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# COMMENT

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## No zero-sum game among EU foreign policy actors > Germany's leadership in the Ukraine crisis has strengthened the Union

As Germany has led Europe's response to the Ukraine crisis during the past year, the EU institutions have been sidelined. While the role of the latter needs to be strengthened, it is crucial to avoid zero-sum competition among the many European foreign policy actors.

The Ukraine crisis has been a startling test for the EU as a regional and international actor, faced with violations of core international norms by Russia. In view of the devastation in Ukraine and continued aggressive behaviour by Russia, the results to date are far from encouraging. However, the EU has coped with the crisis better than one could have expected.

This is largely due to the role adopted by Germany in taking the lead in confronting Russia, while ensuring that member states remained united behind the double-track approach combining diplomacy and sanctions. Berlin has set an example as to how member states can take the lead in crisis diplomacy in a manner that benefits the EU as a whole. The way Germany has handled the crisis has strengthened European (and not just German) foreign policy leadership.

Yet Germany's leadership has also raised concerns about the absence of EU institutions from the key negotiating formats and about their weak role in shaping the EU's approach. There is a tendency to portray this as a matter of a zero-sum game between the many actors involved in the making of EU foreign policy. While Germany's leadership has been largely appreciated across

European capitals, it has also been a cause of dissatisfaction for those who have been relegated to the sidelines. To some extent, this is a matter of ambitious political figures craving visibility, and countries such as Poland and the UK interpreting their limited role as a national defeat.

More importantly, Germany's leadership raises questions about legitimacy and mandate. In the so-called Normandy format, Germany and France have been negotiating with Russia and Ukraine behind closed doors over matters that are crucial to European security, without having a clear mandate from the other member states and with uncertainty over their red lines. Suspicions about a 'directoire' of the largest member states imposing their will on the EU, and memories of past deals made among big European powers over the heads of others in-between, have been aired in Polish, Finnish and other national debates.

These worries highlight the need to strengthen the EU's foreign policy institutions. During the early phase of the crisis in Ukraine in late 2013 and early 2014, the then High Representative (HR) for Foreign Affairs and Security Policy, Catherine Ashton, did not even seek a leading role. The focus of crisis diplomacy soon moved from the level of foreign

ministers to the heads of state – and the HR, no matter who it is, cannot be a counterpart in talks with the Russian president. It is the president of the European Council who represents the EU externally at the level of heads of state in matters where the Commission has no competence.

However, the then President of the European Council, Herman van Rompuy, was preoccupied with the economic crisis and played little part in the EU's external relations. This absence of EU figures, followed by the lengthy transition period after the European Parliament elections of May 2014, created a vacuum that had to be filled by someone.

The new leaders of EU institutions who took up office in November 2014 came with fresh ambitions. Recent months have seen the new European Council President, Donald Tusk, seeking to raise his foreign policy profile. He crafted an EU heads of state statement after the shelling of Mariupol in eastern Ukraine in January, including strong wording on Russia's responsibility. He has also reminded that the European Council takes decisions on the sanctions against Russia, and is preparing to lead a strategic debate in the next European Council meeting in March on energy, Russia and the Eastern neighbourhood.

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His activeness can be seen as part of the broader trend of an increased role of heads of state in foreign policy. This has been very visible during the Ukraine crisis, where Angela Merkel has emerged as the undisputed key foreign policy leader of Europe. In addition to his representational tasks, Tusk can play an important role in building a consensus on Russia among EU heads of state, and in helping to legitimize Merkel's activities.

In the field of foreign and security policy, Tusk should work closely with the European External Action Service (EEAS) and draw on its expertise. The EEAS, led by the High Representative, was only created a few years ago and is still seeking a comfortable position between member states and the Commission.

The new HR, Federica Mogherini, has made progress in improving cooperation between the EEAS and the Commission. She also seeks to respond to the calls for a stronger role for the HR and EEAS in taking the initiative and proactively shaping EU foreign policy. Yet her first major effort to do so, the 'Issues Paper' on Russia launched in January, was badly timed and unprofessionally prepared. Furthermore, in the eyes of several member states, it confirmed doubts about her grasp

of the nature of the strategic threat posed by Russia. It also underscored that the main problem in EU foreign policy is not too many actors, but the lack of a shared strategic vision.

In spite of the increased activeness of EU institutions, foreign and security policy remains an area where member states are keen to maintain their sovereignty and control. Neither Tusk nor Mogherini are allowed to overshadow, let alone replace, their national counterparts. This is the way member states want to keep the EU foreign policy system. So the many players in the field have little choice but to try to make the best of it and aim at operating as a tight-knit network.