



The SAIS Europe Journal  
of Global Affairs



# Shifting Tides: Global Inflection Points

Integration Through Crises: The Impact of European  
Green Deal Policies on EU Integration

*By Annabelle Weisser*

Sustainable Finance at an Inflection Point: The EU  
Taxonomy and its Impacts?

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International Law's Role in a Strat-Dominated World  
Part 3

*By Dr. Arthur Appleton and Dr. Justin Frosini*

Volume 28 - Spring 2025

# **Shifting Tides: Global Inflection Points**

On events that reshaped the established world order

The SAIS Europe Journal of Global Affairs  
Spring 2025  
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## **About**

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## Letter from the Rector of SAIS Europe

It is with great pride that I present this year's edition of SAIS Europe Journal of Global Affairs, a publication that reflects the intellectual curiosity, analytical rigor, and sense of purpose of the students at SAIS-Europe. Pioneered by students in 1997, to showcase student scholarship, the Journal has expanded throughout its life to include writing from current students, alumni, professors, and practitioners.

This issue brings together a set of sharp, timely reflections on the shifting architecture of global order, with particular attention to the dynamics of power realignment, institutional adaptation, and the contested role of norms and governance.

Several contributions engage with the erosion and reconfiguration of geopolitical alignments—from the Middle East to Eastern Europe and the Indo-Pacific—highlighting how regional instability, declining U.S. leadership, and growing assertiveness among authoritarian powers are reshaping strategic alliances.

Institutional and normative frameworks emerge as a second major theme. Whether through the European Green Deal or the EU sustainable finance taxonomy, multiple pieces examine how global institutions respond to crises—not merely by enforcing existing norms but by transforming them. This adaptive governance is marked by tensions between rules and flexibility, centralization and local ownership, ambition and uneven implementation.

A third thread interrogates the instrumentalization of global norms—on development, migration, non-proliferation, and international law—by powerful actors. Several authors critically examine how states and institutions deploy normative language to advance strategic goals, blurring the line between idealism and interest-driven policymaking.

Taken together, these articles speak to a world in rapid change: one where inherited structures of order are being challenged from below and within, and where the legitimacy and efficacy of global governance face renewed scrutiny. Yet they also point to emerging possibilities for innovation, agency, and reimagined cooperation under new constraints.

This publication stands as a testament to the initiative and leadership of the student editors, writers, and contributors who brought it to life. Let me mention in particular Kihyun Kim & Matthew Kavanagh, Co-editors-in-Chief; Yael Sternberg, Managing Editor; Kamakshi Shah, Senior Copy Editor; Tess Lepelstat, Senior Submissions Editor; Ivan Filip Kovacevic, Business Manager; Odile Dresse, Event Manager; and Anna Fratsyvir, Podcast Manager for their dedication to fostering informed debate and critical thinking.

I invite you to explore the diverse and timely topics presented in this issue, which we hope will provoke thought, spark dialogue, and contribute to the broader discourse on international affairs.

Renaud Dehousse

Rector, Johns Hopkins University – SAIS Europe

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## Letter from the Editors

Dear Readers,

It is with great pleasure that we present the 28th volume of the SAIS Europe Journal of Global Affairs, titled “Shifting Tides: Global Inflection Points.” This year’s edition examines the profound changes shaping our international system, with a particular focus on moments where crises and realignments have disrupted established dynamics.

The contributions in this issue examine a broad set of inflection points. From shifting strategic alliances and contested regional orders to evolving institutional frameworks and normative debates. Together, they reflect a world in flux. One where multilateralism is tested, where power is redistributed, and where new actors challenge longstanding hierarchies.

Several pieces explore this geopolitical recalibration, highlighting the fraying of post-Cold War alignments and the emergence of new axes of cooperation, particularly among non-Western states. Others look at how global institutions adapt under pressure. Sometimes by consolidating authority, other times by embracing new forms of flexibility or contestation. Across these discussions runs a common theme. The political and normative foundations of the global order are actively being reimaged.

As editors, we aimed to preserve the journal’s tradition of rigorous scholarship while welcoming fresh perspectives on the evolving global landscape. Our editorial team has worked with care and integrity to ensure this volume reflects the intellectual breadth of SAIS Europe and its commitment to critical, forward-looking engagement with global affairs.

This volume is the product of collaboration, dedication, and shared intellectual curiosity. We are especially grateful to our authors, whose insight and scholarship made this publication possible. We also thank our editorial and business teams for their commitment and creativity, as well as the faculty, staff, students, alumni, and professionals whose support and contributions throughout the year helped bring this publication to life and inspired new debates.

In an era of shifting tides, we hope this edition offers clarity, provokes meaningful conversation, and fosters a deeper understanding of the turning points shaping our global present. We hope you enjoy this issue.

Sincerely,

Matthew Kavanagh and Kihyun Kim

Co Editors-in-Chiefs, SAIS Europe Journal of Global Affairs

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## Iran, Russia, China, and the Shifting Tides in the Middle East

Arash M. Akbari

*The collapse of Bashar al-Assad's regime in Syria has triggered a significant power shift in the Middle East, disrupting regional stability and altering global geopolitical alignments. This transformation has intensified cooperation among the United States' primary adversaries—Russia, China, Iran, and North Korea—who perceive Assad's downfall as another example of Western interventionism. The event may reinforce their shared interests in regime survival, internal control, and military collaboration, particularly in response to threats of external influence. While Russia, Iran, and North Korea deepen their military and technological cooperation, China remains cautiously engaged, balancing its economic ties with the West against its strategic partnerships with these states. The fall of Syria's government also challenges long-standing alliances, forcing Moscow and Tehran to reassess their positions in the region. Iran faces difficulties in maintaining its regional proxy networks, while Russia seeks to secure its military foothold. As a transitional government emerges in Syria, these shifting dynamics could either solidify or test the growing alignment of anti-Western powers, reshaping the geopolitical landscape in the Middle East and beyond.*

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### Introduction

The geopolitically turbulent year of 2024 in the Middle East has come to an end marked by an extraordinary power shift in Syrian territories caused by the fall of Assad. Events in Syria over the past month have upended the balance of power in the region causing new alliances to form, some old alliances to become brittle, and some to strengthen. This phenomenon represents a complete transformation in balance of power. The war in Ukraine has often been characterized as a precipitating factor in the growing alignment of the United States' key adversaries—China, Russia, Iran, and North Korea. The conflict has incentivized greater cooperation between the members of this quartet. From all the weapon manufacture and exchange between these countries to deployment of foreign soldiers and the battlefield. The fall of the Bashar al-Assad's regime in Syria may bring America's four rival antagonists closer together still, at least for now.

The rising alignment between the states of Russia, China, Iran, and North Korea has been driven by a shared perception that the United States and its allies have historically acted to undermine their sovereignty, weaken their influence, and cut off their access to markets. In Moscow, Tehran, Beijing, and Pyongyang, the fall of Assad is likely to be seen through this prism, yet another data point suggesting that the West will do anything to undermine their survival.



## Pursuing The Strategic Bond

The overnight collapse of the Syrian regime could heighten fears of domestic upheaval, particularly in Moscow and Tehran. As part of the growing military cooperation among the four countries, Russia has already shared<sup>1</sup> advanced surveillance technologies with Iran, and China has subsequently supplied<sup>2</sup> Iran with anti-drone and aircraft electronic laser defensive systems. However, the recent events in Syria could incentivize greater cooperation and knowledge sharing on surveillance and internal control mechanisms. Assad's downfall will once again reinforce a key lesson for authoritarian regimes across the globe about the cost of failing to stamp out internal threats to their rule. As a result, other countries may decide to pursue greater alignment with Russia, Iran, China, and North Korea if they view the risk of regime change as greater than the costs of cooperation with U.S. adversaries.

The fall of the Syrian government could also lead to greater military cooperation among Russia, Iran, and North Korea. Failure in Syria could prompt Russia, seeking a win, to double down<sup>3</sup> on its war in Ukraine, accepting nothing less than total victory in the conflict. Iran's supply of drones and missiles<sup>4</sup>, and North Korea's supply of ammunition and troops<sup>5</sup>, has been crucial in sustaining the Russian war effort in Ukraine thus far, and in the event of an intensification of the conflict, Russia may request increased military support from both Tehran and Pyongyang. In return, Russia could provide Iran with assistance in rebuilding its battered air defenses or expand nuclear cooperation. Likewise, Russia could provide North Korea with the high-end technologies and expertise needed to upgrade its nuclear, space, and missile programs.

Although China, Russia, Iran, and North Korea are increasingly viewed as an aligned group, cooperation among them has been almost entirely bilateral so far. This section explains the state

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<sup>1</sup> Yaroslav Trofimov, "The War in Ukraine Has Created a New 'Axis of Evil'," *Wall Street Journal*, December 22, 2023, <https://www.wsj.com/world/the-war-in-ukraine-has-created-a-new-axis-of-evil-cd50a398>.

<sup>2</sup> Trofimov, "The War in Ukraine Has Created a New 'Axis of Evil'."

<sup>3</sup> Anatoly Kurmanaev, "Humbled in Syria, Putin Seeks Vindication in Ukraine", *New York Times*, December 12, 2024, <https://www.nytimes.com/2024/12/12/world/europe/putin-syria-ukraine.html>.

<sup>4</sup> C. Todd Lopez, "Iran Gives Russia Short-Range Missiles, While U.S., Partners Expect to Keep Bolstering Ukrainian Air Defense," *U.S. Department of Defense*, September 10, 2024, <https://www.defense.gov/News/News-Stories/Article/Article/3901774/iran-gives-russia-short-range-missiles-while-us-partners-expect-to-keep-bolster/#:~:text=%22The%20United%20States%20has%20confirmed,Gen>.

<sup>5</sup> Kelth Johnson, "North Korean Shells Fuel Russia's War—and Kim's Ambitions," *Foreign Policy*, October 3, 2024, <https://foreignpolicy.com/2024/10/03/north-korea-russia-weapons-arms-ukraine-war/>; Steny Hoyer, "The Seats in This House Are Empty Today, While Democracy and Freedom Are Under Siege in Ukraine," *U.S. Congressman Steny Hoyer press release*, December 14, 2023, <https://hoyer.house.gov/media/press-releases/hoyer-seats-house-are-empty-today-while-democracy-and-freedom-are-under-siege>.

of cooperation between each pair, in increasing order of importance. The most significant instances of their cooperation have undeniably been in the context of Russia's war on Ukraine. Whether this cooperation will survive the war is uncertain. The threats from deeper future cooperation among these pairs are greater, but future cooperation is not foreordained and should not be extrapolated from straight line projections based on recent trends in the Middle East. We must also consider that there are also other potential states with similar political views against the West in which can potentially join the bargain against the US in the region and greater areas such as Pakistan, Venezuela, Brazil, and other smaller powers.

### **The Eastern Front**

As tensions between the four states and the West have increased, China has been more willing to play that leadership role. However, it is not clear how much it would sacrifice in its positive economic relations with the United States and its allies in Europe and Asia to organize deeper cooperation among these economically weaker partners. Although the newly implemented tariff policy by Trump's Administration could potentially boost this shifting policy in favor of security rather than deterrent economics. China is deeply integrated into the world economically and politically in ways that the other three countries are not. China benefits from the existing world order far more than the other three and prefers different end states from them when it comes to international rules of the road, for example.

While China seeks to reform the world order, Russia, Iran, and North Korea aim for what more closely resembles an outright revolution. Moreover, Russia now sees its relationship with Europe as almost entirely adversarial whereas China seeks to sustain a positive economic and political relationship with the wealthy European nations. In other words, China is somehow playing the two-level game on an international level whereas on one side they are the strategic security and economic partner of the anti-West wagon and on the other side the deceptive yet strategic economic partner of the West. This two-level game<sup>6</sup> can be seen by the US as both exploitative and provisional. However, the newly implemented tariff policy by the US targeting China could possibly discourage China's economic relations with the west and straitening their military strategies with the other side.

### **The Caspian Neighbors**

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<sup>6</sup> Robert D Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games," *International Organization* 42, no. 3 (1988): 427–60.

When it comes to Russia and Iran, the roots<sup>7</sup> of this deepening alignment were apparent long before February 2022. Over a decade of propping up the regime of Assad, the two countries became increasingly enmeshed, even as their security interests<sup>8</sup> often diverged. The fall of the Syrian regime could mark a turning point in the Russia-Iran relationship, and it may also have broader implications for the growing alignment<sup>9</sup> of the United States' key adversaries. Over a decade of civil war in Syria, the Assad regime could count on the steadfast support of two countries—Russia and Iran. In the early years of the civil war, Iran deployed<sup>10</sup> Quds Force personnel to the country, ultimately allowing the Syrian regime to regain key territory from rebel control. The Russian intervention<sup>11</sup> in September 2015—reportedly<sup>12</sup> initiated after Iranian Quds Force commander Qasem Soleimani appealed to Russian President Vladimir Putin during a visit to Moscow—provided decisive air control<sup>13</sup> to Syrian government forces. Without the support of Russia and Iran, the Assad regime likely would have collapsed much earlier.

## Conclusion

For both countries Iran and Russia, Syria was a linchpin for their geopolitical ambitions. For Iran, Syria served as a critical land bridge<sup>14</sup> that allowed it to funnel weapons and supplies to Hezbollah. With the future of that supply route in question, and Hezbollah's ranks and infrastructure decimated<sup>15</sup> by conflict with Israel, Iran now faces the considerable challenge of

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<sup>7</sup> Michelle Grisé and Alexandra T. Evans, “The Drivers of and Outlook for Russian-Iranian Cooperation,” *Rand Corporation*, October 4, 2023, <https://www.rand.org/pubs/perspectives/PEA2829-1.html>.

<sup>8</sup> Seth G. Jones, Joseph S. Bermudez Jr., and Nicholas Harrington, “Dangerous Liaisons: Russian Cooperation with Iran in Syria,” July 16, 2019, <https://www.csis.org/analysis/dangerous-liaisons-russian-cooperation-iran-syria>.

<sup>9</sup> Muyu Xu, “Explainer: Iran’s expanding oil trade with top buyer China,” *Reuters*, November 10, 2023, <https://www.reuters.com/markets/commodities/irans-expanding-oil-trade-with-top-buyer-china-2023-11-10/>.

<sup>10</sup> Ian Black, “Iran confirms it has forces in Syria and will take military action if pushed,” *The Guardian*, September 16, 2012, <https://www.theguardian.com/world/2012/sep/16/iran-middleeast>.

<sup>11</sup> Bill Chappell, “Russia Begins Airstrikes In Syria After Assad's Request,” *NPR*, September 30, 2015, <https://www.npr.org/sections/thetwo-way/2015/09/30/444679327/russia-begins-conducting-airstrikes-in-syria-at-assads-request>.

<sup>12</sup> Laila Bassam and Tom Perry, “How Iranian general plotted out Syrian assault in Moscow,” *Reuters*, October 6, 2015, <https://www.reuters.com/article/world/how-iranian-general-plotted-out-syrian-assault-in-moscow-idUSKCN0S02BV/>.

<sup>13</sup> Michael Simpson et al., “Road to Damascus,” *Rand Corporation*, May 11, 2022, [https://www.rand.org/pubs/research\\_reports/RRA1170-1.html](https://www.rand.org/pubs/research_reports/RRA1170-1.html).

<sup>14</sup> Dan De Luce and Abigail Williams, “Assad regime's collapse is a devastating defeat for Iran,” *NBC News*, December 9, 2024, <https://www.nbcnews.com/news/world/assad-regimes-collapse-devastating-defeat-iran-rcna183369>.

<sup>15</sup> Barak Ravid, “How Israel decimated Hamas and Hezbollah leadership in three months,” *AXIOS*, October 18, 2024, <https://www.axios.com/2024/10/20/israel-assassinations-sinwar-hamas-hezbollah>.

rebuilding its once formidable proxy network. With a reduced ability to resupply<sup>16</sup> Hezbollah, Iran may lean more heavily on its network of Shia militia groups in Iraq or on the Houthis. Russia, for its part, is trying to negotiate<sup>17</sup> continued access to its bases in Syria with HTS; in the meantime, it has begun withdrawing<sup>18</sup> troops and materiel from ‘Hmeimim’ Air Base and moved some naval assets from Syria to Libya. “The recent events in Syria challenge the idea...that Russia, Iran, China, and North Korea are working together not just to achieve military or economic objectives, but rather because they seek to supplant the Western-led international order.”<sup>19</sup> Moving forward, as a transitional government<sup>20</sup> takes power in Syria, the anti-liberal axis will have to renegotiate their respective approaches in the Middle East—and their relationships with one another. This test could ultimately bring them closer together than ever and introduce a new order in the Middle East.

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Arash M. Akbari is a MAIA graduate from Johns Hopkins University SAIS with an international law and international relations background from Curtin University in Australia. He is currently working at the Iranian Ministry of Foreign Affairs as a political analyst and a security advisor to the Minister. Previously worked as a research assistant at the German Institute of Global and Area Studies (GIGA), Russian International Affairs Council (RIAC), the Australian Institute of International Affairs (AIIA); also was an Officer of External Relation and Strategic Partnerships at the International Anti-Corruption Academy at United Nations Office in Vienna.

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<sup>16</sup> Carrie Keller-Lynn, “Hezbollah Chief Says Assad’s Fall Severed Key Supply Line From Iran,” *Wall Street Journal*, December 15, 2024, <https://www.wsj.com/world/middle-east/hezbollah-chief-says-assads-fall-severed-key-supply-line-from-iran-a723aed5>.

<sup>17</sup> Adam Taylor and Evan Hill, “Russia packs up military assets in Syria; future of bases unclear,” *Washington Post*, December 13, 2024, <https://www.washingtonpost.com/world/2024/12/13/russia-syria-bases-tartus-hmeimim/>.

<sup>18</sup> Taylor and Hill, “Russia packs up military assets in Syria.”

<sup>19</sup> Christopher S. Chivvis and Jack Keating, “Cooperation Between China, Iran, North Korea, and Russia: Current and Potential Future Threats to America,” *Carnegie Endowment for International Peace*, October 8, 2024, <https://carnegieendowment.org/research/2024/10/cooperation-between-china-iran-north-korea-and-russia-current-and-potential-future-threats-to-america?lang=en>.

<sup>20</sup> Al Jazeera Staff, “What to know about Syria’s new caretaker government,” *Al Jazeera*, December 15, 2024, <https://www.aljazeera.com/news/2024/12/15/what-to-know-about-syrias-new-caretaker-government>.



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## Integration Through Crises: The Impact of European Green Deal Policies on EU Integration

Annabelle Weisser

*This article explores the impact European Green Deal policies have had on EU integration since 2019. It takes as a starting point the assumption that, throughout the EU's history, its institutions have often responded to crises with deeper integration. In this context, the European Green Deal represents the EU's strategic response to the ongoing environmental crisis, which acutely impacts Europe, the fastest-warming continent on the planet. The article presents case studies on how the European Green Deal has strengthened EU integration in three key ways: through fostering policy integration, through the budgetary domain, and through its impact on foreign policy. It aims to contribute to the debate between intergovernmentalists and supranationalists by arguing that the European Council, Council of the EU and European Commission exercise leadership in distance yet complementary ways.*

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### Introduction

European integration since 1950 has been driven by crisis response. During challenging times, European Communities (EC) or European Union (EU) decision-makers often responded by strengthening institutional integration. This pattern has existed since the post-WWII period, when European economic integration was seen as a tool that would make war between France and Germany “not merely unthinkable, but materially impossible.”<sup>1</sup> In the 1970s, challenges like oil shocks, economic crises, and stagflation could have threatened the course of European integration. Instead, they gave rise to institutional innovation like the creation of the European Monetary System, the establishment of EC law primacy through several landmark cases, and renewed powers of the European Council (EUCO). In the 1990s, the uncertainty after the collapse of the Soviet Union and the question as to whether and how Germany should be reunified could have broken the European project apart. Instead, the challenges of the time ended up advancing monetary union and anchoring Germany further within the European framework.<sup>2</sup>

A defining crisis of the current decade and beyond is the environmental crisis. The risks posed by climate change have grown to unprecedented levels.<sup>3</sup> More species than ever are at risk

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<sup>1</sup> Mark Gilbert, *European Integration: A Political History* (Lanham: Rowman and Littlefield, 2021), 40.

<sup>2</sup> Gilbert, *European Integration*, 187.

<sup>3</sup> Intergovernmental Panel on Climate Change, *Summary for Policymakers*, in *Climate Change 2021: The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change*, ed. V. Masson-Delmotte et al. (Cambridge: Cambridge University Press, 2021), 3–32.

of extinction.<sup>4</sup> Pollution in the air, water and soil threatens the health of people and the planet.<sup>5</sup> These developments present significant challenges in Europe: The European Environment Agency attests that Europe is the fastest-warming continent on the planet and will increasingly face risks from extreme weather events, such as heatwaves, droughts, and floods.<sup>6</sup> In the summer of 2022, between 60,000 and 70,000 premature deaths could be attributed to record-hot temperatures.<sup>7</sup> The EU's response to this crisis has been the European Green Deal (EGD): it includes a set of proposals to tackle climate change, biodiversity loss, and pollution. The objectives of the EDG, as outlined by the European Commission (EU-COM), are the achievement of carbon neutrality by 2050 and a decoupling of economic growth from resource use.<sup>8</sup>

The scope of the EGD has sparked a debate whether it aligns with previous patterns of EU climate policy or whether a new era of climate governance has begun.<sup>9</sup> After all, European environmental policy goes back to the Paris Summit of 1972, when leaders of the then nine Member States of the EC vowed to pay special attention “to non-material values and wealth and to protection of the environment.”<sup>10</sup> Since the 1990s, the EU has been described as a leader in international climate diplomacy, e.g., through its influential role in shaping the 1992 UN Framework Convention on Climate Change (UNFCCC) and the 1997 Kyoto Protocol.<sup>11</sup> However, the EGD appears different in scope and depth. Tocci has described the current ambition as “a normative vision to fight the existential crisis posed by anthropogenic climate change [...] and a route to a political Union by fostering a common cause between Member States and by reconnecting to the European public.”<sup>12</sup> This suggests that the EGD may have an impact beyond

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<sup>4</sup> Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), *Summary for Policymakers of the Global Assessment Report on Biodiversity and Ecosystem Services of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services*, edited by S. Díaz et al. (Bonn: IPBES Secretariat, 2019), 11.

<sup>5</sup> United Nations Environment Programme (UNEP), *Emissions Gap Report 2023: Broken Record – Temperatures Hit New Highs, Yet World Fails to Cut Emissions (Again)* (Nairobi: UNEP, 2023), 9.

<sup>6</sup> European Environment Agency (EEA), *European Climate Risk Assessment: Advancing the EU Adaptation Strategy* (Luxembourg: Publications Office of the European Union, 2024), 13–15.

<sup>7</sup> European Environment Agency, *European Climate Risk Assessment*, 13–15.

<sup>8</sup> European Commission, *Communication from the Commission: The European Green Deal*, COM(2019) 640 final (Brussels, 2019), 2.

<sup>9</sup> Claire Dupont et al., “Three Decades of EU Climate Policy: Racing toward Climate Neutrality?” *WIREs Climate Change* 15, no. 1 (2024): 8.

<sup>10</sup> Secretariat of the Commission, *Bulletin of the European Communities*, no. 10 (September–October 1972), vol. 5, 16.

<sup>11</sup> Sebastian Oberthür and Claire Dupont, “The European Union’s International Climate Leadership: Towards a Grand Climate Strategy?” *Journal of European Public Policy* 28, no. 7 (2021): 1095–1114.

<sup>12</sup> Nathalie Tocci, *A Green and Global Europe: A Strategic Agenda for the EU in a Changing World* (Cambridge: Polity Press, 2022), 2.

its stated goals of achieving climate neutrality by 2025 and clean economic growth. It may serve as another example of how crises serve as critical junctures that open up pathways to deeper EU integration.

This paper examines whether EGD policies have driven EU integration. The term EGD policies refers to the objectives outlined by the EU-COM Communication “The European Green Deal.”<sup>13</sup> This includes laws or legislative proposals that build directly on this communication as well as policies that have emerged in other contexts but are specifically aligned with the EGD priorities, for instance, the REPowerEU plan. To operationalize EU integration, Gilbert’s definition of European integration as “the historical process whereby European nation-states have been willing to transfer, or more usually pool, their sovereign powers into a collective enterprise” is a useful starting point.<sup>14</sup> However, this analysis applies Gilbert’s definition exclusively to an EU context rather than Europe as a whole. After providing an overview of the existing literature, the paper explores different areas of potential EU integration. For each of these areas, it provides case studies and discusses how they have contributed to EU integration. The analysis focuses predominantly on climate change policies but also includes one case study tackling pollution.

## Literature Review

There is an extensive body of literature on the EU’s environmental ambition, both pre- and post-EGD. One part of the literature concerns questions about how the EU institutional set-up has influenced its environmental policy. For instance, Meyer discussed the impact of the evolution on the European Parliament on environmental policy in the 1970s and 1980s.<sup>15</sup> Burns took a more contemporary perspective on the impact of the European Parliament,<sup>16</sup> while her colleagues analyzed the influence of the Member States, the Commission, or the Court of Justice.<sup>17</sup> Others discussed the impact of specific leaders; for instance, Warloutzet focused on the “greener colour”

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<sup>13</sup> European Commission, *The European Green Deal*, 1–24.

<sup>14</sup> Mark Gilbert, *European Integration*, 1.

<sup>15</sup> Jan-Hendrik Meyer, “Pushing for a Greener Europe: The European Parliament and Environmental Policy in the 1970s and 1980s,” *Journal of European Integration History* 27, no. 1 (2021): 57.

<sup>16</sup> Charlotte Burns, “The European Parliament,” in *European Union Politics*, 7th ed., ed. Michelle Cini and Nieves Pérez-Solórzano Borragán (Oxford: Oxford University Press, 2022), 128.

<sup>17</sup> Rüdiger K.W. Wurzel, Duncan Liefferink, and Maurizio Di Lullo, “The Council, European Council and Member States,” in *Environmental Policy in the EU: Actors, Institutions and Processes*, 4th ed., ed. Andrew Jordan and Viviane Gravey (Abingdon: Routledge, 2021), 75; Alexander Bürgin, “The European Commission: A Climate Policy Entrepreneur,” in *Handbook on European Union Climate Change Policy and Politics*, ed. Tim Rayner, Kacper Szulecki, Andrew J. Jordan, and Sebastian Oberthür (Cheltenham: Edward Elgar, 2023), 93; Ludwig Krämer, “The Court of Justice of the European Union,” in *Environmental Policy in the EU: Actors, Institutions and Processes*, 4th ed., ed. Andrew Jordan and Viviane Gravey (Abingdon: Routledge, 2021), 110.

of EU social policy under EU-COM President Jacques Delors.<sup>18</sup>

Another part of the debate concerns questions about the effectiveness of environmental ambition. The EU-COM has been criticized for appearing more ambitious than the actual impact of its proposals.<sup>19</sup> Gravey and Jordan asked whether a decline in new environmental legislation implied “that the EU had suddenly become less ambitious.”<sup>20</sup> Burns et al. suggested that a range of different factors was at play: rather than equating a decrease in new legislation with a decrease in ambition, they argued that the decline in new environmental legislation throughout the 2010s could also mean that there was a “mature body of legislation” in place and the focus should be on implementation.<sup>21</sup>

Another debate has emerged on the link between EU environmental policy and EU integration. This debate is linked to the ongoing discourse between intergovernmentalists and supranationalists, which concerns questions about the role of different EU institutions in driving EU decision-making and, ultimately, EU integration. Intergovernmentalists focus on the role of those institutions that represent the member states, including the EUCO and the Council of Ministers (Council). Supranationalists attribute greater weight to the role of supranational institutions, including the EU-COM. Wurzel, Liefferink and Di Lullo found that, prior to 2019, both intergovernmental and supranational<sup>22</sup> institutions drove the EU’s environmental policy, albeit manifesting their leadership in different ways:

While a new intergovernmentalist perspective helps to explain the increased structural leadership offered by the European Council on high politics climate change issues, the neofunctionalist logic elucidates the interlocking relations [...] between EU institutional and

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<sup>18</sup> Laurent Warloutzet, “A Social Europe with a Greener Perspective: The Evolution of the Delors Commission Around 1989,” *Studi Storici* 1 (2021): 189.

<sup>19</sup> Brigitte Leucht and Jan-Hendrik Meyer, “A Citizens’ Europe? Consumer and Environmental Policy,” in *Reinventing Europe: The History of the European Union, 1945 to the Present*, ed. Brigitte Leucht, Kiran Klaus Patel, and Laurent Warloutzet (London: Bloomsbury Publishing, 2023), 212; Christoph Knill, Yves Steinebach, and Xavier Fernández-i-Marín, “Hypocrisy as a Crisis Response? Assessing Changes in Talk, Decisions, and Actions of the European Commission in EU Environmental Policy,” *Public Administration* 97, no. 3 (2019): 375.

<sup>20</sup> Viviane Gravey and Andrew Jordan, “New Policy Dynamics in More Uncertain Times?” in *Environmental Policy in the EU: Actors, Institutions and Processes*, 4th ed., ed. Andrew Jordan and Viviane Gravey (London: Routledge, 2021), 335.

<sup>21</sup> Burns et al., *EU Environmental Policy in Times of Crisis*, 12.

<sup>22</sup> Some authors use the term neofunctionalism instead of supranationalism. For the sake of consistency, this paper uses the term “supranationalism”. Supranational institutions are entities which emerged from the transfer of sovereignty from nation states to an international organization, for example the EU-COM.



Member State officials which also fit well an entrepreneurial leadership perspective.<sup>23</sup>

Rosamond and Dupont looked at the response of different institutions to the EGD. They found that the intergovernmental bodies have largely backed the policies proposed by the EU-COM and managed to resolve divergences between Member States.<sup>24</sup> Ullrichova looked at whether the engagement of the EUCO on environmental policy has increased during the period from the Maastricht Treaty to 2023. She found that a broad consensus among EU institutions was necessary to push environmental policy during this period, and that the EUCO alone did not appear to be a pivotal actor.<sup>25</sup>

A specific policy field, where the link between environmental policy and EU integration has been highlighted, is international relations. Scholars like Tocci focused on the effect of environmental policy on the EU's foreign policy ambitions. A central argument of Tocci's work, for example, is that if the EU wants the EGD to succeed, it needs to advocate for environmental progress on the international stage. Proclaiming that "the success or failure of this agenda [marks] the fate of the European project for decades to come," she concluded that the EU's environmental and foreign policy were necessarily intertwined.<sup>26</sup> Other researchers on EU climate leadership analyzed the potential of the EU to advance its environmental agenda beyond its borders as well as institutional challenges this may entail.<sup>27</sup>

This paper builds on the discussion about the impact of environmental policy on the EU. Rather than focusing exclusively on the role of individual institutions (such as the EUCO or the Council) or on individual policy areas (such as foreign policy), it presents case studies from different perspectives highlighting how EGD policies have contributed to EU integration.

## Analysis

This chapter compiles case studies on how different aspects of the EGD have influenced EU integration. It considers the institutional set-up established by the Treaty on European Union, as amended by the Treaty on the Functioning of the European Union as the status quo. Key reforms

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<sup>23</sup> Wurzel, Liefferink, and Di Lullo, "The European Council, the Council and the Member States," 267–268.

<sup>24</sup> Jeffrey Rosamond and Claire Dupont, "The European Council, the Council, and the European Green Deal," *Politics and Governance* 9, no. 3 (2021): 357.

<sup>25</sup> Eliska Ullrichova, "New Intergovernmentalism: European Council and Environmental Policy," *Journal of European Integration* (2024), 16.

<sup>26</sup> Nathalie Tocci, *A Green and Global Europe*, 169.

<sup>27</sup> Sebastian Oberthür and Claire Dupont, "The European Union's International Climate Leadership: Towards a Grand Climate Strategy?" 1109; Teresa Fajardo del Castillo, "From Climate Diplomacy to Green Deal Diplomacy," in *Deploying the European Green Deal*, 1st ed. (London: Routledge, 2024), 171.

introduced by the Lisbon Treaty include, for example, the shift of energy policy from an exclusively national competence to a shared one. Consequently, the 2009-2014 legislative period saw the emergence of new regulatory bodies at the EU level, for instance, an independent Directorate-General for Energy within the EU-COM and the Agency for the Cooperation of Energy Regulators (ACER). Since energy policy today comprises three quarters of climate action, it is also a major vehicle for the EGD. Another important feature, first established by the Treaty of Maastricht, is that the EU enjoys legal personality, allowing it to be a party to international treaties like the UNFCCC and the Paris Climate Agreement.<sup>28</sup> Building on this legal framework, I examine three areas of potential further integration: a) policy integration; b) the EU's budget; and c) the EU's foreign policy capabilities. In each of these sections I provide case studies highlighting the impact of EGD policies.

### *Policy Integration*

Policy integration can be defined as efforts concerning “the management of cross-cutting issues in policy-making that transcend the boundaries of established policy fields, which often do not correspond to the institutional responsibilities of individual departments.”<sup>29</sup> It thus entails an expansion of policies into new fields and creates a more far-reaching policy framework. This section discusses how EGD policies have driven policy integration.

In the field of environmental policy, policy integration is considered a crucial step to avoid harmful impacts of other, seemingly unrelated policies on the environment.<sup>30</sup> While the EGD includes a ‘do no harm’ principle meaning that all future policies should be in line with the objectives of the EGD,<sup>31</sup> the general idea of combining environmental policies with other fields dates back further. On the nexus of energy and climate policy, for instance, the Trans-European Energy Network Regulation of 2013 had a strong focus on energy security but also included climate objectives such as targets for GHG emission reduction and renewable energy sources in final energy consumption.<sup>32</sup> One of the key priorities of the Juncker Commission (2014-2019) was the Energy Union, which sought to combine energy infrastructure integration with a “forward-

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<sup>28</sup> Josephine van Zeben and Arden Rowell, *A Guide to EU Environmental Law* (Cambridge: Cambridge University Press, 2020), 26.

<sup>29</sup> Evert Meijers and Dominic Stead, “Policy Integration: What Does It Mean and How Can It Be Achieved? A Multi-Disciplinary Review,” presented at the Berlin Conference on the Human Dimensions of Global Environmental Change, 2004, 1.

<sup>30</sup> Meijers and Stead, “Policy Integration,” 1.

<sup>31</sup> European Commission, *Communication from the Commission*, 19.

<sup>32</sup> Regulation (EU) No 347/2013 of the European Parliament and of the Council of 17 April 2013, recital 7.

looking climate change policy.”<sup>33</sup>

One case study of EGD-driven policy integration is the REPowerEU Plan, which the EU-COM published in response to the Russian war against Ukraine and the following energy crisis. It aimed at rapidly reducing the EU’s reliance on Russian fossil fuels by diversifying external energy suppliers, reducing energy demand, and accelerating the energy transition towards renewable energy sources.<sup>34</sup> Even though the EGD did not originally foresee REPowerEU, it heavily influenced the EU’s response to the war. REPowerEU is thus an example of how the EU has integrated its EGD-objectives into its policy towards Russia, an area traditionally viewed through the lens of energy and security rather than climate policy.

Another case study where the EGD objectives have been integrated into an otherwise unrelated field is the Next Generation EU program (NGEU). NGEU was designed as an instrument to support the recovery of the European economy after the COVID-19 pandemic. It was distributed to Member States through loans and grants and was financed via joint debt. The EU-COM ruled that least 37 percent of spending in Member States’ Recovery and Resilience Plans (RRPs) was to be allocated to sustainable investments in categories ranging from “clean transport & infrastructure,” “energy efficiency,” and “clean energy & network.”<sup>35</sup> Moreover, the green investment program of NGEU also built on REPowerEU: “With its focus on saving energy, producing clean energy, and diversifying our energy supplies through reforms and investments, the integration of REPowerEU has significantly boosted the climate-transition footprint of NGEU.”<sup>36</sup> The EU has thus combined its clean energy efforts with both its responses to the Russian war against Ukraine and to the COVID-19 pandemic, creating an integrated policy framework that simultaneously addresses clean energy, energy security, and economic recovery.

### *Budget*

The EU does not levy taxes and financially relies on different types of own resources. Own resources are sources of revenue for the EU “mainly collected by EU member countries and passed

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<sup>33</sup> Etienne Bassot and Ariane Debyser, “Setting EU Priorities, 2014–19: The Ten Points of Jean-Claude Juncker’s Political Guidelines,” European Parliamentary Research Service Briefing (October 2014): 5.

<sup>34</sup> European Commission, *REPowerEU Plan: Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions*, COM(2022) 230 final (Brussels, 18 May 2022), 1.

<sup>35</sup> European Commission, *NextGenerationEU Green Bonds Allocation and Impact Report 2024* (Luxembourg: Publications Office of the European Union, 2024), 7.

<sup>36</sup> European Commission, *NextGenerationEU Green Bonds Allocation and Impact Report 2024*, 7.

onto the EU.”<sup>37</sup> For the purpose of this discussion, Member States giving up financial resources for EU decision-makers to decide upon their use can be treated as a means of integration. This section discusses the impact of EGD policies on the composition of the EU’s budget as well as the ongoing discussion about new types of own resources.

The EU’s regular budget has been influenced by the EGD since 2022 with the introduction of a new resource based on Member States individual rate of non-recycled plastic packaging waste.<sup>38</sup> Although this policy, unlike the other case studies discussed in this paper, is directed at addressing the issue of pollution rather than climate change, it remains a crucial component of this discussion: In 2024, this new own resource based on plastic packaging waste comprised 7 billion euros, or 5 percent of the total EU budget.<sup>39</sup> The effect of the new contribution was designed to be two-fold. On the one hand, the EU-COM hoped that it would “encourage Member States to reduce packaging waste and stimulate Europe’s transition towards a circular economy.”<sup>40</sup> Thus, it plays into the EU’s efforts to reduce pollution as outlined in the EGD. On the other hand, it was meant to contribute to the climate finance targets required to fund the transition.<sup>41</sup> Utilizing the EU budget is a stated objective of the EGD, which proposes a “25% target for climate mainstreaming across all EU programs.”<sup>42</sup>

Beyond influencing the regular budget, EGD objectives also feature in the post-pandemic NGEU economic recovery program (see section a). Comprising 750 billion euros and spanning a period of six years, it represents the largest-ever stimulus effort by the EU (compared to the 2024 regular budget of 142 billion euros, NGEU is almost as high as the total annual EU budget). The program marked a transformative shift in EU solidarity, prioritizing the hardest-hit regions and bridging economic divisions. However, NGEU was not solely focused on economic recovery but also aimed at accelerating the green transition (besides other objectives such as the digital transformation): as described in section a, 37 percent of its funds must be dedicated to green

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<sup>37</sup> Pascal Saint-Amans, *Broader Border Taxes: A New Option for European Union Budget Resources*, Bruegel Policy Brief No. 06/2024 (Brussels: Bruegel, 2024), 2.

<sup>38</sup> This mechanism is spelled out in Art. 2 of the Council Decision (EU, Euratom) 2020/2053 of the Council of the EU. It also includes an annual lump sum reduction for poorer Member States.

<sup>39</sup> Definitive adoption (EU, Euratom) 2024/207, percentage calculation by the author.

<sup>40</sup> European Commission, “Plastics Own Resource,” accessed January 8, 2025, [https://commission.europa.eu/strategy-and-policy/eu-budget/long-term-eu-budget/2021-2027/revenue/own-resources/plastics-own-resource\\_en](https://commission.europa.eu/strategy-and-policy/eu-budget/long-term-eu-budget/2021-2027/revenue/own-resources/plastics-own-resource_en).

<sup>41</sup> European Commission, *Communication from the Commission*, 15.

<sup>42</sup> European Commission, *Communication from the Commission*, 15.



investments. To repay the debt that financed NGEU starting in 2028,<sup>43</sup> new national contributions will likely be necessary as the EU itself cannot levy taxes.<sup>44</sup>

The discussion about additional own resources has also been strongly influenced by EGD policies. In June 2023, the EU-COM published a proposal for additional own resources: two out of three ideas also relate to the EU's climate ambition, namely the Emissions Trading System (ETS) and the Carbon Border Adjustment Mechanism (CBAM). Revenues from the ETS, in place since 2005 but expanded since then, are traditionally collected by Member States. The proposal of the EU-COM includes a transfer of 30 percent of all ETS revenues to the EU budget.<sup>45</sup> Likewise, the CBAM, which has yet to be implemented, originally included only national revenues as well. The 2023 proposal of the EU-COM includes a "technical adjustment" that would introduce a transfer of 1.5 billion euros per year from Member States to the EU.<sup>46</sup> Similar to the plastic waste own resource and NGEU, the proposed new own resources are an example of how the EGD objectives have been a driver of budgetary integration in the EU.

### *Foreign Policy*

A common foreign policy has been a highly contested subject since the failure of the European political community in 1954. Even though the EC has spoken with one voice in international trade negotiations since the completion of the customs union,<sup>47</sup> an overarching common foreign policy has remained "a thorny topic for the European project."<sup>48</sup> Nevertheless, the Maastricht and Lisbon Treaties brought about significant institutional changes, allowing, for instance, the EU's participation in international treaties like the UNFCCC since 1992 and the establishment of the External Action Service in 2010. This section discusses how EGD policies have contributed to a further integration of the EU's foreign policy.

One example is the implementation of the 2015 Paris Climate Agreement. Like previous agreements, the Paris Agreement itself is a mixed agreement signed by both the Member States

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<sup>43</sup> European Commission, "NextGenerationEU," accessed January 8, 2025, [https://commission.europa.eu/strategy-and-policy/eu-budget/eu-borrower-investor-relations/nextgenerationeu\\_en](https://commission.europa.eu/strategy-and-policy/eu-budget/eu-borrower-investor-relations/nextgenerationeu_en).

<sup>44</sup> Alina Dobрева, "Reform of the EU System of Own Resources: State of Play," *EPRS European Parliamentary Research Service*, June 19, 2023.

<sup>45</sup> European Commission, "EU Budget: Commission Puts Forward an Adjusted Package for the Next Generation of Own Resources," press release, June 20, 2023.

<sup>46</sup> European Commission, "EU Budget: Commission Puts Forward an Adjusted Package for the Next Generation of Own Resources."

<sup>47</sup> Richard Pomfret, *The Economic Integration of Europe* (Cambridge, MA: Harvard University Press, 2023), 27.

<sup>48</sup> Mark Gilbert, *European Integration*, 5.

and the European Union.<sup>49</sup> For its implementation, the EU has opted for joint compliance meaning that the EU submits the Nationally Determined Contribution (NDC), a central building block of the Paris Agreement, as one joint document.<sup>50</sup> Internally, individual Member States targets are determined by the Effort-Sharing Regulation, adopted in 2018 (pre-EGD) and revised in 2023 (post-EGD), reflecting different GDP per capita levels and thus a solidarity among Member States in their collective effort to meet international targets. While the original targets ranged from 0% for Bulgaria to 40% for Sweden, the 2023 revision of the regulation raised the lowest target to 10% for Bulgaria and established the highest target of 50% for all Nordic countries as well as Germany and Luxembourg.<sup>51</sup> The basis for this effort-sharing approach was created five years before the EGD, in fact through a decision by the EUCO in 2014;<sup>52</sup> however, the EGD has utilized this approach in its effort to increase climate ambition for 2030.<sup>53</sup> Internally, Member States submit National Energy and Climate Plans (NECPs) to the EU-COM for assessment and alignment with the Union-wide target. During the 2023-2024 update cycle, for example, the EU-COM called on Member States to intensify efforts so that the EU would collectively meet its legally binding target of 55% GHG emission reductions by 2030 compared to 1990 levels.<sup>54</sup> In short, the EGD is not the source of this type of integration, but its objectives are reflected in increased targets and ambition, reinforcing its leadership claims and capabilities to speak at the global stage.

This EGD-driven ambition has increasingly reinforced the EU's *raison d'être* in the current geopolitical landscape: Discussing the nexus between energy and geopolitics, Tocci suggested that the "U.S.'s formidable entrepreneurial spirit; China's growth, its state-driven policies and head start in clean technologies; and Europe's climate leadership, market and regulatory power suggests that all three global players will wield significant energy influence in world affairs."<sup>55</sup> While the notion of climate leadership predates the EGD,<sup>56</sup> it has never been clearer than in the context of

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<sup>49</sup> Rüdiger K.W. Wurzel, Duncan Liefferink, and Maurizio Di Lullo, "The European Council, the Council and the Member States," 266.

<sup>50</sup> Gastón Medici-Colombo, "The European Green Deal and the Energy Charter Treaty: Chronicle of a Breakup Foretold?" in *Deploying the European Green Deal: Protecting the Environment Beyond the EU Borders*, ed. Mac Camphuis Erroja and Xavier Fernández-Pons (Abingdon: Routledge, 2024), 137.

<sup>51</sup> European Commission, "Overview Provided in the Annex to Regulation EU/2023/857."

<sup>52</sup> European Council, "European Council Conclusions EUCO 169/14" (Brussels, October 23–24, 2014), 1.

<sup>53</sup> European Commission, *Communication from the Commission*, 6.

<sup>54</sup> European Commission, "Commission Calls on Member States to Improve Their National Energy and Climate Plans to Ensure Collective Achievement of the EU's 2030 Targets," December 18, 2023.

<sup>55</sup> Nathalie Tocci, *A Green and Global Europe*, 110-111.

<sup>56</sup> Andrew Jordan, Harro van Asselt, Frans Berkhout, Dave Huitema, and Tim Rayner, "Understanding the Paradoxes of Multilevel Governing: Climate Change Policy in the European Union," *Global Environmental Politics* 12, no. 2 (2012): 44.

the EGD itself. Promising a comprehensive “green deal diplomacy,” the EU has pledged to advance its climate leadership by “setting a credible example, and following-up with diplomacy, trade policy, development support and other external policies.”<sup>57</sup> Leonard et al. argued that even the domestic aspects of the EGD will produce such a “sweeping structural change [in] European trade and investment patterns” that it should be regarded as a piece of foreign policy itself.<sup>58</sup>

### *Discussion*

The impact of EGD policies on EU integration takes several different forms. The examples in the area of policy integration (REPowerEU and NGEU) show that EGD policies have shaped EU’s responses to exogenous crises, i.e., Russia’s war against Ukraine and the COVID-19 pandemic. The green transition and the carbon neutrality objective feature prominently in both crisis responses, breaking from a pattern of decline in environmental policy during other exogenous crises, such as the financial crisis in the late 2000s.<sup>59</sup> Instead, they have contributed to creating a more integrated policy framework reflecting the EGD’s “new growth strategy.” The examples in the budgetary domain (the plastic packaging own resource, again the NGEU instrument, and the proposal for new own resources) show that EGD policies have been capable of creating new budgetary instruments that have contributed to EU integration. This is especially true for the plastics packaging own resource, which did not exist until 2022 and is in line with the EGD’s objective of incentivizing waste reduction and streamlining funds available to the EU for green transition projects. The NGEU package, while not exclusively focused on the green transition, significantly advances budgetary integration, as it enabled the EU to take on joint debt for the first time in its history. The examples in the foreign policy area (the joint NDC and climate leadership as the EU’s geopolitical *raison d’être*) show that the causal relationship between EGD policies and EU foreign policy integration is less pronounced. The EU’s international climate and environmental leadership claim has originated long before the EGD came into existence. In fact, the von der Leyen Commission I built on an existing legal framework that was strongly influenced by decisions of the EUCO, which had “taken a close interest in high politics climate change issues since the 2000s.”<sup>60</sup> These examples suggest that EGD policies have increased the EU’s climate

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<sup>57</sup> European Commission, *Communication from the Commission*, 20.

<sup>58</sup> Mark Leonard, Jean Pisani-Ferry, Jeremy Shapiro, Simone Tagliapietra, and Guntram Wolff, *The Geopolitics of the European Green Deal*, Policy Contribution No. 04/2021 (Brussels: Bruegel, 2021), 2.

<sup>59</sup> Knill, Steinebach, and Fernández-i-Marín, “Hypocrisy as a Crisis Response,” 364.

<sup>60</sup> Claire Dupont and Sebastian Oberthür, “The Council and the European Council: Stuck on the Road to Transformational Leadership,” in *The European Union in International Climate Change Politics: Still Taking a Lead?*, ed. Rüdiger Wurzel, James Connelly, and Duncan Liefferink (London: Routledge, 2016), 69.

ambitions, thereby reinforcing its international climate leadership. However, this analysis did not find evidence that the EGD has opened up entirely new spaces for the integration of the EU's foreign policy.

Several of the examples discussed also point to the fact that an interesting new leadership dynamic may be unfolding at the nexus of EU integration and environmental policy. Before the publication of the EGD in 2019, several scholars had argued for a “new intergovernmentalism” in EU integration.<sup>61</sup> Dupont and Oberthür highlighted the crucial role of the EUCO and the Council for the trajectory of EU climate policy in the post-Maastricht period until 2015.<sup>62</sup> Wurzel et al. attempted to further break down the leadership dynamics among the EUCO, the Council, and the Member States.<sup>63</sup> Ullrichova, however, who considered a period up until 2023 and thus included the EGD, found “a significant effect [of the EU-COM] on the direction of the EU environmental policy.”<sup>64</sup> Building on this debate, the case studies in this chapter suggest that the EGD-driven integration may depend both on intergovernmental and supranational actors. Several of the examples discussed were created and pushed largely by the EU-COM, even though they relied on legal pathways initially established by the intergovernmental institutions. This was the case, for instance, for the EUCO's 2014 endorsement of a binding target for GHG reduction emissions and its decision to deliver the target collectively. This decision later featured strongly in the EGD and has allowed the EU and EU-COM to maintain its climate leadership claim. Another example for this is the Council's discretionary power over the composition of the EU's budget.

## **Conclusion and Outlook**

This paper discussed the question whether European Green Deal policies have influenced EU integration. It found evidence of this in three different areas, even though the strength of the causal link varies. Firstly, the analysis concluded that the EU has created a more integrated policy framework by having EGD objectives feed into its responses to exogenous crises. Secondly, the evidence suggests that the EU has substantially advanced its budgetary integration by establishing new own resources and joint debt that fully or partially build on EGD objectives. Thirdly, in the area of foreign policy, the analysis found that the EU has increased its climate ambitions in line

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<sup>61</sup> Christopher J. Bickerton, Dermot Hodson, and Uwe Puetter, “The New Intergovernmentalism: European Integration in the Post-Maastricht Era,” *Journal of Common Market Studies* 53, no. 4 (2015): 705.

<sup>62</sup> Dupont and Oberthür, “The Council and the European Council,” 66.

<sup>63</sup> Rüdiger Wurzel, Duncan Liefferink, and Maurizio Di Lullo, “The European Council, the Council and the Member States,” *Environmental Politics* 28, no. 2 (2019): 249.

<sup>64</sup> Eliska Ullrichova, “New intergovernmentalism: European council and environmental policy,” 6.

with the EGD and, thus, reinforced its international climate leadership claim. However, in doing so it built on an existing legal framework that predated the EGD.

Further research is needed on the impact of these different types of integration on the leadership dynamic between the EUCO, the Council, the Member States and the EU-COM. Several case studies in this paper illustrated how an ambitious EU-COM has expanded its influence while building on strategic decisions by the intergovernmental bodies. This suggests that it may be time to marry the intergovernmentalist approach with a new supranationalism, acknowledging that the different institutions may have distinct roles but shape the trajectory of the EU in a complementary way. In times when the EU is increasingly accused of regulatory overreach and when EU-skeptic parties are gaining ground in many Member States,<sup>65</sup> it is useful to emphasize the role of the EUCO and Council in shaping current policies. This helps highlighting citizens' representation in the EU's strategic decisions. However, in order to collectively fight climate change and protect the planet beyond national borders, the EU needs a strong EU-COM as well.

It is also important to note that the EU's environmental policy continues to evolve. For instance, the von der Leyen Commission II has reinforced its focus on competitiveness and simplification since the beginning of its mandate in December 2024. The proposals put forward, including for the Competitiveness Compass and the Clean Industrial Deal, aim at reconciling the EGD with industry interests.<sup>66</sup> Elements of these new proposals were criticized as a "regulatory U-turn" rolling back parts of the EGD's ambition.<sup>67</sup> On the other hand, important milestones in the realm of EU environmental policy are still upcoming. June 2025 marks the deadline for member states to submit their Social Climate Plans to the EU-COM, which are supposed to counteract the regressive effects of the EU's climate policy instruments. Starting in January 2027, the EU's Emissions Trading System will be expanded to cover emissions from buildings and transport. These developments will provide a foundation to analyze the link between the EU's environmental policy and EU integration in the future. As the EU continues to evolve, central questions will persist around whether environmental policy continues to shape EU integration, and which

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<sup>65</sup> Rasmus Grand Berthelsen, "Mounting Discontent Augurs Badly for EU Green Deal," *Politico*, September 26, 2023, <https://www.politico.eu/article/discontent-eu-green-deal-climate-change-backlash/>; *The Economist*, "The Global Backlash Against Climate Policies Has Begun," *The Economist*, October 11, 2023, <https://www.economist.com/international/2023/10/11/the-global-backlash-against-climate-policies-has-begun>.

<sup>66</sup> European Commission, "Competitiveness," February 26, 2025, [https://commission.europa.eu/priorities-2024-2029/competitiveness\\_en](https://commission.europa.eu/priorities-2024-2029/competitiveness_en).

<sup>67</sup> Alice Bertram, "Simplification Promised, Uncertainty Delivered: How the EU Omnibus Packages Roll Back the Green Deal," *Verfassungsblog*, March 20, 2025, <https://verfassungsblog.de/eu-omnibus-csrd/>.

institutions will be the primary drivers of change.

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## Ukrainian Criminal Groups in 2024: Waning Russian Influence and Black-Market Realignment

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*This paper examines the rupturing of the long-established ties between Russian and Ukrainian organized crime following Russia's February 2022 invasion. Drawing on emerging research, it focuses on the four main drivers of these changes: disruptions in cross-border operations, emerging wartime illicit economies, rising nationalist tendencies, and intensified state oversight. These shifts reveal how the Ukrainian organized crime's westward realignment and the Russian state's further absorption of criminal groups has established fault lines between a once-borderless network. However, the opportunistic nature of organized crime leaves open the question of whether a brokered peace agreement, and the reconstruction boom likely to follow, could thaw the icy ties, and restore the alliances that existed before the conflict. Whether these shifts will endure hinges on the effectiveness of Western-backed anti-corruption efforts, and the conflicts uncertain outcome.*

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In 2023, special agents from the Department of Homeland Security raided the Brooklyn home of Salimdzhon Nasriddinov, a dual Russian-Tajik citizen who facilitated the trafficking of \$10 million worth of sanctioned electronics from the United States to Russia.<sup>1</sup> These electronics, critical for producing missiles and drones used to devastate Ukrainian cities and towns, were purchased by Nasriddinov and his associates through legitimate businesses before being exported abroad. Critical for the production of missiles and drones used to devastate Ukrainian cities and towns, he and his associates purchased hundreds of thousands of dual-use semiconductors through legitimate businesses before exporting them abroad. The smuggling network spanned the globe, with countries like Turkey, India, and Hong Kong serving as key transit points on the way to Russian manufacturing plants. Just a few years ago, even after the Maidan Revolution and the invasion of Crimea, such a sophisticated network would have been largely unnecessary. Criminal partners in the Ukrainian underworld, then seemingly unaffected by the geopolitical tensions between their nations, would have readily supplied these products.<sup>2</sup> Why then, has this changed in 2023, following the onset of the broader war?

This story, and many like it, exemplifies a growing trend in the severing of ties between

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<sup>1</sup> D. Cole, "Brooklyn Resident and Canadian-Russian Nationals Accused of Sending Electronics to Russia and Arrested," *CNN*, October 31, 2023, <https://www.cnn.com/2023/10/31/politics/russian-electronics-charges/index.html>.

<sup>2</sup> Mark Galeotti, *The Vory: Russia's Super Mafia* (New Haven, CT: Yale University Press, 2018), 186.

the Russian and Ukrainian underworlds. With a shared history that stretches from Soviet-era party corruption, to the “Wild 90s” period of economic liberalization, to the state-linked crime organizations found in the modern era, the two nations’ illicit markets have long been interconnected. Human, weapons, and drug trafficking have sustained criminal networks of varying sizes and prominence, even advancing the political careers of leaders such as Viktor Yanukovich and Vladimir Putin.<sup>3</sup> However, recent evidence suggests that with the February 2022 invasion, this relationship has largely come to an end, at least in the short term.

This paper seeks to compile available information to address the following question: What factors have led many Ukrainian criminal groups with historical ties to the Russian underworld to distance themselves from those ties after the 2022 invasion, and how sustainable is this shift? While a complete understanding of this phenomenon is impossible due to the secretive and ever-changing nature of the diverse criminal actors in both nations, several trends have emerged.

Drawing on recent research, particularly Mark Galeotti’s *Times of Troubles* report, it is reasonable to hypothesize that Ukrainian criminal groups have distanced themselves from Russian ties due to disruptions in cross-border operations, new war-driven illicit opportunities, the adoption of nationalist rhetoric, and mounting pressure from Ukrainian and Russian state agencies. Since relationships within this cross border illicit ecosystem are based largely on opportunism and economic convenience, it is unclear whether these changes will persist in the long-term, as the war’s outcome will shape their dynamics.

This paper will begin by defining the criminal networks in these nations, then highlight the interdependent illicit markets that formed after the collapse of the USSR, and the ecosystem’s relative stability because of its connection to corrupt elites. Next, it will address the immediate impact of the February 2022 invasion on the ecosystem, then analyze the shifts recent research and media have identified within the four categories offered above. In conclusion, the paper will assess the likelihood of these changes persisting by examining both the geopolitical uncertainties relating to the conflict and the growing pressure of Ukrainian Westernization.

Addressing this topic is challenging due to the fog of war and the inherently secretive nature of criminal groups. As Mark Galeotti notes, “Greater media censorship and less willingness to acknowledge real problems are already affecting our ability to accurately assess the situation, such that even Russian scholars are beginning to admit that ‘there is now no good data’”.<sup>4</sup> This

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<sup>3</sup> Galeotti, *The Vory: Russia’s Super Mafia*, 185.

<sup>4</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm: Organized Crime in Odesa Since the Russian Invasion,” *Global Initiative*, September 2023, <https://globalinitiative.net/wp->



paper, relying on recent online resources and past literature, is a product of this limitation, and seeks to summarize what has been argued thus far.

Nonetheless, the topic is significant since Ukraine's heroic struggle to exist as a stable democracy has consistently been grossly affected by its ties to Russian criminal groups and their ability to corrupt its officials, institutions, and livelihoods on a large scale. Identifying and highlighting changes due to the war provide national law enforcement and politicians with invaluable information on potential backsliding in these relationships post-conflict and how to combat them. Furthermore, the European Union will also face the consequences of this shifting criminal alignment, as both regional ecosystems seek to harbor new illicit incomes in safe havens away from the front lines. An organized crime migration to the West could lead to the integration of illicit expertise by local criminal actors, further straining the resources needed to address the rise of organized crime in some EU member states.

### **Defining Organized Crime**

Organized crime groups from Ukraine (UOC) and Russia (ROC), are composed of individuals from diverse economic backgrounds and ethnicities. Their ranks include both private individuals and corrupt state actors, and these groups vary widely in sophistication and resources. Unlike Latin American drug cartels or Italian mafias, these groups are highly decentralized yet broadly interconnected.<sup>5</sup> This structure allows actors to access resources, capital, and criminal specialists with relative ease. As Finckenauer and Waring note, "they may not be directly connected to a large number of others, but they are indirectly connected to many".<sup>6</sup> This makes both UOC and ROC difficult to categorize in many instances, as their structures, associations, and member compositions evolve rapidly in response to opportunities. Despite these unique characterizations, Tamara Makarenko's work offers categorizations based on size and association, which are useful for analyzing criminal groupings within both the ROC and UOC regardless of their fluid nature. This paper will use these categories to contrast relationships and specific situations. They are as follows:

1. Criminal Groups (CG) - "Mostly small gangs that are predominantly involved in extortion, theft, and narcotics dealing. These make up the majority of organized

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content/uploads/2023/09/Port-in-a-storm-Organized-crime-in-Odesa-since-the-Russian-invasion-GI-TOC-September-2023.pdf.

<sup>5</sup> Galeotti, *The Vory: Russia's Super Mafia*, 126.

<sup>6</sup> James Finckenauer and Elin J. Waring, *Russian Mafia in America* (Boston, MA: Northeastern University Press, 1998).

crime.”

2. Criminal Organizations (CO) - “Relatively large formations that have known connections to state authorities at a regional level ...”

3. Criminal Networks (CN) - the third group, “... is considered the highest level of organized crime in Ukraine. The influence of this group extends throughout many regions within the country and often includes international ties and the means to launder large volumes of money. The membership base CN consists of a “combination of former communist party elites, members of law enforcement and other security apparati, and organized criminals”.<sup>7</sup>

### **Interconnected Illicit Markets Pre-2022**

Ukraine and Russia’s shared political past, trauma, and the poverty that followed are largely the factors that contributed to its famously close-knit underground connections. After the USSR’s collapse, these connections grew and evolved similarly, forming a single transnational ecosystem. After the fall of the USSR, they would grow and evolve in similar fashion, ultimately forming a single transnational ecosystem.<sup>8</sup> Organizationally, crime generally followed a trajectory from small criminal groups that supplemented larger organizations, to networks with direct ties to state agencies and actors, or oligarchs connected to them. Since the 2000s, Russian organized crime (ROC) has primarily facilitated illicit dealings, with their Ukrainian counterparts (UOC) serving as transit partners. Although largely interconnected, most participants behaved as opportunistic and fluid partners, without top-down, hierarchical systems as seen in the *Wild 90s*’ characterized by the heavily tattooed *vory* elite.<sup>9</sup> As opportunities arose, an organization may have cut ties with a long-time partner, without the need for overt violence or feuds.

Nonetheless, the state in both nations holds decision-making power for those connected to organized crime and is the accepted kingmaker. In *The Vory: Russia’s Super Mafia*, this relationship is described: “The state is undoubtedly the dominant force, able to set the boundaries of ‘acceptable criminality’ and, increasingly, to go further and encourage certain behaviors and activities... Corruption and complicity ensure that there are connections and *ponyatiya* (understandings) at every level, from the Kremlin down to local administrations”.<sup>10</sup>

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<sup>7</sup> Tamara Makarenko, “Ukrainian Mafia Moves into the International Crime Arena,” *Jane’s Intelligence Review* 14, no. 2 (February 2002): 26–29.

<sup>8</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm.”

<sup>9</sup> Finckenauer and Waring, *Russian Mafia in America*.

<sup>10</sup> Galeotti, *The Vory: Russia’s Super Mafia*, 8.

Both before and after 2022, the security services, customs agencies, and economic committees of both nations have been among the most influential corrupt government bodies, greenlighting the largest illicit schemes that state-connected criminal networks engage in. Naturally, members of the parliaments, the *duma* in Russia and *verhovna rada* in Ukraine, are often connected to criminal networks, using these ties to promote their political campaigns and maintain power. Former Ukrainian president Viktor Yanukovich's connection to the Donetsk Clan, and further Moscow's Solntsevskaya crime syndicate, is an unfortunate example of this.<sup>11</sup> In Russia on the other hand, with the absence of legitimate elections, power and acceptable corruption have consistently flowed from Vladimir Putin since his rise to power in the early 2000s.<sup>12</sup>

The web of cooperation within this transnational ecosystem prior to the February 2022 invasion relied on a handful of illicit industries. Smuggling, particularly of drugs, humans and weapons, along with international money laundering, were the most profitable activities. These operations were managed by criminal networks and organizations (CO) with access to corrupt state officials.<sup>13</sup> Embezzlement of state funds has also been highly profitable since the fall of the USSR, though these actions generally do not consist of actors from both nations. Known internationally for its expertise as a “facilitator of underworld transactions, (ROC) ... provides existing gangs with access to expertise, services and criminal products to which normally they could never aspire”.<sup>14</sup> Ukrainian (OC) would greatly benefit from this, as its ports on the Black Sea would become the most important smuggling transit point in eastern Europe. Inland, Ukraine would act as a “contraband superhighway” between Russia and western Europe, while also producing illicit products for export in the various cities around the country.<sup>15</sup> These routes for ROC proved invaluable, and over time, due to shared interests, a largely stable criminal ecosystem developed, with actors from many backgrounds participating relatively peacefully under the oversight of corrupt officials.<sup>16</sup>

In 2014, the Maidan revolution would begin the process of unraveling this relationship. While the main developments on the ground, such as Russia's takeover of Crimea and

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<sup>11</sup> Galeotti, *The Vory: Russia's Super Mafia*, 185.

<sup>12</sup> Mitchell Prothero, “Russian Spies Have Gone Full Mafia Mode Because of Ukraine,” *VICE*, October 27, 2022, <https://www.vice.com/en/article/russia-traffickers-spies/>.

<sup>13</sup> Global Initiative Against Transnational Organized Crime, “New Dynamics, New Opportunities: Trends in Organised Crime in Ukraine After Russia's Invasion,” *LSE Public Policy Review* 3, no. 1 (2023).

<sup>14</sup> Galeotti, *The Vory: Russia's Super Mafia*, 183.

<sup>15</sup> “How the War Split the Mafia,” *The Economist*, April 26, 2023, <https://www.economist.com/international/2023/04/24/how-the-war-split-the-mafia>.

<sup>16</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm.”

establishment of quasi-separatist regions in the east of Ukraine, would not immediately affect participation between ROC and UOC, it would mark the beginning of the split to come.<sup>17</sup> The loss of Sevastopol introduced a rival smuggling port to Odesa, conveniently manned by the Russian military, and the local underworld profits would suffer accordingly.<sup>18</sup> Nationwide outrage over the loss of Crimea would quickly align anti-Russian sentiment, potentially laying the groundwork for the patriotic shift that would later be seen in UOC.<sup>19</sup> The election of Volodymyr Zelensky cemented the country's Western pivot, as the Russian military began finalizing the catalytic invasion it had planned. Both nations' OC groups were wholly unaware of what was to come, and the drastic changes it would bring after the intertwined cooperation that defined the years following the fall of the Soviet Union.

### **Factors Contributing to the Division since the February 2022 Invasion**

#### *Disruptions in cross-border operations*

The most significant disruption between ROC and UOC has been a physical decoupling. Since the February 2022 invasion, a nearly 2,100-mile-long militarized frontline has emerged, fortified with personnel, trenches, landmines and deadly drones. In the Black Sea, the global smuggling hub of Odesa, along with Sevastopol, are under frequent missile and UAV bombardment, reducing shipping traffic to a trickle.<sup>20</sup> These developments have disabled the "contraband superhighway" to Western Europe, which long enriched OC in both nations, and disrupted Russia's role as a dominant underworld facilitator.<sup>21</sup> Three main changes have characterized this disruption. First, sanctions have severed ROC's access to much of the global banking system, ending its ability to launder money on a significant scale. Second, the conflict has effectively eliminated ROC presence in key Ukrainian smuggling ports such as Odesa, dismantling many of the illicit operations it relied on. Finally, the militarized frontline has forced OC groups to abandon long-standing trade routes, radically altering long established smuggling patterns.<sup>22</sup>

On March 1st, 2022, seven of Russia's largest banks were removed from the SWIFT

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<sup>17</sup> Galeotti, *The Vory: Russia's Super Mafia*, 186.

<sup>18</sup> Galeotti, *The Vory: Russia's Super Mafia*, 245.

<sup>19</sup> Anton Grushetskyi and Volodymyr Paniotto, "How the War in Ukraine Has Changed Ukrainians," *Foreign Affairs*, December 30, 2024, [https://www.foreignaffairs.com/ukraine/how-war-ukraine-has-changed-ukrainians?check\\_logged\\_in=1](https://www.foreignaffairs.com/ukraine/how-war-ukraine-has-changed-ukrainians?check_logged_in=1).

<sup>20</sup> Global Initiative Against Transnational Organized Crime, "Port in a Storm," 17.

<sup>21</sup> The Economist, "How the War Split the Mafia."

<sup>22</sup> Mark Galeotti, "Time of Troubles: The Russian Underworld Since the Ukraine Invasion," *Global Initiative*, December 2023, <https://globalinitiative.net/analysis/the-russian-underworld-since-the-ukraine-invasion/>.

payment system, a global network used to facilitate secure international financial transactions. For years, ROC exploited SWIFT and the large banks affiliated with it to launder illicit earnings from international criminal activities.<sup>23</sup> Whistleblower exposés like the Panama Papers revealed how illicit funds were funneled through Eastern countries, including Ukraine, into Western financial systems to obscure their origins before being deposited in tax havens like the British Virgin Islands and the Bahamas. In one stark example, it was uncovered in 2015 that a small town near Kyiv served as a critical link in the “Russian Laundromat,” a money-laundering operation that washed over \$20 billion, an amount sizably larger than the region’s annual budget.<sup>24</sup> In another example, former Ukrainian president Petro Poroshenko, was linked to a comparable network.<sup>25</sup>

The SWIFT cutoff has created significant challenges for the Russian state and ROC, requiring riskier decisions to access money than those seen in the previously mentioned schemes.<sup>26</sup> With the sanctions affecting “nearly 80 percent of all banking assets in Russia”, hard currency has been difficult to acquire and the Kremlin's security agencies have been forced to oversee OC activities to fund themselves.<sup>27</sup> This suggests further absorption of ROC by the state, significantly curtailing the autonomy of these groups.<sup>28</sup> This change will likely be monitored by Western intelligence services, and further deepen divisions between ROC and UOC. Along Ukraine’s southern maritime coast, the physical decoupling is evident in several key examples. In the first months of the invasion, maritime traffic was stopped in Odesa and Mykolaiv, disrupting the operations of all sizes for both ROC and UOC. This stoppage cut off illicit imports that local groups relied on for their distribution networks, largely dependent on tourism which had vanished, while simultaneously stopping transnational smuggling operations.<sup>29</sup>

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<sup>23</sup> Benoit Faucon, Costas Paris, and Joe Wallace, “Russia’s Backdoor to the Global Banking System Is Slamming Shut,” *Wall Street Journal*, March 19, 2024, <https://www.wsj.com/finance/banking/russias-backdoor-to-the-global-banking-system-is-slamming-shut-49bf5c53>.

<sup>24</sup> Olena Loginova, “Ukraine: A Poor Town Controlled Billions,” *OCCRP*, March 16, 2015, <https://www.occrp.org/en/project/the-russian-laundromat-exposed/ukraine-a-poor-town-controlled-billions>.

<sup>25</sup> RFE/RL's Ukrainian Service, “Additional Criminal Cases Launched Against Former Ukrainian President Poroshenko,” *Radio Free Europe/Radio Liberty*, July 10, 2020, <https://www.rferl.org/a/additional-criminal-cases-launched-against-former-ukrainian-president-poroshenko/30719898.html>; “Panama Papers: Ukraine President Poroshenko Denies Tax Claims,” *BBC News*, April 4, 2016, <https://www.bbc.com/news/world-europe-35958762>.

<sup>26</sup> Faucon, Paris, and Wallace, “Russia’s Backdoor to the Global Banking System.”

<sup>27</sup> “U.S. Treasury Announces Unprecedented & Expansive Sanctions Against Russia, Imposing Swift and Severe Economic Costs,” *U.S. Department of the Treasury*, February 24, 2022, <https://home.treasury.gov/news/press-releases/jy0608>; The Economist, “How the War Split the Mafia.”

<sup>28</sup> Galeotti, *The Vory: Russia’s Super Mafia*, 219.

<sup>29</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm,” 1.

Coupled with the outright ousting of pro-Russian OC at the onset of the invasion at the directive of the SBU, these areas' criminal economies effectively collapsed for a short period after the invasion.<sup>30</sup> In short time they would recover, although characteristically anti-Russian. After the bombing of central Odesa and her seaport, even the formerly pro-Russian mayor was quoted saying "a message for Russians.. if only you knew how much Odesa hates you".<sup>31</sup> These sentiments will only intensify as the war drags on, and combined with growing domestic drug production supported by Western European OC, it is unlikely that these links will be repaired in short order.<sup>32</sup>

The broader war's effect on land-based trade routes has been proven to have a fracturing effect as well, disrupting the trade of drugs, weapons, and human trafficking. Drug and weapons smuggling routes have shifted to the peripheries of Ukraine, with regional groups in Belarus and Turkey emerging as beneficiaries.<sup>33</sup> This has hurt some of Russia's most powerful OC groups such as Moscow's *Solntsevo* and St Petersburg's *Tambovskaya*, due to their dependency on routes that are no longer accessible.<sup>34</sup>

While human trafficking thrives in both countries, it is no longer interconnected and largely involves supporting domestic residents interested in leaving their respective countries, while migrants have chosen new paths. Sex trafficking, another market of former OC cooperation, has met the same fate as curfews and traveling restrictions have forced these markets to operate independently of each other.<sup>35</sup> Given the likely permanence of these militarized zones in these nations, it is unlikely that these illicit markets will be capable of reintegrating in the near future.

#### *Rise of new war-driven illicit opportunities*

The post-2022 war period has divided ROC and UOC due to the new illicit opportunities it has produced. While many have been documented, this section will cover three that stand out:

1. Increased illicit drug and tobacco production in Ukraine
2. Use of OC by the military infrastructure of both nations
3. Aid embezzlement within Ukraine

Prior to the broader conflict, drug manufacturing in Ukraine was primarily focused on synthetics such as mephedrone and methadone.<sup>36</sup> Precursor chemicals were routed through the

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<sup>30</sup> Global Initiative Against Transnational Organized Crime, "Port in a Storm," 18.

<sup>31</sup> Global Initiative Against Transnational Organized Crime, "Port in a Storm," 31.

<sup>32</sup> Global Initiative Against Transnational Organized Crime, "New Dynamics, New Opportunities."

<sup>33</sup> Galeotti, "Time of Troubles: The Russian Underworld Since the Ukraine Invasion," 24.

<sup>34</sup> Galeotti, "Time of Troubles: The Russian Underworld Since the Ukraine Invasion," 15.

<sup>35</sup> Global Initiative Against Transnational Organized Crime, "Port in a Storm," 27.

<sup>36</sup> Galeotti, "Time of Troubles: The Russian Underworld Since the Ukraine Invasion," 23.

southern ports to cities such as Kryvyi Rih & Kharkiv, where factories would produce them for both the ROC and UOC. Tobacco followed a similar process, with illegal cigarettes becoming a profitable, low-profile market generating billions in revenue.<sup>37</sup> Originally marketed to the lower income consumers in both nations, these products are now targeted towards both the Western European market, and soldiers at the front line. In 2020, “Ukraine overtook China to become Europe’s largest source of illegal tobacco”, with illegal cigarettes making up one-quarter of Ukraine’s market, hitting tax revenues in the budget-stricken nation.<sup>38</sup> Synthetics, on the other hand, have benefitted UOC through new markets in Central and Eastern Europe, driven by similar economic conditions and spending habits.<sup>39</sup> ROC has suffered as a result, as the closed land routes in Finland and through the rest of Europe have led to supply deficits, with few timely replacements available.<sup>40</sup> These examples highlight how the conflict has transformed UOC from transit region to producer and facilitator.

Another new opportunity that has arisen is the increased use of OC for military interests in both countries. In the months following the larger invasion, cooperation between the SBU and OC in cities like Kyiv and Odesa led to the outright expulsion of Russian interests, as well a period of patrolling in some of the communities that welcomed them. UOC has also been used to root out Russian spies and provide information on occupied territories.<sup>41</sup> While this relationship may be one of necessity, especially due to recent laws giving agencies like the SBU wartime powers and control over ports and entry points, UOC has with little doubt benefited. This is likely in the form of arrangements where security services will turn a blind eye to their illicit business or promises of wider benefits in the future post-conflict.<sup>42</sup> ROC has also benefited from similar arrangements, though this relationship has a much longer and more complex history. Their actions generally involve smuggling dual-use components for Russia military industries and replenishing the shrinking budgets of its intelligence agencies.<sup>43</sup> Nonetheless, some experts express that this may

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<sup>37</sup> Yulia Krylova, “The Impact of Russia’s Full-Scale Invasion on Illicit Cigarette Trafficking from Ukraine to the European Union,” *Journal of Illicit Economies and Development* 6, no. 2, 2024.

<sup>38</sup> The Economist, “How the War Split the Mafia.”

<sup>39</sup> The Observatory of Illicit Markets and the Conflict in Ukraine research team, “Drugs on the front line,” *Global Initiative*, January 22, 2024, <https://globalinitiative.net/analysis/ukraine-synthetic-drugs-ocindex/>.

<sup>40</sup> Erin Snodgrass, “Russia War in Ukraine Has Led to Spike in Synthetic Drugs in Country,” *Business Insider*, December 19, 2023, <https://www.businessinsider.com/russia-war-ukraine-led-spike-synthetic-opioids-country-smuggling-narcotics-2023-12>.

<sup>41</sup> Andrew Cesare Miller, “Ukraine’s Double-Edged Sword? The Dangers of Using Criminal Groups for National Defense,” *Journal of Illicit Economies and Development* 6, no. 2, 2024.

<sup>42</sup> Global Initiative Against Transnational Organized Crime, “New Dynamics, New Opportunities.”

<sup>43</sup> Galeotti, “Time of Troubles: The Russian Underworld Since the Ukraine Invasion,” 4.

lead to absorption of OC by state agencies in both countries, to their institutions' detriment. Aid embezzlement, both in humanitarian and military goods, has also become a profitable new industry. As donated materials such as vehicles, medical supplies, and clothing reach Ukraine from the West, a portion of it disappears in small opportunistic schemes as well as in those that are more sophisticated. In a recent example, the head of a local charity was arrested for selling over 230 donated vehicles that were intended for the armed forces.<sup>44</sup> Similar schemes exist in Russia, forcing many troops, including conscripts, to purchase their own weapons and supplies.<sup>45</sup> While this process hasn't directly severed previous ROC and UOC ties, it has motivated new alliances and interests that will likely last. Moreover, reconstruction aid for Ukraine, which has been predicted to total in the hundreds of billions, will be coveted by UOC, which has little interest in sharing with their previous counterparts.<sup>46</sup> As construction embezzlement has been a deep-rooted problem across Ukraine for decades, these groups will likely manage to divert a percentage of these proceeds and further cement their standing apart from ROC and other groups.

In conclusion, these changes will likely ensure long term participation in new OC crime regions as the conflict makes historic partnerships obsolete. UOC will likely turn westward to the EU, as ROC turns east to Asian counterparts. The groups that moved abroad during this period will produce an even larger headache for these regions, as their potential return may build new transnational networks.<sup>47</sup> If UOC reaches this threshold, it is likely they will pose direct competition to ROC, unleashing further complications in managing crime in both nations.

#### *Adoption of nationalist rhetoric*

Newfound patriotism, though difficult to definitively characterize, has emerged within both UOC and ROC. While largely apolitical prior to 2022, even with the Russian takeover of Crimea, these groups quickly adopted nationalist sentiments, especially in the case of Ukraine. Collaborating with Russians is now viewed as a betrayal, with Mark Galeotti describing the

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<sup>44</sup> Vira Kravchuk, "Ukrainian Police Arrests Charity Chief for \$850K Humanitarian Vehicle Scam," *Euromaidan Press*, September 30, 2024, <https://euromaidanpress.com/2024/09/30/ukrainian-police-arrests-charity-chief-for-850k-humanitarian-vehicle-scam/>.

<sup>45</sup> "'We Have to Buy Everything': Russian Soldiers Under-Equipped in Ukraine War," *The Moscow Times*, May 20, 2022, <https://www.themoscowtimes.com/2022/05/20/we-have-to-buy-everything-ourselves-how-russian-soldiers-go-off-to-fight-a77751>.

<sup>46</sup> "Corruption Looms Over Ukraine's Massive Reconstruction Effort," *France 24*, November 14, 2024, <https://www.france24.com/en/live-news/20241114-corruption-overshadows-ukraine-s-multi-billion-reconstruction-program>.

<sup>47</sup> Global Initiative Against Transnational Organized Crime, "Organized Criminal Economies in Ukraine in 2022, New Front Lines," *Global Initiative*, February 2023, <https://globalinitiative.net/wp-content/uploads/2023/02/New-frontlines-organized-criminal-economies-in-Ukraine-in-2022-GI-TOC-February-2023.pdf>.



sentiment as, “It is one thing to be called a criminal; quite another to be thought of as a traitor,”.<sup>48</sup> Several factors contribute to this mentality. First, in both nations, many OC associates have been sent to the frontlines. These individuals, whether drafted or sent from prison, experience comradery and shared trauma that fosters patriotism. Russia has famously been emptying its prisons to support PMCs such as Wagner with manpower. Those who survive the violence will likely share this sentiment with other criminals. Second, Ukrainian criminals have argued that life under Russia would be worse for them, citing prison conditions, OC competition, and general living standards. This alone could instill a sense of patriotism, however self-serving.<sup>49</sup> Lastly, organized crime may have realized that it “may come to benefit from patriotic fervor in a more indirect way: through the recruitment of demobilized soldiers into organized crime groups”.<sup>50</sup> This potential has become a grave concern to authorities in Europe and Russia alike. As traumatized soldiers come home in the hundreds of thousands, the violence they witness may open them to irregular lifestyles in economic distress, such as that found in OC.

While information on this topic is limited and difficult to substantiate, increasing reports suggest that this phenomenon is occurring on a significant scale. Time will tell whether this is simple opportunism or a genuine adoption of nationalist ideology. However, if it takes root, it may prove to be the most divisive factor splitting this regional relationship. If UOC views their Russian counterparts with the same disdain as the public has in recent polls, this may indeed be the case.

#### *Rising pressure from Ukrainian & Russian state services*

The final factor contributing to the fragmentation of relations is the significant increase in pressure that state services have levied on these groups. This is exemplified by several characteristics, two of which stand out. First, in Ukraine, changes to the criminal code granted the SBU wartime powers, further consolidating UOC’s dependency on them. Second, in Russia, intelligence agencies’ use of ROC to recoup budgets lost to sanctions has further eroded the latter’s independence, blurring the lines between state agencies and criminal organizations even further. When the broader war began in Ukraine, immediate changes were implemented to Articles 109, 110, and 111 of the Criminal Code, aiming to simplify the fight against Russian threats. The text primarily focuses on “actions aimed at forcefully changing or overthrowing the constitutional

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<sup>48</sup> The Economist, “How the War Split the Mafia.”

<sup>49</sup> Anna Conkling, “Top-Tier Criminals Pivot to Secretly Fight Against Putin,” *The Daily Beast*, April 25, 2023, <https://www.thedailybeast.com/ukraines-organized-crime-world-pivots-to-fight-vladimir-putins-war/>.

<sup>50</sup> Global Initiative Against Transnational Organized Crime, “New Dynamics, New Opportunities.”

order or taking over government... prohibiting ‘trespassing against territorial integrity’ and protecting the ‘inviolability of Ukraine’ and actions of high treason,” all of which can be broadly applied during wartime.<sup>51</sup> This gave the SBU sweeping powers. In Odesa, for example, they “emerged as the sole authority in the city, superseding even the police, with all criminal matters seen through the lens of national security”.<sup>52</sup> This upended previous arrangement between UOC groups and agencies such as the customs service, as the SBU now had the legal authority to punish or restructure these arrangements, with kickbacks or other illicit deals. This relationship has led to a crisis of public trust, especially as SBU’s Directorate K, the group meant to combat organized crime, has been accused of collaborating with it.<sup>53</sup> The growing dependency between the agency and UOC will likely widen the split with ROC.

A similar situation exists that flows from the Kremlin, where ROC management has essentially been absorbed by agencies such as the GRU and FSB. The “pay to play” arrangement that has previously characterized their relationship has been taken to new heights, with criminal networks connected to oligarchs and other influential figures expected to supplement the war effort with illicit revenue.<sup>54</sup> Those who refuse may quickly find themselves sent to the frontlines, if not killed. Recent examples of these arrangements, such as complex cryptocurrency scams, the smuggling of Italian handbags, and illicit cigarette factories scattered around eastern Europe, racking up millions in revenue, have shown the opportunistic state-criminal fusion that has occurred.<sup>55</sup> As one journalist remarked, “Putin’s Russia was once a hybrid government-mafia, post Ukraine and sanctions, it’s transforming into a state controlled mafia”.<sup>56</sup> These changes on one hand highlight the lengths that Russia will go to conduct hybrid war, and on the other the hold it has over ROC. This fusion will make law enforcement efforts all the more difficult in the coming decades, both within Russia and globally.

### **Sustainability of the Shift & Conclusion**

The February 2022 invasion of Ukraine has undeniably created a seismic rift between the historically interconnected criminal networks between Russia and Ukraine. As outlined in this paper, while not exhaustive, the conflict has disrupted cross-border operations, redirected attention to emerging illicit opportunities, fostered nationalist tendencies within UOC, and fostered

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<sup>51</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm,” 25.

<sup>52</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm,” 25.

<sup>53</sup> Global Initiative Against Transnational Organized Crime, “Port in a Storm,” 25.

<sup>54</sup> The Economist, “How the War Split the Mafia.”

<sup>55</sup> Snodgrass, “Russia War in Ukraine Has Led to Spike in Synthetic Drugs in Country.”

<sup>56</sup> Prothero, “Russian Spies Have Gone Full Mafia Mode Because of Ukraine.”

unprecedented state intervention into UOC, that have distanced it from its Russian counterparts. Never in the history of post-Soviet nationhood have these networks been forced to operate in such isolation and newfound opposition. With no definitive resolution to the conflict in sight, the fluid and largely opportunistic shifts observed may solidify over time. This could have far-reaching consequences for crime within both nations and the broader global community.

Given the geopolitical stakes between Ukraine and Russia, it is unlikely, barring the capitulation of the Ukraine state, that the long-standing ties will be restored. The pro-Russian syndicates forced out of Odesa and other regions are unlikely to be welcomed back into the illicit. Even with a ceasefire brokered by the Trump administration, militarized borders, sanctions, and the wrath of a war-weary Ukrainian public will likely sustain the icy relationship for decades to come. Further, Ukraine's anti-corruption drive, supported by the West, may fundamentally change how UOC operates over time. Reconstruction funds will face hawkish oversight, exposing elite embezzlement more than ever before. As of January 2025, Ukraine's Customs Service Head is under investigation for failing to disclose over \$100,000 in assets, exemplifying the nation's likely trajectory in fighting embedded corruption.<sup>57</sup> While organized crime will undoubtedly persist regardless of the conflict's outcome, a reformed Ukrainian state could transform it into a more manageable challenge.

However, some experts argue that a revival of cross-border ties remains possible. A full Russian victory would guarantee this, though unlikely, but even in the case of a cold conflict, certain factors could foster unity. First, the urgency to recover lost revenues might prompt cooperation, particularly if Odesa and other profitable seaport smuggling hubs reopen. As seen after the Chechen conflict, profit can at times overshadow deep regional grievances in organized crime. Second, as Russian and Ukrainian groups establish themselves abroad due to displacement during the war, they may reconnect out of opportunism and later bring this collaboration back home. Finally, with Russia's recent successes in election interference and influence campaigns, it is conceivable that over time, acceptance of warming ties could reintroduce regionally specific corrupt state actors, enabling ROC operations once again.

Although the outcome of this relationship rests largely on which side emerges victorious in the geopolitical conflict that has devastated much of eastern Ukraine, other realities exist that will likely prove difficult for Europe and the United States to tackle in the future. As the war has

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<sup>57</sup> Dmytro Basmak, "Head of Ukraine's Customs Service Suspected of Failing to Declare Over \$100,000 in Assets," *The Kyiv Independent*, January 7, 2025, <https://kyivindependent.com/head-of-ukraines-customs-service-suspected-of-failing-to-declare-over-100-000-in-assets/>.

displaced many UOC and ROC networks throughout the West, it is likely that these, once domestic actors, will stay put, passing along criminal know-how to local groups. Without preemptive measures by law enforcement, this could lead to a surge in crime within their own borders while simultaneously threatening public support for Ukraine. Furthermore, interactions between local OC groups and these newcomers could transform domestic crime issues into transnational ones, creating a cascade of broader concerns.

Ultimately, the opportunistic nature of organized crime makes it difficult to predict whether the divide will persist, but observable phenomena suggest it will only deepen over time. The heroic resistance of the Ukrainians, coupled with the nation's determined appetite for corruption reform, has placed organized crime on the backfoot, potentially paving the way to reduce its influence to manageable levels. The outlook in Russia is less optimistic, but its people may eventually find their footing to force change in their country as well. It is up to each nation, and the broader international community, to determine whether they will capitalize on these criminal groups' newfound isolation and continue to allocate the needed resources to combat them. Eastern Europe will be wholly a more stable and secure region if they succeed.

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## France's strategic relation with Central and Eastern Europe – A shift in France's traditional foreign policy preferences?

Louis Bazelle

*Since the Russian invasion of Ukraine, France has shifted its foreign policy to strengthen ties with Central and Eastern European (CEE) states. Historically distant due to strategic divergences, France now views the region as essential for European security and for advancing its long-standing goal of European strategic autonomy. President Macron seeks to reconcile France's traditional foreign policy behavior with NATO's pre-eminence in the defense of the European continent. He has acknowledged past neglect and is promoting a multi-institutional approach involving NATO, the EU, and the European Political Community, while also seeking deeper bilateral relations. Despite a warmer reception from CEE partners and increased defense engagement on NATO's Eastern Flank, tangible outcomes remain limited. France's ambitions are complicated by institutional overlaps and skepticism from CEE countries, which continue to prioritize U.S. security guarantees. To gain credibility, France could clarify its strategic proposals, promote industrial cooperation, and potentially provide new security guarantees—such as troop deployments or nuclear-sharing framework.*

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### Introduction

“We didn’t listen enough to you, and your calls for your history and painful memories to be acknowledged [...]. Some said you missed opportunities to stay silent; I say we sometimes missed opportunities to listen to you. That time is over.”

Pronounced by Emmanuel Macron at the GLOBSEC summit on May 31, 2023, these words sum up three decades of a complicated relationship between France and the states of Central and Eastern Europe. This concept refers to the states between Germany and Russia and Belarus, between the Baltic Sea and the Balkans. It includes Poland, the Baltic States, the Czech Republic, Romania, Bulgaria, Hungary, Slovakia, Slovenia, and Croatia. After the end of the Cold War, these states, now independent of Soviet tutelage, gradually joined the two central institutions for European governance: the European Union and NATO. Their relations with France were limited during this period, alternating between phases of neglect and strong political tensions. France's relations with the region go back a long way and have sometimes been very close, especially during the interwar period. After the fall of the Austro-Hungarian Empire in 1917, France, along with Great Britain, played a central role in defining the borders of the newly created states.<sup>1</sup> This was

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<sup>1</sup> Henry Bogdan, *Histoire des Pays de l'Est* (Paris: Perrin Tempus, 2008).

achieved through various treaties signed in the wake of the Treaty of Versailles (Treaty of Saint-Germain en Laye and Treaty of Trianon). Following their independence, France strongly supported the economic and, above all, military development of Czechoslovakia, Romania and Yugoslavia, forming the “Petite Entente.”

Relations between France and Central and Eastern Europe lost in intensity after World War II. During the Cold War, Central and Eastern Europe states freedom to conduct their foreign policy was limited by the Soviet tutelage and bipolarization. France’s foreign policy during the post-war period.

The defeat of 1940 marked a major break in French foreign policy. Humiliated and weakened both militarily and politically, Frédéric Bozo<sup>2</sup> explains that since 1945, French policy makers have constantly sought to restore this lost rank. Bozo identifies two constants that contribute to this goal. The first is France’s strong support for European integration, seen as the only lever enabling France to influence world affairs. Secondly, France has consistently promoted a stable, balanced international order. Although the short- and medium-term objectives of French foreign policy have been updated as the international order has evolved, Bozo maintains that they are still part of the three constants described. In addition, Lequesne<sup>3</sup> underlines France’s preference for small alliances and bilateral ties. As a result, within large multilateral organizations, France usually develop smaller “clubs” with likeminded states.

Following the end of the Cold War, France diverged with the Central and Eastern European states over the organization of the European security framework and the degree of Russian integration. France wanted Europe to assume greater autonomy from the USA in foreign policy matters, and wanted to involve Russia in defining the continent's security framework. Part I will go into more detail on these divergences.

Countries of Central and Eastern Europe share similar political preferences, as we shall see in greater detail. Following the end of the Cold War, all aspired to democratization, economic liberalization and integration into the Atlantic Alliance, resulting from a mistrust of Russia. However, these preferences have gradually diverged regarding Russia. Two states, Hungary and Slovakia, have broken away from the common distrust of Russia. Therefore, while this work will generally mention the Central and Eastern European states (abbreviated as CEE states), Hungary and Slovakia are not included unless specifically mentioned.

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<sup>2</sup> Frédéric Bozo, *La politique étrangère de la France depuis 1945* (Paris: Champs Histoire, 2019).

<sup>3</sup> Christian Lequesne, “La diplomatie européenne au miroir de la guerre en Ukraine,” in *Ramses 2024*, ed. Thierry de Montbrial and Dominique David (Paris: Dunod, 2023), 59–63.

Following the geopolitical upheaval caused by Russia's invasion of Ukraine, France decided to deepen its strategic relations with these states. This apparent shift is accompanied of the recognition of the centrality of NATO for the defense of the European continent. The process is recent, beginning in 2022 and intensifying in 2023. However, it is still in its infancy, with few concrete results to show.

Be that as it may, France's strategic reorientation might appear as a shift in its post-war foreign policy behavior.

The aim of this paper is to analyze how France intends to forge closer ties with the states of this region and if this apparent shift also constitutes a shift with its traditional foreign policy preferences.

The multilateral institutions of which France and the CEE states belong play a central role in their relations. Both the EU and NATO provide a framework for the common definition of all forms of security on the European continent. As member states, France and the CEE countries have delegated to them part of their decision-making autonomy, and sometimes part of their sovereignty. The institutions provide a framework for the development of security policies which both France and the CEE States fully recognize, and outside which they cannot imagine acting.

The issues addressed in this report are as follows: To what extent has France's strategic relationship with Central and Eastern Europe shifted after the war in Ukraine? Does this shift represent a breach with French traditional foreign policy preferences?

This paper argues that France strategic reorientation to the east is real, but does not constitute a breach in its post-war behavior. Rather this is a pragmatic update of this behavior, without being an Atlanticist turn. The first part looks back over the three decades of mistrust and strategic divergence that preceded the invasion of Ukraine. The second part analyzes the nature of the French shift and the reaction of the CEE states. Finally, the last part will analyze the feasibility of the cooperation framework proposed by France.

### **From 1989 to 2022: an era of mutual mistrust due to divergent objectives of foreign policy**

#### *French limited interest and reciprocal mistrust*

Throughout the period from the fall of both the Berlin Wall and the USSR to the invasion of Ukraine, relations between France and the states of Central and Eastern Europe remained limited. The relationship suffered from divergent and sometimes competing political objectives.

The end of the bipolar era was expected and sought by France, which had built its foreign policy during the Cold War on the quest to overcome bipolarity. Skeptical of unipolarity, France,

particularly since the Chirac presidency, has sought to foster the emergence of a multipolar world.<sup>4</sup> This was a logical behavior given the post-war French preference for a balanced and stable world order. This policy coincided with a new phase of globalization, marked by increased intercontinental trade and the emergence of new economic power poles, particularly in Asia and South America. From then on, the priority of the various French presidents since Jacques Chirac has been to develop relations between France (and the European Union) with the world's various poles of power, especially Asia and South America.<sup>5</sup> President Chirac encouraged a European Union-Americas summit, which was held in Rio in 1999. With Asia, an EU-Asia dialogue was established at the Bangkok summit in 1996, resulting also from a French initiative. In the 2010s, the strategic importance of the Indo-Pacific region became even greater. France indeed adopted two strategic documents in 2019 and in 2021.<sup>6</sup> France also made considerable efforts in the Africa-Middle East zone during this period. These included the fight against terrorism in Afghanistan, the Sahel and, to a lesser extent, Iraq, as well as the development of economic partnerships in the region, notably with the wealthy Gulf States.<sup>7</sup> It is in this region that France will be concentrating the bulk of its military forces over the period. To this end, it has adopted an army format geared towards external operations and the fight against insurgent movements. This format is quite different from that of the armies of the CEE countries, which are geared towards conventional warfare.<sup>8</sup> Lastly, as part of this drive to develop relations with the various poles of power, France has endeavored to draw closer to Russia, no longer regarding it as hostile.<sup>9</sup>

The states of Central and Eastern Europe, for their part, aimed to ensure their security vis-à-vis Russia<sup>10</sup> and their economic development by opening to capitalism.<sup>11</sup>

As a result of these divergent objectives, bilateral relations have remained limited. Economically, these countries turned more to Germany, whose conglomerates bought up many

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<sup>4</sup> Bozo, *La politique étrangère de la France depuis 1945*, 129.

<sup>5</sup> Bozo, *La politique étrangère de la France depuis 1945*, 211.

<sup>6</sup> Céline Pajon, "La stratégie indopacifique de la France," *Vie Publique*, June 15, 2024, <https://www.vie-publique.fr/parole-dexpert/294622-la-strategie-indopacifique-de-la-france-par-celine-pajon>.

<sup>7</sup> Bozo, *La politique étrangère de la France depuis 1945*, 211.

<sup>8</sup> Sénat, "Audition de MM. Élie Tenenbaum, directeur et Léo Péria-Peigné, chercheur à l'Institut français des relations internationales (IFRI) sur le rapport relatif à l'armée allemande intitulé « Zeitenwende : La Bundeswehr face au changement d'ère »,» *Sénat*, October 25, 2023, <https://www.senat.fr/compte-rendu-commissions/20231023/etr.html#toc4>.

<sup>9</sup> Bozo, *La politique étrangère de la France depuis 1945*.

<sup>10</sup> Stanley R. Sloan, *Defense of the West: Transatlantic Security from Truman to Trump*, 2nd ed. (Manchester: Manchester University Press, 2020).

<sup>11</sup> Daniel Gros and Alfred Steinherr, *Economic Transition in Central and Eastern Europe: Planting the Seeds* (Cambridge: Cambridge University Press, 2004).



large Eastern companies.<sup>12</sup> A certain mistrust prevailed in France towards these states, perceived as too close to the United States. This led France to adopt a particularly disrespectful attitude toward them. In February 2003, at a summit on the response of the European Union and its future members to the United States' planned invasion of Iraq, President Chirac felt that the CEE states, by supporting the invasion, had missed an opportunity to remain silent.<sup>13</sup>

However, relations were not absent. Aware of the need to prepare for the enlargement of the European Union, President Chirac made several visits to the region during this period.<sup>14</sup> Notably, in 1991, the Weimar Triangle was established, a trilateral framework between France, Germany and Poland. Its aim was to prepare for Poland's entry into NATO and the EU, and to involve France in German-Polish reconciliation. More broadly, it was intended to serve as a bridge between France and Germany on one side, and Central and Eastern Europe on the other.<sup>15</sup>

France also expanded its economic relations with the region. Without reaching Germany's level, French companies have established themselves in the region and did high investments in the region.<sup>16</sup> France was the fourth foreign investor in the Czech Republic in 2004 and even the first in 2005. The most involved economic sectors the auto industry, banking sector water and the environment glass transportation, dairy products, and construction. The classical example of French economic investment was the purchase of Romanian national car manufacturer Dacia by Renault in 1999.

#### *Institutional and strategic disagreement*

As a consequence of these competing and opposed post-Cold War objectives, France and CEE countries shared divergent views on the security and on the political architecture of the Euro-Atlantic area.

France has consistently favored small multilateral frameworks over large alliances, often creating smaller groups within larger organizations.<sup>17</sup> France apprehended with skepticism the possibility of an enlargement towards the East of both NATO and the EU following the end of the Cold War. It indeed feared both a dilution of its influence and that newcomers favor American

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<sup>12</sup> Justyna Gotkowska, "Germany and the Eastern Partnership," *OSW Commentary* 37 (2010).

<sup>13</sup> Jean Quatremer and Nathalie Dubois, "JD Chirac jette un froid à l'Est," *Libération*, February 19, 2003, [https://www.liberation.fr/evenement/2003/02/19/jacques-chirac-jette-un-froid-a-l-est\\_431400/](https://www.liberation.fr/evenement/2003/02/19/jacques-chirac-jette-un-froid-a-l-est_431400/).

<sup>14</sup> Bozo, *La politique étrangère de la France depuis 1945*, 211.

<sup>15</sup> Paul Maurice, "The Weimar Triangle Three Decades After Its Foundation: Review and Prospects," *Allemagne d'aujourd'hui* 239 (2022): 28–38.

<sup>16</sup> Elsa Tulmets and David Cadier, "French Policies toward Central Eastern Europe: Not a Foreign Policy Priority but a Real Presence," *DGAP analyse* 11 (2024).

<sup>17</sup> Lequesne, "La Diplomatie Européenne."

interest. The issue of the strategic independence of Europe was indeed key for the French European policy during the period. France had never demonstrated much interest in NATO since its founding. When the bipolarization, along with the Russian hostility, disappeared, France was hoping for a long-term replacement of NATO by a European equivalent structure. France had always conceived a sort of competition or long-term incompatibility between NATO and the EU. In its 1994 White Paper on Defense, France sought to remain strategically autonomous from the dependency on NATO guarantees and applied this concept also to the EU.<sup>18</sup>

On the other hand, CEE States considered, from the beginning, the EU and NATO as complementary, NATO being the most appropriate framework to ensure the safety of the Euro-Atlantic area and the EU carrying out economic development and market policies. Indeed, the CEE states did not consider the European states as being able to ensure without the American support the security of the continent. The United States were, and still are, perceived as the ultimate guarantee of security.<sup>19</sup>

Aware of these divergences, French President Mitterrand proposed in 1989 the European Confederation. This project aimed at constituting a final hurdle for CEE countries before an eventual adhesion to NATO and the EU.<sup>20</sup> The project was received with a strong skepticism by the concerned states, which were concerned that it was a French way to postpone *sine die* the enlargement of NATO and the EU. The project ultimately failed and only aroused mistrust towards France. This mistrust was strengthened in 1991 by the refusal of France to reintegrate NATO's integrated command in 1991 at the Rome summit.<sup>21</sup> Although Jacques Chirac's France attempted to return to the integrated command in 1996, negotiations failed and were not resumed until 2007. After the failure of the European confederation, France's handling of NATO enlargement once again gave rise to fictions with the CEE states. On the one hand, wishing to avoid Russia feeling insulted, France lobbied for a NATO-Russia cooperation agreement to be signed before enlargement to the east. This led to the NATO-Russia Founding Act in 1997, which preceded the 1999 enlargement to include the first former members of the Warsaw Pact. On the other hand, France was able to arouse the mistrust of the three new members in 1999 (Poland, the Czech Republic and Hungary) by proposing to integrate Romania and Slovenia as well, to counterbalance

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<sup>18</sup> Marceau Long, Édouard Balladur, and François Léotard, "Livre blanc sur la défense 1994," *Vie publique*, 1994, <https://www.vie-publique.fr/rapport/24609-livre-blanc-sur-la-defense-1994>.

<sup>19</sup> Dorota Dakowska, "Les Pays d'Europe Centrale Face à la Guerre d'Ukraine: Solidarité et Divisions," in *Ramses 2024*, ed. Thierry de Montbrial and Dominique David (Paris: Dunod, 2023), 72–77.

<sup>20</sup> Sloan, *Defense of the West*, 104.

<sup>21</sup> Sloan, *Defense of the West*, 107.

the alleged American tropism of the first three.<sup>22</sup>

After joining NATO and then the EU, the CEE states regularly had major disagreements with France. In strategic terms, France and the CEE states have differed widely on the respective roles of the EU and NATO. While the latter have always given precedence to NATO for defense, France has regularly promoted the reinforcement of the European Union's strategic autonomy. However, the CEE states have never placed their trust in the European Union when it comes to defense. On the contrary, they tend to consider that developing NATO-like capabilities within the Union would only weaken the latter.<sup>23</sup> While the concept is regularly promoted within the academic world in France, it is virtually absent from the theoretical thinking of academics in Central and Eastern Europe.<sup>24</sup>

As a result, the respective investment in the Atlantic Alliance by France and the CEE states was opposed. Keen to show their attachment to the Alliance, the Central and Eastern European states were among the first to reach the threshold of 2% of GDP spent on their military budget. Conversely, France, even after its return to the integrated command, has limited its commitment to the Alliance, both in financial and human terms. By 2024, France had filled only 75% of the officer positions to which it was entitled—well below the level of similarly sized states.<sup>25</sup> Financially, France has never reached the 2% threshold. In addition, France's general behavior within the Alliance is also a source of irritation. Lacking a clear strategy on what it wants to achieve within the Alliance, France tends to adopt a “red line” posture. This involves blocking any Alliance policy it opposes, without proposing an alternative. A parliamentary report by the French National Assembly notes the strong mistrust this arouses among its Allies.<sup>26</sup> Above all, it has regularly prioritized its foreign policy objectives over those of the Atlantic Alliance. Thus, in 2017, France refused to take command of one of the Battlegroups of the enhanced Forward Presence, wishing to preserve its forces for its intervention in the Sahel. This low level of investment was greatly

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<sup>22</sup> Sloan, *Defense of the West*, 111.

<sup>23</sup> Antonio Missiroli, “Between Putin and Trump? Defending Europe,” *ISPI*, June 6, 2024, <https://www.ispionline.it/en/publication/between-putin-and-trump-defending-europe-175737>.

<sup>24</sup> Giedrius Česnakas and Jonas Juozaitis, *European Strategic Autonomy and Small State Security – In the Shadow of Power* (London: Routledge, 2023).

<sup>25</sup> Cour des Comptes, “La participation de la France à l’Otan : une contribution croissante,” *Cour des Comptes*, 2023, <https://www.ccomptes.fr/fr/publications/la-participation-de-la-france-lotan-une-contribution-croissante>.

<sup>26</sup> Anne Genetet and Bastien Lachaud, “Rapport d’information en conclusion des travaux d’une mission d’information, constituée le 15 novembre 2023, sur les enjeux, le rôle et la stratégie d’influence de la France dans l’Otan,” Commission de la Défense nationale et des Forces armées de l’Assemblée nationale, May 22, 2024, [https://www.assemblee-nationale.fr/dyn/16/rapports/cion\\_def/116b2651\\_rapport-information](https://www.assemblee-nationale.fr/dyn/16/rapports/cion_def/116b2651_rapport-information).

regretted by Central and Eastern European allies, who, while not sharing France's geostrategic orientations, widely recognize the quality of its armed forces and were hoping for a greater French commitment.<sup>27</sup>

Finally, the divergence in strategic priorities between France and the CEE states had a strong influence on their attachment to the Alliance (and still does, albeit to a lesser extent). Seeing Russia as a threat, the CEE states regard the existence of a collective defense alliance as absolutely vital. As a result, they have accepted numerous compromises within NATO with the United States to ensure their support. On the other hand, France does not feel the same need for a defense alliance, and assume disagreeing strongly with the United States. France believes that NATO should limit itself to protecting the Euro-Atlantic area. It is therefore, for instance, strongly opposed to any Alliance involvement in the Indo-Pacific, while CEE countries accept to gradually involve NATO in the Indo-Pacific only to ensure in exchange the support of the US in Europe.<sup>28</sup>

#### *On Russia: divergent perceptions after 2007*

Undoubtedly, Russia constituted the most significant source of tension between France and CEE States. After the end of the Cold War, France favored implementing a partnership with Russia over NATO's and EU enlargement to the East.

However, tensions over Russia came to the fore after 2007, when Russia began to show signs of hostility towards the post-Cold War international order. In a speech at the Munich Security Conference in 2007, Vladimir Putin lashed out at the West, criticizing a unipolar order dominated by the United States that paid little heed to Russia's security.<sup>29</sup> Following this speech, Russia intervened in Georgia in 2008, an operation strongly criticized by the international community. Then in 2014, following the Ukrainian revolution, Russia invaded Crimea and actively supported separatist movements in the Donbass.

From then on, France and the CEE countries began to differ in their assessment of Russia. France condemned the invasion, imposed sanctions against Russia and cancelled the sale of two Mistral-class helicopter carriers. However, its strategy focused on maintaining contact with Russia and negotiate a cessation of hostilities in Ukraine. Quite early in 2014, a four-way negotiation

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<sup>27</sup> Genetet and Lachaud, "Rapport d'information."

<sup>28</sup> Camille Grand, "Le rôle de l'OTAN en Asie : un débat inabouti," *Programme Japon – Fondation pour la Recherche Stratégique*, April 4, 2024, <https://www.frstrategie.org/programmes/programme-japon/role-otan-asie-un-debat-inabouti-2024>.

<sup>29</sup> Daniel Fried and Kurt Volker, "The Speech in Which Putin Told Us Who He Was," *Politico*, February 18, 2022, <https://www.politico.com/news/magazine/2022/02/18/putin-speech-wake-up-call-post-cold-war-order-liberal-2007-00009918>.

process was set up between France, Germany, Russia and Ukraine. Divergences between France and CEE states started to emerge when it became clear that the provisions of the Minsk agreement were not being respected.<sup>30</sup> The differences became particularly sharp once Emmanuel Macron came to power. The latter was convinced that he will be able to reason with Russia by establishing a close, almost personal, bilateral relationship with Vladimir Putin. At the time, Emmanuel Macron considered it necessary to anchor Russia to Europe by offering it an alternative to China, and by showing that it was considered by Europe.<sup>31</sup> Thus, on May 29, 2017, Emmanuel Macron invited Vladimir Putin to Versailles and displayed a willingness to engage in dialogue, albeit firmly. His first contacts with the French president were appreciated by his Central and Eastern European partners.<sup>32</sup> However, his plans for Russia run counter to those of his Central and Eastern European partners. Emmanuel Macron believed it was necessary to offer Russia security guarantees, and that it was essential to maintain close contact. Above all, he wanted Europeans to play an active role in the organization of the continent's security, which he regularly deplored being decided by the US-Russia binomial.<sup>33</sup> On the other hand, the CEE states were primarily interested in protecting themselves from Russia.

After initial positive exchanges with Vladimir Putin, President Macron unilaterally decided in 2019 to propose a reset of Europe-Russia relations. The aim was to set up a “*new architecture of security and trust between the European Union and Russia*.” This initiative was particularly badly received by Central and Eastern European partners, who rejected not only its substance, but also its unilateral nature, as France had not warned them of the initiative.<sup>34</sup> The initiative failed, due to the joint skepticism of the European partners and Russia's lack of determination.

This initiative, which strongly displeased the Eastern partners, was followed by another in June 2021, this time led by Germany but supported by France, which also provoked strong rejection from the CEE states. The idea was to organize an EU + Russia summit. Given the tensions

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<sup>30</sup> Kurt Volker, “Don’t Let Russia Fool You About the Minsk Agreements,” *Center for European Policy Analysis*, December 16, 2021, <https://cepa.org/article/dont-let-russia-fool-you-about-the-minsk-agreements/>.

<sup>31</sup> Clea Caulcutt, “What the Hell Does Emmanuel Macron Think He’s Playing At with Vladimir Putin?” *Politico*, March 10, 2022, <https://www.politico.eu/article/macron-putins-last-open-line-to-the-west/>.

<sup>32</sup> Sylvie Kauffmann, “Comment Emmanuel Macron et Angela Merkel se sont leurrés sur Vladimir Poutine : lisez les extraits des « Aveuglés », de Sylvie Kauffmann,” *Le Monde*, October 16, 2023, [https://www.lemonde.fr/idees/article/2023/10/16/comment-emmanuel-macron-et-angela-merkel-se-sont-leurres-sur-vladimir-poutine-lisez-les-extraits-des-aveugles-de-sylvie-kauffmann\\_6194670\\_3232.html](https://www.lemonde.fr/idees/article/2023/10/16/comment-emmanuel-macron-et-angela-merkel-se-sont-leurres-sur-vladimir-poutine-lisez-les-extraits-des-aveugles-de-sylvie-kauffmann_6194670_3232.html).

<sup>33</sup> Kauffmann, “Comment Emmanuel Macron et Angela Merkel.”

<sup>34</sup> Caulcutt, “What the Hell Does Emmanuel Macron Think.”

in Ukraine at the time, the initiative was roundly rejected.<sup>35</sup>

This desire for dialogue persisted even after Russia's invasion of Ukraine began in February 2022. Emmanuel Macron believed that Russia must not be humiliated, and that negotiations were essential to ending the crisis.<sup>36</sup> He telephoned Vladimir Putin more than a dozen times in the first weeks after the invasion of Ukraine. Once again, his words aroused great mistrust among his Central and Eastern European partners.<sup>37</sup>

### **A long overdue but expected French shift**

#### *Apologies and recognition of the Russian threat*

President Macron's foreign policy gradually shifted regarding both Russia and Central and Eastern European States. President Macron has acknowledged the failure of Russia's integration into the European security order, which he, like his predecessors, has pursued. Several factors influenced this shift.

First, the discovery of mass graves in several towns liberated in March-April 2022, notably Irpin and Boutcha, made the violence of the Russian invasion obvious.<sup>38</sup> France sent forensic units to assist the Ukrainian forces. Moreover, France itself was the target of several Russian hybrid campaigns, the most significant actions consisting of a large-scale disinformation campaign. Dubbed "RRN" or "Doppelgänger", the campaign involved the creation of fake news sites shared on social networks, some usurping the identity of real French media outlets. All shared false information aimed at undermining French confidence in their authorities and in the Ukrainian resistance.<sup>39</sup> Finally, the stalemate in the Ukrainian conflict also contributed to the change in the French position. The hypothesis of a long-term conflict, with a constant Russian threat on European borders, quickly became credible.

France's policy evolution unfolded gradually. In November 2022, the government published its National Strategic Review (*Revue nationale stratégique*), which served as a de facto national strategy in lieu of a traditional defense white paper. The document proclaims France's determination to act as an "exemplary ally" within the Atlantic Alliance, which is described as the

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<sup>35</sup> Kauffmann, "Comment Emmanuel Macron et Angela Merkel."

<sup>36</sup> Philippe Ricard, "Emmanuel Macron se met à dos une partie des pays alliés de l'Ukraine en ne voulant « pas humilier la Russie »,» *Le Monde*, June 7, 2022, [https://www.lemonde.fr/international/article/2022/06/07/macron-se-met-a-dos-une-partie-des-pays-allies-de-l-ukraine-en-ne-voulant-pas-humilier-la-russie\\_6129200\\_3210.html](https://www.lemonde.fr/international/article/2022/06/07/macron-se-met-a-dos-une-partie-des-pays-allies-de-l-ukraine-en-ne-voulant-pas-humilier-la-russie_6129200_3210.html).

<sup>37</sup> Caulcutt, "What the Hell Does Emmanuel Macron Think He's Playing At."

<sup>38</sup> Kauffmann, "Comment Emmanuel Macron et Angela Merkel."

<sup>39</sup> "RRN : une campagne numérique de manipulation de l'information complexe et persistante," *Secrétariat Général de la Défense et de la Sécurité Nationale*, last updated June 19, 2023.

central pillar in the defense of the European continent.<sup>40</sup> France pledges to increase its commitment to the Alliance, considering in particular the target of 2% of GDP for military spending as a threshold. Finally, it announces that it will increase its efforts on the Eastern flank as a framework nation, by taking command of a NATO Battlegroup, in this case in Romania.

“France wishes to confirm the Alliance's key role in the defense of Europe. NATO strengthens the potential of our armed forces, and is the forum where the challenges of interoperability, as well as capability, technological and operational expectations, are taken into account.”<sup>41</sup>

“Concerned about the coherence and cohesion of the Alliance, France will continue to contribute proactively, realistically and sustainably to strengthening the posture on the eastern flank -including as a framework nation - and to adapting NATO's command structure.”<sup>42</sup>

Affirming France's commitment to NATO and to the collective defense promoted by the Alliance was an essential condition for rapprochement with the CEE states, insofar as the Alliance represents their fundamental guarantee of security. This is also an apparent breach with French traditional approach to NATO.

However, while the document describes the desire to make a greater contribution to NATO, there is little mention of Central and Eastern Europe, and it is not one of France's priority regions - unlike the Mediterranean, the Balkans and the Indo-Pacific.<sup>43</sup>

The real turning point came in May 2023, at the GLOBSEC summit, when Emmanuel Macron focused his speech on the relationship between France and the CEE states. In it, he acknowledged and apologized for France's lack of interest in the region in recent decades. He also apologized for France's sometimes disrespectful attitude.

“We have not always heard enough of your voice, calling for you to acknowledge your history and painful memories. Some said that you were losing opportunities to remain silent. I also believe that we have sometimes lost opportunities to listen. Those days are gone, and today that voice must be the voice of all of us.”<sup>44</sup>

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<sup>40</sup> Secrétariat Général de la Défense et de la Sécurité Nationale, “Revue nationale stratégique 2022,” November 28, 2022, <http://www.sgdsn.gouv.fr/publications/revue-nationale-strategique-2022>.

<sup>41</sup> Secrétariat Général de la Défense et de la Sécurité Nationale, “Revue nationale stratégique 2022,” 39.

<sup>42</sup> Secrétariat Général de la Défense et de la Sécurité Nationale, “Revue nationale stratégique 2022.”

<sup>43</sup> Secrétariat Général de la Défense et de la Sécurité Nationale, “Revue nationale stratégique 2022,” 15.

<sup>44</sup> Emmanuel Macron, “Discours du Président de la République au Sommet Globsec à Bratislava,” *Élysée*, June 1, 2023, <https://www.elysee.fr/emmanuel-macron/2023/06/01/sommet-globsec-a-bratislava>.

Above all, Emmanuel Macron acknowledged France's poor assessment of the threat represents and represented before the invasion of Ukraine. He acknowledged an imperialist policy that poses a lasting threat to European security.

“And indeed, Ukraine's aggression is fundamentally the extreme, fragile manifestation of a challenge to our European unity that has been played out over the last 15 years. 15 years during which Russia's [attempted] to shake up the whole edifice of European security and reshape it, in its own words.”<sup>45</sup>

Above all, contrary to his initial statements after the beginning of the conflict, he sees victory for Ukraine as a necessity and rejects any peace negotiation that would result in Ukraine losing territory.<sup>46</sup>

Emmanuel Macron is also changing his tune on the enlargement of NATO and, above all, the EU, to the East. Whereas he had previously been strongly opposed to this<sup>47</sup> he now sees the dynamic of EU membership as the best way of thwarting attempts to interfere by rival great powers such as Russia, but also China.<sup>48</sup> Emmanuel Macron even accepted in 2023 to grant to Ukraine and Moldavia the status of candidate to the EU. This significantly contrasts with its attitude only a year before, at the Versailles Summit. He then apprehended the enlargement with great skepticism, considering the integration of Ukraine being not a matter of years, but of decades.<sup>49</sup>

While the President has regularly been criticized for a certain lack of consistency, his position on the need for France to increase its commitment to NATO, and his support for Ukraine's resistance, has been reaffirmed on several occasions since. This was notably the case in April 2024<sup>50</sup>, during his “second Sorbonne speech”, as well as in November 2024 at the European Political Community Summit.<sup>51</sup> Also in the same month, he expressed skepticism about expecting to negotiate with Russia, following German Chancellor Scholz's call with Vladimir Putin.<sup>52</sup>

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<sup>45</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava.”

<sup>46</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava.”

<sup>47</sup> Bernard Chappedelaine, “Emmanuel Macron's speech in Bratislava - Strategic humility and European ambition,” *Institut Montaigne*, August 6, 2023, <https://www.institutmontaigne.org/expressions/le-monde-vu-dailleurs-le-discours-demmanuel-macron-bratislava-humilite-strategique-et-ambition>.

<sup>48</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava.”

<sup>49</sup> Chappedelaine, “Emmanuel Macron's speech.”

<sup>50</sup> Emmanuel Macron, “Discours sur l'Europe,”

*Élysée*, April 24, 2024, <https://www.elysee.fr/emmanuel-macron/2024/04/24/discours-sur-leurope>.

<sup>51</sup> Emmanuel Macron, “Déclaration de M. Emmanuel Macron, président de la République, sur les défis de la Communauté politique européenne, à Budapest le 7 novembre 2024,” *Vie Publique*, November 7, 2024, <https://www.vie-publique.fr/discours/296075-emmanuel-macron-07112024-communaute-politique-europeenne>.

<sup>52</sup> “Guerre en Ukraine : Poutine “ne veut pas la paix et n'est pas prêt à la négocier”, regrette Macron”. *Le*



President Macron implied he disagreed with Chancellor Scholz's method.

However, France's traditional objective of strengthening Europe's strategic autonomy has not been forgotten. Alongside NATO, whose central role is recognized by each of the documents cited, the reinforcement of European strategic autonomy is mentioned each time. In each case, it is a question of deepening European industrial cooperation and improving cooperation between European states within NATO, in order to create there a European pillar. Finally, Emmanuel Macron also promotes the development of bilateral ties<sup>53</sup>, in keeping with the traditional French habit of creating bilateral ties within major alliances. A comprehensive cooperation agreement is being negotiated with Poland.<sup>54</sup>

#### *France improved its commitment in the Eastern flank*

President Macron's promises have been followed by concrete action. The first and foremost manifestation of this voluntarism was the significant increase in the deployment of French troops on the Alliance's Eastern flank, as part of the enhanced Forward Presence (eFP). The aim of this process is to implement reassurance measures for NATO members sharing a border with Russia. Two types of deployment followed: the establishment of a reinforced air police force, comprising fighter jets pledged by the various members, which rotate every three to four months. Above all, ground troops have been deployed on the eastern flank. Limited to battalion size between the introduction of eFP in 2017 and the invasion of Ukraine, battlegroups are now ramping up to brigade or even division scale. After 2022, four new battlegroups have been deployed, in addition to the initial four. France, which was already participating as a minority contributor in the UK-led Battlegroup in Estonia, maintained this initial deployment, while taking command of the newly-formed Battlegroup deployed in Romania. France has thus adopted the NATO concept of framework nation (FNC), which consist in integrating foreign military units into military planning. The aim is to create small coalitions between NATO allies, generally with a specific geographic focus, within the larger NATO coalition. The concrete form this integration takes is left to the discretion of the participating states. It can take the form of a fairly vertical integration of units within the command structures of another state (the German FNC model), or a more agile coalition aimed at rapid deployment of troops on an operational terrain (the British FNC model).<sup>55</sup>

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*Figaro*, 17 novembre 2024.

<sup>53</sup> Vincent Collen, "La France et la Pologne veulent signer un traité de coopération," *Les Echos*, September 13, 2024, <https://www.lesechos.fr/monde/europe/la-france-et-la-pologne-veulent-signer-un-traite-de-cooperation-2118726>.

<sup>54</sup> Collen, "La France et la Pologne veulent signer un traité de coopération."

<sup>55</sup> Rainer Glatz and Martin Zapfe, "NATO's Framework Nations Concept," *CSS Analyses in Security*

Furthermore, not only has France assumed the role expected of it, but it is also providing the resources required for this mission. Indeed, it plans to deploy an entire brigade from its national territory to Romania within ten days, during the Dacian Spring 2025 exercise, scheduled for April 2025. The rapid deployment of such a large unit, with its consequent logistical challenges, would be a real demonstration of its commitment to Romania and the enhanced Forward Presence. In addition, the French armed forces have reorganized their structure to integrate specialized command and control resources for the Eastern flank. Thus, an operational staff specialized in Europe (“*Commandement Terre Europe*”) has been created in 2023 to reinforce the coherence of the French land commitment on the Eastern flank.<sup>56</sup> In addition, France has maintained its participation in air policing missions and permanently deploys at least one ship in the Eastern Mediterranean and at least one between the North Sea and the Baltic Sea.<sup>57</sup> Thus, France deploys capacities for every military dimension (land, air and sea) on the Eastern flank.

Beyond Dacian Spring 2025, the French armed forces are stepping up their participation in NATO exercises on the Eastern flank. France has been criticized in the past for its low level of participation in Alliance exercises.<sup>58</sup> At the end of 2024 France deployed 600 soldiers to exercise Pikne in Estonia, designed to demonstrate the responsiveness and commitment of its forces within the Alliance. In 2025, France plans to take part in Exercise Diodore and Exercise Warfighter, as well as deploying a battalion in Estonia for Exercise Hedgehog alongside Dacian Spring. In 2026, it plans to take command of the land component of NATO's Allied Reaction Force (ARF) for the first time.<sup>59</sup>

Planning for this deployment reflects a real change of mindset in France, at both political and military levels. The possibility of a conflict on the Eastern flank is now taken seriously.

The French rapprochement is also reflected in increased support for the Ukrainian armed forces. Although Ukraine is outside the scope of this brief, the CEE states are particularly sensitive to the support it receives. Between February 24, 2022 and May 1, 2024, France delivered 5 billion

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*Policy*, no. 218 (2017).

<sup>56</sup> “CTE - Création d’un nouvel état-major opératif français dédié aux opérations terrestres en Europe,” *Ministère des Armées*, October 20, 2023, <https://www.defense.gouv.fr/operations/actualites/cte-creation-dun-nouvel-etat-major-operatif-francais-dedie-aux-operations-terrestres-europe>.

<sup>57</sup> “Audition du général Thierry Burkhard, chef d’état-major des armées”, *Sénat*, October 23, 2023, <https://www.senat.fr/compte-rendu-commissions/20231023/etr.html#toc4>.

<sup>58</sup> Sénat, “Audition de MM.”

<sup>59</sup> Nathan Gain, “2025, année du signalement stratégique pour l’armée de Terre,” *Forces Operations Blog*, October 7, 2024, <https://www.forcesoperations.com/2025-annee-du-signalement-strategique-pour-larmee-de-terre/>.

euros worth of armaments to Ukraine (3 billion directly, and 2 billion paid via the European Peace Facility).<sup>60</sup> In terms of military support, France was only the 7th largest provider of direct military aid to Ukraine.<sup>61</sup> Nevertheless, France has delivered equipment with a significant impact to Ukraine, such as Amx 10 Rc light tanks, Caesar artillery guns and Scalp missiles. Above all, France has significantly reduced its own capabilities in order to support Ukraine. This is particularly true of artillery. France has parted with 30 of its 77 guns<sup>62</sup> which is not insignificant, especially as it will not be receiving replacement guns immediately. In addition, France signed a bilateral cooperation agreement with Ukraine in February 2024, committing the country to a military and civilian partnership and including 3 billion euros in aid.<sup>63</sup>

Emmanuel Macron also distinguished himself by proposing in February 2024 to deploy Western troops in Ukraine, although the concrete terms of deployment were not specified. This declaration, reaffirmed a few months later, was rather positively received by the CEE states, even if their reaction remained pretty discrete.<sup>64</sup>

*This shift was expected*

France's contribution to the Atlantic Alliance, and in particular to the defense of its Eastern flank, has been eagerly awaited, especially by the countries of Central and Eastern Europe. France has a comprehensive military apparatus, with capabilities that no other European country can boast. French forces also benefit from rare and recognized operational experience.<sup>65</sup> Like very few other countries in Europe, France has an army that can be deployed outside its territory and is ready to engage an enemy, whatever the type of conflict.<sup>66</sup> These are all capabilities that NATO members know benefit the Alliance.<sup>67</sup> In joining the Framework Nation concept within NATO, France is

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<sup>60</sup> Ministère des Armées, *Liste des équipements livrés à l'Ukraine – Mise à jour mai 2024*, 2024, <https://www.defense.gouv.fr/sites/default/files/ministere-armees/Minist%C3%A8re%20des%20Arm%C3%A9es%20-%20Liste%20des%20%C3%A9quipements%20livr%C3%A9s%20%C3%A0%20l%E2%80%99Ukraine%20%E2%80%93%20Mise%20%C3%A0%20jour%20mai%202024.pdf>.

<sup>61</sup> Valentine Fourreau, “Infographie: Quels pays ont fourni le plus d’aides à l’Ukraine ?” *Statista Daily Data*, November 18, 2024, <https://fr.statista.com/infographie/28241/pays-fournissant-le-plus-aide-militaire-en-valeur-ukraine/>.

<sup>62</sup> Ministère des Armées, *Liste des équipements livrés*.

<sup>63</sup> Signature d’un Accord Bilatéral de Sécurité entre la France et l’Ukraine,” *Permanent Representation of France to the European Union*, February 21, 2024, <https://ue.delegfrance.org/signature-d-un-accord-bilateral-de>.

<sup>64</sup> Nicolas Tenzer, “Troops for Ukraine: Macron’s Big Moment,” *CEPA*, March 7, 2024, <https://cepa.org/article/troops-for-ukraine-macrons-big-moment/>.

<sup>65</sup> Guillaume Garnier, “France’s Place Within NATO: Toward a Strategic Aggiornamento?” *Etudes de l’IFRI*, no.115 (2023).

<sup>66</sup> Sénat, “Audition de MM.”

<sup>67</sup> Elie Tennenbaum and Amélie Zima, “Retour à l’Est : la France, la menace russe et la défense du “ Flanc

thus adopting a concept that has enabled Germany, since 2014, to integrate European armies into its military planning, in this case, the Netherlands, Lithuania, and to a lesser extent the Czech Republic.<sup>68</sup> This concept, which is in fact the closest thing to a European army, had until now been treated with skepticism by France. Now, by adopting it, it is opening up the possibility of greatly improving its cooperation with the Central and Eastern European states, which are quite open to integrating this type of concept. Because of the small size of their military forces (with the exception of Poland), and their lack of command and control structures and fire experience, they are keen to learn from armies such as France's.<sup>69</sup> As a result, Emmanuel Macron's various speeches, particularly his GLOBSEC speech, were very well received.

French recognition of NATO's centrality was particularly eagerly awaited. Indeed, several states viewed its attempts to promote only European strategic autonomy with great skepticism, seeing it simply as a means of maximizing its own interests.<sup>70</sup> Recognition of the importance of the Atlantic Alliance is a way to allay these fears.

Finally, the shift on the enlargement of the EU and NATO, which is now supported by France was also expected by the CEE states, and disagreements on this issue prior to 2023 were among the most significant tensions between France and Eastern Europe.<sup>71</sup>

**This shift fits in with the traditional objectives of French foreign policy, but risks incoherence**  
*NATO, EU, European Political Community, bilateralism : a multiple framework promoted by France*

The recognition by France of the centrality of NATO and this shift towards Central and Eastern Europe remains in the continuity of French post-war foreign policy preferences. What can appear at first sight as a breach in France's traditional behavior is rather a pragmatic update of its geographical priority rather than a change in its doctrine. France does not abandon its quest for a more integrated European foreign and defense policy. Quite the contrary, French policy makers see in the Russian threat and in the American partial withdrawal a confirmation of their preference for a more integration European Union. Likewise, France seeks to deepening bilateral ties. French policymakers act pragmatically, realizing that the traditional objective of strengthening the European Union in the field of defense cannot be achieved without taking NATO into account. For

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Est ” de l'Europe,” *Etudes de l'IFRI*, no. 119 (2024).

<sup>68</sup> Sénat, “Audition de MM.”

<sup>69</sup> Sénat, “Audition de MM.”

<sup>70</sup> Česnakas and Juozaitis, *European Strategic Autonomy*, 104.

<sup>71</sup> Chappedelaine, “ Emmanuel Macron's speech.”

all that, France intends to develop its ties with Central and Eastern Europe on the basis of the concept of European strategic autonomy. This leads to the promotion of a multiple institutional framework, at the risk of a lack of coherence.

President Macron's France continues to seek to deepen Europe's strategic autonomy. The concept is promoted in every speech. While the United States remains an essential ally of France, its reliability as an ally is questioned by President Macron. Describing Europe as threatened by China and Russia, he considers that it must be able to do without American support.<sup>72</sup> In fact, despite the relegitimization of NATO in French discourse, Europe's strategic autonomy remains a long-term objective, but the *modus operandi* for achieving it has been modified.

The doctrine that Europe, and particularly the European Union, should be able to decide its own destiny alone remains an imperative for France. With particular regard to the security architecture of the European continent, President Macron considers that Europeans have not been sufficiently involved in defining the security framework of their own continent, and have been subjected to decisions negotiated between the United States and Russia. This is particularly the case regarding treaties governing the possession and use of different types of armaments.<sup>73</sup> Thus, with regard to Russia, Emmanuel Macron considers that it is the duty of European states to provide security guarantees to member states sharing a border with Russia. With Russia, he believes that Europeans should have included Russia in a security dialogue on an equal footing back in the early 2000s. He believes that European states must be at the initiative of the future treaties that will regulate the continent's security after the end of the Russo-Ukrainian war. He even believes that NATO's involvement in defining this security framework, rather than the EU's, was a mistake.

“And we lacked coherence as Europeans. We gave insufficient guarantees to certain countries on our borders. We did not engage Russia in a security dialogue for ourselves. Basically, we delegated this dialogue to NATO, which was probably not the best way to go about it. And at the same time, we have not moved away from our dependence on Russia, which we have instead continued to reinforce, particularly in terms of energy.”<sup>74</sup>

Whereas the Atlantic Alliance and the European Union tended to be seen as competitors, France would like to see greater cooperation between EU Allies, in order to create a European

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<sup>72</sup> Macron, “Déclaration de M. Emmanuel Macron.”

<sup>73</sup> Macron, “Déclaration de M. Emmanuel Macron.”

<sup>74</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava.”

pillar within the Alliance.<sup>75</sup>

Outside NATO, France urges EU Member States to provide the EU with more instruments of strategic autonomy. First and foremost, the EU should have its own strategic concept. He also seeks to strengthen European industrial cooperation, particularly in the arms industry and in breakthrough technologies such as artificial intelligence.<sup>76</sup> To this end, he promotes the creation of a large common loan, an idea shared by Poland<sup>77</sup>, as well as a mechanism to encourage the purchase of European military equipment. Finally, in his GLOBSEC speech, Emmanuel Macron mentions the following areas of cooperation: energy, the fight against hybrid attacks, cyber, space and maritime.<sup>78</sup>

In addition, Emmanuel Macron attaches great importance to involving all EU member states in this more autonomous EU, particularly the CEE states. Poland in particular is cited as a partner of choice.

“I do not want to replace NATO with some kind of Franco-German condominium. I think it is a broad, powerful Europe, with countries like yours, like Poland and many others, which must play their part in this Europe of defense, but which is increasingly responsible for its own security and neighborhood issues.”<sup>79</sup>

However, in parallel with NATO and the EU, a third framework for cooperation has been added, the European Political Community (EPC). Created in 2022, it aims to integrate states that are not members of either NATO or the EU, or neither.<sup>80</sup> Its creation is a direct consequence of the Russian invasion of Ukraine. The institution is intended to enable the integration of several Eastern European states that are not members of NATO or the EU. France also promotes the development of European strategic autonomy within this body. In his speech to an EPC meeting on November 7, 2024, Emmanuel Macron promoted sovereignty measures similar or identical to those he supports within the European Union. Indeed, he wishes to deepen European cooperation for joint

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<sup>75</sup> Secrétariat Général de la Défense et de la Sécurité Nationale, “Revue nationale stratégique 2022,” 39; Macron, “Discours du Président de la République au Sommet Globsec à Bratislava”; Macron, “Discours sur l’Europe”; Macron, “Déclaration de M. Emmanuel Macron.”

<sup>76</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava”; Macron, “Discours sur l’Europe.”

<sup>77</sup> Oscar Luigi Guccione, “Poland’s EU Presidency: Strengthening the Union From East to West,” *GMF – Insights*, December 12, 2024, <https://www.gmfus.org/news/polands-eu-presidency-strengthening-union-east-west>.

<sup>78</sup> Macron, “Discours du Président de la République au Sommet Globsec à Bratislava.”

<sup>79</sup> Macron, “Discours sur l’Europe.”

<sup>80</sup> Thierry Chopin, Lukáš Macek, and Sébastien Maillard, “The European Political Community, A new anchoring to the European Union,” *Notre Europe*, May 18, 2022, <https://institutdelors.eu/en/publications/la-communaute-politique-europeenne/>.

interventions (via the European intervention initiative), in the fields of energy, innovation, immigration management and the fight against hybrid activities.<sup>81</sup> The framework within which he wishes to develop European strategic autonomy also appears unclear.

Finally, in keeping with its traditional foreign policy preferences, France is seeking to develop bilateral links with the CEE states, through bilateral friendship and cooperation agreements or treaties. To date, this practice has only involved Western European states: Germany (Elysée Treaty in 1963, then Aachen Treaty in 2019), Italy (Quirinal Treaty in 2021) and Spain (Barcelona Treaty in 2023). These friendship and cooperation treaties are generally comprehensive, including cooperation in a wide range of fields beyond the military. France is now negotiating with Poland to sign a similar treaty. It should cover subjects as varied as defense, migration policy, transport, nuclear energy, culture and sport. Defense cooperation, however, is central for France, which notably wants to make up for Poland's cancellation in 2016 of a helicopter contract with Airbus, worth over 3 billion euros.<sup>82</sup>

#### *Significant obstacles to this institutional framework*

Despite France's determination and relative change of stance, the deepening of relations with the CEE states, based on the concept of strategic autonomy, is encountering a number of obstacles. Indeed, neither France nor the CEE states have changed their traditional foreign policy behavior. Obstacles range from the divergent foreign policy doctrines to contingent administrative weaknesses.

In the first place, France lacks a strategy for the precise modalities of its relations with the CEE states. The decision-making process for French foreign policy suffers from excessive centralization at the level of the President of the Republic. However, the latter has only a small administration at its disposal, with only a dozen advisors. The relevant ministries - Foreign Affairs, Defense and, to a lesser extent, the Economy - are insufficiently involved in defining French foreign policy. As a result, they are forced to implement a strategy that is regularly insufficiently defined, and subject to changes in posture.<sup>83</sup> In the specific case of the rapprochement between France and the CEE states, the means that France intends to invest to achieve this still suffer from imprecision. For example, although France has set itself the goal of becoming an exemplary ally

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<sup>81</sup> Macron, "Déclaration de M. Emmanuel Macron."

<sup>82</sup> Collen, "La France et la Pologne veulent signer un traité de coopération."

<sup>83</sup> Yves Aubin de La Messuzière, "L'évolution du Quai d'Orsay et le rôle de la cellule diplomatique de l'Élysée," in *La France, une puissance contrariée: L'état du monde 2022*, ed. Bertrand Badie (Paris: La Découverte, 2021), 112–17.

within NATO in 2022, this goal is not backed up by a sufficient strategy, according to a parliamentary report by the French National Assembly.<sup>84</sup> Similarly, Emmanuel Macron's proposal for the deployment of troops in Ukraine was very imprecise and made without any consultation with his European allies.<sup>85</sup> In industrial terms, France still suffers from a weak presence in the East, with none of its companies having subsidiary there<sup>86</sup>. Yet, a physical presence is expected in Central and Eastern Europe, and France would benefit from a strategy in this area too.

In addition, the institutional framework proposed by France is insufficiently precise, with the risk of duplication. In particular, President Macron is proposing that the European Union adopt a strategic concept, similar to a document already in existence within NATO. Skepticism about American reliability tends towards the development of a parallel institution. However, while the justifications for this duplication hypothesis are pertinent, duplication is still traditionally rejected by most NATO allies.<sup>87</sup> Therefore, a project along these lines is unlikely to succeed.

Moreover, this lack of strategy is compounded by the CEE states' continued skepticism about the concept of European strategic autonomy. The Atlantic Alliance remains to their eyes the privileged and prioritized framework within which Europe's collective defense is carried out. On the one hand, the United States remains by far the most trusted provider of “hard” security. They do not consider that any other European state, particularly France and Germany, can provide similar support, nor even the European states grouped together.<sup>88</sup> While France's military capabilities are acknowledged, it cannot compete in numerical terms with American forces. Indeed, it has only a small quantity of each piece of equipment, a far cry from the great American capabilities. This leads CEE states not only to reject an institutional framework that would not include the United States, but also to favor the purchase of American equipment to secure American support. This does not mean that they see no value in the European Union. They recognize its usefulness for innovation and military mobility, but do not trust it to provide “hard” security guarantees equivalent to those of the United States.<sup>89</sup> On the other hand, since

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<sup>84</sup> Genetet and Lachaud, “Rapport d’information,” 52.

<sup>85</sup> Tenzer, “Troops for Ukraine.”

<sup>86</sup> Sénat, “Audition de Thomas Gomart et Bruno Tertrais – Compte rendu, Commission des Affaires étrangères, de la Défense et des Forces armées,” March 6, 2023, <https://www.senat.fr/compte-rendu-commissions/20230306/etr.html>.

<sup>87</sup> Missiroli, “Between Putin and Trump.”

<sup>88</sup> Česnakas and Juozaitis, *European Strategic Autonomy*.

<sup>89</sup> Česnakas and Juozaitis, *European Strategic Autonomy*; Ministry of Foreign Affairs Republic of Poland, “Minister Sikorski Speaks at the University of Warsaw about the Future of European Defence,” March 8, 2024, <https://www.gov.pl/web/diplomacy/minister-sikorski-speaks-at-the-university-of-warsaw-about-the-future-of-european-defence>.



coordination structures already exist within NATO, these states reject any duplication. The position can be summed up by the speech given by Polish Foreign Minister Radosław Sikorski in November 2024 at a conference celebrating 25 years of Polish membership of the Atlantic Alliance:

“The modernisation of European defence obviously should not take place to the detriment of engagement in NATO. By strengthening the defence dimension of the European Union, which is an inevitable thing to do, we are not by any means looking to undermine NATO’s unique role for Poland and the entire system of European security.”<sup>90</sup>

More concretely, these states still contribute little to European strategic empowerment. According to Lilei<sup>91</sup>, the CEE member states of the Visegrad group “have insufficient resources and commitment in several areas of sovereignty and no role in strengthening European sovereignty”. Beyond the institutional framework, the very concept of European strategic autonomy remains little considered within the political and academic communities of Central and Eastern European states.<sup>92</sup>

Finally, in terms of “small clubs”, developments are also still a long way from the targets set. The Weimar Triangle, formed in 1991 with Poland and Germany, remains little used. Originally set up to help Poland and Eastern Europe join the EU, it has been proposed on several occasions.<sup>93</sup> Yet meetings are held irregularly and too infrequently. The last summit at Head of State level was held in June 2023, the Foreign Affairs Summit in March 2022 and the Economic Ministers' Summit in May 2023. Only one meeting was held in 2024, in December, between Minister for European Affairs.<sup>94</sup> It could, however, represent a very useful framework for European coordination and governance.

#### *Positive dynamics towards the French proposals*

The reliability of the United States as a security guarantee influences and will influence the reception of the French proposals. For the time being, the USA is the ultimate security guarantee for the CEE states. However, recent trends are tending to legitimize French positions in the eyes

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<sup>90</sup> Ministry of Foreign Affairs Republic of Poland, “Minister Sikorski Speaks.”

<sup>91</sup> Song Lilei, “EU Strategic Autonomy: Views and Positions of Visegrad countries.” *Institute for Foreign Affairs and Trade*, January 12, 2023, [https://hiia.hu/wp-content/uploads/2023/01/EUStrategicAutonomy\\_VIEWSandPositionsofVisegradcountries\\_SongLilei\\_TV.pdf](https://hiia.hu/wp-content/uploads/2023/01/EUStrategicAutonomy_VIEWSandPositionsofVisegradcountries_SongLilei_TV.pdf).

<sup>92</sup> Česnakas and Juozaitis, *European Strategic Autonomy*.

<sup>93</sup> Ministry of Foreign Affairs Republic of Poland, “Minister Sikorski Speaks.”

<sup>94</sup> Ministry of Europe and Foreign Affairs, “The Weimar Triangle,” accessed January 6, 2025, <https://www.diplomatie.gouv.fr/en/country-files/germany/the-weimar-triangle/>.

of the CEE states.

French preferences, and above all the very concept of European strategic autonomy, have long been viewed with skepticism in Central and Eastern Europe. They were seen as useless, or as jeopardizing the continuity of American support.

US policy towards Europe is therefore central. Strong, long-term American support renders French preferences for European strategic autonomy illusory and almost superfluous. Yet the United States has embarked on a long-term strategic pivot towards the Indo-Pacific region. The United States' substantial defense investments in Europe are regularly questioned, on both Democratic and Republican sides<sup>95</sup>, although they have been maintained by President Biden. Criticism of Europeans' lack of commitment to their own defense is now constant, again, on both sides of the political spectrum. This criticism has intensified on the Republican side since the first Trump presidency. In 2017, for example, on the occasion of the inauguration of the NATO headquarters and then the G7, President Trump voiced strong criticism of the European Allies' low contribution to their defense and raised fears of a weakening of American support.<sup>96</sup> These criticisms were repeated by candidate Trump during the 2024 presidential campaign and have been intensified since his inauguration. He notably requested NATO's member states to scale up their defense spending to 5% of their GDP -a sum that no NATO member State, US included, has reached since the 1980s. Above all, he has started bilateral negotiations with Vladimir Putin on Ukraine without involving Europeans, nor Ukrainians, which are only consulted after American-Russian bilateral talks. The US-government pursue the objective of a peace in Ukraine, and is ready to give up Ukrainian territory, especially Crimea. Yet, a peace agreement in advance of Russia would be a real danger for states bordering Russia.<sup>97</sup> The Trump administration has also tried to obtain an agreement to supply mineral, mining and hydrocarbon resources at knock-down prices, which would have been a humiliation for Ukraine. Although a final agreement has been reached, it is much more balanced and respects Ukrainian sovereignty, but it was only obtained at the cost of bitter negotiations.<sup>98</sup>

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<sup>95</sup> Sloan, *Defense of the West*, 300.

<sup>96</sup> Jonathan Marcus, "Donald Trump Tells Nato Allies to Pay up at Brussels Talks," *BBC News*, May 24, 2017, <https://www.bbc.com/news/world-europe-40037776>.

<sup>97</sup> Michał Baranowski, "Poland: Time for Europe to Grow Up," *GMF – Insights*, November 6, 2024, <https://www.gmfus.org/news/poland-time-europe-grow>.

<sup>98</sup> Piotr Smolar, "Les Etats-Unis et l'Ukraine décident de créer un fonds d'investissement commun pour les ressources naturelles," *Le Monde*, May 1, 2025, [https://www.lemonde.fr/international/article/2025/05/01/les-etats-unis-et-l-ukraine-decident-de-creer-un-fonds-d-investissement-commun-pour-les-ressources-naturelles\\_6602056\\_3210.html?contributions](https://www.lemonde.fr/international/article/2025/05/01/les-etats-unis-et-l-ukraine-decident-de-creer-un-fonds-d-investissement-commun-pour-les-ressources-naturelles_6602056_3210.html?contributions).

The reliability of American support has been questioned since Donald Trump's first election, which has legitimized French preferences. The CEE states are now aware that the guarantee of security provided by the USA is not assured. Several strategies have been put in place to ensure this. The first has been to reject any alternative to the United States, whether in arms procurement or in the NATO decision-making process. When it comes to armaments, the majority of CEE countries favor American equipment. This has been all the more the case since the election of Donald Trump. On several occasions, tenders for heavy equipment between European and American companies have been won by the latter. In August 2024, Poland purchased 96 AH-64E Apache combat helicopters for \$10 billion. While two European manufacturers had proposed their equipment (Airbus Helicopter's Tiger and Leonardo's AW129), the final round was decided between two American aircraft, the AH-64 E and Bell's AH-1Z Viper.<sup>99</sup> Within NATO, CEE states accept the gradual involvement of the Alliance in the Indo-Pacific Region.

However, since the outbreak of the Russo-Ukrainian war, a change in rhetoric and actions can be underlined.

In terms of capabilities and armaments, there has been acquisitions of significant quantities of non-American equipment, with speed of delivery being a priority. Indeed, the American arms industry has revealed an insufficient production capacity since the start of the invasion of Ukraine. It has been unable to produce enough to replace the large quantities of equipment handed over to Ukraine or ordered by European states.<sup>100</sup> These shortcomings have become all the more acute since the outbreak of the Israeli-Hamas conflict, which is characterized by the Israeli army's heavy consumption of American equipment.<sup>101</sup> Moreover, the technological complexity of this equipment makes it very difficult, if not impossible, to mass-produce.<sup>102</sup> Consequently, Poland ordered 1,000 K2 Black Panther tanks and several hundred howitzers from South Korea in July 2022.<sup>103</sup> Furthermore, several CEE states, such as Poland and Lithuania recognize the importance for the EU to be more autonomous in the technological field, whether for arms projects, cyber,

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<sup>99</sup> Guilhem Bernes, "Boeing remporte un contrat géant pour la livraison de 96 hélicoptères de combat en Pologne." *L'Usine Nouvelle*, August 14, 2024, <https://www.usinenouvelle.com/article/boeing-remporte-un-contrat-geant-pour-la-livraison-de-96-helicopteres-de-combat-en-pologne.N2217151>.

<sup>100</sup> Alexandr Burilkov, Juan Mejino-López, and Guntram B. Wolff, "The US Defence Industrial Base Can No Longer Reliably Supply Europe," *Bruegel*, December 18, 2024, <https://www.bruegel.org/analysis/us-defence-industrial-base-can-no-longer-reliably-supply-europe>.

<sup>101</sup> Burilkov, Mejino-López, and Wolff, "The US Defence Industrial Base."

<sup>102</sup> Burilkov, Mejino-López, and Wolff, "The US Defence Industrial Base."

<sup>103</sup> Le Figaro with AFP, "La Pologne reçoit ses premiers chars et obusiers sud-coréens," *Le Figaro*, December 6, 2022, <https://www.lefigaro.fr/international/la-pologne-recoit-ses-premiers-chars-et-obusiers-sud-coreens-20221206>.

resilience or health.<sup>104</sup>

This interest was underlined when CEE states approved the EU's industrial strategy, which explicitly promotes preference for European military equipment. Although not mandatory, the strategy sets three arms sovereignty objectives: (1) to acquire at least 40% of defense equipment collaboratively by 2030; (2) to ensure that, by 2030, the value of defense-related intra-EU trade represents at least 35% of the value of the Union's defense market; (3) to steadily increase their purchases of defense equipment within the EU so that at least 50% of the defense budget is spent within the Union by 2030 and 60% by 2035.<sup>105</sup> As part of its presidency of the European Union in the first half of 2025, Poland plans to improve European defense through deeper integration of EU military industries, including with the United Kingdom, streamlined bureaucracy, and enhanced financing.<sup>106</sup> The interest of CEE states in European industrial cooperation is growing, and they are now open to and interested in integrating joint armaments programs.<sup>107</sup>

On a bilateral level, negotiations with Poland on a bilateral cooperation agreement have been completed, with the signing of a treaty scheduled for Nancy on May 9, 2025. While this treaty covers a wide range of policy areas, security cooperation is expected to be central.<sup>108</sup>

French recognition of NATO's centrality was particularly eagerly awaited. Indeed, several states viewed its attempts to promote only European strategic autonomy with great skepticism, seeing it simply as a means of maximizing its own interests.<sup>109</sup> Recognition of the importance of the Atlantic Alliance goes some way to allaying these fears.

Beyond armaments issues, the discourse of Central and Eastern European states on European strategic autonomy has evolved, becoming less skeptical of the concept. The CEE states have approved the Strategic Compass, the document defining the EU's strategic environment and its strategic priorities.<sup>110</sup> In particular, the document calls for the creation of a 5,000-strong European Union Rapid Deployment Capability and the intensification of armaments cooperation.

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<sup>104</sup> Česnakas and Juozaitis, *European Strategic Autonomy*.

<sup>105</sup> European Council, "European Defense Industry," accessed January 5, 2025, <https://www.consilium.europa.eu/en/policies/european-defence-industry/>.

<sup>106</sup> Guccione, "Poland's EU Presidency."

<sup>107</sup> Elie Tennenbaum and Amélie Zima, "Retour à l'Est."

<sup>108</sup> Jakub Iwaniuk, "En Pologne, le traité de coopération que s'apprêtent à signer Paris et Varsovie crée le débat," *Le Monde*, April 23, 2025, [https://www.lemonde.fr/international/article/2025/04/23/en-pologne-le-traite-de-cooperation-que-s-appretent-a-signer-paris-et-varsovie-cree-le-debat\\_6599236\\_3210.html](https://www.lemonde.fr/international/article/2025/04/23/en-pologne-le-traite-de-cooperation-que-s-appretent-a-signer-paris-et-varsovie-cree-le-debat_6599236_3210.html).

<sup>109</sup> Česnakas and Juozaitis, *European Strategic Autonomy*, 104.

<sup>110</sup> Council of the European Union, "A Strategic Compass for a Stronger EU Security and Defence in the next Decade," March 21, 2022, <https://www.consilium.europa.eu/en/press/press-releases/2022/03/21/a-strategic-compass-for-a-stronger-eu-security-and-defence-in-the-next-decade/>.

Above all, the concept explicitly states the need to increase the EU's capacity for action in the context of a more hostile strategic environment.

“The more hostile security environment requires us to make a quantum leap forward and increase our capacity and willingness to act, strengthen our resilience and ensure solidarity and mutual assistance.”<sup>111</sup>

A more pronounced promotion of European strategic autonomy can perhaps be observed since the re-election of Donald Trump to the Presidency of the United States. Donald Tusk, Prime Minister of Poland, declared the day after his victory, “Some claim that Europe's future depends on the American elections, when it depends first and foremost on us (...) Whatever the outcome, the era of geopolitical outsourcing is over.”<sup>112</sup> In the Czech Republic, both the Minister of Foreign Affairs and the Speaker of the House felt that Europe would have to step up its independent defense efforts.<sup>113</sup>

### **Conclusion – a shift in France’s strategic priority, not in France’s post-war behavior**

The consideration of Russia as a threat pushed France to get closer to Central and Eastern European states. Since the End of World War II, France has been seeking to restore its rank, strengthening the actorness of the EU and favor the emergence of a stable and equilibrated international order. After the End of the Cold War, relations between France and CEE states had been limited, due to divergence in foreign policy doctrines and in strategic priorities.

After decades of mistrust and lack of interest in Central and Eastern Europe, France is now looking to forge closer ties. French policymakers have recognized the failure of their attempt to integrate Russia in the European security environment. While France had not been considering Russia as a security threat since the end of the Cold War, the Russian invasion of Ukraine has changed this perception. Russia is now approached as a security threat. This leads to a partial reorientation of French foreign policy towards the East. Russia becoming a threat again, France now sees the value of Central and Eastern Europe. In an apologetic exercise, President Macron recognized France's lack of interest in the region, and announced his desire to deepen ties with it. At the same time, he acknowledged the central role of the Atlantic Alliance in the defense of

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<sup>111</sup> Council of the European Union, “A Strategic Compass for a Stronger EU Security and Defence,” 14.

<sup>112</sup> Jakub Iwaniuk, “Après la victoire de Trump, la Pologne appelle à un réveil stratégique de l’Europe,” *Le Monde*, November 7, 2024, [https://www.lemonde.fr/international/article/2024/11/07/apres-la-victoire-de-trump-la-pologne-appelle-a-un-reveil-strategique-de-l-europe\\_6381187\\_3210.html](https://www.lemonde.fr/international/article/2024/11/07/apres-la-victoire-de-trump-la-pologne-appelle-a-un-reveil-strategique-de-l-europe_6381187_3210.html).

<sup>113</sup> Expats.cz Staff and Czech News Agency, “Czech Leaders React to Trump Victory with Mix of Caution and Optimism”, *Expats.cz*, November 11, 2024, <https://www.expats.cz/czech-news/article/czech-leaders-react-to-trump-win-with-mix-of-caution-and-optimism>.

Europe, an institution he had previously treated with distance and skepticism. More concretely, France is scaling down its defense investment in Africa and in the Middle East to reallocate them on the Eastern Flank and in the preparation of a high intensity war.

Yet, this apparent shift is only partial. France has reoriented its strategic priority but has not abandoned its post-war foreign policy behavior. This commitment is consubstantial with the promotion by France of a greater European strategic autonomy. The Russian threat and the American partial withdrawal are actually perceived by French policymakers as a confirmation of their preferences. To achieve this long-standing foreign policy objective, France is now aware that the Russian threat must be taken into account. Likewise, French policymakers realized the need to involve the eastern half of Europe and to involve NATO, realizing that a more integrated European defense system cannot ignore the Alliance. Thus while France is keen to forge closer ties with CEE states (having difference policy preference), it still pursues its traditional foreign policy objective. The objective is an ambitious one, since these countries are traditionally skeptical of anything resembling competition with the Atlantic Alliance, the central pillar of their security.

President Macron is proposing a multiple framework for developing France's relations with Central and Eastern Europe: NATO, the EU and the European Political Community. Macron's policy aims at conciliating French objective. At the same time, he intends to deepen bilateral ties. The framework appears complex, with the risk of competition between institutions. France is not sufficiently precise about the division of competences it promotes between these different institutions.

The French shift has been well received by its partners in Central and Eastern Europe. Yet, concrete achievements remain very limited. France has increased its involvement in the defense of the Eastern flank of the Atlantic Alliance. It has not yet concluded any single cooperation treaty with the region, nor has it integrated any CEE states into its armament's projects.

However, positive trends are currently underway, in some cases validating French proposals. Thus, by avoiding duplication of institutions, a rapprochement with the CEE states following the objective of greater European autonomy is possible. To achieve this, France will have to give concrete form to its proposals and adopt a clear strategy defining the modalities of cooperation with these states. Industrial cooperation appears to be the most feasible. Not only is there an opening on the CEE side, but this would not call into question cooperation within NATO. France should strengthen the presence of its industries in the region, and involve CEE countries in its projects.

France must put an end to its practice of diplomacy decided in a highly centralized manner by the Presidency of the Republic, and make the effort to define a long-term strategy. To gain credibility, France needs to provide security guarantees that come close to those offered by the USA. Two avenues can be explored. The first would be to implement the proposal to deploy troops in Ukraine. It now seems likely that a ceasefire (of varying length) will be adopted, with the establishment of a demarcation zone similar to the “demilitarized” zone between the two Koreas. The deployment of American forces would most likely be excluded by the agreement signed. In this scenario, France could take command of a European reassurance force deployed on the Ukrainian side. On the other hand, France could establish a system for sharing its atomic weapons. It could set up a double-key system similar to that used by the United States within NATO.

In any case, the willingness of the CEE states to endorse French positions on European strategic autonomy will depend on the evolution of American support for Europe. Indeed, every step taken by the CEE states towards greater European strategic autonomy has been preceded by a threat from the USA to reduce its support for Europe. For the time being, the CEE states seem to support European defense only as an alternative to American support.

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## Reshaping Strategic Stability with the Doctrines of Former Nuclear Weapons States in the Post-Soviet Bloc

Janani Mohan

*The nuclear doctrines of Ukraine, Belarus, and Kazakhstan—former nuclear weapons states (NWS) in the post-Soviet bloc—have significantly diverged. While the current nuclear doctrine of Kazakhstan is similar to other non-nuclear weapons states and focuses on advocating for nonproliferation, Ukraine’s doctrine relies on nuclear guarantees and Belarus’ on nuclear deterrence posturing. The motivation behind Ukraine’s and Belarus’s nuclear doctrines reflects their security vulnerabilities, including the ongoing War in Ukraine. However, the ability of these two states to achieve forward-positioned doctrines relies on two key factors: the support of nuclear weapons states and their unique status as former NWS. This article finds that former NWS may have a more significant impact on strategic stability due to their unique position in the international nuclear norms regime.*

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The Budapest Memorandum has *de facto* ended, nearly three decades after Russia agreed in the memorandum to not attack Ukraine with nuclear weapons in exchange for Ukraine’s denuclearization. On 24 February 2022—the day that Russia invaded Ukraine—President Vladimir Putin stated that Russia was “one of the most powerful nuclear states” and that any direct attacks or hindrance of Russian efforts would lead to a response “never seen” before.<sup>1</sup> This rhetoric laid the foundation for subsequent nuclear escalation, notably including threats to utilize tactical nuclear weapons over Western intervention in Ukraine and the stationing of Russian nuclear weapons in Belarus.<sup>2</sup> Such posturing positioned both Ukraine and Belarus at the center of global conversations on nuclear proliferation. However, it was hardly the first time that these post-Soviet countries had played a critical role in strategic stability.

With the collapse of the USSR in 1991, four newly-formed countries had nuclear weapons stationed within their territories: Russia, Ukraine, Belarus, and Kazakhstan.<sup>3</sup> While Russia adopted the former USSR’s status within the Nuclear Nonproliferation Treaty (NPT) as a Nuclear-Weapon State (NWS), the other three states signed the Lisbon Protocol in 1992, agreeing to join the NPT

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<sup>1</sup> Anna Clara Arndt and Liviu Horovitz, “Nuclear Rhetoric and Escalation Management in Russia’s War Against Ukraine: A Chronology,” *Stiftung Wissenschaft und Politik*, September 2022, [https://www.swp-berlin.org/publications/products/arbeitspapiere/Arndt-Horovitz\\_Working-Paper\\_Nuclear\\_rhetoric\\_and\\_escalation\\_management\\_in\\_Russia\\_s\\_war\\_against\\_Ukraine.pdf](https://www.swp-berlin.org/publications/products/arbeitspapiere/Arndt-Horovitz_Working-Paper_Nuclear_rhetoric_and_escalation_management_in_Russia_s_war_against_Ukraine.pdf).

<sup>2</sup> Arndt and Horovitz, “Nuclear Rhetoric and Escalation Management.”

<sup>3</sup> Andrei Zagorski, “Post-Soviet Nuclear Proliferation Risks,” *Security Dialogue* 23, no. 3 (1992): 27–39.



as Non-Nuclear-Weapon States (NNWS).<sup>4</sup> Their accession to the NPT initiated a denuclearization process that lasted until 1996 and involved the transfer of more than 6,000 strategic and tactical nuclear weapons to Russia.<sup>5</sup> In exchange for denuclearization, Ukraine, Belarus, and Kazakhstan joined the START I Treaty, where the United States and Russia agreed to limits on their nuclear arsenals.<sup>6</sup> The three states also received security guarantees via separate but similar agreements under the 1994 Budapest Memorandum, where Russia, the United Kingdom, and the United States agreed to respect their territorial and political sovereignty, to not utilize nuclear weapons in those countries, and to respond if another country should break these obligations.<sup>7</sup>

However, the current War in Ukraine underscores the failures of the Budapest Memorandum: Russia has broken its commitment to not attack Ukraine and has threatened the use of nuclear weapons, while the United States and United Kingdom have been unable to effectively enforce their security guarantees. In fact, the lapse of this agreement has pushed Ukraine's nuclear doctrine further apart from those of Belarus and Kazakhstan. Since the 1990s, the internalization of varying security threats has led to differences in the nuclear doctrines of the three countries. While Ukraine's current nuclear doctrine focuses on its need for nuclear guarantees, Belarus's involves nuclear deterrence posturing and Kazakhstan's advocating for nonproliferation. And, as the nuclear doctrines of Ukraine and Belarus escalate further due to the War in Ukraine, so too does their impact on stability.

Former nuclear weapon states like Ukraine, Belarus, and Kazakhstan significantly affect strategic stability because their former status enables more escalatory nuclear doctrines than other non-nuclear weapons states. The current doctrines of these three countries therefore not only explicate how divergent their positions are, but also how varying security threats to state actors can contribute to the degree of their impact on global nuclear stability by weakening international norms. This article provides a critical analysis of the nuclear doctrines of the three countries,

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<sup>4</sup> "Protocol to the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Reduction and Limitation of Strategic Offensive Arms." *U.S. Department of State*, May 7, 1992, <https://2009-2017.state.gov/documents/organization/27389.pdf>.

<sup>5</sup> Kingston Reif, "The Lisbon Protocol at a Glance," *Arms Control Association*, December 2020, <https://www.armscontrol.org/node/3289>.

<sup>6</sup> "Treaty Between the United States of America and the Union of Soviet Socialist Republics on Further Reduction and Limitation of Strategic Offensive Arms," July 1991, published by the *Nuclear Threat Initiative*, [https://media.nti.org/documents/start\\_1\\_treaty.pdf](https://media.nti.org/documents/start_1_treaty.pdf).

<sup>7</sup> "Memorandum on security assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons," opened for signature December 5, 1994, *United Nations Treaties*, registration no. I-52241, <https://treaties.un.org/doc/Publication/UNTS/Volume%203007/Part/volume-3007-I-52241.pdf>.

arguing that former NWS can have a greater impact on stability than other NNWS due to their increased ability to utilize escalatory practices with fewer negative consequences. The article suggests that former NWS are therefore a unique category of nuclear-related states that international norms must independently address.

### **Divergent Nuclear Doctrines in Ukraine, Belarus, and Kazakhstan**

Nuclear doctrines for non-nuclear weapons states traditionally utilize strategies that advocate for nonproliferation and/or disarmament, request nuclear guarantees, posture nuclear deterrence, or proliferate nuclear weapons. While most NNWS focus on nonproliferation and disarmament, the least escalatory strategy, states can adopt nuclear doctrines that engage with any combination of these strategies as evidenced by the post-Soviet former NWS. In order of increasing escalation, the current nuclear doctrine of Kazakhstan focuses on advocating for nonproliferation, while Ukraine currently focuses on nuclear guarantees and Belarus on nuclear deterrence posturing. The *motivation* behind Ukraine's and Belarus's decision to maintain more forward nuclear doctrines reflects their past security vulnerabilities. However, the *ability* of Ukraine and Belarus to actually achieve their forward-positioning relies on two key factors: the support of nuclear weapons states and arguably their unique status as former NWS.

To begin with, Kazakhstan's nuclear behavior aligns with that of a "typical" NNWS: its nuclear doctrine is the only one of these three countries that remains entirely focused on nonproliferation, assisted by its position in the Central Asia Nuclear-Free Zone instead of sandwiched between Russia and NATO.<sup>8</sup> Since independence, Kazakhstan's nuclear doctrine has primarily involved the aftermath of nuclear testing, as it served as one of the Soviet Union's major test sites.<sup>9</sup> Not only did the United States assist Kazakhstan with removing enriched materials and sealing test sites in the decades following independence, but Kazakhstan also initiated a United Nations General Assembly resolution in 2010 to call for an International Day Against Nuclear Tests.<sup>10</sup> Its focus on testing has entrenched Kazakhstan's nuclear doctrine in nonproliferation. As opposed to Ukraine and Belarus, Kazakhstan is thus neither considering nuclear proliferation nor currently concerned about its nuclear umbrella. Its commitment to de-escalatory practices thus

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<sup>8</sup> Maximilian Hess, "Russia Is Down, But Not Out, in Central Asia," *Foreign Policy Research Institute*, February 2023, <https://www.fpri.org/article/2023/02/russia-is-down-but-not-out-in-central-asia/>; United Nations Platform for Nuclear-Weapon-Free Zones, "Central Asian Nuclear-Weapon-Free Zone Treaty," n.d., <https://www.un.org/nwzf/content/treaty-nuclear-weapon-free-zone-central-asia>.

<sup>9</sup> Nuclear Threat Initiative, "Nuclear Disarmament Kazakhstan," n.d., <https://www.nti.org/analysis/articles/kazakhstan-nuclear-disarmament/>.

<sup>10</sup> Nuclear Threat Initiative, "Nuclear Disarmament Kazakhstan."

diverges from Ukraine and Belarus because the country neither has the motivation nor the ability to maintain a forward nuclear strategy.

By contrast, Ukraine's nuclear doctrine is more forward-positioned, as driven by security vulnerabilities and variations in NWS support over time. Ukraine's doctrine can be categorized by three eras: security guarantees, uncertainty, and interest in nuclear guarantees. Following its independence in 1991, Ukraine focused on the security guarantees from its denuclearization process. Specifically, Russia had agreed in the Budapest Memorandum to not attack Ukraine unless acting "in self-defense" or in accordance with the United Nations Charter.<sup>11</sup> Ukraine thus had a minimal nuclear security mindset, primarily demarcated by concerns over gradually increasing Russian aggression. This shifted in 2014 with the Russian annexation of Crimea, which raised new worries over the strength of the memorandum's security guarantees. While Russia directly violated the memorandum, the United States reneged on its unofficial promises to Ukraine that it would respond in the event of Russian aggression, because it could not risk a direct conflict with another NWS.<sup>12</sup> The 2014 annexation therefore began a second era characterized by nuclear uncertainty, where the extent of nuclear security and territorial integrity risks were unknown. Some of this uncertainty ended with the start of the War in Ukraine in 2022. As Russian actions directly fueled nuclear escalation and engaged in unconstrained territorial violations, the Budapest Memorandum *de-facto* ended, arguably leading to Ukraine's third era.<sup>13</sup>

Ukraine's doctrine today appears to rely on nuclear umbrella guarantees to respond to Russia's increasingly forward-positioned nuclear strategy. The War in Ukraine exacerbated Russian concerns over the ability of its conventional forces to win a war, increasing its strategic reliance on nuclear weapons as a deterrent.<sup>14</sup> In response, Ukraine's emerging nuclear doctrine is thus framed in two contexts: first, the importance of formalized nuclear guarantees to prevent Russian aggression and second, consideration of whether Ukraine made a mistake in denuclearization. The first context understands the failure points of the Budapest Memorandum and establishes Ukraine's current interest in joining NATO, which has a formal nuclear deterrence

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<sup>11</sup> Nuclear Threat Initiative, "Nuclear Disarmament Kazakhstan."

<sup>12</sup> Steven Pifer, "Why Care About Ukraine and the Budapest Memorandum," *Brookings Institution*, December 2019, <https://www.brookings.edu/articles/why-care-about-ukraine-and-the-budapest-memorandum/>.

<sup>13</sup> Denys Karlovskyi, "Post-war Ukraine: Budapest Memorandum 2.0 will not do," *European Leadership Network*, December 2023, <https://europeanleadershipnetwork.org/commentary/post-war-ukraine-budapest-memorandum-2-0-will-not-do/>.

<sup>14</sup> Mark Trevelyan, "Ukraine war drives shift in Russian nuclear thinking – study," *Reuters*, January 2024, <https://www.reuters.com/world/europe/ukraine-war-drives-shift-russian-nuclear-thinking-study-2024-01-22/>.

policy for its member states.<sup>15</sup> Although the United States has previously suggested that it would respond to a nuclear attack in Ukraine, the lack of a formal guarantee is of concern to Ukraine due to the historic U.S. failure to follow through on informal commitments. The second context acknowledges Ukraine's critical need for a nuclear guarantee which, if an external body like NATO cannot provide, might lead to domestic proliferation.<sup>16</sup> Ukraine's current consideration of re-nuclearization is thus typically framed to pressure NATO and the United States to provide nuclear guarantees.<sup>17</sup> Calls from individuals within Ukraine for re-nuclearization have thus far not resulted in the negative consequences faced by other NNWS pursuing nuclear proliferation. This is likely due to Ukraine's stronger ethical credibility, because of its status as a former NWS who willingly denuclearized in exchange for security guarantees that have now been broken.

Finally, Belarus's nuclear doctrine involves increasingly proactive nuclear posturing, similarly relying on NWS support. Following its independence, Russia and Belarus launched an integration process that led to the 1999 establishment of a Union State between the two countries as a "single economic space," with "coordinated foreign and defense policy."<sup>18</sup> A "Union State" indicated that Belarus had an unofficial nuclear guarantee from Russia, while maintaining its own status as a NNWS.<sup>19</sup> However, the union concept was only loosely applied and Belarus notably maintained a neutral position during the 2014 annexation of Crimea.<sup>20</sup> Its independence ended in 2020 when Belarusian President Aleksandr Lukashenko accepted monetary aid from Russia to

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<sup>15</sup> Andrew Kramer and Dan Bilefsky, "Ukraine submits an application to join NATO, with big hurdles ahead," *New York Times*, September 2022, <https://www.nytimes.com/2022/09/30/world/europe/ukraine-nato-zelensky.html>; "NATO Nuclear Deterrence." *NATO*, February 2020, [https://www.nato.int/nato\\_static\\_fl2014/assets/pdf/2020/2/pdf/200224-factsheet-nuclear-en.pdf](https://www.nato.int/nato_static_fl2014/assets/pdf/2020/2/pdf/200224-factsheet-nuclear-en.pdf)

<sup>16</sup> Josh Rogin, "Ukrainians want to know if NATO still wants them," *The Washington Post*, February 2024, <https://www.washingtonpost.com/opinions/2024/02/23/ukraine-munich-nato-membership/>; "Ukraine may seek nuclear weapons if left out of NATO: Diplomat," Al Jazeera, "Ukraine may seek nuclear weapons if left out of NATO: Diplomat," April 2021, <https://www.aljazeera.com/news/2021/4/16/ukraine-may-seek-nuclear-weapons-if-left-out-of-nato-diplomat>.

<sup>17</sup> Rogin, "Ukrainians Want to Know if NATO Still Wants Them"; Al Jazeera, "Ukraine may seek nuclear weapons."

<sup>18</sup> "Treaty on the Establishment of the Union State," *United Nations Treaties*, December 1999, <https://treaties.un.org/doc/Publication/UNTS/Volume%202121/v2121.pdf>.

<sup>19</sup> Arms Control Association, "Russia Extends Nuclear Umbrella to Belarus," March 2000, <https://www.armscontrol.org/node/2900>.

<sup>20</sup> Andrey Suzdaltsev, "The Crisis of the Union State of Belarus and Russia," *Mirovaia ekonomika i mezhdunarodnye otnosheniia* 64, no. 3 (2020): 56–67; Jonathan Masters, "The Belarus-Russia Alliance: An Axis of Autocracy in Eastern Europe," *Council on Foreign Relations*, September 2023, <https://www.cfr.org/backgrounder/belarus-russia-alliance-axis-autocracy-eastern-europe>.

squash mass protests against his regime.<sup>21</sup> In exchange, Belarus began to more actively align itself with Russia, increasing its economic dependence and support. Closer relations better situated Belarus to aid Russia during the War in Ukraine, suggesting that the Russian nuclear umbrella did extend to it.<sup>22</sup> The umbrella was confirmed in March 2023 when Russia announced that it would station tactical nuclear weapons in the country.<sup>23</sup>

Since then, Belarus has adopted a nuclear doctrine based on its own interests in deploying these weapons, although Russia alleges that it maintains control.<sup>24</sup> In 2023, Belarus created an updated National Security Concept and military doctrine. The former document mentions nuclear weapons in the context of concern over the growing interest of other countries in Europe in proliferation.<sup>25</sup> The latter document, which went into effect in 2024, discusses nuclear weapons for the first time in Belarus's military doctrine and is presumed to reference "preventive deterrence for potential adversaries from unleashing armed aggression against the Republic of Belarus."<sup>26</sup> Interestingly, Belarus's current nuclear doctrine, although still relying on Russian weapons, therefore attempts to distinguish its own authority over the weapons in its territory. Belarus's proactiveness postures it closer to a NWS, which contributes to international debate over whether stationing weapons in Belarus breaches its commitments under the NPT.<sup>27</sup> The ability of Belarus to pursue such an escalatory nuclear position relies heavily on NWS support from Russia, due to bilateral agreements that formalize this arrangement. In direct contrast to the informal U.S. commitments in Ukraine, such agreements enable Belarus to maintain an even more forward nuclear doctrine.

While Kazakhstan's nonproliferation stance assists with nuclear de-escalation, both

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<sup>21</sup> Alla Leukavets, "Russia's game in Belarus: 2020 presidential elections as a checkmate for Lukashenka?" *New Perspectives* 29, no. 1 (2021): 90–101.

<sup>22</sup> Masters, "The Belarus-Russia Alliance."

<sup>23</sup> Hans Kristensen and Matt Korda, "Russian Nuclear Weapons Deployment Plans in Belarus: Is There Visual Confirmation?" *Federation of American Scientists*, June 2023, <https://fas.org/publication/russian-nuclear-weapons-deployment-plans-in-belarus-is-there-visual-confirmation/>.

<sup>24</sup> Lidia Kelly and Andrew Osborn, "Belarus Starts Taking Delivery of Russian Nuclear Weapons," *Reuters*, June 2023, <https://www.reuters.com/world/europe/belarus-has-started-taking-delivery-russian-tactical-nuclear-weapons-president-2023-06-14/>.

<sup>25</sup> "On consideration of the draft new National Security Concept of the Republic of Belarus," *Pravo*, accessed May 27, 2025, <https://web.archive.org/web/20240226193504/https://pravo.by/document/?guid=3871&p0=P223s0001>.

<sup>26</sup> Mariya Knight and Chris Lau, "Belarus Adopts New Military Doctrine Involving Nuclear Weapons," *CNN*, January 2024, <https://edition.cnn.com/2024/01/19/europe/belarus-adopts-doctrine-involving-nuclear-weapons-intl-hnk/index.html>.

<sup>27</sup> United Nations, "Deployment of Nuclear Weapons to Belarus Debated in First Committee, as Delegates Rethink Global Security," October 2023, <https://press.un.org/en/2023/gadis3712.doc.htm>.

Ukraine and Belarus therefore utilize forward-positioned doctrines that are arguably enabled not only by NWS support, but also by the status of the two countries as former NWS. In Ukraine's case, its former nuclear status enables an ethical position that circumvents international taboos about NNWS. An international norm that supports accession to the NPT as an NNWS is an implicit guarantee against nuclear attacks, a guarantee that was made explicit for Ukraine in the Budapest Memorandum in trade for its denuclearization.<sup>28</sup> However, Russia's threats to utilize nuclear weapons in Ukraine *de facto* ended the agreement, which could serve as justification for Ukraine to re-nuclearize, because the international norm against threatening an NNWS with a nuclear attack has already been broken. Regarding Belarus, its former nuclear status further obscures the gray zone between stationing and proliferating nuclear weapons. As Russia claims to maintain control of the nuclear weapons, Belarus's current nuclear status is differentiated from when it had full control of its own nuclear weapons, including in terms of the nuclear policy language it uses. This enables Belarus to position itself as an NNWS with stationed nuclear weapons, although it pushes the bounds of NNWS nuclear doctrines. Status as former NWS therefore plays a critical role in the modern nuclear doctrines of Ukraine and Belarus, while still enabling divergence between their doctrines based on security motivations and NWS support.

### **Impact of Nuclear Doctrines on Strategic Stability**

The nuclear doctrines of Ukraine, Belarus, and Kazakhstan provide useful implications for the impact of such doctrines on strategic stability. The variations in impact are elucidated by their basis in evolving nuclear legacies. "Nuclear legacy" is often discussed in academic literature in the context of Post-Soviet countries, referring to the modern-day security policies that result from Soviet-era nuclear policy.<sup>29</sup> This article applies a broader definition: the impact of developing, posturing, stationing, testing, or deploying nuclear weapons within or by a state on its current security policies. Based on this definition, the nuclear legacies of the three countries initially derived from nuclear weapons at independence, followed by voluntary relinquishment of these weapons in trade for security guarantees. However, from this common starting point, the legacies then diverged with Ukraine experiencing nuclear threats, Belarus receiving a nuclear umbrella and stationed weapons, and Kazakhstan facing the aftermath of testing. The divergence suggests that nuclear legacies are not definable from a stationary point in time, but are rather evolving concepts

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<sup>28</sup> Paul C. Avey, "Who's Afraid of the Bomb? The Role of Nuclear Non-Use Norms in Confrontations between Nuclear and Non-Nuclear Opponents," *Security Studies* 24, no. 4 (2015): 563–596.

<sup>29</sup> Niall Michelsen, "The Nuclear Legacy of the Soviet Union," *Southeastern Political Review* 23, no. 4 (1995): 581–597.

that change based on geopolitical factors.

Understanding nuclear legacies as evolving underscores the divergent impact of these three countries' nuclear doctrines on global strategic stability, or on maintaining limited incentives for deploying nuclear weapons.<sup>30</sup> Such stability is especially vulnerable to dependencies on nuclear weapons in security strategy. Specifically, current doctrines that increase the need for nuclear guarantees or that proliferate nuclear weapons expand the reliance of security strategy on these weapons, and this in turn encourages further proliferation.<sup>31</sup> Uncertainty also reduces the likelihood of disarmament, as countries cannot predict associated long-term risks or their potential future need for nuclear weapons.<sup>32</sup> In addition, due to the failures of the Budapest Memorandum, countries may also be less willing to accept unofficial nuclear guarantees. As nuclear doctrines diverge further, these vulnerabilities in strategic stability may increase, because maintaining stability is difficult in a progressively unpredictable and variable environment.<sup>33</sup>

With regards to Ukraine, Belarus, and Kazakhstan, their divergent nuclear doctrines thus unevenly affect global strategic stability. Kazakhstan's doctrine arguably has a positive, albeit limited impact on stability based on its interest in nonproliferation.<sup>34</sup> However, responses in the other two countries demonstrate the increased escalatory effect of their nuclear doctrines when compared to other NNWS. As Ukraine's doctrine shifted from uncertainty to a keen interest in nuclear guarantees due to Russia's attacks, this validated the importance of nuclear umbrellas to NNWS security.<sup>35</sup> In addition, the limited, but existent rhetoric within Ukraine surrounding re-nuclearization validates the importance of nuclear weapons to defending one's own territory. Coupled with the lack of negative consequences, this rhetoric further weakens the international norm preventing nuclear proliferation, although it does align with other norms protecting territorial

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<sup>30</sup> Dmitri Trenin, "Strategic Stability in the Changing World," *Carnegie Moscow Center*, March 2019, [https://justice4allandall4justice.com/wp-content/uploads/2022/02/3-15\\_Trenin\\_StrategicStability.pdf](https://justice4allandall4justice.com/wp-content/uploads/2022/02/3-15_Trenin_StrategicStability.pdf).

<sup>31</sup> See, for e.g.: George Shultz et al., "Toward a World Without Nuclear Weapons," *Nuclear Threat Initiative*, 2007–2011, [https://media.nti.org/pdfs/NSP\\_op-eds\\_final\\_.pdf](https://media.nti.org/pdfs/NSP_op-eds_final_.pdf).

<sup>32</sup> See, for e.g.: Robert Einhorn, "Will Russia's War on Ukraine Spur Nuclear Proliferation," *Arms Control Association*, October 2022, <https://www.armscontrol.org/act/2022-10/features/russias-war-ukraine-spur-nuclear-proliferation>.

<sup>33</sup> Trenin, "Strategic Stability in the Changing World."

<sup>34</sup> Emmanuelle Maitre, "Kazakhstan's nuclear policy: an efficient niche diplomacy?" *Fondation pour la Recherche Stratégique*, July 2018, <https://www.frstrategie.org/en/publications/notes/kazakhstans-nuclear-policy-efficient-niche-diplomacy-2018>.

<sup>35</sup> Multiple NNWS became increasingly interested in nuclear umbrellas following Russia's invasion. Ukraine's own interest in nuclear guarantees, although a strategic necessity, validates the importance of a nuclear umbrella. See, for e.g.: Anne Kauranen, "NATO's Nuclear Deterrent Must Be Real for Finland, Says New President," *Reuters*, March 2024, <https://www.reuters.com/world/europe/finland-inaugurates-alexander-stubb-president-nato-era-2024-03-01/>.

sovereignty. Altogether, Ukraine's nuclear policy positions, especially conversations surrounding re-nuclearization, can inadvertently erode international systems that specifically protect against nuclear proliferation and use.

Meanwhile, Belarus's nuclear posturing directly raises concerns of proliferation by blurring the lines between NNWS with stationed nuclear weapons and NWS, and opens a pathway for other NNWS to similarly make use of nuclear weapons.<sup>36</sup> Belarus's forward-positioned nuclear doctrine pushes the bounds of what is acceptable for an NNWS as compared to a NWS. While previous agreements like NATO have enabled NNWS to have stationed nuclear weapons, as well as a say in how these nuclear weapons could be used, NNWS within NATO have never publicly adopted nuclear posturing language within their domestic military doctrines, rather relying on the organizational doctrine. The differentiation between domestic and organizational strategies has so far served as a critical delineation between unacceptable and acceptable NNWS behavior. Although Belarus's doctrine may not be substantially different from NATO NNWS in practice, its method routed in independent statements similar to an NWS breaks norms surrounding NNWS nonproliferation.

The substantial impact that Ukraine and Belarus therefore have on international norms reflects how their status as former NWS enable a greater impact on nuclear stability. Their ability to weaken international norms with more limited repercussions exists in part because international decision-makers have already seen the worst-case scenario for these countries in terms of their nuclear proliferation and the current situation is deemed less serious. Such a mindset derives from great power states acting as offensive realist actors, who "prepare for the worst-case scenario when assessing other powers."<sup>37</sup> As offensive realists, other state actors will consider the worst-case scenario for post-Soviet former NWS as re-nuclearization and anything short of that as less concerning. By contrast, a "worst-case scenario" is not the same for other NNWS, where many states would view a realistic scenario as NNWS simply threatening to develop nuclear weapons. The historic memory of other states therefore impacts the ability of countries like Ukraine and Belarus to affect strategic stability, by lowering the normative barriers that would typically prevent such countries from forward nuclear doctrines. The unique status of former NWS suggests that

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<sup>36</sup> United Nations, "Deployment of Nuclear Weapons to Belarus Debated."

<sup>37</sup> Steven E. Lobell, "Structural Realism/Offensive and Defensive Realism," in *Oxford Research Encyclopedia of International Studies*, 2010, <https://doi.org/10.1093/acrefore/9780190846626.013.304>; John J. Mearsheimer, *The Tragedy of Great Power Politics*, updated ed. (New York City, NY: W. W. Norton & Company, 2003).



these states can have a greater impact on nuclear strategic stability than other NNWS counterparts.

### **Shaping International Norms and Policy Agendas**

The noted linkage between nuclear legacy, doctrine, and stability is important as it provides the foundation for a framework to understand relevant strategy. The nuclear doctrines of Ukraine, Belarus, and Kazakhstan—and their impact on strategic stability—provide important real-world case studies for understanding and countering the long-term stability consequences of nuclear proliferation. Although the exact geopolitical consequences are uncertain, the ability of these countries to utilize a forward nuclear doctrine if they choose suggests that international norms preventing proliferation require strengthening and reaffirmation to specifically address former NWS countries. In addition, constraints on NWS behavior, as the key facilitators of such forward nuclear doctrines, are critically required.

As the War in Ukraine continues, we may have to wait for the outcome of ongoing talks to see how the changes in these doctrines might further illuminate their impact on strategic stability. The recent change in the U.S. leadership will unquestionably affect how these countries, especially Ukraine, amend their nuclear doctrines. While the second Trump administration may provide weaker NWS support to Ukraine than before, less NWS support could either shift Ukraine's nuclear doctrine back or increase calls within Ukraine for a domestic nuclear capability. Meanwhile, Belarus could understand the political change in the United States as signifying less NWS backlash to positioning itself in a more escalatory posture. Regardless, one aspect remains certain—the interplay between the former status of NNWS and the current positioning of NWS will shape the future of strategic stability.

In December of 2024, thirty years after the Budapest Memorandum, Russia claimed that its current aggression was in line with its obligations under the agreement.<sup>38</sup> Ukraine criticized the original agreement as having failed to achieve effective international protections for the country.<sup>39</sup> Reports emerged that the current U.S. White House removed the memorandum from its website to allegedly avoid criticism for not meeting its obligations in Ukraine.<sup>40</sup> Regardless of who is

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<sup>38</sup> The Ministry of Foreign Affairs of the Russian Federation, “Spokeswoman Maria Zakharova’s Comment on the 30th Anniversary of the Budapest Memorandum,” December 2024, [https://mid.ru/en/press\\_service/spokesman/comments/1985517/](https://mid.ru/en/press_service/spokesman/comments/1985517/).

<sup>39</sup> The Kyiv Independent news desk, “‘They Didn’t Give a S\*\*t’ – Zelensky Rebukes Those Behind Budapest Memorandum,” *The Kyiv Independent*, January 2025, <https://kyivindependent.com/zelensky-rebukes-budapest-memorandum-signatories>.

<sup>40</sup> See, for e.g.: Naman Trivedi, “Budapest Memorandum: Did White House Remove It from Their Website Amid Russia-Ukraine War?” *Times Now*, <https://www.timesnownews.com/world/us/us->

responsible, the era of the Budapest Memorandum had now ended—and an era where the nuclear doctrines of the post-Soviet former NWS have a more significant impact on strategic stability is here.

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## Reconfiguring Hierarchies: Japan's Pursuit of Networked Security in a Contested Indo-Pacific

Zihan Zhu

*This paper examines Japan's evolving security strategy under Prime Minister Abe's second premiership, situating it within broader structural transformations in East Asia's regional order. Anchored in the hedging school of neorealist thought, the analysis traces how Japan's strategic posture has shifted in response to perceived limitations within the U.S.-led "hub-and-spoke" alliance system—particularly those made more apparent during a period of fluctuating American engagement. Conceptualizing this moment as a critical juncture, the paper argues that Japan's recalibration toward a networked security framework—manifested through the Free and Open Indo-Pacific (FOIP) vision and the revitalization of the Quadrilateral Security Dialogue (Quad)—constitutes a deliberate effort to complement bilateral alliances with inter-spoke and minilateral cooperation. This evolving approach seeks to uphold U.S. regional anchorage while affording Japan and its partners greater agency in shaping the strategic landscape of the Indo-Pacific. By closely analyzing institutional developments and regional responses, the paper contributes to ongoing debates on middle power strategies, strategic hedging, and the layered architecture of regional order. It also illuminates the enduring tension between continuity and innovation in alignment behavior under conditions of contested hegemony and shifting systemic expectations.*

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### Background

The U.S.-led alliance system has long served as the cornerstone of East Asia's postwar security architecture, with Washington occupying what Goh describes as the "superpower overlay"<sup>1</sup>—a position of hierarchical predominance in the regional order. Institutionally, this order has been expressed through a bilateral "hub-and-spoke" framework, wherein the United States anchors a series of security relationships with allied states, most notably Japan. From Tokyo's perspective, however, this arrangement has come under mounting strain from two principal vectors: the assertive trajectory of China's rise and evolving patterns of U.S. strategic engagement. Since the late 1990s, China's rapid accumulation of economic and military capabilities has enabled a more confident foreign policy, evidenced by high-profile incidents such as the 2010 collision near the Senkaku Islands and the escalation of maritime patrols in contested waters. At the same time, the United States confronted a set of global demands—marked by prolonged counterterrorism operations and economic contraction following the 2008 financial crisis—that temporarily

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<sup>1</sup> Evelyn Goh, "Great Powers and Hierarchical Order in Southeast Asia: Analyzing Regional Security Strategies," *International Security* 32, no. 3 (Winter 2007): 149.

redirected its strategic focus. These pressures contributed to a perceived reduction in the centrality of East Asia within Washington's security calculus, reflected in altered patterns of military deployment and signalling to regional allies a shift in prioritization.<sup>2</sup>

Despite China's remarkable ascent—exemplified by its surpassing of Japan as the world's second-largest economy in 2011—Tokyo has maintained a largely consistent strategic approach toward Beijing. This continuity is marked by Japan's enduring participation in regional institutions alongside China and the preservation of substantial economic interdependence, even in the face of deteriorating diplomatic relations—a dynamic often described as “cold politics, hot economy.”<sup>3</sup> Concurrently, the Obama administration introduced the “Pivot to Asia,” a strategic rebalancing intended to reassure regional allies of sustained U.S. commitment. For many in East Asia, this recalibration served to reaffirm the legitimacy of relying on American strategic leadership. Yet Japan's evolving behavior complicates this picture. Increasingly, Tokyo has pursued a more expansive vision of regional order, assuming leadership roles in initiatives such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP)—notably in the absence of U.S. participation.

This development raises important analytical questions, which this paper seeks to address, for scholars of East Asia international relations. How should Japan's expanding role in regional security cooperation—alongside actors such as Australia, India, select ASEAN members, and extra-regional partners like the U.K., France, and Italy—be understood? What motivates this strategic recalibration, beyond the simultaneous pressures of China's rise and evolving patterns of U.S. engagement? Does it signal a broader ambition, as suggested by Abe's assertion that “Japan is not now and will never be a tier two power”?<sup>4</sup> What empirical evidence, if any, point to a reconfiguration of the traditional “hub-and-spoke” system toward more networked and multilateral security arrangements?

The 2016 U.S. presidential election introduced a period of heightened uncertainty into the strategic foundations of Japan's postwar security architecture. For decades, Tokyo's defense posture had rested on the assumption of a stable and reliable U.S.-Japan alliance, embedded within

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<sup>2</sup> Yves Tiberghien et al., “Introduction and Key Takeaways,” in *Japan's Leadership in the Liberal International Order: Impact and Policy Opportunities for Partners* (Vancouver: Centre for Japanese Research, July 2020).

<sup>3</sup> Christopher W. Hughes, “Japan's Response to China's Rise: Regional Engagement, Global Containment, Dangers of Collision,” *International Affairs* 85, no. 4 (July 2009): 837–856.

<sup>4</sup> Shinzō Abe, “Japan Is Back,” February 2013, [https://www.mofa.go.jp/announce/pm/abe/us\\_20130222en.html](https://www.mofa.go.jp/announce/pm/abe/us_20130222en.html).

the broader “hub-and-spoke” system of U.S.-led regional order. The subsequent shift in U.S. foreign policy orientation—marked by a more transactional approach to alliance relations and strategic reassessment in multilateral commitments—generated anxiety among Asian allies regarding Washington’s long-term resolve and resource prioritization.<sup>5</sup> This moment constituted a structural inflection point that compelled Japanese strategic elites to reconsider the sustainability of existing security arrangements and explore alternative pathways for safeguarding national interests as a secondary power.

In response, Japan introduced key policy innovations—most notably the articulation of the “Free and Open Indo-Pacific” (FOIP) vision in 2016 and the revival of the Quadrilateral Security Dialogue (Quad) in 2017. These initiatives have been interpreted by some as signaling the gradual erosion of the Yoshida Doctrine, which had long prioritized economic development under the protective umbrella of U.S. military primacy.<sup>6</sup> Others have suggested that these developments reflect a regional trend toward “de-hub-and-spokification,” in which the U.S. centrality gives way to more diffuse and pluralistic forms of security cooperation.<sup>7</sup> Yet such interpretations often overlook a critical empirical feature: rather than seeking to replace the alliance framework, U.S. partners—including Japan—have pursued deeper inter-spoke and minilateral cooperation in ways that complement existing institutions. In this context, Tokyo’s advocacy for a networked security architecture reflects strategic adaptation within, rather than abandonment of, the prevailing order. To situate this shift, the following section revisits the “hedging school” of Japanese security studies, which, grounded in neorealist traditions<sup>8</sup>, provides a useful framework for understanding this evolving strategic posture.

## **Theoretical Debate**

### *The Hedging School*

Hedging has become the dominant conceptual lens through which scholars interpret Japan’s post–Cold War security strategy, capturing Tokyo’s dual-track approach of sustained economic and diplomatic engagement with China alongside the reinforcement of its military

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<sup>5</sup> Sung Chul Jung, Jaehyon Lee, and Ji-Yong Lee, “The Indo-Pacific Strategy and US Alliance Network Expandability: Asian Middle Powers’ Positions on Sino-US Geostrategic Competition in Indo-Pacific Region,” *Journal of Contemporary China* 30, no. 127 (May 2020), 56.

<sup>6</sup> Michael J. Green, *Line of Advantage: Japan’s Grand Strategy in the Era of Abe Shinzō* (New York: Columbia University Press, 2022).

<sup>7</sup> Elena Atanassova-Cornelis, “Alignment Cooperation and Regional Security Architecture in the Indo-Pacific,” *The International Spectator* 55, no. 1 (February 2020): 18–33.

<sup>8</sup> Kenneth N. Waltz, *Theory of International Politics* (Reading, MA: Addison-Wesley, 1979).

alignment with the United States.<sup>9</sup> Central to this strategy is the maintenance of strategic ambiguity—a calculated posture that affords Japan the flexibility to recalibrate its alignments in response to evolving regional power configurations and strategic uncertainty.<sup>10</sup> By resisting the structural imperatives of either pure balancing or bandwagoning, Japan retains manoeuvrability across a fluid geopolitical landscape. Deepening economic interdependence with China may inadvertently enhance Beijing’s political leverage, while an overreliance on U.S. military support risks exposure to alliance decoupling or diminishing regional commitment.<sup>11</sup> Hedging thus offers a mechanism through which Japan can mitigate these vulnerabilities, enabling it to pursue strategic resilience without committing unequivocally to either pole of the regional power spectrum.

Strategically, Japan’s non-aligned posture affords it a broader repertoire of policy responses, enabling calibrated shifts between engagement and deterrence. As Koga observes, Tokyo turns to more overt balancing measures only when avenues for engagement become untenable.<sup>12</sup> This flexibility lies at the core of hedging, wherein strategies that blend diplomatic engagement with restrained forms of balancing remain consistent with the conceptual parameters articulated by Goh.<sup>13</sup> Goh further elaborates this logic by framing Japan–China relations as a “power bargain”—a condition of managed coexistence in which regional stability is underpinned not by competitive exclusion, but by tacit understandings of influence and restraint.<sup>14</sup> Lind adds an important structural dimension to this analysis, identifying two enduring pressures that inform Japan’s hedging behavior: the external challenge posed by China’s growing material capabilities, and the

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<sup>9</sup> Hughes, “Japan’s Response to China’s Rise”; Paul J. Smith, “China-Japan Relations and the Future Geopolitics of East Asia,” *Asian Affairs: An American Review* 35, no. 4 (August 2010): 230–256; Kei Koga, “The Rise of China and Japan’s Balancing Strategy: Critical Junctures and Policy Shifts in the 2010s,” *Journal of Contemporary China* 25, no. 101 (April 2016): 777–791; Hiroki Takeuchi, “Sino-Japanese Relations: Power, Interdependence, and Domestic Politics,” *International Relations of the Asia-Pacific* 14, no. 1 (2014): 7–32; Chikako Kawakatsu Ueki, “Japan’s China Strategy: The End of Liberal Deterrence?” *Security Challenges* 16, no. 3 (2020): 58–63.

<sup>10</sup> Cheng-Chwee Kuik, “Variations on a (Hedging) Theme: Comparing ASEAN Core States’ Alignment Behavior,” *Joint U.S.–Korea Academic Studies* 26 (February 2016): 11–26; Cheng-Chwee Kuik, “Getting Hedging Right: A Small-State Perspective,” *China International Strategy Review* 3 (November 2021): 300–315.

<sup>11</sup> Elena Atanassova-Cornelis and Yoichiro Sato, “The US–Japan Alliance Dilemma in the Asia-Pacific: Changing Rationales and Scope,” *The International Spectator* 54, no. 4 (November 2019): 78–93; Cheng-Chwee Kuik, “The Essence of Hedging: Malaysia and Singapore’s Response to a Rising China,” *Contemporary Southeast Asia* 30, no. 2 (August 2008): 159–185.

<sup>12</sup> Koga, “Japan’s Balancing Strategy.”

<sup>13</sup> Goh, “Great Powers and Hierarchical Order.”

<sup>14</sup> Evelyn Goh, “Japan, China, and the Great Power Bargain in East Asia,” *EAI Fellows Program Working Paper Series*, no. 32 (November 2011).

internal ambiguity regarding the durability of U.S. strategic commitment.<sup>15</sup> These insights collectively underscore hedging as a dynamic and adaptive strategy, shaped by shifting regional constraints and the complex interplay of great power relationships.

Among contemporary frameworks, Kuik's typology offers one of the most systematic approaches for analyzing hedging behavior, providing a flexible lens through which to examine how secondary states navigate asymmetrical power relations.<sup>16</sup> Within the context of intensifying Chinese capabilities and growing uncertainty regarding U.S. strategic consistency, Japan's hedging strategy may be analytically disaggregated into four dimensions: military hedging (indirect balancing), political hedging (dominance denial), economic hedging (pragmatic diversification), and binding engagement.

Japan's military hedge encompasses both internal and external balancing mechanisms designed to mitigate strategic uncertainty. Domestically, Tokyo has undertaken sustained modernization of its defense capabilities and repositioned the Self-Defense Forces (SDF) to enhance operational readiness in the southwestern region—a locus of potential maritime contestation.<sup>17</sup> Externally, it has reaffirmed and incrementally deepened the U.S.-Japan alliance, maintaining it as a central pillar of deterrence, even amid periodic concerns over alliance durability. Japan's economic hedge complements this approach by sustaining robust engagement with China while simultaneously pursuing diversification strategies to reduce structural dependence. Expanding trade and investment linkages with Southeast Asia and other regional economies allows Tokyo to hedge against potential economic coercion, thereby preserving strategic autonomy.<sup>18</sup> Together, these military and economic hedges reflect a hybrid strategy that marries material preparedness with calibrated integration, enabling Japan to respond adaptively to regional power shifts.

The political dimensions of Japan's hedge strategy are expressed through binding engagement and political hedging. Binding engagement aims to embed China within multilateral frameworks that promote norm adherence and institutional constraint, while political hedging

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<sup>15</sup> Jennifer M. Lind, "Pacifism or Passing the Buck? Testing Theories of Japanese Security Policy," *International Security* 29, no. 1 (Summer 2004): 92–121.

<sup>16</sup> Kuik, "Essence of Hedging"; Kuik, "Variations on a (Hedging) Theme."

<sup>17</sup> Yasuhiro Izumikawa, "Explaining Japanese Antimilitarism: Normative and Realist Constraints on Japan's Security Policy," *International Security* 35, no. 2 (Fall 2010): 123–160; Adam P. Liff and G. John Ikenberry, "Racing toward Tragedy? China's Rise, Military Competition in the Asia Pacific, and the Security Dilemma," *International Security* 39, no. 2 (Fall 2014): 52–91.

<sup>18</sup> Ll. López i Vidal and Àngels Pelegrín, "Hedging Against China: Japanese Strategy Towards A Rising Power," *Asian Security* 14, no. 2 (June 2017): 193–211.

emphasizes the importance of inclusive institutional arrangements—particularly those involving continued U.S. participation—to maintain a favorable balance of influence. These approaches are often operationalized simultaneously. Through platforms such as ASEAN+3, the East Asia Summit, and APEC, Japan has worked to integrate China into rule-based regional processes while reinforcing institutional norms through broader coalitions of like-minded states.<sup>19</sup> These efforts exemplify Japan’s dual objective: shaping regional order by fostering cooperative inclusion while constraining the potential for unilateral dominance.

The reorientation of U.S. foreign policy following the 2016 election introduced unprecedented challenges for Japan’s strategic calculus. A more transactional approach to alliance management—marked by public critiques of burden-sharing and a greater emphasis on unilateral cost-benefit assessments—cast renewed light on the conditional nature of U.S. security commitments. This shift underscored the inherent fragility within the “hub-and-spoke” system, particularly for regional spokes such as Japan, which faced heightened strategic exposure amid growing concerns over alliance dependability. Against the backdrop of intensifying great power rivalry and China’s expanding regional presence, perceived ambiguities in U.S. strategic resolve emerged as a critical driver of Japan’s evolving security posture. In response, Tokyo advanced key strategic initiatives—notably the articulation of the Free and Open Indo-Pacific (FOIP) vision and the revitalization of the Quadrilateral Security Dialogue—as part of a broader effort to reinforce regional alignment structures and hedge against volatility in traditional alliance frameworks.

### *The Argument*

Cha distinguishes the U.S. “hub-and-spoke” alliance system from NATO by highlighting its dual function<sup>20</sup>: as a deterrent framework against external threats and as an instrument for maintaining bilateral control, including monitoring domestic political developments and constraining unilateral military initiatives by allied states. Situated within the broader U.S.-led liberal international order, this architecture was long assumed to possess institutional durability beyond the Cold War. However, during a period of recalibrated U.S. foreign policy priorities, both the perceived material capacity and political willingness of Washington to uphold its traditional regional commitments appeared increasingly uncertain. For Japan, this ambiguity introduced new strategic anxieties—raising difficult questions about the extent to which even institutionalized bilateral alliances could ensure U.S. support in the event of a contingency involving China. These

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<sup>19</sup> Goh, “Great Powers and Hierarchical Order.”

<sup>20</sup> Victor D. Cha, “Powerplay: Origins of the U.S. Alliance System in Asia,” *International Security* 34, no. 3 (Winter 2009): 158–196.



concerns are encapsulated in the concept of the abandonment dilemma<sup>21</sup>, which highlights the risks of dependence on a single great power's consistent engagement. The U.S. decision to withdraw from the Trans-Pacific Partnership (TPP) further signaled a more cautious approach to regional economic integration. For many Asian states—particularly those outside formal alliance frameworks—the lack of robust multilateral mechanisms for addressing coercive pressures and capability asymmetries has become an enduring strategic concern.<sup>22</sup> At its core, the vertically structured “hub-and-spoke” model, centered on U.S. authority, offers limited institutional avenues for horizontal coordination among allies. The broader moment of regional flux revealed by this episode has thus prompted recalibrations in security strategies, especially among middle powers such as Japan, whose strategic orientation remains deeply embedded in the alliance system.

In response to these limitations, Japan has adopted a dual-track approach to security. On one hand, Tokyo remains strongly committed to the U.S.-Japan alliance, continuing to prioritize American engagement as the foundational element of its strategic posture. On the other, it has pursued a more proactive role in cultivating alignments with like-minded partners—many of them existing U.S. allies or strategic associates—through a series of multilateral and minilateral initiatives.<sup>23</sup> This shift reflects a movement from reactive alliance reliance to more deliberate shaping of regional security architecture. Under Abe's second administration, this posture became notably more assertive. The 2014 reinterpretation of Article 9 of the Constitution, allowing for limited collective self-defense, marked a significant institutional step toward greater alignment with U.S.-led operations. While the Self-Defense Forces (SDF) continue to function within a complementary role, Tokyo has made concerted efforts to signal its reliability as a strategic partner—both to reinforce the alliance's credibility and to underscore that sustained U.S. engagement remains a core pillar of regional order.

Among Japan's recent strategic initiatives, the advancement of the Free and Open Indo-Pacific (FOIP) vision and the revitalization of the Quadrilateral Security Dialogue (Quad) stand as pivotal markers of its evolving security posture. Both frameworks—energized through sustained leadership by Tokyo—signify a deliberate recalibration from the more tentative strategic orientation of Abe's first administration (2006–2007). These initiatives represent a departure from a strictly bilateral alliance model, articulating instead an inter-spoke logic of regional engagement.

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<sup>21</sup> Atanassova-Cornelis and Sato, “US–Japan Alliance Dilemma.”

<sup>22</sup> Jung, Lee, and Lee, “Indo-Pacific Strategy and US Alliance Network.”

<sup>23</sup> H. D. P. Envall and Thomas S. Wilkins, “Japan and the New Indo-Pacific Order: The Rise of an Entrepreneurial Power,” *The Pacific Review* 36, no. 4 (January 2022): 691–722.

By “connecting the dots” among like-minded partners, Japan seeks to institutionalize a networked regional architecture through a combination of minilateral and multilateral mechanisms—explicitly designed not to supplant the U.S. alliance system, but to reinforce it through complementary alignments that address shared strategic concerns.<sup>24</sup> This approach marks a conceptual evolution beyond conventional hedging, which typically pivots between reassurance of a dominant power and deterrence of a rising one. Nor is it limited to economic diversification. Rather, the FOIP and Quad frameworks aim to engage a broader set of regional security issues—spanning both traditional and non-traditional domains, from maritime governance to contingencies on the Korean Peninsula.

This emerging networked approach constitutes a carefully calibrated response to the perceived institutional limitations of the “hub-and-spoke” system, as revealed during a period of shifting U.S. strategic priorities. While this evolution signals a more proactive and assertive Japanese posture relative to earlier phases of strategic ambiguity, it does not represent a wholesale departure from the Yoshida Doctrine. The U.S.-Japan alliance remains the central pillar of Tokyo’s security architecture, a position reaffirmed in the Kishida administration’s 2022 National Security Strategy, which underscores the enduring value of bilateral cooperation. Similarly, claims of “de-hub-and-spokification” remain analytically premature. Empirically, the structural foundations of the existing order remain intact. Japan’s strategy, therefore, is best understood as an effort to supplement, rather than replace, alliance-centered regional order through the construction of flexible, overlapping security partnerships.

To conceptualize Japan’s evolving security strategy, it is analytically useful to frame the U.S. evolving commitment to the alliance system as a structural independent variable—an exogeneity that recalibrated expectations surrounding alliance reliability and regional order. Japan’s response, in this context, constitutes the dependent variable: a strategic adaptation manifest in a shift toward inter-spoke and minilateral cooperation. Importantly, this recalibration does not amount to a repudiation of the U.S.-Japan alliance. Rather, it reflects a reconfiguration of Japan’s strategic orientation, wherein inter-spoke connectivity and institutional diversification are pursued in parallel with the maintenance of bilateral ties. This layered approach suggests a broader pattern of middle power adjustment under conditions of strategic ambiguity within a U.S.-anchored order.

*Hypothesis: Perceived volatility in the U.S.-centered alliance system encourages*

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<sup>24</sup> Elena Atanassova-Cornelis and Yoichiro Sato, “Asia and Europe in Japan’s Alignment Policies: Drivers, Strategic Expectations and Future Outlook,” *Asian Affairs* 53, no. 3 (July 2022): 520–541.

*regional middle powers to pursue networked security alignments as a hedge against uncertainty.*

## **Empirical Analysis**

In the aftermath of the Cold War, Japan confronted a strategic and discursive inflection point. With the Soviet threat receding, a key question emerged: to what extent would China's ascent reconfigure the regional balance of power, and what posture should Tokyo adopt in anticipation of such a shift?<sup>25</sup> Realist scholars such as Waltz anticipated that Japan would become increasingly concerned about its strategic position, reinforcing an analytical consensus that Japan's post-Cold War security strategy has been largely defined by the rise of China.<sup>26</sup> At the same time, Japan's continued engagement with the United States has been viewed as necessary to sustain a hierarchical regional order, with Washington at its apex.<sup>27</sup> As the postwar alliance framework began to show signs of strain—amid broader trends of American retrenchment from liberal internationalism—some analysts suggested that Japan might begin assuming a more proactive role, stepping into areas where U.S. leadership appeared more ambivalent.<sup>28</sup> This interpretation aligns with the expectation that Tokyo could serve as a regional convenor, cultivating alignments among like-minded states and, in doing so, exercising greater strategic agency—albeit still within a U.S.-anchored order.<sup>29</sup>

Reflecting this evolution, Japan began broadening both the conceptual and geographic scope of its strategic imagination by the late 2000s. Abe's "Confluence of the Two Seas" address to the Indian Parliament and his early promotion of a Quadrilateral Security Dialogue signaled an effort to recalibrate Japan's regional role in light of growing Chinese maritime assertiveness. These initiatives laid the groundwork for key elements of Japan's rearticulated security strategy—most notably, the Free and Open Indo-Pacific (FOIP) vision and the revival of the Quad. Together, these frameworks seek to institutionalize minilateral cooperation and reinforce shared norms, while preserving the structural foundations of the U.S.-centered alliance system. Rather than a rupture, they represent an attempt to extend and adapt Japan's strategic reach within a still-hierarchical, but

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<sup>25</sup> Goh, "Japan, China, and the Great Power Bargain."

<sup>26</sup> Kenneth N. Waltz, "The Emerging Structure of International Politics," *International Security* 18, no. 2 (Fall 1993): 44–79.

<sup>27</sup> Goh, "Great Powers and Hierarchical Order."

<sup>28</sup> Phillip Y. Lipsey, "Reformist Status Quo Power: Japan's Approach toward International Organizations," in *The Crisis of Liberal Internationalism: Japan and the World Order*, ed. G. John Ikenberry and Yoichi Funabashi (Washington, DC: Brookings Institution Press, 2020), 117.

<sup>29</sup> Atanassova-Cornelis, "Alignment Cooperation."

increasingly pluralized, regional security architecture.

Japan's articulation of the Free and Open Indo-Pacific (FOIP) vision and its sustained promotion of the Quadrilateral Security Dialogue (Quad) have gained considerable resonance among both the United States and key regional stakeholders. The U.S. 2019 Indo-Pacific Strategy Report echoes many of the strategic principles embedded in Japan's FOIP framework, signalling alignment in both narrative and intent. Similarly, Washington's endorsement of the Quad's elevation to the leaders' level reflects broader recognition of the grouping's utility in addressing shared regional challenges. These developments illustrate Tokyo's growing strategic efficacy—not only in identifying institutional gaps within the traditional “hub-and-spoke” system, but also in offering a normative and operational framework for inter-spoke and multilateral cooperation. The following sections examine the FOIP and Quad initiatives as comparative case studies, through which Japan's recalibrated security strategy—consistent with Lind's twofold framework<sup>30</sup>—can be interpreted as an effort to institutionalize a more networked regional architecture. This strategy reflects a pragmatic response to structural uncertainty, enabling Japan to navigate a period of intensified great power competition while reinforcing the broader order in which it remains embedded.

#### *The “free and open Indo-Pacific” (FOIP) Vision*

The conceptual lineage of the “Indo-Pacific” can be traced to Abe's 2007 articulation of a “broader Asia,” which tentatively envisioned greater integration between East and South Asia.<sup>31</sup> Since then, the concept has undergone substantial refinement in both geographic scope and strategic purpose. The Japanese Ministry of Foreign Affairs formally introduced the Free and Open Indo-Pacific (FOIP) in its 2017 Diplomatic Bluebook, referencing Abe's 2016 remarks that extended the region's connective logic to include Asia and Africa. Later iterations expanded the spatial horizon further to encompass the Americas, while shifting the label from “strategy” to “vision”—a discursive adjustment intended to mitigate regional anxieties about exclusion and alignment pressures.<sup>32</sup> This evolution reflects Tokyo's broader effort to construct a networked

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<sup>30</sup> Lind, “Pacifism or Passing the Buck.”

<sup>31</sup> Haruko Wada, “The “Indo-Pacific” Concept: Geographical Adjustment and Their Implications,” *RSIS Working Paper Series* 326 (2020).

<sup>32</sup> Kei Koga, “Japan's ‘Free and Open Indo-Pacific’ Strategy: Tokyo's Tactical Hedging and the Implications for ASEAN,” *Contemporary Southeast Asia* 41, no. 2 (August 2019): 286–313; World Economic Forum, “World Economic Forum on ASEAN: Asia's Geopolitical Outlook,” September 13, 2018, accessed March 23, 2023, <https://www.weforum.org/events/world-economic-forum-on-asean/sessions/asias-geopolitical-outlook>.

security framework in response to the perceived constraints of a U.S.-centered order increasingly marked by strategic volatility.<sup>33</sup> FOIP has since emerged as a flagship initiative through which Japan has sought to expand its regional responsibilities and partnership roles.<sup>34</sup>

Wilkins identifies three core elements underpinning this approach: strategic diplomacy, domestic resource mobilization, and the cultivation of external partnerships.<sup>35</sup> Through FOIP, Tokyo has undertaken legislative and institutional reforms to enhance the operational flexibility of the Self-Defense Forces (SDF), thereby overcoming some of the constitutional constraints that previously limited Japan's security contributions. Critically, FOIP represents Japan's attempt to operationalize inter-spoke and regional alignments while preserving the U.S.-Japan alliance as the structural foundation of its security strategy. As Koga succinctly summarizes, FOIP reflects a vision of "U.S. in, China down, Australia/India/ASEAN up"—a layered formula that encapsulates Japan's effort to strengthen regional order from within the existing alliance framework rather than through structural disengagement or replacement.<sup>36</sup>

Within the FOIP framework, the defense of freedom of navigation has emerged as a central pillar of Japan's strategic posture. Since 2015, the Maritime Self-Defense Forces (MSDF) have undertaken a series of port visits, humanitarian operations, and rotational deployments—most notably the 2017 dispatch of destroyers and the 2019 "Indo-Pacific Deployment," which featured the Izumo and Murasame—to bolster interoperability with regional partners including the Philippines, Singapore, and Vietnam.<sup>37</sup> These efforts have been complemented by the participation of Japan's Ground and Air Self-Defense Forces in joint exercises, further reinforcing Tokyo's profile as a reliable security provider committed to shared maritime and regional interests.<sup>38</sup>

FOIP has also provided renewed impetus to Japan's engagement with ASEAN. Historically

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<sup>33</sup> Lionel P. Fatton, "'Japan Is Back': Autonomy and Balancing Amidst an Unstable China-U.S.-Japan Triangle," *Asia & the Pacific Policy Studies* 5, no. 2 (May 2018): 264–278.

<sup>34</sup> Gurjit Singh, "Japan to Revise Its National Security Strategy," *Observer Research Foundation*, December 2021, <https://www.orfonline.org/expert-speak/japan-to-revise-its-national-security-strategy>.

<sup>35</sup> Thomas Wilkins, "Japan's Security Strategy," *Australian Strategic Policy Institute*, July 2022, <https://www.aspi.org.au/report/japans-security-strategy/>.

<sup>36</sup> Koga, "Free and Open Indo-Pacific," 295.

<sup>37</sup> Tom Holcombe, "Japan's Capacity Building Strategy at Work in the Philippines," *The Interpreter*, March 22, 2016, <https://www.lowyinstitute.org/the-interpreter/japan-s-capacity-building-strategy-work-philippines>; Japan Maritime Self-Defense Forces, "Indo-Pacific Deployment 2019 (IPD2019)," 2019, <https://www.mod.go.jp/msdf/en/exercises/IPD19.html>.

<sup>38</sup> Tomohiko Satake and Ryo Sahashi, "The Rise of China and Japan's 'Vision' for Free and Open Indo-Pacific," *Journal of Contemporary China* 30, no. 127 (May 2020): 18–35.

shaped by Japan's "flying geese" economic model<sup>39</sup>, this relationship has gradually adapted to address the strategic implications of China's post-Cold War economic rise and maritime assertiveness. Episodes such as the 2010 boat collision and the 2012 Senkaku/Diaoyu nationalization catalyzed Tokyo's re-engagement with traditional security concerns, prompting constitutional reinterpretations regarding SDF operations and a strategic reframing of its regional outlook—from the "Asia-Pacific" to the more expansive "Indo-Pacific."<sup>40</sup> Abe's diplomatic outreach to all ASEAN states in 2013, shortly after reassuming office, underscored Japan's renewed regional attentiveness. While FOIP has not yielded a singular regional identity, it has enabled Japan to reassert normative leadership, particularly by cultivating shared concerns over the erosion of the regional status quo in the face of intensifying strategic competition.<sup>41</sup>

The trajectory set by FOIP was reaffirmed in Japan's 2022 National Security Strategy (NSS), which situates the current international environment as one marked by mounting instability and identifies China as "an unprecedented and the greatest strategic challenge."<sup>42</sup> The NSS underscores Tokyo's intent to harness its comprehensive national power and deepen alignment with both U.S. allies and like-minded regional partners.<sup>43</sup> Consistent with FOIP's logic, the document affirms Japan's commitment to fostering a networked security architecture anchored in the U.S.-Japan alliance. In doing so, Japan positions itself not only as a stabilizing actor, but also as a strategic convenor, actively shaping the evolving Indo-Pacific order.

### *The Quad Grouping*

The Quadrilateral Security Dialogue (Quad) constitutes one of Japan's most concrete efforts to institutionalize a networked regional security framework under the broader vision of the Free and Open Indo-Pacific (FOIP).<sup>44</sup> Initially proposed during Abe's first premiership in 2007—alongside his "Confluence of the Two Seas" speech delivered in India—the Quad sought to align

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<sup>39</sup> Lindsay Black, "Japan's Aspirations for Regional Leadership – Is the Goose Finally Cooked?" *Japanese Studies* 37, no. 2 (June 2017): 151–170.

<sup>40</sup> Nobuhiko Tamaki, "Japan's quest for a rules-based international order: the Japan-US alliance and the decline of US liberal hegemony," *Contemporary Politics* 26, no. 4 (June 2020): 384–401.

<sup>41</sup> Evelyn Goh, "How Japan Matters in the Evolving East Asian Security Order," *International Affairs* 87, no. 4 (July 2011): 887–902.

<sup>42</sup> Ministry of Defense of Japan, "National Security Strategy of Japan," December 2022, <https://www.cas.go.jp/jp/siryou/221216anzenhoshou/nss-e.pdf>.

<sup>43</sup> Adam P. Liff, "Kishida the Accelerator: Japan's Defense Evolution After Abe," *The Washington Quarterly* 46, no. 1 (April 2023): 63–83.

<sup>44</sup> Christian Wirth and Nicole Jenne, "Filling the Void: The Asia-Pacific Problem of Order and Emerging Indo-Pacific Regional Multilateralism," *Contemporary Security Policy* 43, no. 2 (February 2022): 213–242.

four maritime democracies (Japan, the United States, Australia, and India) around shared principles such as the rule of law, freedom of navigation, and the maintenance of a stable regional order.<sup>45</sup> Despite the normative appeal of this framework, early momentum was constrained by leadership transitions, divergent strategic priorities among partners, Chinese opposition, and reservations within ASEAN, as well as hesitancy from Canberra and New Delhi.

Abe's return to power in 2012 marked a more assertive rearticulation of the Quad's rationale, particularly amid growing concerns over maritime tensions and Beijing's rejection of the 2016 Permanent Court of Arbitration ruling on the South China Sea. These developments prompted a renewed emphasis on institutionalizing cooperation among states that share not only strategic interests but also normative commitments to a rules-based regional order.<sup>46</sup> The Quad was formally revived in 2017, culminating in its first leaders' summit in 2021. For Japan, the grouping functions as a critical complement to the bilateral U.S.-centered "hub-and-spoke" alliance system. By fostering minilateral, inter-spoke alignments—particularly with Australia and India—the Quad reinforces Japan's dual objective of enhancing regional security cooperation and reaffirming continued U.S. engagement in the Indo-Pacific.

Since its reconstitution, the Quad has gradually developed institutional substance through recurring diplomatic dialogues, working groups, and joint initiatives. While early summits concentrated on non-traditional security issues—such as pandemic response, vaccine access, and emerging technologies—the May 2022 leaders' summit in Tokyo expanded this agenda with the launch of the Indo-Pacific Partnership for Maritime Domain Awareness. This initiative directly reflects Japan's enduring emphasis on maritime security and freedom of navigation as critical elements of regional stability.<sup>47</sup> Together, these activities demonstrate how the Quad has come to serve both hard and soft security functions in a regional environment increasingly shaped by strategic competition and contested norms.

Nonetheless, the Quad remains an evolving initiative, with institutional consolidation still underway.<sup>48</sup> To date, its members have not formalized mechanisms for expansion nor articulated a fully coherent strategic vision for the Indo-Pacific, leaving open questions about the group's long-

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<sup>45</sup> Yuichi Hosoya, "FOIP 2.0: The Evolution of Japan's Free and Open Indo-Pacific Strategy," *Asia-Pacific Review* 26, no. 1 (September 2019): 18–28.

<sup>46</sup> Koga, "Free and Open Indo-Pacific."

<sup>47</sup> Sumitha Narayanan Kutty and Rajesh Basrur, "The Quad: What It Is – And What It Is Not," *The Diplomat*, March 24, 2021, <https://thediplomat.com/2021/03/the-quad-what-it-is-and-what-it-is-not/>.

<sup>48</sup> John Calabrese, "Assuring a Free and Open Indo-Pacific – Rebalancing the US Approach," *Asian Affairs* 51, no. 2 (April 2020): 307–327.

term durability and direction.<sup>49</sup> Japan has consistently emphasized that its support for the Quad does not come at the expense of ASEAN centrality—an important reassurance in a region where perceptions of exclusion carry significant diplomatic weight. For Tokyo, cooperation with Australia and India is a necessary foundation, but not sufficient for broader regional order-building. Its strategic ambition extends to engaging a wider set of non-allied actors who share converging interests in preserving stability, particularly amid growing geopolitical uncertainty. Despite ongoing divergences in priorities and structural ambiguity, the Quad’s institutional footprint signals Japan’s commitment to cultivating a flexible and inclusive security architecture that complements, rather than competes with, existing alliance arrangements.

Ultimately, the Quad constitutes both a symbolic and operational augmentation of Japan’s regional strategy. Building upon earlier trilateral dialogues, it encapsulates Tokyo’s effort to forge functional linkages among regional actors and create a more resilient, inter-spoke security configuration. While its institutional trajectory remains a subject of ongoing observation, the Quad already serves as tangible evidence of Japan’s strategic adaptation to shifting regional dynamics. In advancing this initiative, Japan contributes to the construction of a synergistic Indo-Pacific order—anchored in normative convergence and designed to foster pragmatic cooperation across a range of security domains.

## **Discussion**

### *Regional Security Dynamics*

The U.S.–Japan–China strategic triangle has long constituted a foundational structure of East Asian security dynamics, with Japan situated as both a critical U.S. ally and a proximate regional actor vis-à-vis China.<sup>50</sup> However, this triangular equilibrium has become increasingly unstable amid intensifying U.S.–China strategic rivalry and the steady deterioration of Sino-Japanese relations. While Japan’s embeddedness within the U.S.-led liberal order has provided security guarantees, it has also complicated Tokyo’s postwar reconciliation with neighboring states and reinforced a perception of regional detachment.<sup>51</sup> Japan’s recent efforts to institutionalize inter-spoke alignments through mechanisms such as FOIP and the Quad reflect an ambition to assume a more proactive role in regional security governance. Yet from Beijing’s perspective, such

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<sup>49</sup> Garima Mohan and Kristi Govella, “The Future of the Quad and the Emerging Architecture in the Indo-Pacific,” *The German Marshall Fund of the United States* (June 2022).

<sup>50</sup> Cha, “Powerplay”; “Japan, China, and the Great Power Bargain”; Ryo Sahashi, “Japan’s Strategy amid US-China Confrontation,” *China International Strategy Review* 2 (November 2020): 232–245.

<sup>51</sup> Cha, “Powerplay.”



initiatives risk being interpreted as exclusionary or confrontational. Chinese critiques have portrayed FOIP as an extension of a containment logic, underscoring the fraught perceptual politics that accompany Japan's evolving strategic engagement.<sup>52</sup>

Tensions within the Sino-Japanese relationship have become increasingly multi-dimensional. Strategic competition over semiconductor supply chains, normative divergences on governance and human rights, and Japan's calibrated engagement with Taiwan all underscore the breadth of bilateral friction. Tokyo's endorsement of the 2022 G7 statement following the then-Speaker of the U.S. House of Representatives' visit to Taiwan elicited a strong diplomatic response from Beijing, including the summoning of the Japanese ambassador. While Prime Minister Kishida has expressed a willingness to improve relations, substantive rapprochement has remained elusive. Recent developments—such as China's seafood import ban following the release of treated water from the Fukushima nuclear plant—illustrate how political tensions are beginning to undercut the economic interdependence that has historically served as a stabilizing force in bilateral ties.

ASEAN's reception of Japan's FOIP initiative further highlights the complexities of regional order-building in a pluralist environment. The issuance of the ASEAN Outlook on the Indo-Pacific in 2018, partly in response to Japan's FOIP, reaffirmed the principle of "ASEAN centrality" while also revealing divergent preferences among member states.<sup>53</sup> These variations reflect underlying asymmetries in bilateral relations with China, consensus-based institutional norms, and differing levels of national capacity.<sup>54</sup> As a result, ASEAN states remain ambivalent about whether FOIP enhances or constrains their agency within emerging regional security architectures.<sup>55</sup> Japan's engagement with ASEAN, while normatively framed around inclusivity, must therefore navigate the region's institutional sensitivities and strategic heterogeneity.

The sustainability of Japan's networked security approach remains closely tied to the continued presence of the United States as a strategic anchor in the Indo-Pacific. As Wilkins notes,

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<sup>52</sup> Yu-Shan Wu, "Beyond 'Indo-Pacific' as a Buzzword: Learning from China's BRI Experience," *South African Journal of International Affairs* 29, no. 1 (March 2022): 1–22; Thomas Wilkins and Jiye Kim, "Adoption, Accommodation or Opposition? – Regional Powers Respond to American-Led Indo-Pacific Strategy," *The Pacific Review* 35, no. 3 (October 2020): 415–445.

<sup>53</sup> Koga, "Free and Open Indo-Pacific."

<sup>54</sup> Rebecca Strating, "Small Power Hedging in an Era of Great-Power Politics: Southeast Asian Responses to China's Pursuit of Energy Security," *Asian Studies Review* 44, no. 1 (November 2019): 97–116; Jürgen Haacke, "The concept of hedging and its application to Southeast Asia: a critique and a proposal for a modified conceptual and methodological framework," *International Relations of the Asia-Pacific* 19, no. 3 (September 2019): 375–417.

<sup>55</sup> Cheng-Chwee Kuik, "Shades of grey: riskification and hedging in the Indo-Pacific," *The Pacific Review* 36, no. 6 (September 2022): 1181–1214.

Washington has begun to recalibrate its alliance framework, moving from a traditional bilateral “hub-and-spoke” architecture toward a more adaptive model that facilitates inter-spoke cooperation among allies and partners.<sup>56</sup> While this transition reflects broader efforts to enhance regional resilience and flexibility, it also introduces systemic uncertainties. Variations in U.S. foreign policy posture over the past decade have raised questions about the consistency of strategic commitments to the region. For Japan, such uncertainties carry significant implications: any diminution in U.S. engagement—whether perceived or actual—could erode the credibility and operational effectiveness of the interlinked alignments that Tokyo has sought to cultivate. In this context, Japan’s networked strategy remains embedded within the broader U.S.-anchored regional order, and its success is contingent on the coherence and continuity of that external framework.

A second area of uncertainty concerns the substantive trajectory of the Indo-Pacific strategy itself. While the United States has formally adopted the language of a Free and Open Indo-Pacific—illustrated by the 2018 renaming of U.S. Pacific Command—the underlying objectives and strategic orientation of this approach continue to invite scrutiny. It remains unclear whether the initiative reflects a genuinely collective vision for regional order or if it is more narrowly oriented toward advancing specific U.S. strategic interests. These ambiguities have important implications for regional perceptions, particularly with respect to the evolving role of the Quad. Concerns persist among some stakeholders that deeper institutionalization could signal a shift toward a more militarized or exclusive security configuration, raising questions about whether such developments would alleviate or exacerbate existing regional tensions. These dynamics highlight the need for continued examination of how Indo-Pacific strategies are understood and operationalized across different actors within the region.

As Evelyn Goh warns, an East Asian security order achieved at the expense of Japan’s alienation would repeat the very historical failures that contemporary regional order-building seeks to overcome.<sup>57</sup> Japan’s strategic challenge, then, lies in balancing its proactive leadership in shaping regional security with the delicate management of its relations with both great powers—all within an Indo-Pacific order experiencing profound reconfiguration.

#### *Japan’s Domestic Politics*

As a consolidated democracy, Japan’s domestic political institutions play a pivotal role in

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<sup>56</sup> Thomas Wilkins, “A Hub-and-Spokes ‘Plus’ Model of US Alliances in the Indo-Pacific: Towards a New ‘Networked’ Design,” *Asian Affairs* 53, no. 3 (July 2022): 457–480.

<sup>57</sup> Goh, “How Japan Matters,” 902.

shaping the strategic preferences and autonomy of its ruling elites. Electoral reforms and shifting political norms have significantly reconfigured the landscape in which security policy is formulated. Reed et al. identify a critical inflection point in the 2005 lower house election, where party affiliation overtook interpersonal networks as the dominant determinant of electoral outcomes.<sup>58</sup> This transformation compelled political parties to project coherent institutional identities, thereby elevating the strategic salience of party leadership.<sup>59</sup> The Liberal Democratic Party's (LDP) return to power under Abe in late 2012—following a brief period of opposition—reinstated a stable parliamentary majority, which, coupled with a party-centered electoral environment, empowered Abe to centralize decision-making authority.

This institutional consolidation was formalized through the establishment of Japan's National Security Council (NSC) in 2013, modeled after its U.S. counterpart. Unlike the Security Council created in 1986, which served primarily as a site for bureaucratic coordination and diluted executive control<sup>60</sup>, the NSC provided the Prime Minister with a platform for strategic oversight and direct policy intervention.<sup>61</sup> While Abe's assassination in 2022 marked the end of his personal leadership, his successors have relied on this internal support base. As such, the legacy of Abe's institutional reforms is likely to persist, shaping Japan's strategic trajectory through both structural entrenchment and factional continuity.

Debates surrounding the future trajectory of Japan's security strategy have increasingly permeated the political mainstream, emerging as a salient issue that even opposition parties can scarcely avoid. Within Japan's competitive parliamentary system, electoral cycles compel candidates across the ideological spectrum to articulate positions on national security, often translating abstract policy preferences into manifestos that resonate with a broader electorate. This electoral dynamic not only structures elite discourse but also reshapes the contours of public opinion, fostering iterative feedback between political leadership and societal expectations. As security issues gain prominence in electoral contestation, they acquire normative weight, potentially redefining both elite consensus and mass preferences in ways that influence the long-term direction of foreign and defense policy. In this sense, Japan's strategic posture is increasingly

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<sup>58</sup> Steven R. Reed, Ethan Scheiner, and Michael F. Thies, "The End of LDP Dominance and the Rise of Party-Oriented Politics in Japan," *The Journal of Japanese Studies* 38, no. 2 (Summer 2012): 353–376.

<sup>59</sup> Reed, Scheiner, and Thies, "The End of LDP Dominance," 371.

<sup>60</sup> Peter J. Katzenstein and Nobuo Okawara, "Japan's National Security: Structures, Norms, and Policies," *International Security* 17, no. 4 (Spring 1993): 84–118.

<sup>61</sup> Adam P. Liff and Phillip Y. Lipsky, "Japan Transformed? The Foreign Policy Legacy of the Abe Government," *Journal of Japanese Studies* 48, no. 1 (Winter 2022): 123–147.

mediated by the interplay between institutionalized democratic processes and evolving threat perceptions within a fluid regional order.

## Conclusion

This paper has examined the drivers and implications of Japan's increasingly assertive security strategy during Prime Minister Abe's second premiership. Grounded in the hedging school of neorealist thought, the analysis has traced how gradual erosion in the perceived reliability of the U.S.-led "hub-and-spoke" alliance system—amplified by broader structural shifts—has informed Japan's recalibration toward a more networked security framework. While some may view this period as an anomalous deviation from longstanding alliance norms, its effects have proven durable. Notably, subsequent efforts by the United States to reaffirm its regional engagement—such as the launch of the Indo-Pacific Economic Framework in 2022—suggest a recognition of the need to restore strategic credibility and reengage partners within a multilayered regional order. In this respect, the earlier episode of uncertainty can be interpreted as a critical juncture that catalyzed a broader evolution in Japan's strategic posture, one that now integrates bilateral continuity with diversified regional alignment.

Through a systemic analysis of Japan's FOIP vision and its leadership in the revival of the Quad, this paper contributes to emerging scholarship on Indo-Pacific security dynamics by foregrounding patterns of inter-spoke and regional alignment through the lens of a middle power. This perspective is particularly instructive in light of Japan's dual identity: as a long-standing U.S. ally embedded within a hierarchical alliance structure, and as an increasingly proactive actor shaping regional order. As Lipsky notes, Japan's evolving strategic trajectory provides important insight into how secondary powers may respond to the reconfiguration of great power competition and the proliferation of overlapping institutional frameworks in the Indo-Pacific.<sup>62</sup> While some analysts have characterized recent developments as indicative of a broader "de-hub-and-spokification"<sup>63</sup>, Japan's case stands out as one of the earliest and most deliberate articulations of a networked strategy. Its experience therefore warrants closer analytical attention as a potential model—or at least a reference point—for other states navigating similar strategic landscapes.

Despite Abe's departure from office in 2020, subsequent administrations have continued to uphold the FOIP framework as the cornerstone of Japan's regional strategy, attesting to its

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<sup>62</sup> Phillip Y. Lipsky, "Japan: The Harbinger State," *Japanese Journal of Political Science* 24, no. 1 (December 2022): 88.

<sup>63</sup> Atanassova-Cornelis, "Alignment Cooperation."

institutional entrenchment beyond the tenure of any single leader.<sup>64</sup> Nonetheless, the extent to which Japan's evolving strategic vision will shape the broader regional security architecture remains contingent on longer-term geopolitical developments and the responses of regional stakeholders. Future research should examine how FOIP and related initiatives, such as the Quad, are being interpreted and operationalized by ASEAN member states—particularly in relation to the principle of ASEAN centrality—and how other actors, such as New Zealand, are positioning themselves within the expanding Indo-Pacific discourse. The rise of alternative frameworks, including the China-backed Regional Comprehensive Economic Partnership (RCEP), adds a further layer of complexity to regional strategic calculations. As Wada suggests, the coexistence of multiple regional visions is likely to persist, raising important questions about institutional design, normative convergence, and the management of political contestation.<sup>65</sup> In this context, Tokyo may be required to advance new institutional arrangements to address emergent security concerns that existing frameworks may not adequately cover.<sup>66</sup> The effectiveness of such initiatives will hinge on the strategic acuity and diplomatic capacity of future Japanese leadership in navigating an increasingly complex regional order.

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<sup>64</sup> Liff and Lipsy, "Japan Transformed."

<sup>65</sup> Wada, "The "Indo-Pacific" Concept," 21.

<sup>66</sup> Lipsy, "Reformist Status Quo Power," 127.

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## Sustainable Finance at an Inflection Point: The EU Taxonomy and its Impacts

Radostina Schivatcheva

*The EU Taxonomy represents a defining inflection point in sustainable finance, transitioning the field from voluntary principles to a rules-based governance model. This article examines how Regulation (EU) 2020/852 has simultaneously reshaped European financial markets and emerged as a global reference point through the Brussels Effect. What makes the framework genuinely transformative is its dual capacity to function as both a binding EU regulation and a flexible global reference point, reconciling standardization with necessary contextual adaptation. While implementation remains uneven across sectors and firm sizes, the Taxonomy's science-based methodology has fundamentally altered how sustainable investments are identified and evaluated.*

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### Introduction: A New Frontier in Global Finance

The global financial landscape is increasingly shaped by the urgent need to address climate change and environmental degradation, leading to a surge in sustainable investment. At the forefront of this transformation, the European Union (EU) has introduced the EU Taxonomy for sustainable activities, a landmark regulation enacted through Regulation (EU) 2020/852. By establishing science-based criteria for six environmental objectives<sup>1</sup> - from climate mitigation to biodiversity protection - the European green classification provides the first standardized methodology to distinguish truly sustainable economic activities.

Beyond its regional impact, the framework exerts a global influence through what is known as the “Brussels Effect,” promoting policy diffusion, as well as through corporate adoption, fostering market adaptation. The Brussels effect reflects the EU’s ability to set international standards due to its significant market size and regulatory ambition, prompting jurisdictions and corporations worldwide to align with its criteria. As countries develop their own sustainable finance frameworks and global firms adapt to access European markets, the Taxonomy emerges as an important factor for aligning global finance with climate goals.

The article submits that the EU’s sustainable classification operates as a dual-force instrument: domestically, it reallocates capital through binding rules; internationally, it serves as a voluntary global benchmark. The exposition ultimately argues that the Taxonomy is a critical

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<sup>1</sup> European Commission, “EU Taxonomy for Sustainable Activities,” accessed March 5, 2025, [https://finance.ec.europa.eu/sustainable-finance/tools-and-standards/eu-taxonomy-sustainable-activities\\_en](https://finance.ec.europa.eu/sustainable-finance/tools-and-standards/eu-taxonomy-sustainable-activities_en).

juncture in financial governance: one that balances regulatory ambition with implementation pragmatism.

The analysis proceeds in three parts. First, it traces the rulebook's evolution from conceptual foundations to technical implementation, revealing how it overcame early definitional ambiguities in sustainable finance. Second, the inquiry assesses the framework's market impacts in Europe, where adoption grows despite persistent sectoral disparities and SME challenges. Finally, the investigation examines the sustainability screening tool's transnational governance role, showing how the Taxonomy influences both policy frameworks and corporate behaviour.

### **The Evolution of Sustainable Finance: From Broad Sustainability Concepts to Technical Criteria**

Sustainable finance has historically struggled with definitional ambiguity. Sandberg et al. (2008)<sup>2</sup> highlighted that Socially Responsible Investment (SRI) lacked a uniform definition. Over a decade later, Strauß (2021)<sup>3</sup> observed that debates on sustainable finance continued to suffer from a lack of clear consensus on this concept's meaning.

In response, EU's environmental finance policy evolved gradually, at first emphasizing initiatives, which were market-led, such as voluntary reporting. In this regard, notable regulatory milestone was the 2014 Non-Financial Reporting Directive<sup>4</sup> (NFRD). The directive required environmental and social disclosures from large corporations, though without detailed reporting frameworks. In the words of the NFRD<sup>5</sup>, the goal was to set "a clear course towards greater business transparency and accountability on social and environmental issues."

Post-2015 Paris Agreement, momentum grew. The EU launched the High-Level Expert Group on Sustainable Finance<sup>6</sup> (HLEG) in 2016. Two years later, HLEG's final report, "Financing a Sustainable European Economy,"<sup>7</sup> recognised the role of sustainable finance in achieving

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<sup>2</sup> Joakim Sandberg et al., "The Heterogeneity of Socially Responsible Investment," *Journal of Business Ethics* 87, no. 4 (2008): 519–533.

<sup>3</sup> Nadine Strauß, "Covering Sustainable Finance: Role Perceptions, Journalistic Practices and Moral Dilemmas," *Journalism* 23, no. 6 (2022): 1194–1212.

<sup>4</sup> European Parliament, *Non-Financial Reporting Directive*, EPRS Briefing (Brussels: European Parliamentary Research Service, 2021), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/654213/EPRS\\_BRI\(2021\)654213\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/654213/EPRS_BRI(2021)654213_EN.pdf).

<sup>5</sup> European Parliament, *Non-Financial Reporting Directive*.

<sup>6</sup> European Commission, "High-Level Expert Group on Sustainable Finance (HLEG)," European Commission, accessed March 5, 2025, [https://finance.ec.europa.eu/publications/high-level-expert-group-sustainable-finance-hleg\\_en](https://finance.ec.europa.eu/publications/high-level-expert-group-sustainable-finance-hleg_en).

<sup>7</sup> High-Level Expert Group on Sustainable Finance, *Financing a Sustainable European Economy: Final Report* (Brussels: European Commission, 2018), [https://finance.ec.europa.eu/system/files/2018-01/180131-sustainable-finance-final-report\\_en.pdf](https://finance.ec.europa.eu/system/files/2018-01/180131-sustainable-finance-final-report_en.pdf).

Europe's energy and climate policy objectives. The report concluded that €170 billion in annual investments were needed for Europe's climate goals. Furthermore, the document urged implementing and maintaining a common taxonomy to provide clarity in sustainable finance.

The Technical Expert Group on Sustainable Finance<sup>8</sup> (TEG) (2018–2020) then crafted the Taxonomy's technical backbone, transforming broad sustainability concepts into specific technical criteria. Notably, TEG's work was characterised by inclusive stakeholder engagement, which helped bridge scientific evaluation and political compromise. Discussions about natural gas and nuclear energy were especially challenging, revealing difficulties in creating politically acceptable regulations. For instance, Germany, Luxembourg, and Austria opposed the classification of nuclear energy as sustainable<sup>9</sup>.

The 2018 Action Plan on Financing Sustainable Growth<sup>10</sup> shifted policy from principles to technical classification, outlining ten actions to redirect capital while ensuring stability. The legal culmination of this process, Regulation (EU) 2020/852<sup>11</sup>, formalised this by establishing the framework for determining if an economic activity is environmentally sustainable. Since the Taxonomy Regulation does not define technical screening criteria, the Commission has issued Delegated Acts (DA) to supplement it. Since then, several DA have been introduced and amended, including the Climate Delegated Act<sup>12</sup> (CDA) (2021), the Complementary Climate Delegated Act<sup>13</sup> (CCDA) (2022) covering nuclear and gas, and the Environmental Delegated Act<sup>14</sup> (2023)

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<sup>8</sup> European Commission, "Technical Expert Group on Sustainable Finance (TEG)," European Commission, accessed March 5, 2025, [https://finance.ec.europa.eu/publications/technical-expert-group-sustainable-finance-teg\\_en](https://finance.ec.europa.eu/publications/technical-expert-group-sustainable-finance-teg_en).

<sup>9</sup> Anna Trippel, "Nuclear Energy in the EU Taxonomy Debate," *Energy Policy Review* (2020): 45–60.

<sup>10</sup> European Commission, *Action Plan: Financing Sustainable Growth*, COM(2018) 97 final (Brussels: European Commission, 2018), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52018DC0097>.

<sup>11</sup> European Union, *Regulation (EU) 2020/852*.

<sup>12</sup> European Commission, *Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 Supplementing Regulation (EU) 2020/852 by Establishing the Technical Screening Criteria for Determining the Conditions under Which an Economic Activity Qualifies as Contributing Substantially to Climate Change Mitigation or Climate Change Adaptation and for Determining Whether That Economic Activity Causes No Significant Harm to Any of the Other Environmental Objectives*, Official Journal of the European Union, L 442, December 9, 2021, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32021R2139>.

<sup>13</sup> European Commission, *Commission Delegated Regulation (EU) 2022/1214 of 9 March 2022 Amending Delegated Regulation (EU) 2021/2139 as Regards Economic Activities in Certain Energy Sectors and Delegated Regulation (EU) 2021/2178 as Regards Specific Public Disclosures for Those Economic Activities*, Official Journal of the European Union, L 188, July 15, 2022, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022R1214>.

<sup>14</sup> European Commission, *Commission Delegated Regulation (EU) 2023/2486 of 27 June 2023 Supplementing Regulation (EU) 2020/852 by Establishing the Technical Screening Criteria for*



addressing additional objectives.

These additions and amendments expand and refine the EU Taxonomy framework. As discussed earlier, policy stances about some types of energy are starkly divergent – e.g. as of 2023, Germany phased out nuclear power<sup>15</sup>, while in France there are 56 nuclear reactors<sup>16</sup>. In response to policy challenges, the Commission split the classification of energy carriers and productions in two. The CDA focuses on energy carriers and productions widely accepted as green; the CCDA – on nuclear power and natural gas. This decision exemplifies both the adaptable nature of the emerging set of legal documents, governing sustainable finance, as well as the challenges and inevitable complexity, inherent to this process.

Notably, the introduction of the European sustainability screening tool has not been without critics. Opponents highlight economic burdens and complexity, questioning its economic viability<sup>17</sup> and market compatibility<sup>18</sup>. Are critics right?

### **The Taxonomy in Europe: Gradual Adoption, Uneven Impact**

The European rules-based framework has sparked debate about its practical impact, raising a key issue: has it meaningfully redirected capital toward sustainability? The answer requires assessing the extent to which the framework has influenced Europe's financial markets and investment patterns. This analysis examines several important aspects of the classification system's market effects. First, the focus is on assessing market impacts. Next, it highlights the diverse experiences of market actors navigating its requirements. Lastly, the discussion assesses rulebook's position within Europe's sustainable finance landscape.

#### *Market Impacts: Taxonomy-Aligned Investment, Revenue, and Sectoral Disparities*

In Europe, evidence of market adaptation to the framework is emerging, as shown in data

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*Determining the Conditions under Which an Economic Activity Qualifies as Contributing Substantially to the Sustainable Use and Protection of Water and Marine Resources, to the Transition to a Circular Economy, to Pollution Prevention and Control, or to the Protection and Restoration of Biodiversity and Ecosystems, Official Journal of the European Union*, L 279, November 21, 2023, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32023R2486>.

<sup>15</sup> Jens Thurau, "Germany Shuts Down Its Last Nuclear Power Stations," *DW News*, April 14, 2023, <https://www.dw.com/en/germany-shuts-down-its-last-nuclear-power-stations/a-65249019>.

<sup>16</sup> U.S. Energy Information Administration, "U.S. Nuclear Electricity Generation Continues to Decline as More Reactors Close," *Today in Energy*, January 23, 2023, <https://www.eia.gov/todayinenergy/detail.php?id=55259>.

<sup>17</sup> Clemens Fuest and Volker Meier, "Green Finance and the EU-Taxonomy for Sustainable Activities: Why Using More Direct Environmental Policy Tools Is Preferable," *The Economists' Voice* 19, no. 2 (2022): 261–266.

<sup>18</sup> Stefan Kooths, "The EU Taxonomy: Market Compatibility Concerns," *Economic Policy Brief* (2022): 12–18.

about Taxonomy-compliant investments from the European Commission (2024)<sup>19</sup> presented in Table 1.

	Taxonomy-aligned investments			
	Number of companies reporting		Total aligned investments (€bn)	
	2022	2023	2022	2023
Utilities	62	67	109	132
Consumer discretionary	66	86	35	45
Industrials	207	243	22	27
Energy	26	32	11	23
Real estate	35	41	4	5
Other sectors	212	254	11	16
<b>TOTAL</b>	<b>608</b>	<b>723</b>	<b>191</b>	<b>249</b>

*Note: Data from 6 May 2024; figures in the table have been rounded, hence totals may not always correspond exactly to the numbers shown.*

Table 1. Sectoral Distribution of EU Taxonomy-Aligned Investments (2022-2023).  
(source: European Commission, 2024<sup>20</sup>)

The data highlights the increasing adoption of Taxonomy-conforming investments across various sectors between 2022 and 2023. The total number of companies reporting such investments rose from 608 to 723, while total aligned investments grew from €191 billion to €249 billion, about 30.4% increase. This trend could be interpreted as early evidence of the institutional uptake of sustainable finance criteria. However, a more granular sectoral look at the data, subject to limitations due to data availability, provides both context and nuance to this initial observation.

Before proceeding with analysis, it is important to acknowledge data constraints and potential confounding factors affecting the assessment of Taxonomy-compliant investments across all sectors. Comprehensive 2022-2023 data on total investment (Gross Fixed Capital Formation, GFCF) and firm counts are unavailable in Eurostat's structural business statistics, which provide such data only up to 2020. For sectors like consumer discretionary and utilities, estimating total

<sup>19</sup> European Commission, *The EU Taxonomy for Sustainable Activities: Sectoral Distribution of Aligned Investments, 2022–2023* (Brussels: European Commission, 2024), [https://finance.ec.europa.eu/sustainable-finance/tools-and-standards/eu-taxonomy-sustainable-activities/eu-taxonomys-uptake-ground\\_en](https://finance.ec.europa.eu/sustainable-finance/tools-and-standards/eu-taxonomy-sustainable-activities/eu-taxonomys-uptake-ground_en).

<sup>20</sup> European Commission, *Sectoral Distribution*.

investment would require excessive approximations due to the lack of recent, sector-specific GFCF data, precluding their inclusion in detailed investment comparisons. For other sectors, this analysis relies on proxy measures, such as R&D investment for industrials (data for 2022 and 2023 is provided by the EU Industrial R&D Investment Scoreboard for 2023<sup>21</sup> and 2024<sup>22</sup>, respectively), International Energy Agency (IEA) estimates for energy, and CBRE data for real estate to contextualize total investment trends<sup>23</sup>. This study therefore adopts a descriptive approach, using growth rates and shares, while acknowledging the limitations of proxies and data gaps<sup>24</sup>. Sectors are discussed following Table 1's presentation to ensure consistency with the primary data source.

While the upward trend of Taxonomy-aligned investment shows momentum overall, closer examination reveals that the European sustainability screening tool is influencing markets unevenly across sectors.

**Utilities and Consumer Discretionary:** Taxonomy-congruent investments grew by 21.20% (€109 billion to €132 billion) for utilities and 28.57% (€35 billion to €45 billion) for consumer discretionary. Direct comparison with total investment trends is limited by data availability, though growth indicates increasing Taxonomy compliance.

**Industrials:** Using EU R&D investment as a proxy<sup>25</sup>, total R&D investment grew by 7.3% (€219.2 billion to €235.2 billion)<sup>26</sup> while Taxonomy-conforming investments increased by 22.73% (€22 billion to €27 billion). Keeping in mind that R&D is not a direct proxy for total industrial investment, this comparison shows that Taxonomy-aligned investments grew faster than EU R&D, suggesting stronger growth in sustainability-focused investments.

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<sup>21</sup> Elisabeth Nindl, Hugo Confraria, Francesco Rentocchini, Laura Napolitano, Aliko Georgakaki, Ela Ince, Peter Fako, Alexander Tübke, James Gavigan, Hector Hernandez Guevara, Pablo Pinero Mira, Jose Rueda Cantuche, Santacruz Banacloche Sanchez, Giuliana De Prato, and Elisabetta Calza, *The 2023 EU Industrial R&D Investment Scoreboard* (Luxembourg: Publications Office of the European Union, 2023).

<sup>22</sup> Elisabeth Nindl, Laura Napolitano, Hugo Confraria, Francesco Rentocchini, Peter Fako, James Gavigan, and Alexander Tübke, *The 2024 EU Industrial R&D Investment Scoreboard* (Luxembourg: Publications Office of the European Union, 2024).

<sup>23</sup> The short time series (2021-2023) further precludes robust econometric analysis, such as regression to control for market growth or reporting firm impacts.

<sup>24</sup> Future research, with updated Eurostat data for 2022-2023, could enable more rigorous statistical methods to assess the Taxonomy's impact across sectors.

<sup>25</sup> This data is for R&D, not total GFCF, so it does not capture the full market growth. It is for top firms, not all firms in industrials, and the change in European firm numbers (367 EU Scoreboard companies in the top 2 500 in 2022; 322 Scoreboard companies with headquarter in the EU of top 2000 companies in 2023) complicates analysis. Also, the data does not specify how many of these firms report Taxonomy-conforming investments, limiting its use for checking reporting firms' impacts.

<sup>26</sup> It is based on R&D investments for the top 2,500 global companies in 2022 (€1,249.9 billion) and top 2,000 in 2023 (€1,257.7 billion), with EU-specific figures at €219.2 billion and €235.2 billion, correspondingly.

**Energy:** Taxonomy-adherent investments more than doubled from €11 billion to €23 billion (109% increase). During this period, total EU investment in renewables generation grew by only 4% (€98 billion to €102 billion)<sup>27</sup>. The share of aligned investments in total renewables investment thus nearly doubled from 11.22% to 22.55%, indicating accelerated integration of sustainability standards.

**Real Estate:** Taxonomy-conforming investments increased by 25% (€4 billion to €5 billion) amid a market contraction where total European real estate investment fell from €305 billion<sup>28</sup> (2022) to €158.62 billion<sup>29</sup> (2023). The share of aligned investments grew from 1.31% to 3.15%, suggesting prioritization of compliance by some firms (likely larger ones) despite challenging market conditions. However, low absolute figures indicate persistent barriers for many firms, particularly smaller ones.

Overall, the steady expansion of Taxonomy-aligned investments and rising number of reporting companies signal improved transparency. However, sectoral variations highlight challenges to uniform application. Energy shows stronger alignment growth, likely due to clearer pathways for renewable projects.

According to the EU Platform on Sustainable Finance (2025), Taxonomy-compliant revenue across reporting entities grew by 22% (€670 billion to €814 billion)<sup>30</sup>, lagging behind the 30% rise in aligned investments. This suggests a delay between capital deployment and financial returns. The European Investment Bank (2023)<sup>31</sup> attributes this to structural barriers: market prices often fail to capture the full benefits of sustainable projects, compounded by high initial costs and extended payback periods. These trends indicate the regulatory framework is promoting institutional investment in sustainable activities, but alignment remains modest and sectorally-uneven, necessitating further data for robust analysis.

The market impacts analysis reveals a mixed picture: while Taxonomy-compliant investments and revenue are growing, sectoral disparities underscore challenges in achieving

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<sup>27</sup> Original data reported in USD as USD: 104 billion (2022) and USD 110 billion (2023). Historical conversion rate of 0.94 (2022) and 0.9243 (2023) used to convert the data to euros. Source: International Energy Agency, *World Energy Investment 2024: European Union* (Paris: International Energy Agency, 2024), <https://www.iea.org/reports/world-energy-investment-2024/european-union>.

<sup>28</sup> CBRE, *European Investment Snapshot Q4 2022* (London: CBRE, 2022), <https://www.cbre.com/insights/figures/european-investment-snapshot-q4-2022>.

<sup>29</sup> CBRE, *European Real Estate Investment Figures Q4 2024* (London: CBRE, 2024), <https://www.cbre.com/insights/figures/european-real-estate-investment-figures-q4-2024>.

<sup>30</sup> EU Platform on Sustainable Finance, *Annual Report 2025* (Brussels: EUPSF, 2025).

<sup>31</sup> European Investment Bank, *Sustainable Infrastructure Lending Envelope* (Luxembourg: EIB, 2023).

uniform adoption and varying pathways to sustainability. These market dynamics shape the experiences of market actors navigating the rulebook's requirements.

### *The Compliance Spectrum: Contrasts in Market Implementation*

To illustrate the EU Taxonomy's diverse market impacts, this analysis examines two contrasting stakeholders. The first one is BNP Paribas - a global bank leading in sustainable financing. The second one is European Small and Medium Enterprises (SME), with a particular focus on those in Germany, Europe's economic anchor and home to a dense and influential SME sector. These cases reflect the spectrum of market actors navigating the classification system's requirements: from well-resourced large institutions to under-supported smaller firms.

BNP Paribas' reputation for financial resilience, innovation, and commitment to sustainability offers unique insights into global financial markets and sustainable finance. The bank's commitment to Carbon neutrality has increased its focus on sustainable financing<sup>32</sup>. In 2021, it established the Low-Carbon Transition Group<sup>33</sup> of over 250 experts to support clients on sustainable financing. By September 2022, the bank's lending to low-carbon energy projects exceeded by 20% its fossil fuel ones<sup>34</sup>. Part of this strong performance reflects the structural advantage enjoyed by large banks under the EU Taxonomy. Due to current eligibility definitions, financing extended to corporates is typically considered eligible, while loans to SMEs are not,<sup>35</sup>. As a result, banks with corporate-heavy portfolios, like BNP Paribas, report higher alignment than those serving predominantly SMEs.

In contrast, SMEs highlight the Taxonomy's challenges, noting its complexity and resource demands as barriers to adoption. A 2023 Eurochambers<sup>36</sup> survey found that the EU's sustainable finance framework has unintentionally imposed considerable administrative obligations on European SMEs, while yielding limited financial benefits. According to Eurochambers<sup>37</sup>, large corporations easily obtain sustainable funding from capital markets. At the same time, SMEs encounter persistent obstacles in securing comparable financing. Reporting and compliance

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<sup>32</sup> BNP Paribas, *Sustainability Report 2022* (Paris: BNP Paribas, 2022).

<sup>33</sup> BNP Paribas, "Low Carbon Hydrogen: A Crucial Clean Energy Source," *CIB*, September 20, 2024, <https://cib.bnpparibas/low-carbon-hydrogen-a-crucial-clean-energy-source/>.

<sup>34</sup> BNP Paribas, "Transition Drivers 2023: Policy and Finance Towards Net Zero," *CIB*, March 17, 2023, <https://cib.bnpparibas/transition-drivers-2023-policy-and-finance-towards-net-zero/>.

<sup>35</sup> PwC, *EU Taxonomy Reporting: Practical Guide for Companies* (2024), <https://www.pwc.lu/en/sustainability-and-climate-change/docs/eu-taxonomy-reporting-2024.pdf>.

<sup>36</sup> Eurochambers, *SME Survey on Sustainable Finance* (Brussels: Eurochambers, 2023).

<sup>37</sup> Eurochambers, *SME Survey*.

requirements are widely seen as disproportionately burdensome for European SMEs<sup>38</sup>.

Even in Germany, Europe's leading economy, SMEs struggle to align with the Taxonomy's technical screening criteria, due to limited resources for reporting and verification. German industry associations and SME representatives have argued that EU sustainability regulations, including the Taxonomy, are often modelled on the conditions of large companies<sup>39</sup>. Thus, they fail to consider the limited budgets and staffing of SMEs<sup>40</sup>. Many German SMEs are concerned that the increasing bureaucratic demands of sustainable finance regulations could overstretch their capacities<sup>41</sup>. Some of them describe the new rules as a potential "bureaucratic monster" for smaller firms<sup>42</sup>. Surveys show that sustainability reporting remains a "black box" for many SMEs, and the lack of expertise and resources hinders their ability to comply<sup>43</sup>.

The struggles of German SMEs illustrate why the Taxonomy's European adoption remains incremental. While large corporations like BNP Paribas leverage the framework for competitive advantage, SMEs are often locked out by its complexity. Until policy tools address these disparities (e.g., via simplified criteria for small firms), market transformation may remain incomplete.

#### *Progress and Potential Within Europe's Sustainable Finance Ecosystem*

While the EU Taxonomy represents a regulatory inflection point in sustainable finance governance, its transformative impact on markets is ongoing. The rulebook introduces unprecedented technical precision and clearer standards, yet its reach within Europe's sustainable finance universe is still evolving toward comprehensive coverage.

Morningstar (2025)<sup>44</sup> reports the broader market for sustainable investments across regions, including Europe, where diverse regulatory frameworks coexist (see Figure 1).

According to the data, global sustainable fund assets reached USD 3.2 trillion by the end of 2024, with Europe holding USD 2.7 trillion. Within this context, Taxonomy-adherent investments represent an important and growing subset of Europe's sustainable assets. This pattern

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<sup>38</sup> PwC, *EU Taxonomy Reporting*.

<sup>39</sup> Handelsblatt, "Nachhaltigkeitspflicht in der EU wird zum Bürokratiemonster," January 20, 2025, <https://www.handelsblatt.com/politik/deutschland/eu-berichtspflichten-nachhaltigkeitspflicht-in-der-eu-wird-zum-buerokratiemonster/100101346.html>.

<sup>40</sup> Handelsblatt, "Nachhaltigkeitspflicht in der EU."

<sup>41</sup> Handelsblatt, "Nachhaltigkeitspflicht in der EU."

<sup>42</sup> Handelsblatt, "Nachhaltigkeitspflicht in der EU."

<sup>43</sup> Organisation for Economic Co-operation and Development, *Financing SME Growth in Germany: Challenges and Opportunities* (Paris: OECD Publishing, 2024), <https://www.oecd.org/publications/financing-sme-growth-in-germany-2024.pdf>.

<sup>44</sup> Morningstar, *Global Sustainable Fund Assets Report 2025* (Chicago: Morningstar, 2025).

highlights the framework's current position as the vanguard of a broader transformation rather than a fully implemented standard. The green classification enhances transparency and comparability for a significant segment of the market. However, many investments still operate under less stringent or alternative classifications as they navigate the transition toward full alignment.

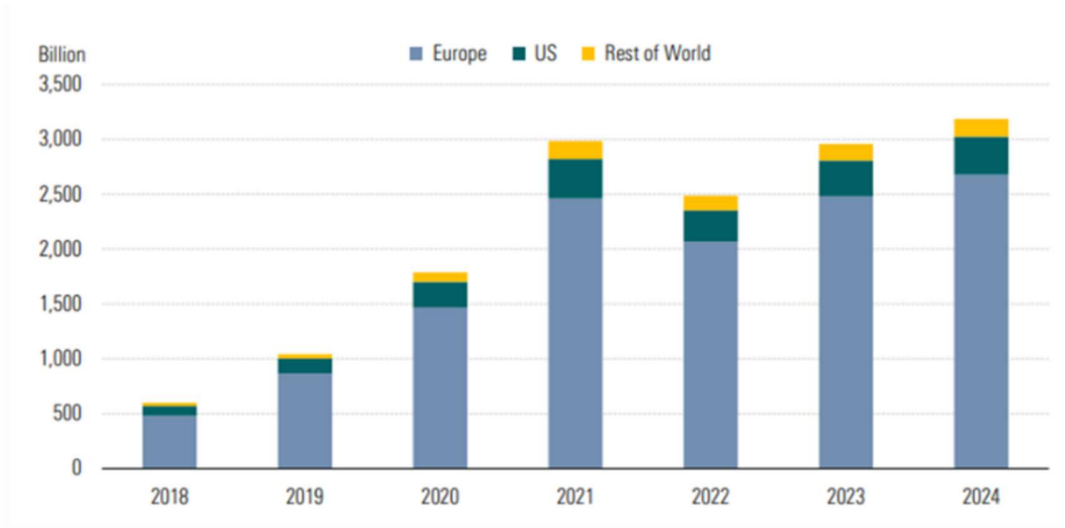


Figure 1. Sustainable Fund Assets in 2024. (source: Morningstar, 2025<sup>45</sup>)

The gap between total sustainable assets and Taxonomy-compliant investments does not contradict the framework's influence but rather illustrates the scale of transformation underway. As the subsequent section demonstrates, the Taxonomy's impact extends far beyond its direct application, through its role in shaping global standards and corporate behaviour worldwide.

*The Taxonomy in Europe*

The evidence presented in these subsections reveals the sustainability screening tool's transformative, yet still-developing impact on European financial markets. Overall, the EU green classification has successfully established a science-based framework that enhances comparability and disclosure. It has also set new standards that are increasingly influencing global sustainable finance practice. There is meaningful growth in Taxonomy-conforming investments and revenue, reflecting progress in market adoption and transparency. However, the sectoral disparities indicate that implementation remains uneven, with some sectors adapting more quickly than others. This nuanced picture suggests that, while the rulebook represents a genuine inflection point in the evolution of sustainable finance, market participants require time to fully adapt to its requirements. Having examined these implementation dynamics within Europe, the analysis now turns to how

<sup>45</sup> Morningstar, *Global Sustainable Fund Assets Report*.

the EU sustainability framework exerts influence beyond EU.

### **The Taxonomy's Global Influence: Between Policy Diffusion and Market Adaptation**

The EU Taxonomy represents a novel form of transnational governance in sustainable finance. This section argues that the European green classification operates as a binding regulatory tool within the EU. However, its extraterritorial influence relies largely on voluntary standard-setting, a distinction that helps explain its uneven global uptake. An argument is made that the classification system exerts global influence through two interdependent mechanisms: (1) policy diffusion via the Brussels Effect, and (2) market adaptation through corporate and institutional adoption. The resulting interplay between regulatory prescription and market-led adaptation forms a central theme in contemporary sustainable finance debates, as explored below.

#### *Policy Diffusion through the Brussels Effect*

The sustainability screening tool's global impact is most visible in its role as a *regulatory template*. While the EU enforces compliance domestically, non-EU jurisdictions selectively adapt its principles. According to the EU Platform on Sustainable Finance, over 58 taxonomies globally have been influenced by the EU's approach<sup>46</sup>. Countries as diverse as China, Canada, and the UK are developing their own sustainable finance taxonomies, which have been influenced by the EU model<sup>47</sup>. This regulatory ripple effect exemplifies the “Brussels Effect,” where EU standards shape practices far beyond Europe. Importantly, this global influence is more about standard-setting and policy modelling than direct implementation. Countries adapt the EU framework to their specific economic contexts rather than adopting it wholesale.

A notable example of this influence is the Common Ground Taxonomy (CGT), developed by the International Platform on Sustainable Finance (IPSF)<sup>48</sup>. The CGT is a comparative study of China's Green Bond Endorsed Project Catalogue (referred to as the “China Taxonomy”) and the EU Taxonomy's Climate Delegated Act<sup>49</sup>. Published on November 4, 2021, at COP26, the CGT aims to identify areas of convergence and divergence between the two frameworks and could serve

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<sup>46</sup> EUPSF, *Annual Report 2025*.

<sup>47</sup> Celsia (ISS-Corporate), “Where Does the EU Taxonomy Fit into the Global Landscape?” *Celsia Blog*, April 28, 2022, <https://www.celsia.io/blogs/where-does-the-eu-taxonomy-fit-into-the-global-landscape>.

<sup>48</sup> International Platform on Sustainable Finance, *Common Ground Taxonomy – Climate Change Mitigation: Instruction Report* (Brussels: European Commission, 2021), [https://finance.ec.europa.eu/system/files/2021-12/211104-ipsf-common-ground-taxonomy-instruction-report-2021\\_en.pdf](https://finance.ec.europa.eu/system/files/2021-12/211104-ipsf-common-ground-taxonomy-instruction-report-2021_en.pdf).

<sup>49</sup> Seneca ESG, “Common Ground Taxonomy: Consolidation of China and EU Green Definitions,” *Seneca ESG*, accessed April 24, 2025, <https://senecaesg.com/insights/common-ground-taxonomy-consolidation-of-china-and-eu-green-definitions/>.



as a basis for a global standard for sustainable finance<sup>50</sup>. While not legally binding, the CGT enhances clarity and transparency for cross-border sustainable finance. It also serves as a reference for taxonomy development in other regions. For instance, Hong Kong has expressed its intention to use the CGT as a reference for designing its own sustainable finance taxonomy, further illustrating the EU Taxonomy's global reach<sup>51</sup>. Singapore's Green Finance Industry Taskforce (GFIT) published its taxonomy consultation paper in 2022<sup>52</sup>. The paper explicitly references the EU Taxonomy as a benchmark, while adapting principles to suit the ASEAN region's transition needs<sup>53</sup>. These adaptations demonstrate how the EU framework serves as a foundation that other jurisdictions modify according to their economic structures and transition pathways.

#### *Market Adaptation: Corporate and Institutional Adoption*

While the EU sustainability framework's policy diffusion reshapes national frameworks, its market adaptation operates through corporate and institutional channels, each responding to the framework's pull in distinct ways. Multinationals, ratings agencies, and asset managers increasingly engage with the framework: whether to comply, compete, or critique.

**Multinational corporations** are increasingly aligning their sustainability practices with the EU Taxonomy to meet investor expectations and maintain access to the EU market. Under the Corporate Sustainability Reporting Directive (CSRD)<sup>54</sup>, large EU-based companies with over 500 employees, €40 million in turnover, or €20 million in assets are required to disclose their alignment with the EU Taxonomy, starting from fiscal year 2024. This requirement will be phased in to include smaller firms and listed SMEs by 2026. Non-EU firms with significant EU operations, generating over €150 million annually in the EU and having at least one subsidiary or branch, are

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<sup>50</sup> European External Action Service, "IPSF Report Compares EU and China's Green Taxonomies," November 8, 2021, [https://www.eeas.europa.eu/delegations/china/ipsf-report-compares-eu-and-china%E2%80%99s-green-taxonomies\\_en?s=166](https://www.eeas.europa.eu/delegations/china/ipsf-report-compares-eu-and-china%E2%80%99s-green-taxonomies_en?s=166).

<sup>51</sup> Hong Kong Green Finance Association, *CGT Research Series Phase 2: Understanding Use Cases of the Common Ground Taxonomy* (Hong Kong: Hong Kong Green Finance Association, 2022), [https://www.hkgreenfinance.org/wp-content/uploads/2022/09/CGT\\_Phase2report\\_final.pdf](https://www.hkgreenfinance.org/wp-content/uploads/2022/09/CGT_Phase2report_final.pdf).

<sup>52</sup> Shuhui Kwok, "Singapore v EU: How Their Green Taxonomies Compare," *Regulation Asia*, February 11, 2021, <https://www.regulationasia.com/singapore-v-eu-how-their-green-taxonomies-compare/>.

<sup>53</sup> Kwok, "Singapore v EU."

<sup>54</sup> European Commission, *Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 Amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as Regards Corporate Sustainability Reporting* (Brussels: European Commission, 2022), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32022L2464>.

also subject to the CSRD's third-country reporting requirements<sup>55</sup>. This has prompted many such firms to begin aligning with the EU Taxonomy standard. Non-EU firms with EU-based investors now also face growing pressure to report their alignment with the Taxonomy<sup>56</sup>, even if their home jurisdictions lack equivalent rules.

For instance, HSBC, one of the world's largest banks with €3.04 trillion in assets as of 2003<sup>57</sup>, has integrated the EU Taxonomy into various aspects of its operations and financial products<sup>58</sup>. HSBC's alignment with the Taxonomy is both a compliance requirement (under CSRD) and a strategic imperative to attract EU capital.

This de facto globalization of the Taxonomy reflects the 'Brussels Effect' in action.

**Ratings agencies** such as MSCI ESG Research LLC, Refinitiv, and V.E (part of Moody's ESG Solutions) have incorporated EU Taxonomy alignment into their environmental (E) scoring methodologies, evaluating companies' contributions to sustainable activities like climate change mitigation<sup>59</sup>. However, this relation is not significant for S&P Global's E ratings<sup>60</sup>, indicating that the EU Taxonomy's potential to reduce divergence in ESG ratings has not yet been fully realized.

**BlackRock** Investment Management (BlackRock), the world's largest asset manager has been notably ambivalent. Its position mirrors an ongoing debate within the sustainable finance community about how to balance environmental objectives with practical market realities. The firm has openly criticized the framework<sup>61</sup>, yet it simultaneously emphasizes the importance of climate-related risks in its investment strategies, revealing a layered perspective. In 2024, BlackRock Inc. allocated \$150 billion to funds assessed for energy transition risks and

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<sup>55</sup> European Commission, *Questions and Answers on the Adoption of the Corporate Sustainability Reporting Directive* (Brussels: European Commission, 2022), [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_4043](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_4043)

<sup>56</sup> BNP Paribas, "The EU Taxonomy: What Is the Impact for Investors and Corporates?" *CIB*, November 16, 2021, <https://cib.bnpparibas/the-eu-taxonomy-what-is-the-impact-for-investors-and-corporates/>.

<sup>57</sup> HSBC Holdings plc, *Annual Report and Accounts 2023* (London: HSBC Holdings plc, 2024), accessed April 29, 2025, <https://www.hsbc.com/-/files/hsbc/investors/hsbc-results/2023/annual/pdfs/hsbc-holdings-plc/240226-annual-report-and-accounts-2023.pdf>.

<sup>58</sup> HSBC Asset Management, *SFDR Periodic Report*, March 31, 2024, <https://www.assetmanagement.hsbc.co.uk/api/v1/download/document/lu1689526942/gb/en/sfdr%20periodic%20report>.

<sup>59</sup> Maurice Dumrose, Sebastian Rink, and Julia Eckert, "Disaggregating Confusion? The EU Taxonomy and Its Relation to ESG Rating," *Finance Research Letters* 48 (August 2022): 102928.

<sup>60</sup> Dumrose, Rink, and Eckert, "Disaggregating Confusion?"

<sup>61</sup> Financial Services Users' Group (FSUG), "Opinions: BlackRock," *European Commission*, April 30, 2020, [https://finance.ec.europa.eu/document/download/d051c763-417b-4d65-961e-3614706ae71b\\_en?filename=fsug-opinions-200504-blackrock\\_en.pdf](https://finance.ec.europa.eu/document/download/d051c763-417b-4d65-961e-3614706ae71b_en?filename=fsug-opinions-200504-blackrock_en.pdf).

opportunities<sup>62</sup>. Moreover, while reportedly these funds are primarily based in Europe, the new guidelines may also impact BlackRock's US-based funds<sup>63</sup>. However, in 2025 the firm exited the Net Zero Asset Managers (NZAM) initiative, a global coalition committed to net-zero greenhouse gas emissions by 2050 or earlier<sup>64</sup>. Still, BlackRock has affirmed that it will continue to evaluate significant climate-related risks, suggesting a commitment to sustainability that diverges from outright dismissal<sup>65</sup>.

The allocation of \$150bn to Taxonomy-influenced funds reflects the framework's gravitational pull, even as the firm critiques the rulebook. This paradox underscores the sustainable finance classification's role as an inflection point: its standards are now unavoidable reference points, even for reluctant adopters. However, BlackRock's exit from the NZAM initiative suggests that the financial industry's alignment with the sustainability screening tool, and sustainable finance generally, remains a contested, evolving process. The firm's ambivalence epitomizes the European green framework's paradoxical impact: even as it becomes a global reference point, its implementation remains contested. This tension underscores the framework's unresolved trajectory, a theme explored in the conclusion.

## **Conclusion: A Turning Point in Sustainable Finance Governance**

The EU Taxonomy represents a decisive shift in sustainable finance, establishing the first comprehensive classification system for science-based classification of environmentally sustainable activities. Its development from conceptual principles to operational criteria marks a critical juncture in financial governance, creating new pathways for capital allocation while revealing persistent implementation challenges.

Within Europe, adoption continues to grow but remains uneven across sectors and firm sizes, reflecting tensions between regulatory ambition and market realities. Future policy refinements, particularly SME-focused adjustments and sector-specific guidance, could accelerate implementation. Globally, the EU green classification's influence as a regulatory prototype demonstrates the "Brussels Effect" in its contemporary form: not through uniform adoption, but

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<sup>62</sup> Karin Rives, "BlackRock Issues New Investment Voting Policy for Climate-Focused Clients," *S&P Global Market Intelligence*, July 3, 2024, <https://www.spglobal.com/market-intelligence/en/news-insights/articles/2024/7/blackrock-issues-new-investment-voting-policy-for-climate-focused-clients-82301598>.

<sup>63</sup> Rives, "BlackRock Issues New Investment Voting Policy for Climate-Focused Clients."

<sup>64</sup> Brooke Masters and Patrick Temple-West, "BlackRock Withdraws from Net Zero Asset Managers Initiative," *Financial Times*, January 9, 2025, <https://www.ft.com/content/f0fb9841-db1d-442e-a757-1a1327497fb1>.

<sup>65</sup> Masters and Temple-West, "BlackRock Withdraws from Net Zero Asset Managers Initiative."

via adaptive emulation by jurisdictions and corporations navigating sustainability transitions. This diffusion mechanism underscores the sustainability framework's paradoxical nature: it is simultaneously a *mandatory compliance framework* within Europe and a voluntary reference point globally.

The Taxonomy's ultimate significance may lie not in its current adoption metrics, but in establishing that financial systems can - and must - be systematically realigned with environmental imperatives. While challenges of complexity and compatibility persist, the framework has irrevocably altered sustainable finance by proving that science-based capital allocation is operationally feasible. As this realignment continues to unfold, the EU green classification serves as both a benchmark and a catalyst for the next generation of sustainable finance.

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## The Role of State Power in the Migration-Development Nexus: A Critical Reading of the West's Migration Management

Jan Bienek

*The migration-development nexus, i.e. the two-way relationship between migration and development, has been discussed in various academic disciplines for several decades. However, less scholarly attention has been paid to the strategic considerations and governing rationalities that are at the core of this nexus. This essay argues that the states of the so-called Global North have instrumentalised the migration-development nexus to serve their economic and strategic ambitions. Western states have implemented an ontology that presupposes the nation state as the primary unit, framed international migration as development failure and thus as an irregularity that contrasts with the norm of sedentarism. Development projects and aid payments have become tools to reduce migration by addressing root causes or through its conditionality on border enforcement. In addition, Northern governments determine who is allowed to cross their borders based on people's contributions to the country's economic development. Thus, 'development' has become a tool to inhibit as well as a justification for controlling migration.*

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### Introduction

The “migration-development nexus”<sup>1</sup> is a long-standing theme of academic debate in various disciplines.<sup>2</sup> Engagement with the nexus peaked in the 1960s and 1980s, reaching its third climax in the late 2000s.<sup>3</sup> Throughout the decades, the debate has changed its evaluation of the two-way relationship between migration and development, swinging “back and forth like a pendulum from optimism until the early 1970s to pessimism until the 1990s, and back again to more optimistic views”.<sup>4</sup> The nexus-debate has currently reached a fourth climax due to the worldwide attention paid to the arrival of migrants at the borders of the European Union (EU) and

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<sup>1</sup> Ninna Nyberg-Sorensen, Nicholas Van Hear, and Poul Engberg-Pedersen, *The Migration-Development Nexus: Evidence and Policy Options*, IOM Migration Research Series 8 (Geneva: International Organization for Migration, 2002), 5.

<sup>2</sup> Philip Martin, “Migration and Development,” *International Migration Review* 26, no. 3 (1992): 1000–1012; Lama Kabbajji, “Towards a Global Agenda on Migration and Development? Evidence from Senegal,” *Population, Space and Place* 19 (2013): 415–429; David Benček and Claas Schneiderheinze, “Higher Economic Growth in Poor Countries, Lower Migration Flows to the OECD – Revisiting the Migration Hump with Panel Data,” *World Development* 182 (2024).

<sup>3</sup> Thomas Faist, “Transnationalization and Development,” in *Migration, Development and Transnationalization: A Critical Stance*, ed. Nina Glick Schiller and Thomas Faist (New York: Berghahn Books, 2010), 63–99.

<sup>4</sup> Hein de Haas, “Migration and Development: A Theoretical Perspective,” *International Migration Review* 44, no. 1 (2010): 230.

United States (US).<sup>5</sup> Hence, revisiting this nexus is highly topical.

However, in line with scholars like Wimmer and Glick Schiller, Geiger and Pécoud, and Landau,<sup>6</sup> this essay engages with migration and development neither as outcomes or causes to be calculated for subsequent state manipulation, but in their interaction with the Western regulatory system. Jung rightly points out that “the governing rationalities underlying the migration-development nexus have received less attention” than other aspects.<sup>7</sup> However, this essay argues that the *governing rationalities* are not solely underlying the nexus, but that they *constitute* the relationship between migration and development in a world of “regimes of mobility”.<sup>8</sup> The nature of the North’s control-oriented *instrumentalisation* of the nexus is outlined through an analysis of migration from countries of the so-called Global South, i.e. former colonies and countries with lower incomes, to the industrialised and economically powerful states of the Global North, such as the US, the EU member states, Canada and Australia.

This essay is structured into two main sections according to both sides of the migration-development nexus. The first section outlines how ‘development’ as an idea as well as practice is invoked to influence our perception of migration and to reduce cross-border mobility. The second section discusses the usage of economic development in the Global North as a justification to limit certain immigration, create an ideal migrant figure and to introduce a market-oriented temporality into migration dynamics.

### **The Strategic Core of the Nexus: Instrumentalising Development for Migration Management**

The problematisation of international migration has its origins in the division of the world, and particularly the Global South, into nation states. After WWII, the European overseas empires collapsed and their colonies formally gained independence, giving rise to the notion that the entire world is structured into nation states and that every person belongs to one territorially bound unit.<sup>9</sup>

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<sup>5</sup> Cetta Mainwaring and Noelle Brigden, “Beyond the Border: Clandestine Migration Journeys,” *Geopolitics* 21, no. 2 (2016): 243–262.

<sup>6</sup> Andreas Wimmer and Nina Glick Schiller, “Methodological nationalism and beyond: nation-state building, migration and the social sciences,” *Global Networks* 2, no. 4 (2002): 301–334; Martin Geiger and Antoine Pécoud, “Migration, Development and the ‘Migration and Development Nexus’,” *Population, Space and Place* 19, no. 4 (2013): 369–374; Loren B. Landau, “A Chronotope of Containment Development: Europe’s Migrant Crisis and Africa’s Reterritorialisation,” *Antipode* 51, no. 1 (2019): 169–186; Loren B. Landau, “Countering Containment: Chronoscopy and Resistance in an Era of Externalisation,” *Geopolitics* 30, no. 1 (2024): 1–12.

<sup>7</sup> Alexander Jung, “Depoliticisation through Employability: Entanglements between European Migration and Development Interventions in Tunisia,” *Journal of Ethnic and Migration Studies* 48, no. 19 (2022): 4813.

<sup>8</sup> Nina Glick Schiller and Noel B. Salazar, “Regimes of Mobility Across the Globe,” *Journal of Ethnic and Migration Studies* 39, no. 2 (2013): 189.

<sup>9</sup> Wimmer and Glick Schiller, “Methodological nationalism and beyond.”

The Western development industry considers the nation state as the principal entity of concern and development actors orient their work towards people residing within national borders.<sup>10</sup> Raghuram argues that development “reinforce[s] the state as a prefigured entity” and establishes a “form of here–there binary logic to our spatial understandings of migration–development”.<sup>11</sup> From the assertion that the world is naturally divided into nation states, it follows that cross-border movement is an exception to the norm.<sup>12</sup> Unauthorised migration in particular, threatens the Western principle of territorial sovereignty.<sup>13</sup>

Moreover, by portraying migration as a consequence of failed development, migration is negatively connoted and the blame for migration is placed on the countries of origin. Bakewell famously outlined that the guiding idea behind Western development interventions is that migration is “a symptom of development failure”.<sup>14</sup> The OECD for example states in its Perspectives on Global Development report, that migration occurs due to “the incapacity of some governments to implement adequate economic and social reforms”.<sup>15</sup> Instead of a historically intrinsic part of human life,<sup>16</sup> people’s cross-border mobility is framed as the reaction to a failure of their governments. This is not to question that economic hardship, war and persecution are part of the reasons why people become mobile. Rather, this shows the strategic attribution of responsibility for the emergence of migration to the ‘incapacities’ of countries in the Global South. Consequently, development actors perceive migration as something problematic that requires treatment.<sup>17</sup> Since the cause (development) is a failure, the consequence (migration) is also a failure of the proper way of life.

However, due to the colonial origins of many of the socio-economic struggles of the Global South and the wealth of the West, the nexus could also be approached from a different perspective. According to Glick Schiller and Faist, “the development of Europe depended on profits made from

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<sup>10</sup> Oliver Bakewell, “‘Keeping Them in Their Place’: The Ambivalent Relationship between Development and Migration in Africa,” *Third World Quarterly* 29, no. 7 (2008): 1341–1358.

<sup>11</sup> Parvati Raghuram, “Which Migration, What Development? Unsettling the Edifice of Migration and Development,” *Population, Space and Place* 15, no. 2 (2009): 112.

<sup>12</sup> Wimmer and Glick Schiller, “Methodological nationalism and beyond.”

<sup>13</sup> E. Tendayi Achiume, “Reimagining International Law for Global Migration: Migration as Decolonization?” *AJIL Unbound* 111 (2017): 142–146.

<sup>14</sup> Bakewell, “‘Keeping Them in Their Place,’” 1341.

<sup>15</sup> Organisation for Economic Co-operation and Development (OECD), *Perspectives on Global Development 2017: International Migration in a Shifting World* (Paris: OECD Publishing, 2016), 184.

<sup>16</sup> Nick Megoran, “The Case for Ending Migration Controls,” *Antipode* 37, no. 4 (2005): 638–642.

<sup>17</sup> Bakewell, “‘Keeping Them in Their Place’.”

enslaved, indentured, and colonized migratory labor in other regions of the world”.<sup>18</sup> The prosperity of the North – which now tempts people to migrate – has been and is still financed to a significant extent by the labour of migrants.<sup>19</sup> As the affluence of many European states has been realised through the extraction of resources and people from the colonies, this should give the citizens of the former colonies the right to benefit from this wealth today, i.e. to migrate.<sup>20</sup> An awareness of the historical flow of resources from colonies to Europe<sup>21</sup> complicates the current framing of migration as ‘enormous and unmanageable flows’.<sup>22</sup> Rather than a burden, migration would represent a rebalancing “of an asymmetrical system initiated by many of the very same state sovereigns that now self-righteously” inhibit immigration.<sup>23</sup> However, through US President Truman’s initiation of the Western development project in 1949, development was delinked from colonialism.<sup>24</sup> Therefore, the perception that migration occurs due to the self-inflicted development failures of Global South countries remains the dominant framing.

Correcting the alleged development failures that underlie migration is framed as a laudable effort that hides, or at least justifies, Western governments’ strategic ambition to reduce migration. As pointed out by Sachs,<sup>25</sup> achieving development has become a universal justification under whose banner any intervention becomes legitimate. Hence, to alleviate the development failures behind international migration, Western governments are allowed to intervene in the Global South through development projects. The strategy of the EU for example, “is rooted in extraterritorial interventionism, whose formal objective is to foster ‘good governance’, the ‘rule of law’, ‘cooperation’, or ‘development’, according to Geiger and Pécoud.<sup>26</sup> However, these seemingly desirable objectives are also permeated by less overt intentions, such as preventing unwanted migratory movements.<sup>27</sup> Thus, development efforts of Northern governments operate as a disguise under whose protection migration can be controlled.

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<sup>18</sup> Nina Glick Schiller and Thomas Faist, “Introduction: Migration, Development, and Social Transformation,” in *Migration, Development and Transnationalization: A Critical Stance*, ed. Nina Glick Schiller and Thomas Faist (New York: Berghahn Books, 2010), 3–4.

<sup>19</sup> Glick Schiller and Faist, “Introduction.”

<sup>20</sup> Achiume, “Reimagining International Law.”

<sup>21</sup> Faist, “Transnationalization and Development.”

<sup>22</sup> Matt Murphy, “US and Mexico Look to Stem ‘Unprecedented’ Migrant Flow,” *BBC News*, December 28, 2023, <https://www.bbc.co.uk/news/world-us-canada-67829682>.

<sup>23</sup> Achiume, “Reimagining International Law,” 143.

<sup>24</sup> Gustavo Esteva, “Development,” in *The Development Dictionary: A Guide to Knowledge as Power*, 3rd ed., ed. Wolfgang Sachs (London: Bloomsbury Publishing, 2019), 39–64.

<sup>25</sup> Wolfgang Sachs, “Introduction,” in *The Development Dictionary: A Guide to Knowledge as Power*, 3rd ed., ed. Wolfgang Sachs (London: Bloomsbury Publishing, 2019), 31–38.

<sup>26</sup> Geiger and Pécoud, “Migration and Development Nexus,” 372.

<sup>27</sup> Geiger and Pécoud, “Migration and Development Nexus.”



Furthermore, the West pursues “*containment development*”<sup>28</sup> to reduce migration from the Global South. Whether a development programme is considered successful no longer depends on the aspects of concern, like healthcare or education, but on metrics on migration.<sup>29</sup> The UK Foreign Secretary, for example, stated in 2024 that a £84 million aid package “will improve education, boost employment ... across the Middle East and North Africa – to help bring down migration figures”.<sup>30</sup> This ambition to tackle the *root causes of migration* already became a guiding principle of the development industry in the 1980s.<sup>31</sup> In 1991, European states convened in several conferences to formulate strategies to address the root causes of migration.<sup>32</sup> Root causes are “the conditions of states, communities, and individuals that underlie a desire for change, which in turn produce migration aspirations”.<sup>33</sup> However, empirical research remains inconclusive if development aid is effective in reducing migration.<sup>34</sup> Nonetheless, most European governments by now pursue a reduction in migratory movements by addressing its root causes through development aid.<sup>35</sup> In other words, development is being instrumentalised to manage migration.

Underlying the ‘root causes agenda’ is not only the ambition to eradicate the drivers of migration but to fully sedentarise people in the Global South. The root causes approach follows an “agrarian epistemological logic”, where Africa metaphorically “is a field that needs tending” as the problem of migration is “grounded in national soil that has “roots” that can be “uprooted””.<sup>36</sup> Historically, the development industry promoted sedentarisation, as it perceived geographical stasis as the desirable human condition.<sup>37</sup> This is reflected in the 2030 Agenda for Sustainable Development, which conceptualises development as a process that is bound to a specific territory and therefore seeks to improve living conditions for people in their respective home countries.<sup>38</sup>

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<sup>28</sup> Landau, “A Chronotope of Containment Development,” 172.

<sup>29</sup> Landau, “A Chronotope of Containment Development.”

<sup>30</sup> Foreign, Commonwealth & Development Office, “UK Steps Up Work to Reduce Illegal Migration,” *press release*, July 18, 2024, para. 13, <https://www.gov.uk/government/news/uk-steps-up-work-to-reduce-illegal-migration>.

<sup>31</sup> Stephen Castles and Nicholas Van Hear, “Root Causes,” in *Global Migration Governance*, ed. Alexander Betts (Oxford: Oxford University Press, 2011), 287–306.

<sup>32</sup> Martin, “Migration and Development.”

<sup>33</sup> Jørgen Carling and Cathrine Talleraas, *Root Causes and Drivers of Migration: Implications for Humanitarian Efforts and Development Cooperation* (Oslo: Peace Research Institute Oslo, 2016), 6.

<sup>34</sup> For example, Mauro Lanati and Rainer Thiele, “The impact of foreign aid on migration revisited,” *World Development* 111 (2018): 59–74; Marina Murat, “Foreign Aid, Bilateral Asylum Immigration and Development,” *Journal of Population Economics* 33, no. 1 (2020): 79–114; Gabriele Restelli, “The effects of development aid on irregular migration to Europe: Deterrence or attraction?” *Development Policy Review* 39, no. 6 (2021): 926–952.

<sup>35</sup> Lars Engberg-Pedersen, Ida Marie Savio Vammen, and Hans Lucht, “Can European foreign aid motivate people to stay in Africa? The root causes policy debate and irregular migration,” *Development Policy Review* 42, no. 3 (2024).

<sup>36</sup> Engberg-Pedersen, Savio Vammen, and Lucht, “Can European foreign aid,” 4.

<sup>37</sup> Bakewell, “‘Keeping Them in Their Place’.”

<sup>38</sup> Gery Nijenhuis and Maggi Leung, “Rethinking Migration in the 2030 Agenda: Towards a De-Territorialized Conceptualization of Development,” *Forum for Development Studies* 44, no. 1 (2017): 51–68.

Through discourse and development practice, Western states impose the objective of “building a sedentary life dedicated to ‘development at home’” on other people.<sup>39</sup> Even more, the normalisation of sedentarism aims at “geographically localising Africans’ desires and imaginations”, in order to disconnect them from the rest of the world, and especially Europe.<sup>40</sup>

Moreover, the repeated emphasis by Western states that migration can have a positive impact on the development of migrants’ home countries follows the same logic as the root causes agenda, which is to ultimately make migration superfluous. The EU frames migration “as a powerful – though challenging – development vehicle in both the country of origin and destination”.<sup>41</sup> The Global Compact for Safe, Orderly and Regular Migration similarly states that “migration contributes to positive development outcomes ... when it is properly managed”.<sup>42</sup> Managing migration thus becomes justified to harness its development potentials. Migrants are heralded as “development resource” or “agents of development” for their origin country.<sup>43</sup> In this way, both origin and destinations countries place a moral responsibility on migrants to remain connected to and support their home countries.<sup>44</sup> The rationale of Western destination countries in particular, is that migrants’ remittances promote the development of the country of origin and thus reduce the need to migrate.<sup>45</sup>

However, containment development is also achieved through physical restrictions on mobility, whereby the provision of development aid is made conditional on the implementation of stricter border controls. Already in 1999, the European Council pledged several billion euros to countries that guaranteed to prevent migrants from moving on to the EU.<sup>46</sup> Aid conditionality for border controls became a standard component of the agreements of the EU and its member states with countries in the Global South.<sup>47</sup> This *border externalisation* shifts “bordering practices from

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<sup>39</sup> Iriann Freemantle and Loren B. Landau, “Migration and the African Timespace Trap: More Europe for the World, Less World for Europe,” *Geopolitics* 27, no. 3 (2022): 791.

<sup>40</sup> Landau, “A Chronotope of Containment Development,” 170.

<sup>41</sup> European Union, “Migration and Development,” *EUR-Lex: Access to European Union Law*, 2014, para. 1, accessed December 9, 2024, <https://eur-lex.europa.eu/EN/legal-content/summary/migration-and-development.html>.

<sup>42</sup> UN General Assembly, “Global Compact for Safe, Orderly and Regular Migration,” A/RES/73/195 (2019), 5, accessed December 8, 2024, <https://www.refworld.org/legal/resolution/unga/2019/en/147186>.

<sup>43</sup> Kavita Datta, “Transforming South–North Relations? International Migration and Development,” *Geography Compass* 3, no. 1 (2009): 109.

<sup>44</sup> Alan Gamlen, “The Emigration State and the Modern Geopolitical Imagination,” *Political Geography* 27, no. 8 (2008): 840–856; Nicola Piper, “The complex interconnections of the migration–development nexus: a social perspective,” *Population, Space and Place* 15, no. 2 (2009): 93–101.

<sup>45</sup> Bakewell, “‘Keeping Them in Their Place’.”

<sup>46</sup> Liz Fekete, “The Emergence of Xeno-Racism,” *Race & Class* 43, no. 2 (2001): 23–40.

<sup>47</sup> Aderanti Adepoju, Femke van Noorloos, and Annelies Zoomers, “Europe’s Migration Agreements with Migrant-Sending Countries in the Global South: A Critical Review,” *International Migration* 48, no. 3 (2010): 42–75.

the conventional ground of state lines to an itinerant and stretched border zone made out of mobile border posts, development projects and transnational military operations”.<sup>48</sup> The externalisation of the borders of Northern states into the territories of the Global South is increasingly facilitated through the use of development funds.<sup>49</sup> Dreher *et al.* observe that aid payments to countries neighbouring the origin countries of refugees in the Global South influence them to obstruct movements towards Western donor countries.<sup>50</sup> In West Africa, aid dependency could now mean that peoples’ free movement is no longer upheld.<sup>51</sup> Thus, the relationship between development in the Global South and migration to the Global North clearly operates within the confines of the North’s strategic objectives.

### **The Strategic Core of the Nexus:**

#### **Subordination of Migration to Northern Development Needs**

The other side of the migration-development nexus, i.e. how migration relates to development, is also determined by the strategic ambitions of the West. Concerns about migration’s negative consequences for the development of Western countries guides their migration management. In the Global North, the consolidation of the nation-state system during the turn of the 20<sup>th</sup> century saw the emergence of fears that immigration would jeopardise the destination countries’ stability.<sup>52</sup> Such concerns intensified after WWII. The implementation of stricter immigration controls in the UK during the 1960s arose from the perception that migrants threaten the cultural cohesion of society and the “finite nature of employment ... the welfare state’s health, education, housing and financial resources”.<sup>53</sup> In the 1970s, the worsened economic situation due to the oil shock and a global recession saw an intensified scapegoating of migrants, increased calls to stop immigration and the subsequent implementation of control measures across Europe.<sup>54</sup> States justify the exclusion of migrants on the grounds of preserving the prosperity and culture of the West.<sup>55</sup> A recent public opinion survey in Germany has shown, that negative attitudes

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<sup>48</sup> Sebastian Cobarrubias, “Mapping Illegality: The i-Map and the Cartopolitics of ‘Migration Management’ at a Distance,” *Antipode* 51, no. 3 (2019): 773.

<sup>49</sup> Ana Aliverti and Celine Tan, “Development and the Externalisation of Border Controls,” in *The Emerald Handbook of Crime, Justice and Sustainable Development*, ed. Jarrett Blaustein et al. (Leeds: Emerald Publishing Limited, 2020), 197–219.

<sup>50</sup> Axel Dreher, Andreas Fuchs, and Sarah Langlotz, “The effects of foreign aid on refugee flows,” *European Economic Review* 112 (2019): 127–147.

<sup>51</sup> Landau, “A Chronotope of Containment Development.”

<sup>52</sup> Wimmer and Glick Schiller, “Methodological nationalism and beyond.”

<sup>53</sup> Mark Duffield, “Racism, migration and development: the foundations of planetary order,” *Progress in Development Studies* 6, no. 1 (2006): 72.

<sup>54</sup> Wimmer and Glick Schiller, “Methodological nationalism and beyond.”

<sup>55</sup> Fekete, “Emergence of Xeno-Racism.”

towards migration are still closely linked to the fear of losing one's jobs.<sup>56</sup>

However, concerns about the economic development of Western states do not translate in the prohibition of all migration. The permeability of borders depends on whether foreign populations are beneficial for the economies of Western countries. Essentially, borders guard what lies within them and screen who or what is allowed to cross them.<sup>57</sup> The power to deny people access is in the hands of the destination countries and the likelihood to immigrate falls and rises with the qualifications of migrants.<sup>58</sup> Highly skilled migrants are both welcome and much desired in the Global North.<sup>59</sup>

Two main concerns drive the willingness of Northern states to allow and attract certain migration. First, as their populations are ageing, countries are encouraging the migration of nurses and doctors who care for the elderly, as well as young people, to balance out the relative decrease in a workforce supporting more retired people.<sup>60</sup> The South-North mobility of skilled labour is highly unequal, as illustrated by the migration of nurses from Mexico to the US, which primarily serves the interests of the US to overcome its shortage of health care workers.<sup>61</sup> Secondly, countries attract highly qualified and talented people from abroad to remain competitive with other countries in strategically important areas.<sup>62</sup> Even refugees and asylum seekers, who have a quasi-right to stay,<sup>63</sup> are subsumed to this economic logic and “demonised as bogus ... scrounging at capital's gate”.<sup>64</sup>

Furthermore, temporary migration schemes showcase how the strategic management of migration for the economic development of the North fundamentally alters the nature of migratory movements. Already after WWII, West Germany recruited so-called “guest workers” to obtain cheap labour for its industrial development without the socio-economic burdens of permanent

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<sup>56</sup> Bernd Hayo and Duncan H.W. Roth, “The perceived impact of immigration on native workers' labour market outcomes,” *European Journal of Political Economy* 85 (2024): 1–23.

<sup>57</sup> Faist, “Transnationalization and Development.”

<sup>58</sup> Christiane Kuptsch and Philip Martin, “Low-Skilled Labour Migration,” in *Global Migration Governance*, ed. Alexander Betts (Oxford: Oxford University Press, 2011), 34–59.

<sup>59</sup> Faist, “Transnationalization and Development.”

<sup>60</sup> Binod Khadria, “Adversary Analysis and the Quest for Global Development: Optimizing the Dynamic Conflict of Interest in Transnational Migration,” in *Migration, Development and Transnationalization: A Critical Stance*, ed. Nina Glick Schiller and Thomas Faist (New York: Berghahn Books, 2010), 176–203.

<sup>61</sup> Christina Gabriel, “NAFTA, Skilled Migration, and Continental Nursing Markets,” *Population, Space and Place* 19, no. 4 (2013): 389–403.

<sup>62</sup> Khadria, “Adversary Analysis and the Quest for Global Development.”

<sup>63</sup> United Nations General Assembly, *Convention Relating to the Status of Refugees*, July 28, 1951, <https://www.refworld.org/legal/agreements/unga/1951/en/39821>.

<sup>64</sup> Fekete, “Emergence of Xeno-Racism,” 23.

immigration.<sup>65</sup> The term guest worker suggests that people only remain temporarily as guests and come merely for the purpose of working. Currently, more countries are implementing temporary migration programmes.<sup>66</sup> The increasing temporality and circularity of international migration, even for highly skilled people from the Global South, has been realised through Western immigration regulations.<sup>67</sup> These follow a particular economic logic, as temporary immigration keeps salaries and social transfers for migrant workers low.<sup>68</sup> At the same time, this global trend towards “just-in-time and to-the-point migration” satisfies the needs of the Western markets.<sup>69</sup> Temporary migration is becoming widespread, as illustrated by the increase from 8,000 to 35,000 migrants temporally working under the Pacific Australia Labour Mobility scheme in the last four years.<sup>70</sup>

Moreover, both migration sending and receiving countries contribute to the creation of a migrant figure that serves the needs of Western markets. The countries profiting from labour immigration as well as the different actors involved in the “migration industry” invest to ensure that adequate migration occurs.<sup>71</sup> The West is not only providing development aid to reduce migration, as previously discussed, but also to create potential future labourers. In Tunisia, European employment projects are training Tunisians to make them capable of working abroad and, where appropriate, to meet the demands of the European labour market.<sup>72</sup> Through such development projects, the management and filtering of certain desired migrants does not happen in Europe, but already in the countries of origin.<sup>73</sup> Even if asymmetrically, origin countries of migrants are also involved in this process. Gardiner Barber outlines that the government policies of both the Philippines and Canada have led to the construction of an “*ideal immigrant*”.<sup>74</sup> Rodriguez and Schwenken also observe that countries like India and the Philippines “are creating

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<sup>65</sup> Wimmer and Glick Schiller, “Methodological nationalism and beyond,” 318.

<sup>66</sup> Francis L. Collins and Thomas Bayliss, “The good migrant: Everyday nationalism and temporary migration management on New Zealand dairy farms,” *Political Geography* 80 (2020).

<sup>67</sup> Khadria, “Adversary Analysis and the Quest for Global Development.”

<sup>68</sup> Khadria, “Adversary Analysis and the Quest for Global Development.”

<sup>69</sup> Sandro Mezzadra and Brett Neilson, *Border as Method, or, the Multiplication of Labor* (Durham, NC: Duke University Press, 2013), 138.

<sup>70</sup> International Organization for Migration (IOM), “Australia and IOM Unveil New Initiative to Boost Support for Migrant Workers from Pacific,” *News-Global*, 2024, <https://www.iom.int/news/australia-and-iom-unveil-new-initiative-boost-support-migrant-workers-pacific>.

<sup>71</sup> Robyn M. Magalit Rodriguez and Helen Schwenken, “Becoming a Migrant at Home: Subjectivation Processes in Migrant-Sending Countries Prior to Departure,” *Population, Space and Place* 19, no. 4 (2013): 385.

<sup>72</sup> Jung, “Depoliticisation through Employability.”

<sup>73</sup> Jung, “Depoliticisation through Employability.”

<sup>74</sup> Pauline Gardiner Barber, “The Ideal Immigrant? Gendered class subjects in Philippine–Canada migration,” *Third World Quarterly* 29, no. 7 (2008): 1268.

institutional environments that favour the emigration of ... people with specific skills and personal characteristics".<sup>75</sup> Particularly noteworthy is that the creation of an ideal migrant figure for the Western labour market takes place long before emigration, i.e. in the country of origin.<sup>76</sup>

## Conclusion

The strategic ambitions of Western states are influencing both sides of the migration-development nexus. Western states have been largely successful in implementing an ontology that presupposes the nation state as the primary unit. This gives rise to a view of international migration as an irregularity that contrasts with the norm of sedentarism. The development industry has reinforced this vision through their projects as well as by framing migration as development failure. Moreover, development projects and aid payments have become tools to reduce migration by addressing root causes or through its conditionality on border enforcement.

Geographically moving the analysis from the migrants' origin countries to their destinations in the Global North also reveals a relationship shaped by Western strategic objectives. Governments decide who is allowed to cross their borders based on people's contributions to the country's economic development. However, the decision as to who is allowed to enter is no longer only made at the borders. Development projects train a labour force in the Global South that meets the needs of the Western national economies. The migrants' countries of origin also participate in this migration industry to create an ideal migrant for the Western market.

Underlying the main argument of the essay is the notion that if a state is 'developed', it can govern migration; if not, its migration is governed through and for development. As has been mentioned, not all of the strategic ambitions of Northern governments are successful. Nonetheless, it is evident that using development as a tool to inhibit as well as a justification to control migration shapes contemporary South-North migration.

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<sup>75</sup> Rodriguez and Schwenken, "Becoming a Migrant at Home," 375.

<sup>76</sup> Rodriguez and Schwenken, "Becoming a Migrant at Home."

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## International Law's Role in a Strat-Dominated World – Part 3<sup>1</sup>

Arthur Appleton and Justin Frosini

*This is the third in a series of articles addressing the strategic role of international law in an environment where realpolitik dominates. The authors examine the extent to which international law may function as a “guardrail” that may deter a State from the most flagrant violations of international norms. Focusing on four well-known Chinese violations of international legal norms, the authors conclude that while international law is an effective means of marshalling international support, it remains limited as a means to deter violations, particularly when large state actors are involved and the treaties restricting policy space lack strong enforcement mechanisms.*

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*“Even the finest warrior is defeated when he goes against natural law. By his own hand he is doomed and all creatures are likely to despise him.”<sup>2</sup>*

### Introduction

This is our third piece examining the role of international law in strategic studies. Realists now dominate strategic thinking and frame international relations through a state-centric lens where power and wealth take precedence. Within this framework, we set out to address the strategic role that international law can play in an environment where realpolitik dominates.

In our first article<sup>3</sup>, we established that international law plays a strategic role in international relations and more specifically in strategic thinking. Nations wield international law to: (i) chart a moral roadmap, (ii) coalesce rules of international behaviour, (iii) construct an international consensus, and (iv) provide a basis for economic and political measures including alliances among like-minded nations.

In our second article<sup>4</sup> we examined the treatment of rule-breakers – focusing on the retaliatory measures that may follow serious breaches of international law – specifically, the political and economic actions taken by western allies against Russia following its invasion of

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<sup>1</sup> The authors wish to thank Viktoriia Lapa, Stéphanie Balme, and Giacomo Tagiuri for comments on earlier drafts. The views expressed and all remaining errors are the authors' own.

<sup>2</sup> Attributed to Lao Tzu, Tao Te Ching, Verse 31.

<sup>3</sup> Arthur Appleton and Justin Frosini, “International Law's Role in a Strat-Dominated World,” *SAIS Europe Journal of Global Affairs* 26 (Spring 2023), <https://www.saisjournal.eu/article/84-Arthur-Appleton-and-Justin-Frosini-International-Laws-Role-in-a-Strat-Dominated-.cfm>.

<sup>4</sup> Arthur Appleton and Justin Frosini, “International Law's Role in a Strat-Dominated World – Part 2,” *SAIS Review of International Affairs*, March 18, 2024, <https://saisreview.sais.jhu.edu/international-laws-role-in-a-strat-dominated-world-part-2/>.

Ukraine. We concluded that a nation's failure to abide by its international legal obligations may distance it from the community of nations,<sup>5</sup> weaken its international influence, and result in economic and political sanctions. We also concluded that had the United States and Europe opted for a more aggressive legal approach in the form of treaty admitting Ukraine to NATO, or perhaps the EU, Russia would have been far less likely to invade Ukraine.

In our third article, we examine the extent to which international law functions as a “guardrail” that may deter a State from the most flagrant violations of international norms. We focus on four well-known Chinese violations of international legal norms: its actions in Hong Kong, the South China Sea, its treatment of the Uyghurs, and under WTO rules.<sup>6</sup> We conclude that while international law is an effective means of marshalling international support, it remains limited as a means to deter violations, particularly when large state actors are involved and the treaties restricting policy space lack strong enforcement mechanisms.

### **A) Hong Kong: Bilateral Treaty Violations**

On 19 December 1984, the governments of the United Kingdom and China signed The Sino-British Joint Declaration on the Question of Hong Kong.<sup>7</sup> Important provisions of the Declaration include China's decision to grant Hong Kong a high degree of autonomy except in foreign and defence affairs;<sup>8</sup> maintain basically unchanged the laws currently in force in Hong Kong;<sup>9</sup> maintain unchanged the current social and economic systems and Hong Kong's life-style; and ensure by law rights and freedoms in the Hong Kong Administrative Area, including freedom of speech, press, assembly, and association.<sup>10</sup> These short-lived guarantees were supposed to endure for 50 years beginning 1 July 1997.<sup>11</sup>

In a 2023 report, the US State Department listed numerous human rights violations in Hong Kong including:

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<sup>5</sup> Except for Belarus and North Korea, no nations bordering Russia voted against the 23 February 2023 UN General Assembly Resolution A/ES-11/L.7 calling for Russia's withdrawal from Ukraine, UN News, “UN General Assembly calls for immediate end to war in Ukraine”,

<https://news.un.org/en/story/2023/02/1133847>. Iran, which does not share a border with Russia, abstained.

<sup>6</sup> WTO rules are set forth in the Agreement Establishing the World Trade Organization (WTO). The full text is available here: [https://www.wto.org/english/docs\\_e/legal\\_e/legal\\_e.htm](https://www.wto.org/english/docs_e/legal_e/legal_e.htm).

<sup>7</sup> Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, Volume 1399, I-23391, United Nations Treaty Series, 61 (1994), entered into force on 27 May 1985, <https://treaties.un.org/doc/Publication/UNTS/Volume%201399/v1399.pdf>.

<sup>8</sup> Joint Declaration, paragraph 3(2).

<sup>9</sup> Joint Declaration, paragraph 3(3).

<sup>10</sup> Joint Declaration, paragraph 3(5).

<sup>11</sup> Joint Declaration, paragraphs 1 and 3(12).



[...] credible reports of: arbitrary arrest and detention; serious problems regarding the independence of the judiciary; political prisoners or detainees; transnational repression against individuals outside of Hong Kong; arbitrary interference with privacy; serious restrictions on freedom of expression and media freedom, including unjustified arrests or prosecutions of journalists and censorship; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; restrictions on freedom of movement and on the right to leave the territory; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government restrictions on domestic and international human rights organizations; and significant restrictions on workers' freedom of association, including coercive actions against independent trade unions and arrests of labor activists.<sup>12</sup>

China's bilateral agreement with the United Kingdom established parameters within which China and the United Kingdom were expected to operate. However, as this agreement had no meaningful mechanism to ensure compliance, China was not deterred from violating its provisions. China's violation of the Joint Declaration reduced the international community's trust in China and negated the trust necessary for President Xi to reach a deal with Taiwan's leadership on peaceful unification.<sup>13</sup> Had China fulfilled its legal commitments vis-à-vis Hong Kong, a one country two systems arrangement between China and Taiwan may have been more tenable. But, as one country two systems did not work in Hong Kong, it is even less likely to work in Taiwan given the present level of its democracy.

## **B) The South China Sea Arbitration: Breach of UNCLOS**

On June 7, 1996, China ratified the United Nations Convention on the Law of the Sea

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<sup>12</sup> U.S. Department of State, "2023 Country Reports on Human Rights Practices: China (Includes Hong Kong, Macau, and Tibet) - Hong Kong," 1-2, <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/china/hong-kong/>.

<sup>13</sup> The People's Republic of China has long viewed Taiwan as a renegade province, a view rejected by Taiwan.

(UNCLOS),<sup>14</sup> agreeing to the Treaty's compulsory dispute settlement provisions.<sup>15</sup> Despite acceptance, China refused to participate in *The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China)*<sup>16</sup> which then proceeded based on Annex VII, Article 9 of the Treaty.

The *South China Sea Arbitration* involved China's extensive territorial claim over land masses in the South China Sea predicated on the so-called "nine-dash line".<sup>17</sup> The Tribunal's 12 July 2016 Final Award found that "there was no legal basis for China to claim historic rights to resources within the sea areas falling within the 'nine-dash line' and that "none of the features claimed by China was capable of generating an exclusive economic zone".<sup>18</sup>

China's decision to ignore the Tribunal's final award has impaired its relationship with Malaysia, Vietnam, the Philippines, and Brunei all of which have territorial claims in the South China Sea.<sup>19</sup> China's military, naval, and coast guard presence in the region continues to grow, as do its naval grey zone operations.<sup>20</sup> These actions have further damaged China's international legal standing, and relationship with these countries.

In response, the United States and its allies have begun to act, including their own grey zone operations. In April 2024, the United States, Japan, Australia, and the Philippines conducted naval drills off the coast of the Philippines,<sup>21</sup> and the United States is asserting its maritime rights

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<sup>14</sup> United Nations Convention on the Law of the Sea (UNCLOS), Montego Bay, 10 December 1982, [https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY&mtdsg\\_no=XXI-6&chapter=21&Temp=mtdsg3&clang=\\_en](https://treaties.un.org/pages/ViewDetailsIII.aspx?src=TREATY&mtdsg_no=XXI-6&chapter=21&Temp=mtdsg3&clang=_en) (Dates of Signature and Ratification); [https://treaties.un.org/doc/Treaties/1994/11/19941116%2005-26%20AM/Ch\\_XXI\\_06p.pdf](https://treaties.un.org/doc/Treaties/1994/11/19941116%2005-26%20AM/Ch_XXI_06p.pdf) (Convention).

<sup>15</sup> The dispute settlement provisions under UNCLOS are set forth in Part XV. Compulsory jurisdiction is dealt with in Section 2 of Part XV. Jurisdiction when a party fails to appear is treated in UNCLOS Annex VII Article 9 (Default of appearance),

<sup>16</sup> *The South China Sea Arbitration (The Republic of Philippines v. The People's Republic of China)*, <https://pca-cpa.org/en/cases/7/>.

<sup>17</sup> Both China and Taiwan rely on the 'nine-dash line' to support their expansive territorial claims in the South China Sea. The 'nine-dash line' is predicated on a post-World War II Taiwanese map under which Taiwan and China both claim sovereignty over the Spratly and Paracel Islands.

<sup>18</sup> Press Release, Permanent Court of Arbitration, "The South China Sea Arbitration (The Republic of The Philippines v. The People's Republic of China)," 12 July 2016, <https://pcacases.com/web/sendAttach/1801>.

<sup>19</sup> Tensions owing to China's aggressive behaviour persist in the South China Sea, with Vietnam over the Paracel Islands, Malaysia and the Philippines over the Spratly Islands, and with Brunei over Louisa Reef.

<sup>20</sup> A United States Special Operations Command White Paper entitled "The Gray Zone" defines Grey Zone challenges as "competitive interactions among and within state and non-state actors that fall between the traditional war and peace duality." 9 September 2015, <https://publicintelligence.net/ussocom-gray-zones/>.

<sup>21</sup> The Japan Times, "Philippines, U.S., Australia and Japan hold joint military drills in disputed South China Sea," 7 April 2024, <https://www.japantimes.co.jp/news/2024/04/07/japan/politics/japan-australia-philippines-us-south-china-sea-exercise/>.

in the South China Sea through Freedom of Navigation Operations.<sup>22</sup> Indonesia, Vietnam, and Malaysia also continue to pursue oil and gas projects in contested areas.<sup>23</sup>

The UNCLOS Treaty established guardrails within which signatories are expected to act. But again, there is no way short of force to enforce Philippine and other claims. China's breach of its UNCLOS treaty obligations has heightened regional tension, increased the risk of confrontation, and reduced China's stature worldwide. Once again, a nation's failure to abide by its international legal commitments has distanced it from its neighbours and weakened international trust. Nevertheless, international law has only proven effective to marshal international support. It has proven ineffective to curtail China's territorial ambitions.

### **C) The Uyghurs: Human Rights Abuses**

On 31 August 2022 the Office of the United Nations High Commissioner for Human Rights reported on China's treatment of the Uyghurs.<sup>24</sup> The report documented deprivations of liberty, arbitrary detention based on ethnic identity without due process, allegations of torture and other forms of cruel, inhuman or degrading treatment, sexual and gender-based violence including rape, restrictions on Muslim religious practices, indications of violations of reproductive rights, indications of coercive employment schemes, and patterns of family separation.<sup>25</sup>

Citing China's genocide against the Uyghurs,<sup>26</sup> the United States imposed import, export, investment, and visa restrictions on China under the Uyghur Forced Labor Prevention Act (UFLPA).<sup>27</sup> These sanctions target companies, individuals, and the trade of products associated with China's human rights violations in western Xinjiang region.<sup>28</sup> Europe has also imposed a

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<sup>22</sup> Heather Mongilio, USNI News, "China Protests U.S. South China Sea Freedom of Navigation Operation," 24 March 2023, <https://news.usni.org/2023/03/24/china-protests-u-s-south-china-sea-freedom-of-navigation-operation>; America's Navy, "U.S. Navy Destroyer Conducts Freedom of Navigation Operation in the South China Sea", 10 May 2024, <https://www.navy.mil/Press-Office/News-Stories/Article/3771407/us-navy-destroyer-conducts-freedom-of-navigation-operation-in-the-south-china-sea/>.

<sup>23</sup> Radio Free Asia, "Hunt for oil and gas increases risk of flashpoints in South China Sea, report says," 8 March 2023, <https://www.rfa.org/english/news/southchinasea/scs-oil-gas-03082023234738.html>.

<sup>24</sup> United Nations Office of the High Commissioner Human Rights (OHCHR), "OHCHR Assessment of human rights concerns in the Xinjiang Uyghur Autonomous Region, People's Republic of China," <https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assesment.pdf>.

<sup>25</sup> OHCHR, paragraphs 46-48, 51, 57, 68, 78, 85, 114, 128, and 142.

<sup>26</sup> PBS, "U.S. imposes sanctions on China over human rights abuses of Uyghurs," 16 Dec. 2021, <https://www.pbs.org/newshour/world/u-s-imposes-sanctions-on-china-over-human-rights-abuses-of-uyghurs>.

<sup>27</sup> Uyghur Human Rights Project, "U.S. Sanctions List," (updated March 2024), <https://uhrp.org/sanctions/>.

<sup>28</sup> Pursuant to the UFLPA, between June 2022 and March 2025, US Customs and Border Protection stopped 15,975 shipments valued at US\$ 3.67 billion. 8,941 shipments were denied entry into US

limited travel ban.<sup>29</sup> In addition, products produced by Uyghur forced labour may run afoul of the EU's new Forced Labour Regulation<sup>30</sup> and its Due Diligence Directive.<sup>31</sup>

China's violations of international law in Xinjiang Province serve as a basis for US and EU economic sanctions, and EU Directives and Regulations. This response demonstrates the utility of international law to establish a moral roadmap, unify public opinion, and strengthen alliances among like-minded nations. These responses are consistent with the American and European trend to use economic policy as a lever to advance human rights, labour rights, and environmental goals. Again, these are normative guardrails. Although international law has proven effective to corral public opinion, it has yet to improve the plight of the Uyghurs.

#### **D) WTO Treaty Violations**

The United States accuses China of systematically violating treaty obligations arising under international economic law, specifically the WTO Agreement. In a report issued near the end of the Biden Administration, the United States Trade Representative, characterised China's WTO compliance as "poor" and its trade regime as "predatory".<sup>32</sup> The United States faulted China for its "state-led, non-market approach to the economy and trade, which relies heavily on significant interventions in the market by the Chinese government...".<sup>33</sup> It also criticised China for many other violations of the WTO Agreement: adopting subsidy-based industrial policies that seek to dominate certain targeted industries, violations of the WTO Agreements transparency provisions, according impermissible preferences to its state-owned enterprises, theft of intellectual property, trade secrets and confidential business information, impermissible efforts to favour the incorporation of local content in Chinese made products, and establishing unique national

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commerce, and 5,678 were released. U.S. Customs and Border Protection (CBP) Uyghur Forced Labor Prevention Act Enforcement Statistics, June FY2022 to FY2025 to date", <https://www.cbp.gov/newsroom/stats/trade/uyghur-forced-labor-prevention-act-statistics> (updated monthly).

<sup>29</sup> In 2021 the European Union imposed travel bans and asset freezes on four Chinese officials. Although the EU has adopted new anti-coercion measures (that can be used in response to foreign economic pressure) it has not applied them in the Uyghur context.

<sup>30</sup> Regulation of the European Parliament and of the Council on prohibiting products made with forced labour on the Union market and amending Directive (EU) 2019/1937, 6 November 2024. <https://data.consilium.europa.eu/doc/document/PE-67-2024-INIT/en/pdf>.

<sup>31</sup> Directive (EU) 2024/1760 of the European Parliament and of the Council of 13 June 2024 on corporate sustainability due diligence and amending Directive (EU) 2019/1937 and Regulation (EU) 2023/2859, <https://eur-lex.europa.eu/eli/dir/2024/1760/oj>, 5 July 2024.

<sup>32</sup> United States Trade Representative, "2024 Report to Congress on China's WTO Compliance", (USTR 2024), January 2025, 2, <https://ustr.gov/sites/default/files/files/reports/2025/2024USTRReportCongressonChinaWTOCompliance.pdf>.

<sup>33</sup> USTR 2024, 2.

standards that favour Chinese producers. It also accused China of lax enforcement of environmental rules, and persistent violation of generally accepted international labour law norms (forced labour, absence of collective bargaining, etc.).<sup>34</sup>

This report built on an earlier USTR report accusing China of violating the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs Agreement).<sup>35</sup> The United States Trade Representative's "2024 Special 301 Report" devoted considerable attention to China's alleged TRIPs violations.<sup>36</sup> China is cited for inadequate trade secret protection and enforcement,<sup>37</sup> the production, distribution, and sale of counterfeit medicines, fertilizers, pesticides, and under-regulated pharmaceutical ingredients.<sup>38</sup> China is also cited as a leading source for the sale of counterfeit goods through e-commerce, widespread online piracy and the production and sale of systems that facilitate copyright piracy,<sup>39</sup> obstacles to patent enforcement,<sup>40</sup> bad faith trademark registrations,<sup>41</sup> erroneous trade mark refusals,<sup>42</sup> the grant of poor quality patents,<sup>43</sup> and the "decrease in transparency and the potential for political intervention" in its judicial system.<sup>44</sup> China remained on the US Priority Watch List for 2024, meaning its intellectual property system was subject to monitoring.<sup>45</sup> China is also listed as the European Union's "Priority 1" country for IP monitoring,<sup>46</sup> and was until 2 April 2025 the subject of a WTO intellectual property dispute settlement proceedings brought by the EU.<sup>47</sup>

China's alleged WTO violations have aggravated its trade relationships with the United

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<sup>34</sup> USTR 2024, 2-7.

<sup>35</sup> The TRIPs Agreement is part of the Marrakesh Agreement Establishing the World Trade Organisation (WTO Agreement), [https://www.wto.org/english/docs\\_e/legal\\_e/27-trips\\_01\\_e.htm](https://www.wto.org/english/docs_e/legal_e/27-trips_01_e.htm).

<sup>36</sup> Office of the United States Trade Representative, "2024 Special 301 Report," (USTR 301), <https://ustr.gov/sites/default/files/2024%20Special%20301%20Report.pdf>. Pages 44-53 are devoted to China-related intellectual property concerns.

<sup>37</sup> USTR 301, 45-46.

<sup>38</sup> USTR 301, 46-47.

<sup>39</sup> USTR 301, 46-47.

<sup>40</sup> USTR 301, 48.

<sup>41</sup> USTR 301, 50.

<sup>42</sup> USTR 301, 50.

<sup>43</sup> USTR 301, 52.

<sup>44</sup> USTR 301, 51.

<sup>45</sup> USTR 301, 44. Monitoring is pursuant to Section 306 of the US Trade Act of 1974, as amended (19 U.S.C §2416).

<sup>46</sup> See European Commission, "Report on the protection and enforcement of intellectual property rights in third countries," (SWD 2023 153 final), 17 May 2023, 16-24, <https://circabc.europa.eu/rest/download/7099aee0-c68f-42c5-ae30-5350a879a30e>.

<sup>47</sup> On 4 April 2025, the Panel notified the WTO Dispute Settlement Body of its 2 April 2025 decision to grant the request of the parties to suspend the proceedings. WT/DS611/10, *China-Enforcement of intellectual property rights*, Suspension of Panel Work, Communication from the Panel, 4 April 2025, <https://docs.wto.org/dol2fe/Pages/SS/directdoc.aspx?filename=q:/WT/DS/611-10.pdf&Open=True>.

States and the European Union and brought into question China's desire to adhere to its WTO commitments. China's actions and inaction are providing considerable ammunition for the newly elected Trump administration which seems intent upon targeting China's trade policies.

Again, international law, in this case international economic law, has set clear norms for WTO members, but it has proven relatively ineffective at deterring violations by larger nations. Nevertheless, China has made some progress improving its IP regime. This suggests that export dependent nations, like China, may be more inclined to strengthen conformity with international economic law (WTO rules) since these rules further their direct economic interest.

### **Conclusion: International Law's Role in a Strat-Dominated World**

From a statecraft perspective, international law served American and European interests politically after Russia invaded Ukraine. Russia's violation of Ukraine's sovereignty in defiance of international law resulted in a stronger NATO alliance and decreased dependence on Russian energy resources. Under the banner of international law, the Americans and Europeans gained the moral high ground, but at considerable economic cost. Is the same beginning to hold true with China? It is harder to say under the Trump administration. We nevertheless offer the following observations.

China's more aggressive military posture vis-à-vis Taiwan and the South China Sea has heightened its neighbours' suspicion, and that of the United States and Europe, and is helping to further a collective response. China's disregard for portions of The Sino-British Joint Declaration, UNCLOS, human rights instruments, and the WTO Agreement undermine China's long-term credibility and are sources of concern that influence collective decision-making. China's repeated disregard for its international legal obligations has enabled Western nations to strengthen their military, economic, and strategic partnerships in Asia. As a result, China now faces US trade and investment sanctions, travel restrictions, and coordinated naval manoeuvres. Its EU supply chains are also under increasing scrutiny.

Russia and China's violation of international norms governing state sovereignty, territorial integrity, trade law, and human rights have elicited concerted US and European responses. But these responses have not resulted in a major change in either Russian or Chinese behaviour. International law has proven to be an effective rallying cry, but only that. Russian troops remain in Ukraine. China continues to threaten Taiwan and mistreat the Uyghurs, and to pursue an expansionist agenda in the South China Sea. Under the Trump administration, the problem has become more complicated. It is difficult to predict how President Trump will respond to continued

Russian aggression against Ukraine, or Chinese threats against Taiwan.

In conclusion we find that the role of international law in a strat-dominated world remains limited. It establishes guardrails that aid the United States and its allies to marshal public opinion but alone is unable to solve complicated international problems among major powers unless there is buy-in from the parties to a dispute. This guardrail function nevertheless remains important. Admittedly Russia ran roughshod over these guardrails, but China is a more careful actor. Of course, there are fundamental differences between Russia and China. China is much more integrated into the international economy, and much more dependent on the import of the primary products needed to produce the finished goods on which its prosperity depends. As a result of its trade dependencies, China may eventually become more sensitive to international economic law and may in the long-term value greater compliance with WTO rules.<sup>48</sup> Again, this is difficult to predict given the unilaterally imposed tariffs which the Trump administration has levied against China.

For now, China seems to understand that political power does not always grow from the barrel of a gun – it can also bloom from peace and economic prosperity. China's domestic support is deeply intertwined with its economic development and prosperity. This prosperity is contingent upon stable supply chains, maintenance of its trade relationships with the United States, Asia, and Europe, and access to natural resources from the South. China appreciates that it is living in a world of complex interdependence and many of its actions suggest a level of pragmatism that the United States and Europe seem to appreciate. This would change were China to invade Taiwan or undertake direct military action in the South China Sea. Were China to do either, it would risk disruption of trillions of dollars in trade and financial flows, which would result in a sharp reduction in the prosperity of its citizens.

To harken back to Lao Tsu, China is far from being despised for its legal failings, but it has overplayed its hand in Hong Kong, Taiwan, the South China Sea, with the Uyghurs, and at the WTO. As in the case of Russia, the United States and the European Union continue to buttress their foreign policy and strategic thinking, in part, on China's disrespect for international law. Were China to strengthen its compliance with international law, it would find that its relations with the West and its prosperity would both improve. While international law is not the mightiest weapon in the US and European quiver, its vitality as a proven means to unite nations should not

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<sup>48</sup> Despite US tariffs on Chinese products dating back to the first Trump administration, as well as a plethora of anti-dumping duties, there is presently little indication that China intends to make major changes to its trade regime to satisfy its Western trading partners.

be underestimated, or at least until now.

When we set out to examine the role of international law in a strat-dominated world, our intention was to focus on the US and European responses to alleged Russian, Chinese, and North Korean breaches of international norms. With the inauguration of the Trump administration, and the surprising change in US foreign policy, both political and economic, it may now be time to look at recent US actions from the perspective of public international law.

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