run outside the Berlin Plus or any joint planning, and cooperation is hindered due to a number of political issues, as the different membership, the shares of defence spending and the different interests of member states. Notwithstanding the political and some institutional obstacles, cooperation still takes place as there is the willingness to make things work, improve operational effectiveness and limit the damages of non-cooperation. The second case study has enhanced this concept of a cooperation besides the political deadlocks in cases of “emergency”. The cooperation between NATO and the EU was re-enhanced with the delineation of a new security and political environment in the spring of 2014 and was followed by the 2016 Warsaw Joint Declaration, giving new impetus to the NATO-EU strategic partnership. However, political and institutional obstacles remained and hindered this relation. The recent events of Ukraine war once again confirmed the fact that obstacles are put aside when a crisis arises. Indeed, EU and NATO showed the ability of implementing a coherent set of responses, enhancing their complementarity and raising their credibility. On the whole, then, the first case study highlighted how cooperation between NATO and the EU can be hindered by political and institutional obstacles, even if a certain amount of coordination remains, while the second showed that these obstacles are put aside in face of great moments of crisis, leading to effective coordination between the Alliance and the Union. The objective is now to try to understand how these tendencies find place and their causes in the main theories of international relations, such as realism, liberalism and constructivism.

The issues of cooperation between states, and even more between international organizations, have always been matter of interest in the theories of international relations, especially as security is often a contested concept. What can be drawn from the theoretical analysis of the main theories of international relations applied to EU and NATO, as international organizations and as organizations cooperating, is that they have reflected different elements from all the three main frameworks. NATO was born as a classic realist institution, which against all realist expectations persisted even when the reason of its creation disappeared. This gave credit to the more liberalist view of institutions, stating that there were many reasons for the continuation of such an organization, among which mutual gains and reduction of transaction costs and uncertainty. The liberal perspective is also at the basis of the

EU, an institution for economic, political and social cooperation. With the development of the defence identity of the EU, the constructivist point of view came into play too, as a shared regional and European identity began to take the lead. Cooperation between these two organizations complicates things even more considering that cooperation among institutions is a liberalism's feature. NATO and EU started coordinating with mainly liberalism's aims, namely the ability to create a common ground for interaction, smoothing differences for reaching mutual interests. Constructivism also here plays a role, considering that they share a large part of member states and embody the concept of Western powers. This has brought to the creation of a shared identity promoting joint interests and resilience of this cooperation among institutions. Nonetheless, as already outlined, joint interests waned, and obstacles arose. These elements gave credit to the realist assumption that once the main interests for the creation of cooperation ceased to exist, cooperation would disappear too. Moreover, the second case study has given some credit to the realist thinking too. Both in 2014 and 2022, it is evident how the re-emergence of the threat at the basis of NATO and the menace at the borders of the Union, made the two organizations cooperate to protect their interests. Therefore, there is no clear and defined dividing line among the different frameworks of international relations applicable to EU-NATO cooperation. Elements from all three theories are intertwined and connected among them, overlapping according to the international situation they are facing. Realism, liberalism and constructivism are all necessary to understand the behavior of member states, institutions and their cooperation.

Lastly, it becomes fundamental taking stock of the situation and try formulating some policy proposals for the future of this cooperation. Discussions on improving the partnership between the two have been going on for some time, especially in light of the new security challenges. However, the path towards this stronger, better coordinated relationship is far from paved. Despite different points of view, it is becoming increasingly clear that there is more that brings the EU and NATO together than what separates them, even if there are elements that should be improved. First of all, discussions between NATO and EU should be further enhanced through common meetings, especially to find political solutions to disputes hindering the smooth development of joint actions. A political balance should be sought to ensure a holistic vision to reach together. Information exchanges should be increased to build more confidence and foster regular updates and the share of best practices. New cooperation protocols should be established as the 2003 agreements are no longer of practical use. For these elements to be effective, the EU should also boost its military, defence capability and operational headquarters, without being seen as a duplication of NATO assets. This would allow Europe to act separately, but always in connection and complementarity with NATO. In addition, as the current and future challenges and threats lack any clear geographical limit, they cannot

be confronted without a strong cooperative effort with tools and abilities that taken alone are not equally effective. A more modern and complex vision of security, moreover, should be developed to reach more comprehensive responses to multidimensional and complex challenges. The two sides of the Atlantic should engage in an open, genuine and continuous political dialogue, focused on sensitive issues to build consent on common political priorities and joint strategies. Signs of willingness to intensify this cooperation are present, and the delineation of the new European Strategic Compass and of the NATO Strategic Concept will be of fundamental importance. The real challenge, in fact, will be to further the sense of community that has started to grow throughout the two organizations to enhance this cooperative effectiveness.

In conclusion, we are currently living a period of great uncertainty, with complex developments and challenges questioning the security and political environments. Such circumstances have influenced the evolution and responses of single states and international organizations. NATO and the EU, in fact, have responded through the adaptation of their single and coordinated strategies to face these challenges at best. It is in this context that the two case studies analyzed in this work find place, embodying the complexity of these challenges. Going from the political to the practical implementation, they highlighted how cooperation and non-cooperation between NATO and the EU can influence the evolution of these challenges and the effectiveness of their responses. They demonstrated that a coordinated and cooperative action is necessary and that problems can be put aside in cases of necessities and emergencies.

In light of these findings, cooperation between NATO and the EU should be rethought and enhanced, especially considering that huge changes are already and will be faced on the international scene in the next future. Moreover, EU and NATO will experience new dynamics affecting their current status and the extent of their cooperation. Two historically non-aligned states have formally asked to join the Alliance, namely Sweden and Finland. These two will strongly affect the former equilibrium within the Alliance, increasing the number of European states, introducing new leverages for a change of focus towards North, and increasing the possibilities of tensions between NATO and Russia. Moving to the EU, Denmark held an historic referendum to drop the country's "opt-out" on European Defence, giving a great sign of commitment to common security and of unity within Europe. The links between these two organizations will be strengthened even more with more members in common for security and defence. New equilibria will need to be established, but the potential and the effectiveness that enhanced cooperation between NATO and the EU could bring on the international scene become even more evident.