

## Policy Brief

### The Strategic Role of a German-Led Coalition of the Willing in Ukraine's EU Accession Process

EU accession negotiations with Ukraine do not fit the typical pattern of EU enlargement, as seen in 2004, in the accession of states in Central and Eastern Europe. There are several reasons for this on the Ukrainian side. First, negotiations are taking place under the unprecedented conditions of an ongoing war that is taking a constant toll on human and financial resources. This weakens Ukraine's administrative capacity, which was already insufficient prior to the full-scale invasion.

In addition, the balance of power between the president, the government and the parliament has been gradually shifting towards the concentration<sup>1</sup> of authority in the presidential office, and this poses challenges for implementation of reforms. These developments result in a constant pressure on the reform process within the framework of the accession negotiations, as successful reform implementation entails more than just formal legal harmonization with the EU *acquis*. A strong system of governance with sufficient human and financial resources is essential for the effective implementation of pro-European reforms.

In addition to the factors on the Ukrainian side mentioned above, certain trends on the EU side are also of relevance. The deliberately cautious public messaging from Brussels,<sup>2</sup> intended to secure continued support for Ukraine during the war from EU member states, does not sufficiently incentivise Ukraine's political elites to pursue politically costly reforms. The EU member states should be encouraging such reforms, in order to avoid future crises similar to the NABU and SAPO episode in July.

The challenge is that when public, constructive criticism is not considered feasible, the EU member states need alternative instruments that they can use to encourage difficult political reforms in Ukraine. The recent reshuffle within the Presidential Office of Ukraine represents a unique opportunity to introduce such an instrument and to push political elites toward the implementation of challenging political reforms in the framework of the EU accession negotiation process.

A consistently positive public messaging toward Ukraine from the EU started with the implementation of the seven requirements for maintaining candidate status in 2022. This was necessary in the early phase of Russia's war of aggression to ensure political unity. As the war has dragged on, however, this approach has increasingly taken on a life of its own. The combination of unconditional public solidarity and the widespread renunciation of political criticism has changed the incentive structure for far-reaching reforms. Thus far, the Ukrainian government has been able to postpone politically sensitive but institutionally crucial reform steps without incurring any noticeable consequences within the accession process. Developments surrounding NABU and SAPO in 2025 make it clear that this approach has reached its limits.

The war has shifted the institutional balance between the presidency, the cabinet, and the parliament. Meanwhile, the reform of Ukraine's public administration remains incomplete, and civil service professionals are leaving the service more than it was before the full-scale invasion. This undermines the

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<sup>1</sup> Ukraine during the Russian War of Aggression. The Nexus between Internal Developments and EU Accession, SWP, Susan Stewart, 06.09.2024: <https://www.swp-berlin.org/publikation/ukraine-during-the-russian-war-of-aggression>

<sup>2</sup> EU agrees on positive enlargement report for Ukraine, avoids "reversal of reforms" narrative, Ukrainska Pravda, November 4, 2025: <https://www.pravda.com.ua/eng/news/2025/11/04/8005739/>

state's ability to act, which is all the more problematic as Ukraine is simultaneously waging war and preparing complex accession negotiations. Bottlenecks in key ministries are less an isolated administrative problem and more a systemic risk for the entire enlargement process.

The European Commission can only address these challenges to a limited extent. Its mandate is primarily technical in nature, and the political situation makes it unwilling to engage in public confrontation which might undermine the unity of the EU. The limitations of technical support instruments become quickly apparent when informal power relations, the logics of political decision-making, or institutional blockages determine the progress of reforms. This creates an implementation gap between formal conditionality and political reality.

Taking these tendencies into consideration, EU member states, and particularly Germany, should modify the approach they have taken for negotiations with Ukraine thus far. Germany should initiate a closed high-level political dialogue with Ukraine on political reform and should lead that dialogue within the framework of a new kind of "coalition of the willing". This coalition should consist of EU member states that actively support Ukraine's accession to the EU and are prepared to take on political responsibility on more than a symbolic level. Rather than fuelling division on European enlargement policy, such a format would strengthen it by affording a platform for those member states that are prepared to bring political substance to the process.

The platform would be explicitly designed to complement the work of the European Commission, and its activities would be carried out in close consultation with the EC. Its added value would consist in the creation of a confidential political space in which reform blockages could be openly identified, realistic reform paths developed, and political expectations clearly communicated—without public escalation and without calling Europe's solidarity with Ukraine into question. Meetings at realistic intervals, e.g., of about every three months, would enable continuous but not overloaded political steering.

The dialogue should bring together high-level representatives of the German cabinet and parliament, representatives of the EU states in the coalition of the willing, and representatives of the Ukrainian presidential administration, cabinet, and parliament, as well as a limited number of selected civil society actors with proven expertise in European integration. The civil society role would be analytical in nature: its experts should provide evidence-based assessments, evaluate reform options, and provide factual support for political decision-making processes.

### ***Objectives of the platform:***

- The promotion of politically sensitive reforms that are central to the accession process but are not adequately addressed by existing European instruments—in particular, the reform of public administration, the stabilization of ministerial structures, the protection of a professional civil service, and the institutional balance between the president, the government, and parliament.
- Increased effectiveness of European and bilateral technical assistance through the incorporation of political realities into the design of reform projects at an early stage.
- The facilitation of prompt political feedback enabling reform setbacks or blockages to be identified and addressed politically within the coalition of the willing in a timely manner before they burden the formal accession process.

## ***Priority topics for the platform:***<sup>3</sup>

- 1. Public administration reform (PAR)** should play a key role in the accession negotiation process. The following aspects should be prioritised:
  - A) Strategic planning of PAR. Development and adoption of an effective strategy for public administration reform.
  - B) Government formation. Adoption of a revised version of the Law on the Cabinet of Ministers and Ministries with the aim of preventing the Ukrainian practice of frequent changes of the Government's structure through merging and splitting ministries by defining the ministries responsible for specific policy sectors, as such rearrangement has negative impact for the whole accession negotiation process. Introduction of the practice under which the office of prime minister is appointed solely by Parliament and can then form the Cabinet of Ministers of Ukraine himself. This would give the prime minister greater independence and responsibility for the ministers appointed.
  - C) Policymaking: introduction of the entire policy-making cycle, from problem-identification in specific policy directorates and consultations with stakeholders to the adoption of legislation and monitoring of its implementation.
  - D) Action to ensure that access to the civil service is open to professional and experienced personnel. Reintroduction of the competitions for civil servants.

## **2. Priorities for rule of law reform:**

- A) Reform of the Prosecutor's Office: introduction of a meritocratic approach (open competition) to the process for the selection of prosecutors.
- B) Anti-corruption reform: increasing the analytical and expert capacity of the NABU and the SAPO, enabling them to fulfil their functions properly. The aim should be to solve the challenges associated with the selection of judges serving on the High Anti-Corruption Court of Ukraine.
- C) Judicial reform: adoption of the Strategy for Reforming the Justice System, which is not adopted officially in Ukraine at a strategic level. Steps to ensure that candidates selected by the advisory expert group for the Constitutional Court of Ukraine are appointed in a timely fashion, so that the Court can function as it should. The involvement of international experts in judicial selection procedures in conjunction with the development of selection formats to be implemented once the international experts' mandate expires and Ukraine becomes an EU Member State.

## ***In lieu of a conclusion***

On 12 December, EU Commissioner Marta Kos and Deputy Prime Minister of Ukraine Taras Kachka issued a joint statement<sup>4</sup> outlining ten reform priorities that Ukraine is expected to implement in 2026. Most of these

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<sup>3</sup> These priorities were developed on the basis of an expert interview with Viktoria Melnyk, Head of International Relations and European Integration at the Centre of Policy and Legal Reform.

<sup>4</sup> [https://www.eeas.europa.eu/delegations/ukraine/joint-statement-between-commissioner-marta-kos-and-deputy-prime-minister-ukraine-taras-kachka\\_en?fbclid=IwY2xjawPW9\\_VleHRuA2FlbQlxMABicmlkETE5MW4zWUlWbW0xc2Y3cnJCc3J0YwZhHBfaWQQMjI](https://www.eeas.europa.eu/delegations/ukraine/joint-statement-between-commissioner-marta-kos-and-deputy-prime-minister-ukraine-taras-kachka_en?fbclid=IwY2xjawPW9_VleHRuA2FlbQlxMABicmlkETE5MW4zWUlWbW0xc2Y3cnJCc3J0YwZhHBfaWQQMjI)

priorities correlate with those identified for our platform in rule of law. This alignment demonstrates that the identified reforms are not only relevant and necessary for Ukraine, but also politically sensitive and challenging. Given existing political and security risks, the reforms will require enhanced oversight by EU member states, even within the framework of the accession negotiation process. Another reason that this additional oversight is necessary is that the negotiation process is still unfolding largely along a technocratic track, with limited political involvement, a situation which is likely to persist until the EU finds a solution to the Hungarian veto. Even once accession negotiations are officially unblocked, political-level monitoring of sensitive and challenging reforms in Ukraine will continue to be necessary to ensure that the negotiation process remains manageable and effective.

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