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# Ukraine's Policy towards the European Union: A Case of 'Declarative Europeanization'

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**Version 1**

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### **1. Introduction**

Since the late 1990s, Ukraine has expressed the intention of joining the European Union and has sought the mere prospect of EU membership. The decision to pursue membership seemed to imply a willingness on the part of Ukrainian elites to satisfy the concrete political and economic preconditions of EU membership. Yet despite repeated declarations by the political leaders asserting the country's 'European choice', Ukraine has failed to face up to the challenge of transforming itself 'into a fully European country, measured by stability and prosperity, rather than just a country which is located in Europe'.<sup>1</sup>

Ukraine's domestic reforms have floundered. Not only are there question marks over the commitment of the Ukrainian political class to the ideals espoused by the EU – democracy, the rule of law, the respect for human rights. The inconsistent record of economic reforms has also cast doubts on Kyiv's commitment to a functioning market economy: liberalization of prices and trade remain still to be achieved; barriers to market entry and exit are still prominent; and property rights, laws and contractual obligations remain far from transparent and enforceable in courts.

Moreover, Ukraine's desire for membership jars with the fact that Kyiv has found it even difficult to meet existing obligations, as evidenced by the conspicuous breaches of the Partnership and Co-operation Agreement towards the end of the 1990s. Ukraine appeared to fundamentally underestimate the implications of the demands of the PCA, as well as the ramifications of violations of laws and agreements by which it had bound itself.<sup>2</sup> As Sherr has pointed out, 'Ukraine's political leaders have sometimes acted as if they could achieve integration by declaration, or simply by joining and participating in international organizational and political clubs rather than by undertaking concrete structural changes.'<sup>3</sup>

By the spring of 2003 the gap between the desire to integrate and failures the implementation of the 'entry level' agreement, the Partnership and Co-operation Agreement, let alone the actual efforts to accelerate the domestic transformation to give credibility to Ukraine's 'European aspirations' has been hardly closed. So it appears that while the benefits of participation in European integration are not lost on the Ukrainian elites, they have been incapable and/or unwilling to bring about the reforms to prove these intentions.

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<sup>1</sup> John Tedstrom, 'The EU and Ukraine: A Transatlantic View', in Ann Lewis (ed.), *The EU and Ukraine: Neighbours, Friends, Partners?*, (London, the Federal Trust, 2001), p. 33.

<sup>2</sup> Oleksandr Pavliuk, *The European Union and Ukraine: The Need for a New Vision. Policy Paper Based on the Study on the Current State and Prospects of Relations between the European Union and Ukraine* (Kyiv: EastWest Institute, 1999), p. 12.

<sup>3</sup> James Sherr, *Ukraine's New Time of Troubles* (Camberley: Conflict Studies Research Centre, 1998), p. 12.

This mode of integration, which is mostly limited to foreign policy declarations and does not translate into the domestic policy agenda, is defined in this paper as ‘declarative Europeanization’. It is contrasted with the ‘deep’ mode of Europeanization, which would entail extensive changes to institutions and policies at the domestic level, as it did in east-central European states (ECE) in anticipation of their accession to the European Union.<sup>4</sup>

The purpose of this paper is two-fold. Firstly, it analyses the sources of Ukraine’s policy towards the EU in order to shed some light on the reasons of the apparent inconsistency between the westernization of Ukraine’s foreign policy and the floundering domestic political and economic reforms.

It is argued that the key driving force for EU membership are the Ukrainian elites. Society remains simultaneously divided and ambivalent about foreign policy orientation in general and although it is supportive of Ukraine’s EU’s membership, the elites do not face societal pressure for pursuing this particular foreign policy option. In contrast, the elites seem ostensibly much more unified in their support for integration into the EU. However, despite this apparent uniformity, they are divided over their motivation to seek closer ties with ‘Europe’. For the dominant political force in Ukraine, the so-called ‘party of power’, European integration has been most of all a declarative resource utilised both for domestic politics and the foreign policies. But as reforms, a pre-condition for closer integration with the EU, clash with their group and personal interests, the ‘party of power’ has not pursued a domestic reform agenda. In particular, the institutional configuration, which allowed the ex-nomenklatura elites to extract considerable rent-seeking benefits by exercising control over the executive agencies of the state, has contributed to Ukraine’s inability to deliver the package of reforms necessary to give substance to pro-European declarations. This paper draws attention to the political and institutional configuration, which accounts for this ‘declarative mode’ of Ukraine’s integration with the EU.

Second, the paper focuses on how the EU policy vis-à-vis Ukraine is received in Ukraine and to what extent the current contractual framework meets the needs and interests of Ukraine. Being viewed as outdated and poorly coordinated, the current instruments are deemed inadequate to achieve deeper Europeanization and underpin closer integration between the EU and Ukraine. Moreover, it is argued that pro-reform forces look to the EU to extend the powerful leverage it had exercised in the candidate states, in the hope that it would stimulate political and economic transformation, as the domestic configuration of forces alone has not been conducive to implementing the reforms.

In order to present the necessary background, the paper starts with an overview of the Ukraine-EU relations and the outline of Ukraine’s reasons for seeking closer ties with the European Union.

## **2. Ukraine’s Evolving ‘European’ Aspirations**

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<sup>4</sup> Europeanization is an unwieldy term and has many contested meanings. There is no overarching theory of Europeanization. Rather the term draws attention to (diverse) changes in core domestic institutions of politics and for governance, undertaken in the processes of adaptation for European integration. Although Europeanization does not eliminate the established national structures and practices, it entails a degree of internalisation of European values and policy paradigms at the domestic level. See Johan P. Olsen, ‘The Many Faces of Europeanization’, *Journal of Common Market Studies*, Vol.40, No.5 (2002), pp. 921-52.

### 2.1 Ukraine's policy towards the EU after 1991: an overview

Until the break-up of the Soviet Union in 1991, Ukraine was effectively non-existent as an international actor and remained unrecognised as such, despite its nominal presence in the United Nations since 1945. Following its emergence as an independent state, Ukraine was quick to establish bilateral relations with the member states, but initially the relations with the EU has developed slowly (for the chronology of the relations over 1991-2002 see the appendix). After an uneventful first couple of years, Ukraine was the first CIS country to sign the Partnership and Co-operation Agreement in June 1994, a fact of a great symbolic importance for Ukraine at the time. However, the delay in ratifying the PCA frustrated Ukraine (as it took four more years for all of EU member states' parliaments to ratify the agreement). Frustration was exacerbated by the fact that by that time, the Ukrainian leadership decided to build on the initial progress by emulating the integrational trajectory of ECE, which by that stage moved closer to EU accession. In 1998, the central European states had moved forward towards EU membership, with the 'Luxembourg Six' (Poland, Hungary, the Czech Republic, Estonia, Cyprus and Slovenia) having opened accession negotiations with the Union. Having declared Ukraine's EU membership as a strategic objective already in 1996, in June 1998 (only 3 months after the PCA came into force), president Kuchma signed a 'Strategy on Ukraine's Integration with the European Union', which formally proclaimed membership of the EU as Ukraine's long-term strategic goal (see Box 1).<sup>5</sup> The more detailed 'Programme of Ukraine's Integration with the EU' was adopted in September 2000, which became the basis for some institutional changes in Ukraine to facilitate this integration (see below).<sup>6</sup>

#### **Box 1. The Strategy of Ukraine's Integration with the European Union**

**Main Directions:**

1. Adaptation of the Legislation of Ukraine to the *Acquis Communautaire* of the EU, Protection of Human Rights
2. Economic Integration and Development of Trade Between Ukraine and the EU
3. Integration of Ukraine within the Context of Pan-European Security
4. Political Consolidation and the Strengthening of Democracy
5. Adaptation of the Social (Welfare) Policy of Ukraine to the Standards of the EU
6. Cultural and Educational, and Science and Technology Integration
7. Regional Integration of Ukraine
8. Sectoral Co-operation
9. Co-operation in Environmental Protection

Considerable hopes were put on the Helsinki European Council in December 1999, where it was expected that Ukraine's membership aspirations would be at least explicitly recognised by the EU. But Ukraine had to satisfy itself with a 'welcome' of its 'European choice', and the adoption of a Common Strategy on Ukraine, designed to add a boost to the relations. Still, because Ukraine was keen to move faster than the EU (which upheld that the PCA and the CS were enough for the moment), it put forward a number of initiatives to deepen co-operation over 2000-01. The lack of response to those initiatives left the Ukrainian foreign policy makers somewhat frustrated but not dispirited.

<sup>5</sup> Ukrainian presidential decree no. 615 of 11 June 1998 .

<sup>6</sup> Ukrainian presidential decree no. 1072 of 14 September 2000.

## 2.2 Why 'Europe'?

Ukraine presents a whole portfolio of geographical, cultural, historical, political, economic and security reasons for wishing to join the EU.

Unlike the cases of Russia or Turkey, Ukraine's geographic location in Europe is unquestioned. Ukraine's Europeanness is boosted by the fact that a geographical centre of Europe, marked by the Vienna Geographical Society in 1911, is in the Transcarpathian region in western Ukraine.<sup>7</sup> The geographical justification goes hand in hand with the historical claims to Europeanness, typically exemplified by the fact that as early as in the eleventh century, the daughter of the prince of Yaroslav the Wise, Ann, became the queen of France.<sup>8</sup> This is, admittedly, 'Europeanness seen through the prism of a long cycle of several centuries';<sup>9</sup> Ukrainians are only too aware of the fact that they lack more tangible manifestations of Europeanness, such as full democracy, a market economy, a welfare state and high standards of living. Nevertheless, Ukraine's historical and geographical Europeanness underpins its claims for inclusion in contemporary Europe, defined specifically by EU membership.

The economic benefits of participating in European integration are not difficult to gauge. The goal of joining the EU implied a desire to reverse Ukraine's technological backwardness and uncompetitiveness by gaining access to the foreign credits, investments, technologies, that come with membership of the Union, let alone its markets.<sup>10</sup> Because Russia and the CIS remain Ukraine's biggest trading partners, Ukraine is locked into an economic and political dependency without the option of being able to modernise itself.

But it is mainly the geopolitical and security considerations, that since 1991 motivated Ukraine to seek membership of European sub-regional and regional institutions, including NATO (aspirations to EU membership were voiced earlier and more persistently than NATO membership).<sup>11</sup> Given the fact that many in Russia doubted the viability of Ukrainian independence, the very logic of asserting independence has dictated European integration as an inherent foreign policy goal for independent Ukraine.

The pre-occupation with geopolitics however has perhaps been misplaced. Since independence, the Ukrainian elites cherished the thought of Ukraine's 'geopolitical significance' to the West. Indeed, the marked increase in US interest in Ukraine in the second part of the 1990s appeared to support this conviction and accounts for a sense of complacency stemming from the premise that Ukraine was simply 'too important to fail'. Ukrainian elites have been too slow to realise that for the EU, its democratic development and economic performance matter far more than

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<sup>7</sup> Judy Batt, 'Transcarpathia: Peripheral Region at the "Centre of Europe"', in Judy Batt and Kataryna Wolczuk, (eds.), *Region, State and Identity in Central and Eastern Europe* (London, Portland, Or: Frank Cass, 2002), p. 155. However, several other countries in the region, including Poland, Lithuania, Belarus and Slovakia, have put forward similar claims to being the geographical centres of Europe.

<sup>8</sup> For example, the British ambassador to Ukraine, Robert Brinkley, asserted that 'Ukraine is a European country in geographical and historical terms', *Zerkalo Nedeli*, 7 December 2002.

<sup>9</sup> Catherine Guicherd, 'The Enlarged EU's Eastern Border. Integrating Ukraine, Belarus and Moldova in the European Project', *SWP-Studie*, Stiftung Wissenschaft und Politik, Berlin, 2002, p. 16.

<sup>10</sup> Oleksandr Pavliuk, *The European Union and Ukraine: The Need for a New Vision. Policy Paper Based on the Study on the Current State and Prospects of Relations between the European Union and Ukraine* (Kyiv: EastWest Institute, 1999), p. 12.

<sup>11</sup> Roman Wolczuk, *Ukraine's Foreign and Security Policy 1991-2000* (London and New York: RoutledgeCurzon, 2003).

Ukraine's geopolitical location. As a result of this lack of attention to political and economic factors, Ukraine paid little attention to importance of meeting PCA contractual obligations. The fact that the EU has kept Ukraine 'at arm's length' has made it clear that geopolitical factors alone are insufficient for integration with 'Europe'.

The discussion has thus far sketched out the systemic reasons for seeking EU membership. In essence they are similar to those driving post-communist, Eastern European states' 'return to Europe'. In all of those countries, historical, geographical, economic, political and geopolitical factors underpinned the motivation to seek membership of the EU and therefore to meet the multitudinous and stringent conditions necessary for EU accession. But these factors alone do not provide an adequate explanation for the particular declarative mode of Ukraine's 'return to Europe'.

Russia looms large in the case of Ukraine. If anything, the more imposing geopolitical stance adopted by Russia toward Ukraine might have been expected to act as a powerful motivating factor in Kyiv's drive towards the EU, as has been the case with Estonia, Lithuania, and Latvia. (Even though the latter two were invited to open the accession negotiations only in 2000, they caught up with preparations for membership with the 'first wave' countries and even overtook some of them, so that by 2002 all three former Soviet republics deemed to fulfil the conditions of EU membership and secured NATO membership). Yet, in contrast to the three Baltic states which 'have kept their eyes on the ball' that is EU and NATO membership, Ukraine has lagged behind and meandering in its reforms. Therefore, these systemic reasons alone do not provide us with an answer why the 'declarative Europeanization' have become a trademark of Ukraine's 'return to Europe'. So the following section will pertain to answer this question by having a closer look at the domestic configuration of forces, both the societal- and elite-levels.

### **3. 'Europe' in Domestic Politics**

#### *3.1 Societal Support for European Integration*

Ukrainian society is ambivalent about foreign policy orientation, including European integration. At first look, the population seems deeply divided over the issue. In most opinion polls, when presented with a choice, one-third of the population favours a pro-European orientation whereas a similar proportion supports Ukraine's reintegration with Russia or the CIS. The western provinces of the country are more favourably disposed to the west, whereas the eastern and southern oblasts favour closer ties with Russia and the CIS. However, when asked about European integration alone, 57 percent of the population supports Ukraine's membership of the EU (with 16.2 percent opposed and 26.2 percent undecided). Admittedly, there are important regional differences. In western Ukraine, Ukraine's membership of the EU is favoured by three quarters of the population (and opposed by 9.6 percent), whereas in southern Ukraine less than half of respondents believe that Ukraine should join the EU (47 percent in favour and 23.5 percent - opposed).<sup>12</sup> Nevertheless, EU membership evokes fewer differences in Ukraine than relations with Russia,

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<sup>12</sup> *Natsionalna Bezpeka i Oborona*, no. 2, 2002, pp. 35-45.

something which is supported in left-bank Ukraine and staunchly opposed in western Ukraine.

When the levels of support for Europe and Russia/the CIS are compared, it becomes evident that many people appear to favour the simultaneous strengthening of ties with Russia/the CIS *and* Europe. This suggests that even though society is keen on ‘European integration’, the Ukrainian public sees no contradiction between seeking EU membership and closer political and economic ties with Russia, despite the fact that Russia has not expressed an intention of joining the EU. Moreover, Ukrainian society at large is ill-informed about the dynamics of European integration. This is reflected in the fact that in 2000 as many as 60 percent support Ukraine’s entry in the next 5 years, notwithstanding Ukraine’s total unpreparedness to do so. The Ukrainian political scientist Mykola Riabchuk attributes these confused preferences to a profoundly ambivalent post-Soviet consciousness prevailing in Ukraine, which manifests itself in simultaneous societal support for mutually exclusive values, principles, policies and orientations.<sup>13</sup>

This societal ambivalence leaves the Ukrainian elites with a relatively free hand when it comes to foreign policy formation. Overall, the national elites are more favourably disposed towards a ‘European choice’ than is the population. But being better informed on the subject, the elites perceive the EU as disinterested in Ukraine and, hence, are sceptical about Ukraine’s prospects.<sup>14</sup> Nevertheless, ultimately, the ebbs and flows of Ukraine’s European orientation result almost exclusively from elite-level preferences, without neither an explicit endorsement or opposition from society.

### *3.2 Political Forces: Nobody Against ‘European Integration’, but Who in Favour of Reforms?*

Ukraine’s political scene has comprised numerous entities, which have tended to be ephemeral and unstable as evidenced by their nebulous ideological platforms, changing membership, and tenuous links with the electorate. The 2002 parliamentary elections delivered yet another line-up of contestants and a new set up of apparent ‘winners’ (see table 1).

When it comes to foreign policy preferences, no political force represented in parliament opposes Ukraine’s membership of the EU. However, the moderate, right wing force, represented by bloc ‘Our Ukraine’ headed by Viktor Yushchenko, is most consistent in its pro-Western (pro-EU and NATO) orientation, whereas the Communist Party is least supportive, and, in fact, is consistently supportive only of Ukraine’s political, economic and security integration with Russia/the CIS (see table 2). The rest of parliamentary factions is hovering somewhere in-between these two extreme positions. But considerable discrepancies on the optimal strategy can be discerned amongst those who favour closer integration with the EU (see below).

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<sup>13</sup> Mykola Riabchuk, ‘Bycie “miedzy”, czyli ambiwalencja społeczna i narodowa przyczyna niekonsekwentnej polityki wewnętrznej i międzynarodowej’, in Tadeusz Stegner, (ed.), *Wschod-Zachod. Ukraina* (Ostaszewo: Stepan Design, 1999), pp. 138-46.

<sup>14</sup> *Razumkov Centre Yearbook 2000*, (Kyiv, 2001), p. 134.

Symptomatically, while they differ in their view on Ukraine's foreign policy priorities, none of the forces (including the pro-European ones) believe the EU has a strong influence on Ukraine.<sup>15</sup>

**Table 1. Political Forces in Ukraine (after the 2002 parliamentary elections)**

<i>Orientation</i>	‘Party of Power’	‘Moderate’ Opposition	Opposition		
<b>Political Party/Bloc</b>	Bloc ‘For a United Ukraine’ and Social Democratic Party	Bloc ‘Our Ukraine’	Yulia Tymoshenko’s bloc	<i>Moderate Left</i> Socialist Party	<i>Radical Left</i> Communist Party
<b>Leader(s)</b>	President Kuchma & ‘oligarchs’	Yushchenko	Tymoshenko	Moroz	Symonenko
<b>Percentage of votes (on party lists) in March 2002 elections</b>	11.7% + 6.2%	23.5%	7.3%	6.8%	20%
<b>Number of Seats in parliament (out of 450) as of Feb 2003</b>	212*	102	18	20	60

\*By autumn 2002, the bloc splintered into a number of smaller factions.

Despite numerous declarations by Ukrainian foreign policy officials in external fora, the ‘European choice’ barely features in the domestic political debate and does not inform policy-making in Kyiv. This is because even though few are overtly opposed to it, it lacks staunch support of key political actors and the bureaucracy.

**Table 2. Foreign Policy Preferences of the Main Political Parties (March 2002)**

Issues	‘For a United Ukraine’	‘Our Ukraine’	Yulia Tymoshenko’s bloc	Socialist Party	Communist Party
Should Ukraine join the EU?	X	X	X	X	X
When is it necessary to pursue EU membership in practical terms?		X			
Within the next 5 years				X	
Within the next 10 years	X		X		X
Within the next 20 years					
<i>Should Ukraine join NATO?</i>		X			X
Yes					
No					X
It is a matter for the distant future	X		X	X	
<b>What should Ukraine’s policy towards the CIS be?</b>		X		X	X
Play a more active role					
Maintain the current level of involvement	X		X		
Leave the CIS					
<b>Should Ukraine join the Tashkent (defence) Treaty of the CIS countries?</b>					
Yes					X

<sup>15</sup> See also Policy Papers, International Standing of Ukraine – Foreign and Security Policy, Centre for Peace, Conversion and Foreign Policy of Ukraine, 2002 at website <http://foreignpolicy.org.ua>.



Should Ukraine join the (political) Union of Russia and Belarus?	No	X	X	X		
	Difficult to say				X	
Should Ukraine join the Eurasian Economic Association?	Yes					X
	No	X	X	X		
	Difficult to say				X	
	Yes			X		X
	No	X	X			
	Difficult to say				X	
	<b>Which countries have the strongest influence on Ukraine's foreign policy?</b>					
	EU			X	X	X
	US				X	
	Russia		X		X	
	Difficult to say	X				

Source: *Natsionalna Bezpeka i Oborona*, no. 2, 2002, pp. 28-31.

That pro-European declarations have not been accompanied by domestic policy choices can be attributed to the fact that political developments in post-Soviet Ukraine have been marked by two features 1) the broad continuity of the elites and 2) dominance of the executive, embodied in the presidency, over other branches of power. These two features have a major impact on shaping the political trajectory of Ukraine, and as such set Ukraine apart from ECE states.

During Ukraine's passage to independence, the communist nomenklatura elite shed off its communist ideology and membership of the Communist Party of Ukraine (CPU), but retained the grip on power, under the banner of asserting sovereignty and state building. At the same time, the unreformed and unrepentant Communist Party has remained the single largest party (with the exception of 1992-93 when it was delegalised) and until 1998 attracted the largest share of votes in parliamentary elections. The democratic opposition was too weak to take over power upon and after the passage to independence. Moreover, its ability to create an effective opposition to the ex-nomenklatura elite, who remained at the helm of the state, was jeopardised by them providing the support to the nomenklatura elite for the sake of state building. This included both seeing off threats to the territorial integrity of Ukraine, such as those presented by separatist forces in Crimea and the lack of recognition of Ukraine's border by certain of its neighbours, as well as fostering a sense of nationhood around a common set of symbols, language and historical memories. The threat of the 'red revenge', that is the return to power by anti-state, hardline communists, who questioned the very legitimacy of the Ukrainian state, pushed the democratic opposition into the ex-nomenklatura's embrace. This co-optation, the 'great bargain',<sup>16</sup> helped the ex-nomenklatura elite to secure and legitimise its stay in power. State building and democratisation turned out not to be mutually reinforcing in the case of Ukraine. The prioritisation of state building, while a necessary precondition for democratisation, facilitated the entrenchment of an elite which works to its own ends rather than contributes to the creation of a stable basis for political and economic reforms.

<sup>16</sup> Andrew Wilson, *The Ukrainians. Unexpected Nation* (New Haven and London: Yale University Press, 2000), p. 174.

The presidency became the flagship institution under the control of the members of the ex-nomenklatura elite. The section of this elite which came to control the executive branch came to be known as the ‘party of power’. While its individual members have changed, the primacy given to narrow individual and group interests remains the trademark of the ‘party of power’s ‘philosophy’ of governing. The presidency (that is the president who controls the cabinet of ministers and other executive state agencies) is the key instrument for enacting their interests. By utilizing constitutional prerogatives with informal political leverage, the presidency has come to overshadow other branches of power (legislature, judicial and regional governments). The domination of the executive resulted in a highly asymmetrical distribution of power. The ‘executive’ tutelage of Kuchma enabled the members of the ‘party of power’ to derive economic gains from access to political power. This led to a massive misappropriation of state assets and rent-seeking, without any fear of effective scrutiny and accountability from other state institutions and the electorate. From the mid-1990s, Kuchma’s entourage came to be dominated by oligarchs, individuals who enriched themselves by gaining access to political decision-making for their economic pursuits. Since 1998, the alliance of Kuchma and oligarchs began also to control the composition of the legislature, both through the electoral process as well as pursuing the ‘divide and rule’ (as well as ‘blackmail and bribe’) strategy in the parliament. These institutional power asymmetries in Ukraine has permitted the elite groupings to evade the costs of redistributing goods and created powerful incentives for exploitative, rent-seeking behaviour, even though this result is inefficient for society as a whole. This, in turn, has only deepened societal disillusionment with post-Soviet politics and left Ukrainian society politically disfranchised.

### *3.3 The 2002 parliamentary elections – foiled expectations or harbinger of change?*

The parliamentary elections in the spring of 2002 amounted to a sea-change in terms of electoral choices of the population. Despite the large-scale abuse of power on the part of the executive branch to skew the outcome in its favour, the pro-reform bloc, led by former head of the National Bank of Ukraine (*cum* reluctant politician) Viktor Yushchenko, achieved a ground-breaking victory. The elections also marked the beginning of the demise of the left: for the first time since 1994 (when the first free election in independent Ukraine took place), the reformers, rather than the left, emerged as the winner from an electoral contest.

In terms of the ‘European choice’, the result of the 2002 election seemed to bode well for Ukraine. The victorious moderate, right-wing forces are not only staunchly pro-European but also put more emphasis on reforming the economy. This set them apart from the ‘old’ democratic opposition, the so-called national-democrats, who neglected the economic dimension, owing to their prioritisation of the ‘national question’. The leader of the bloc, Viktor Yushchenko, demonstrated his reform credentials during the short spell in power in 2000, when the government he led, markedly improved the performance of the Ukrainian economy.

However, post-election developments foiled expectations; the elections did not deliver the expected breakthrough in terms of the balance of power. The reformist forces had won the popular mandate<sup>17</sup> but soon lost the ground in the legislature to the ‘party of power’. The ‘party’ holds a firm grip on the key executive positions and

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<sup>17</sup> More precisely, Yushchenko’s ‘Our Ukraine’ won the vote on party lists, but in the majoritarian districts the nominally independent candidates won, who then turned docile instruments in the ‘party of power’ hands.

blocks any challenges that could jeopardise its rent-seeking opportunities (as evidenced by the ousting of Ukraine's most successful government headed by Yushchenko in early 2001). Yet although the cassette scandal which erupted by late 2000 has removed any vestiges of popular support for president Kuchma, despite some challenges (i.e. mass demonstrations in Kyiv in late 2002), Kuchma appeared to have consolidated his power by 2002, as evidenced by the putting together of the pro-presidential 'majority' in the parliament. The 'majority', which lacks any clear ideological platform, was cajoled by the presidential entourage to support the president's moves within the parliament and to prevent any effective exercise of 'checks and balances' prior to the 2004 elections. The key positions within the executive branch (i.e. the prime minister, the finance minister and the head of the tax administration) were given to people for their ability to 'deliver the results' in favour of the president, rather than any reformist credentials. The elite gambles on preserving power almost regardless of the short- and long-term costs for the future of the country, even at the expense of the deterioration of Ukraine's international image. As has been the case since 1998, the much vaulted reforms become hostage to political contingencies, and the 'European choice' is not acted on.

### *3.4 Prospects for Change*

What are the prospects for change that would allow the alignment of domestic policy making with the proclaimed 'European choice' in Ukraine? Despite some efforts, the society did not mobilize to oust the incumbent into resignation over 2001-02 and it is unlikely that it will do so prior to the regular election time as, by large, the Ukrainian electorate tends to abstain from political action, other than participation in the elections. Given the overbearing of the presidency on the institutional landscape in Ukraine, the next presidential elections, scheduled for autumn 2004 will be crucial in deciding the political future in Ukraine. The results of the 2002 parliamentary elections delivered the blow to the 'party of power's ability to portray itself as the defence against the 'red revenge', and the 'lesser evil' than the return of the hardline communists. Without any popular appeal,<sup>18</sup> the 'party of power' is bound to rely even more heavily on 'administrative resources' and the tight control of the media to ensure a favourable result of the ballot box. Nevertheless, the political opposition and reoccurring mass protests (prompting the presidential circles to regain the control and initiative) represent challenges to the 'presidentialization' of politics and hence suggest that Ukraine is deviating from the post-Soviet style of politics. In other words, the apparent instability of the Ukrainian political scene carries a promise of change.

To this end, the situation in Ukraine is defined in terms of stark and pivotal choices. Year 2004 (somewhat symbolically as it coincides with EU enlargement) is increasingly viewed in Ukraine as representing a crossroad in terms of country's choice between a 'European model' of development and a 'post-Soviet model' currently pursued by the 'party of power', with few prospects for change, if the latter retains the control of the executive by installing one from its ranks as a new president.

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<sup>18</sup> In December 2002, none of the key political personalities from the presidential circle commanded the support of more than 10 percent of respondents in a public opinion survey.

### 3.5 *Uses and Abuses of the 'European Choice'*

Despite the above, in declarative terms, the ex-nomenklatura elite still remains pro-European. The discussion of the political situation in Ukraine so far explains why Ukraine has experienced stuttering reforms under the tutelage of president Kuchma. But this does not explain why the self-interested elite, which benefits from extensive rent-seeking, seeks integration into the EU and other regional institutions at the same time. For it has been the presidency that has been the source of pro-European declarations in Ukraine. As this section will argue, for the 'party of power' declarative European integration serves as an important legitimizing, discursive resource both in internal and external contexts.

In the domestic context, the proclamation of European aspirations boosts the legitimacy of the current regime for it made prosperity, peace and modernisation the cornerstone of his scarce ideological platform. And these goals are embodied in 'Europe'. In some ECE states in the 1990s, such as Slovakia or Romania, post-communist, rent-seeking elites resorted to ethno-nationalism to boost their legitimacy. Ukraine has eschewed this option. Ukrainian elites did not attempt to politicize the 'national question', for two reasons. Firstly, given the large Russian minority in Ukraine (17 percent according to the 2001 census), this would only threaten to destabilise Ukraine. Second, there is no support for ethno-nationalism amongst the titular majority, namely the ethnic Ukrainians. Ethnic identities tend to be weak in Ukraine and the regime has been careful not to mobilize them (or where they were stronger like in Crimea, not to politicise them further). Indeed, preserving multiethnic harmony has been a major (though rare) achievement of the Ukrainian 'party of power'.

Since 1991, Ukrainian elites largely eschewed the imperative of ethnocultural and linguistic revival (despite some nominal gestures) by nurturing the aspiration of Ukraine to re-join modern and prosperous European civilization. And while Ukrainian society has experienced the plummeting living standards resulting from the capturing of the state by individual and group interests, simultaneously the 'party of power' promises prosperity through seeking closer ties with the European Union, (that is 'Europe' in the popular discourse both outside and inside Ukraine). In the official narrative of identity, the elaboration of the particularistic historical credentials of Ukraine as a nation state coexists with proclaimed aspirations to peace, welfare and prosperity, most tangibly encapsulated in 'Europeanness'. However, given the EU's lukewarm reception of Ukraine's 'European choice', the elite is presented with the challenge of nurturing Ukraine's Europeanness, as a marker of identity (and difference from Russia), while remaining beyond key European institutions.<sup>19</sup>

'Europe' is also a pivotal resource in external relations. For the 'party of power', 'European integration' is a crucial component of its favoured foreign policy strategy, namely a multi-vector approach characterized by numerous 'strategic partnerships'.

Ukraine has continuously close ties with Russia both at societal and elite levels. Some Ukrainian ex-nomenklatura politicians have close (and often non-transparent) business links with Russia, especially in the energy sector. Many of them enjoy Russia's political support – Kuchma, the oligarchs and the communists, are seen as the guarantors of Russia's interests in Ukraine, as evidenced by the overt

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<sup>19</sup> Kataryna Wolczuk, 'History, Europe and the 'National Idea': the Official Narrative of National Identity in Ukraine', *Nationalities Papers*, Vol.28, No.4 (December 2000), pp. 672-94.

backing provided by them during the 2002 elections. Russia has persistently sought to draw Ukraine into closer political and economic ties, while viewing Ukraine's regional integration along the western axis as a threat to Russia's geopolitical interests. Many in Moscow still perceive Ukraine's rapprochement with the West as a zero-sum game, rather than a win-win situation.<sup>20</sup>

Nevertheless, the Ukrainian 'party of power' has resisted the pressure to foster too close political, economic and defence relations with Russia,<sup>21</sup> at least to some degree, in the anticipation of the expected benefits of 'rejoining' Europe. But the elite's 'room for manoeuvre' with Russia is limited. Macroeconomic stabilization achieved in the second part of 1990s has not been followed with necessary micro-economic reforms such as restructuring of industries and enterprises, and comprehensive tax, administrative and customs reforms. The lagging economic reforms undermined Ukraine's ability to withstand economic pressures from Russia, such as servicing its debts for energy resources supplied by Russia. This leaves Ukraine weakened and, hence, vulnerable to economic pressure from Russia, which has been gaining a foothold in strategic industries in Ukraine. In addition, Russia has offered the prospect of lower prices for energy and the lowering of trade barriers as an incentive Ukraine to join the Eurasian Economic Community (comprising, apart from Russia, Belarus, Kazakhstan, Kyrgyzstan and Tajikistan).

And Ukraine's 'European aspirations' are emphasised to counter the pressure from Russia. 'Europe' represented by the EU acts as a magnet against confining Ukraine to 'Eurasia' represented by Russia. However, driven by business interests, some oligarchs, such as Andriy Derkach, openly favour closer ties with Russia. But even they, symptomatically, couch this preference in terms of a European orientation, namely 'to Europe together with Russia'. However, the strategy captured by the slogan reflects an important qualification to Kyiv's official policy towards the EU, implying that it is Russia's policy towards the EU and desire to integrate with it that will set the pace and scope of Ukraine's integration with 'Europe'.

In the discursive realm, Ukrainian independence has been couched in terms of regaining the balance between the east and west, as both have historically shaped Ukraine, but the west was 'squeezed' out by the east, that is by the dominance of Russia.<sup>22</sup> In other words, Ukraine's independence, which is supported by the bulk of the political forces within Ukraine, has been presented as closely linked with regaining lost Europeaness of Ukraine. From this perspective, with Ukraine being a marker of identity, there appears no viable alternative to proclaiming a 'return to Europe' in Ukraine.

But given the lukewarm treatment of Ukraine by the EU, the 'party of power' is not constrained by any effective commitments associated with seeking membership of the EU. As Kuchma put it: 'nobody awaits us in Europe'. This situation absolves the elite of the need to prove their 'European credentials' by deeds. So while the prospect of membership is sought by Ukrainian politicians, the 'party of power' in general and president Kuchma in particular, seeks it as a form of international

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<sup>20</sup> Oleksandr Pavliuk, *The European Union and Ukraine: The Need for a New Vision. Policy Paper Based on the Study on the Current State and Prospects of Relations between the European Union and Ukraine* (Kyiv: EastWest Institute, 1999), p. 8. See also results of a survey of the Russian elites in *Razumkov Centre Yearbook 2000*, (Kyiv, 2001), pp. 124-131.

<sup>21</sup> See Roman Wolczuk, *Ukraine's Foreign and Security Policy 1991-2000* (London and New York: RoutledgeCurzon, 2003), Part II.

<sup>22</sup> Wolczuk, 'History, Europe and the 'National Idea': the Official Narrative of National Identity in Ukraine'.

recognition and not a proxy for domestic reforms. So the key question remains: is the 'European choice' merely a declarative, legitimizing resource ('declarative Europeanization') or will it lead to deeper Europeanization, that is inspire the reform process in Ukraine leading to an improvement of standards of public life and economic wellbeing.

### *3.6 The institutional framework for European integration*

The presidency has been the main source of acts behind Ukraine's 'European choice'. But given the domination of the presidency on the Ukrainian political landscape, 'European integration' is enacted only by a section of the political class represented by the presidency, which did not seek nor obtain endorsement from other state institutions, such as parliament, and society at large. For example, the key documents outlining the goals and strategy approved in 1998 and 2000, namely the 'Strategy and Ukraine's Integration with the European Union' and 'the Programme of Ukraine's Integration with the EU' were adopted by presidential decrees.

At the same time, the overall political activities of the presidential administration undermine the credibility of its pro-European intentions. Firstly, many in the presidential administration continue to favour a 'multi-vectored' foreign policy, something which accounts for the overall inconsistency in Ukraine's foreign policy, in that 'strategic partnerships' are proclaimed in response to immediate priorities rather than long-term strategic thinking.<sup>23</sup> The fact that Ukraine has wavered in its stance on membership of the CIS and the Eurasian Economic Community between 2002-03 is indicative of the importance assigned to the 'Eastern' vector. Secondly, and even more importantly, the presidential apparatus is behind the 'fits and starts' of Ukrainian reform, whereby despite repeated declarations, few reformist policies are seen through within the executive branch (other than those enabling the incumbent to control other institutions). So paradoxically, although it is the source of European aspirations in Ukraine, the presidency, simultaneously appears to be the greatest obstacle to realising these aspirations. Furthermore, given the implication of Kuchma in a scandal linking him to the disappearance and the murder of a journalist and the selling of arms to Iraq, which led to his ostracism in the West, the incumbent became a liability in Ukraine's European integration.

The day-to-day task of realizing Ukraine's 'European choice' is vested with the Ministry of Foreign Affairs (MFA), which is manned by pro-European officials (notable among them for his activism is the state secretary for European integration, Oleksandr Chalyi). The ministry has attempted to 'westernize' Ukraine almost unaided in so far as external relations are concerned, even though real power resides with the presidential administration. The MFA has to deal with the inconsistencies of the Ukrainian leadership and has endeavoured to foster closer ties with the EU, without the necessary 'back-up' of a positive 'reform balance sheet' (and while the head of state was marginalized on international fora). The pro-European former minister of foreign affairs, Borys Tarasiuk described this predicament as such: 'foreign policy cannot be good if domestic politics are bad'.

Much of Ukraine's bureaucracy remains ambiguous about, and even suspicious of, integration with the EU.<sup>24</sup> But in 2001 steps were taken to build up an

<sup>23</sup> *Razumkov Centre Yearbook 2000*, (Kyiv, 2001), pp. 18-23.

<sup>24</sup> Oleksandr Pavliuk, 'Ukraine and the EU: the Risk of Being Excluded', in Iris Kempe (ed.), *Beyond EU Enlargement* (Gutersloh: Bertelsmann Foundation Publishers, 2001), p. 73.

institutional framework for European integration in Ukraine. The name and portfolio of the Ministry of Economy were changed to include the term 'European integration', while within the MFA, a special Department for European Integration was created along with the post of State Secretary for European Integration. Also steps have been taken towards the harmonization of Ukrainian legislation with that of the EU, co-ordinated by the Ministry of Justice.

However, the efforts to integrate with the EU fall victims to deeper problems of the Ukrainian state institutions. The proliferation of bodies concerned with European integration resulted in over-institutionalization accompanied by weak co-ordination and lack of skilled human resources. This poor co-ordination is the result of competition between the bodies involved in European integration, such as the Ministry of Economy and European Integration and the Ministry of Foreign Affairs. Further complicating the scenario was the decision in January 2003 to create a new body, the State Council for European and Euroatlantic Integration decreed by president Kuchma. Tasked with co-ordinating Ukraine's political, economic, security and legislative integration in the European Union and NATO, the body is more likely to exacerbate than alleviate the problem of over-institutionalisation.<sup>25</sup> At the same time, the state apparatus is short of skilled, competent bureaucrats, knowledgeable in various aspects of European integration. For example, regular interactions with the EU under the auspices of the PCA (co-ordinated by the MFA) revealed the deficit of appropriate expertise within the Ukrainian bureaucracy. There are shortages of Ukrainian experts with a political mandate to work on specific areas of co-operation with the EU with their counterparts from the Commission.<sup>26</sup>

Significantly, the 2002 parliamentary elections brought about the activation of the Ukrainian parliament, the Verkhovna Rada. Building on the results of the parliamentary hearing on European integration in December 2001, a parliamentary committee on European integration was created in the aftermath of the 2002 elections.<sup>27</sup> The head of this committee, former foreign affairs minister Borys Tarasiuk, has sought parliament's endorsement for seeking EU and NATO membership, as well as to take under its wing the task of co-ordinating parliamentary measures related to European integration.<sup>28</sup>

Structured and regular interactions with the Union within the institutional framework of the PCA, as well as the lessons from the experience of East-Central Europe impacted on a better understanding the conditions for membership of the EU in Ukraine. By 2001, many state officials in Ukraine were less inclined to emphasise

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<sup>25</sup> The council is chaired by the president of Ukraine, who appoints the secretary and members of the council. The council includes the prime minister of Ukraine, the head of the presidential administration, the secretary of the National Security and Defence Council of Ukraine, the foreign minister, the minister of economics and European integration, the minister of defence, the justice minister, the president of the National Academy of Sciences, the director of the National Institute of Strategic Studies and the head of the National Centre for European Integration.

<sup>26</sup> Interview with Pavlo Sultansky, the Head of the Department for European Integration, the Ministry of Foreign Affairs of Ukraine, December 2002.

<sup>27</sup> The head of this committee is Borys Tarasiuk, a pro-western former Minister of Foreign Affairs. However, in a kind of balancing act, two other relevant committees, namely the committees on national security and defence, and foreign affairs, went respectively to Hryhoriy Kriuchkov and Dmytro Tabachnyk, who favour a 'multi-vectored' foreign policy.

<sup>28</sup> This committee was behind the 'Appeal by the Ukrainian Supreme Council to parliaments, Governments and People of the European Union Member States', 20 June 2002, published in *Holos Ukrainy*, 26 June 2002.

Ukraine's geopolitical location and acknowledge that, ultimately, Ukraine would have to introduce domestic reforms if it was to move closer to the legal, economic and social standards of the Union.<sup>29</sup> The term 'Copenhagen criteria', the political and economic criteria that the candidate states in ECE had to satisfy to become members (outlined by the EU in 1993), started to find its way into the vocabulary of Ukraine's state officials. However, in pursuit of European standards, the emphasis still continues to be on adopting new laws rather than actually enforcing them, the persistent Achille's heel of Ukraine's domestic reforms.

Overall, since 1998 Ukraine has expanded the institutional framework for European integration but without alleviating the problems troubling Ukraine's bureaucracy at large, such as inefficiency, poor coordination and lack of resources. Thus, these efforts have had a limited impact and important shortcomings remain. Undoubtedly, the wide array of state institutions have become involved (and developed a stake) in Ukraine's European integration, but the actual domestic awareness of the 'European choice' flounders, because of the delay in the much-needed overhaul of the state apparatus in Ukraine, a corollary of the reluctance of the dominant sections of the political elites to embark on, and not only declare, reforms. The 'European choice' is largely confined to foreign policy making and as such it does not inspire domestic decision making in a significant way.

#### **4. An Ukrainian evaluation of the legal framework governing EU-Ukraine relations – the view from Ukraine**

The greater awareness of the demands of European integration spawned Ukraine's scrutinization of the instruments that the EU adopted for relations with Ukraine. The Ukrainians' evaluation of these instruments in the context of their un/suitability to nurture 'European choice' in Ukraine will be undertaken in this penultimate section of this paper.

The EU has tended to regard the post-Soviet space (excluding the Baltic States) as rather homogenous, with all of them offered Partnership and C-operation Agreements (PCA). Accordingly, EU assistance programmes, such as Tacis, were tailored for the entire CIS (plus Mongolia). So the current contractual framework that governs EU's relations with the former Soviet Union offers limited differentiation between the countries depending on their geopolitical and economic importance. This includes the following:

- 1) Russia, Moldova and Ukraine were offered in their PCAs a possibility of having a free trade area with the EU, whereas other post-soviet states were not.
- 2) Russia and Ukraine have a more extensive institutional set up for contact with the Union.
- 3) Common Strategies, innovative foreign policy instruments, were only adopted for Russia and Ukraine among the post-Soviet states in 1999 in order to enhance the co-operation.

But for pro-European officials in Ukraine, this framework is insufficiently differentiated for a country like Ukraine, which declared its aim to join the EU. The

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<sup>29</sup> This is the opinion of Oleksandr Chalyi, the state secretary for European integration at the Ministry of Foreign Affairs: see *Natsionalna Bezpeka i Oborona*, no. 11 (23), 2001, p. 34.



current contractual relations are viewed as essentially inadequate to promote the 'European choice' in Ukraine.

#### *4.1. The Partnership and Co-operation Agreement*

In many respects, the Partnership and Co-operation Agreement, which is valid for ten years, resembled the association agreements signed between central and eastern European states and the EU. It provided the legal framework and instruments for co-operation in a number of areas, such as energy, trade, environment, transportation. However, in contrast to the association agreements, the PCA did not envisage EU membership ensuing.

Although the agreement provides a framework for political dialogue, based on democratic values, it primarily contains legally-binding provisions governing goods, services, labour and capital. In particular, the overarching aim of the PCA is to bring Ukraine in line with the legal frameworks of the single European market and the WTO system.<sup>30</sup> To this end, the agreement contains some evolutionary clauses (which are absent in PCAs with most other post-Soviet states) including the prospect of a free trade area with the Union.

In order to facilitate co-operation, the PCA became a basis for establishing a set of joint institutions, such as the Co-operation Council (consisting of representatives of the EU troika and the Ukrainian government), the Co-operation Committee (composed of senior civil servants and consisting of specialised sub-committees) and the Parliamentary Co-operation Committee (on which sit members of the European and Ukrainian parliaments).

Following a four-year gap between the signing and ratification of the PCA, Ukraine was pleased to finally have a fully-fledged contractual framework with the Union. In fact, the implementation of the PCA amounted to a steep learning curve on the EU for Ukrainian politicians and diplomats on the importance of contractual obligations for the Union. Upon the PCA coming into force, Ukraine repeatedly violated several of its legally binding provisions. In particular, Ukraine was soon in breach of virtually all key provisions on trade in goods, including most-favoured-nation treatment, freedom of transit, prohibition of quantitative restrictions on imports, as well as many provisions on business and investment.<sup>31</sup> As a rule, the Ukrainian political elites showed only a limited understanding of the way in which the EU functions and the complexity of the European integration process. Indeed, such an understanding could come only through intensive interactions with the EU, as evidenced by the way that East-Central European countries rapidly acquired expertise in the course of the accession process. In Ukraine this newly acquired expertise can be found most of all in the MFA. However, within a short time Ukrainian diplomats realised the considerable limitations of the PCA as an instrument for fostering closer ties with the EU.

Indeed, the implementation of the PCA revealed the disparate intentions of each side. The EU tends to be viewed in Ukraine most of all from a political angle, whereas the economic dimension is underestimated and neglected.<sup>32</sup> This is not only attributable to the sheer complexity of the nature of economic integration, but also to

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<sup>30</sup> Roman Petrov, 'The Balkans and the NIS' in Andrea Ott and Kirstyn Inglis (eds), *Handbook on European Enlargement*, (the Hague, T.M.C. Asser Press, 2002), pp. 177-191.

<sup>31</sup> Fraser Cameron, 'Relations between the EU and Ukraine', Paper presented at the Kennan Institute for Advanced Russian Studies, Washington, DC, 18 May 2001.

<sup>32</sup> Pavliuk 'Ukraine and the EU...', p. 10.

the political and security primacy Ukraine attributes the EU. In contrast, the Union sees Ukraine through the prism of economic factors, being wary of political integration beyond the institutions envisaged in the PCA.

Given this essential disparity of agendas, it is hardly surprising that from the Ukrainian point of view, the PCA has a number of shortcomings. Firstly, it puts unrealistic demands on Ukraine, the implementation of which harms Ukraine's economy, which is only partially reformed and (hence) fragile. Indeed, so at odds were Ukraine's 'needs' with the requirements of the PCA that Ukraine took actions that ran directly contrary to the provisions of the PCA, as well as the rules of the WTO, with which the PCA is harmonized. In introducing extensive and costly certification on certain goods, and tariffs and excise duties, Ukraine reneged on a commitment to reduce protectionism and move towards trade liberalization. Ukraine's line of defence – that its economic collapse of the 1990s, massive underemployment and hidden unemployment required the government to protect the few remaining domestic producers, supposedly as a means of bailing out the economy – did not go well in Brussels and the violations did much damage to the Commission's view of Ukraine. Moreover, according to the PCA, the Ukrainian benefits only from a limited opening of the EU. In particular, Ukraine is subjected to the EU's protectionism: while average EU tariffs are only 3 per cent, they have tended to apply to goods in which Ukraine has no comparative advantage and therefore tends not to export; goods in which Ukraine does have a comparative advantage, such as steel and agriculture, have been limited by more severe quotas.<sup>33</sup> Following the bottoming out of Ukraine's economic downturn in 2000, EU's economic protectionism goes a long way towards explaining the precariously low level of trade with Ukraine.<sup>34</sup> Although the PCA aims to bring Ukraine into the common market *acquis*, because of its stringent norms it this area of integration which is most difficult for Ukraine to pursue. The PCA is deemed as unsuitable to Ukraine's current needs as it does not advance cooperation in areas, where Ukraine has more to offer (see below). Furthermore, the PCA fulfilment criteria are vague and hence open to conflicting interpretations. When divergent interpretations on the faults in the implementation became apparent, the Ukrainian diplomats complained of the imperfect mechanisms for resolution of disagreements.

Secondly, a more general charge levelled against the PCA is that it does not give a clear-cut roadmap for co-operation. The PCA merely delineated areas of co-operation but did not specify any particular priorities. Hence it amounts to a kind of 'wish list', if not accompanied by the political will to deepen the relations.<sup>35</sup>

Thirdly, the PCA is a product of the early 1990s, when the two dimensions of integration, namely the Common Foreign and Security Policy (CFSP) and Justice and Home Affairs (JHA), were not yet fully institutionalised, and as such they were missing from the PCA. The Ukraine-EU co-operation in these areas, which are of particular interest to Ukraine, have been fostered outside the remits of the PCA.

Fourthly, there is insufficient co-ordination between EU assistance programmes to Ukraine, most of all Tacis, and the provisions of the PCA. In other

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<sup>33</sup> Anders Aslund and Andrew Warner, 'The EU Enlargement: Consequences for the CIS Countries', paper presented at the conference 'Beyond Transition', Centre for Social and Economic Research, Falenty, Warsaw, 12–13 April 2002.

<sup>34</sup> According to the gravity model, the EU should account for approximately 58 percent of Ukraine's and Moldova's trade, but in 2000 only 16 percent of Ukraine's exports went to the EU. Anders Aslund, 'Looking eastwards to bridge the trade divide', *Financial Times*, 17 January 2003.

<sup>35</sup> For an exhaustive analysis of the provisions of the PCA and other agreements governing relations between Ukraine and the Union, see Dmytro Korbut et al., *Evropeiska Integratsia. Krok za Krok* (Kyiv: Foundation 'Europe XXI', 2001).

words, the EU assistance is not targeted at areas which would assist Ukraine in fulfilling the requirements of the PCA. And the very nature and scale of the assistance, which offers assistance in institution- and capacity-building to a limited degree only (the main haemorrhage of any policy initiative in Ukraine), has been long recognised by and criticised in Ukraine. For example, no twinning programme aimed at boosting Ukraine's administrative capacity is envisaged by the Tacis, despite an interest in it on the part of the Ukrainian side.

The fifth point is that the PCA introduced a new quality to relations and provided regular opportunities for meeting between Ukrainian state representatives and EU officials. This initial mutual acquaintance allowed the Ukrainian foreign policy elites to acquire first hand knowledge of the EU, but – after four years - the intensity and the timing of interactions is far from optimal from Kyiv's point of view, Ukraine's proposal to reform the PCA institutional set up has not been taken up by the EU (see box 2).

Overall, from the Ukrainian perspective, almost ten years after the PCA was created, the instrument is no longer adequate. Because of its emphasis on economic integration (and exclusion of JHA and CFSP), it neither fully reflects the dynamics of European integration nor is appropriate to drive Ukraine's integration with the EU, given that Ukraine puts premium on political rather than economic cooperation.

#### *4.2. The Common Strategy*

While the PCA has remained the basic contractual framework for EU-Ukrainian relations, its effectiveness was to be enhanced by the Common Strategy (CS) which was envisaged as an innovative and important foreign policy tool designed for deepen relations with some countries. Ukraine 'followed' Russia (for which the CS was adopted in May 1999) with the CS on Ukraine adopted in December 1999 at the Helsinki European Council. The CSs clearly differentiated the EU's policy towards certain PCA countries in accordance with geopolitical and geographic factors. The CSs reviewed and refined the guidelines for co-operation as set up in the PCA.

Yet, the implementation of CS has also fallen below the expectations of Ukraine, despite the fact that the CS was especially designed for relations with countries in which the EU had a strong interest. It was unclear to Kyiv how the CS advanced relations with the EU beyond the PCA, shorn as it was of details such as specific action and resourcing.<sup>36</sup> After the first year of its functioning, Ukraine complained about essential flaws in the implementation of the CS,<sup>37</sup> most of all an essential lack of co-ordination, continuity and resources. The CS' implementation was assigned to the member states holding the EU's rotating presidency, none of which put a premium on closer co-operation with Ukraine. Only those countries that had 'bilateral' resources earmarked for Ukraine could bring a new impetus into the relations, as was the case with the Swedish presidency in the first half of 2001. Other presidencies tended to show less interest in Ukraine. For example, the way that the EU-Ukraine summit was organised at the very outset of the Danish presidency in July 2002 left the impression in Ukraine that the presidency merely wanted it 'done and over with' rather than bring in any new quality into the relationship.

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<sup>36</sup> Gwendolyn Sasse, 'The EU Common Strategy on Ukraine', in Lewis (ed.), *The EU and Ukraine: Neighbours, Friends, Partners?*, pp. 213–20.

<sup>37</sup> The *aide-memoire* 'Increasing the Effectiveness of the Implementation of the EU Common Strategy on Ukraine' submitted to the EU at Ukraine–EU Troika political directors' meeting, 1 December 2000.

From the EU's perspective, the CS was designed to add a degree of differentiation into the EU's approach to the former Soviet Union countries. In practice, however, the shortcomings in the implementation of the CS reflected the weakness of the CFSP more generally. Overall, for Ukraine the CS signalled that although Ukraine as a 'strategic partner' was important enough to the EU to merit a purpose-made instrument, it was not important enough to justify the introduction of any far-reaching binding commitments, backed by increased resources. Also for some in Ukraine, rather than emphasizing the importance of Ukraine for the EU, it highlighted the geopolitical and 'civilizational' distinction that the EU made between the former satellite states of the Soviet Union and the ex-USSR countries (with the exception of the Baltic republics). So rather than take relations to a new level, it deepened resentment against the 'Russia-first' policy of the EU in the former Soviet Union.

#### 4.3. *Ukrainian initiatives (2000-02)*

As a result of all the above factors, Ukraine has tried unilaterally to bring about closer co-operation. Over 2000–1, it tabled a number of initiatives in meetings with the EU representatives aimed at counteracting the consequences of enlargement and enhance cooperation in areas such as justice and home affairs (JHA), security co-operation and energy transportation (see box 2) and put forward to the Union a series of proposals for increasing political, military and technical co-operation. The EU, however, failed to take up most of them. Informally, however, it was indicated to Ukrainian foreign policy officials that, for example, as the European security and defence policy is its infancy, Ukraine's initiative was premature.

#### **Box 2. Ukraine's initiatives vis-à-vis the EU over 2000-02**

- Agenda-Ukraine (January 2001)
- Joint Memorandum on co-operation between Ukraine and the European Union in matters related to the potential negative impact of the EU enlargement on Ukraine (September 2000)
- Memorandum of Ukraine concluding an Agreement [on Co-operation between Ukraine and the EU in the Field of the Fight Against Organized Crime (September 2000).
- Memorandum of Ukraine [on] Strengthening Co-operation between Ukraine and the EU in the sphere of foreign and Security Policy, Military and Military-and-Technical Co-operation (September 2000)
- Memorandum of Ukraine [on] reforming joint bodies that have been set up by Ukraine and the EU in accordance with the provisions of the PCA (...)
- Aide-memoire on giving Ukraine the Stability Pact beneficiary status (January 2002)
- Aid-memoire on Participation of Ukraine's Law Enforcement Representation in the Peacekeeping Operation (January 2002)

On the other hand, Ukraine's suggestions for co-operation with the EU against illegal migration did attract the attention of Brussels, and to this effect the JHA Action Plan for Ukraine was adopted in December 2001. The sparsely guarded Ukrainian–Russian border (over 2 thousand kilometres long) is an entry point for up to 90 per cent of the illegal migrants, who enter Ukraine with the intention of reaching the EU, and hence its porosity is an issue of growing concern for the member states of the EU.

#### **5. The Way Forward for Ukraine's Relations with the EU: the Ukrainian View**

From the Ukrainian point of view, given Ukraine's unquestioned belonging to Europe, only the terms of integration into the key European institution, the European Union, need to be defined:

In Ukraine's case, the question is not limited to 'geographical' and 'cultural' discussions on whether or not Ukraine is part of Europe. Rather the question is whether Ukraine has a realistic chance of claiming membership of the EU in the foreseeable future, what real steps are being made towards it, and what alternative there may be, if any, to the membership vs. exclusion dichotomy.<sup>38</sup>

Ukrainian foreign policy makers insist that 'the EU policy towards Ukraine has to be directed on supporting the European integration of Ukraine'.<sup>39</sup> They argue that offering the prospect of membership would best indicated the political will of the EU in this regard. This is why pro-European officials in Ukraine so resent the EU's rebuttals of Kyiv's advances on the basis that Ukraine's aspirations to membership are premature.<sup>40</sup> They object to Ukraine being treated differently from other 'transformation laggards' in eastern Europe. In particular, they point to Romania or Bulgaria, which opened negotiations in 2000 and are expected to – at least in public pronouncements - join the Union in 2007, even though their record of transformation is, in some respects, not much better than that of Ukraine. Ukraine's foreign minister, Anatoliy Zlenko, drew attention to the essential difference in EU's approach Ukraine from the candidate states by arguing:

Having proclaimed European integration as a priority in our foreign policy, Ukraine received quite an unexpected response. While the countries of Eastern Europe were told 'we will admit you to the EU, but only after you have carried out reforms and met certain criteria,' Ukraine was told 'first you must carry out reforms and meet certain criteria and only after will we discuss the possibility of membership.'<sup>41</sup>

Advocates of European integration in Ukraine believe that the pro-European declarations, which are not accompanied by the commitment to the course of reforms, provides the EU with a unique opportunity to affect the course of transformation in Ukraine decisively. The EU could play a similar catalytic role that it did in stimulating reforms in East-Central Europe. As one Ukrainian diplomat put it: 'EU membership is a mirage, but it can mobilise us domestically'. In other words, giving Ukraine the prospect of membership would provide a powerful impetus for change, something which the domestic configuration of political forces, dominated by the self-interested, ex-nomenklatura elites, have been incapable of bringing about. To this end, the reformers in Ukraine hope that, through its conditionality associated with preparation for membership, the EU would step in to provide much needed guidelines

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<sup>38</sup> Inna Pidluska, 'Ukraine and the EU: What Prospects for Integration', in Ann Lewis (ed.), *The EU and Ukraine: Neighbours, Friends, Partners?*, (London, the Federal Trust, 2001), p. 183.

<sup>39</sup> 'Strengthening of relations between the future enlarged EU and Ukraine', a document of the Ministry of Foreign Affairs of Ukraine (undated).

<sup>40</sup> There is little understanding in Ukraine, even amongst political elites, that the EU is no longer willing and able to overcome the cold-war divide and deal with European strategic dilemmas through the process of enlargement, despite the recognition that enlargement has been the Union's most successful foreign policy instrument. The idea of EU membership for country as large and poor as Ukraine brings to the fore major concerns, such as the impact of 'endless' enlargement on the EU's cohesion and capabilities.

<sup>41</sup> Anatoliy Zlenko, 'Ukraine and the EU: It Takes Two to Tango', in Lewis (ed.), *The EU and Ukraine: Neighbours, Friends, Partners?*, p. 22.

for domestic policy making,<sup>42</sup> and thereby compensate for the lack of consensus on reforms amongst the political elites and the prevailing societal ambivalence.

Given the above, 'negative' messages (denying Ukraine's chances of attaining EU membership) are received with considerable dismay in Ukraine. While the EU is vocal on this issue, albeit with different representatives and officials voicing sometimes diverge positions, each of them is received in Ukraine with a high degree of interest. Despite the widespread ignorance of EU – its history, development, structures and principles – the 'negativity' emanating from the EU towards Ukraine's deepens the sense of 'not being wanted in Europe' in Ukraine, in particular among the regional elites who are most ignorant of the intricacies of European integration. By the end of 2002, realising the difficult domestic situation in Ukraine combined with the worsening international image of the country, officials from the Ministry of Foreign Affairs began to call for the EU to abstain from any messages rather than sending negative ones ('no message are better than a negative one').

While the EU is refusing to contemplate Ukraine's membership, fears are running high in Ukraine that upon enlargement the Union will become even more inward-looking and embroiled in internal affairs. Thus the 'window of opportunity', if it exists at all, could be soon closed. Indeed, the onset of the debate on the 'final borders of Europe' seems to confirm these suspicions: some EU representatives, such as Romano Prodi, appear keen to unilaterally draw the border of Europe along Ukraine's western frontier. Such proclamations cause indignation in Ukraine over the way that the EU privatized 'Europe' and assigned itself the arbitrary power over admission and exclusion from 'Europe'.

In the short-term, the main engine of European integration in Ukraine, the Ministry of Foreign Affairs, is keen on any instrument for closer co-operation, which would move beyond the PCA. Thus, the new neighbourhood initiative (providing it makes a clear distinction between Ukraine and Belarus, as the latter has no intention of seeking EU membership), would seem to satisfy pro-European officials in Ukraine, as long as it does not rule out the prospect of membership. At the same time, having realised that few current member states advocate closer ties with Ukraine, Ukrainian diplomats await the accession of new members, most of all Poland, in the hope that they will place the EU's eastern policy a more coherent and robust footing.

In essence, Ukrainian diplomats are following in the footsteps of East-Central Europe:

We should use the current hopefuls' experience, rather than invent something new. I mean we'd like to follow their model of European-type association. Probably something will have to be modified as EU-Ukraine relations may have their own specific points. There are three things that are absolutely indispensable in a future agreement on Ukraine-EU association. These include a clear-cut recognition of Ukraine's right to integrate into the EU, creation of binding joint instruments and instructions based on this agreement and a new concept of technical aid. The existing TACIS [...] programme should be transformed on the basis of the philosophy underlying the

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<sup>42</sup> The prospect of EU membership has inspired extensive changes in the candidate states in East-Central Europe. But the question of whether 'Europeanization' as enforced by the EU accession conditionality for the future member states in East-Central Europe is actual optimal from the point of view of democratization and prosperity, remains. While being deeper and broader in scope than in the previous cases of accession to the EU, the impact of the EU on the domestic transformation in the candidate states has nevertheless still been patchy and inconsistent. See Heather Grabbe, 'Europeanisation Goes East: Power and Uncertainty in the EU Accession Process, forthcoming in K. Featherstone and C Radaelli (eds.), *The Politics of Europeanisation*, (Oxford: Oxford University Press, 2003).

PHARE programme [a programme to assist applicant countries]. It's aimed to transform society to fit EU standards.<sup>43</sup>

While the Ukrainian foreign policy makers are pro-occupied with receiving the prospect of membership from Ukraine, they may not yet fully realize the consequences of acquiring an associate status with a prospect of membership. They tend to complain of not being treated as partners by the EU. Yet the nature of the accession process presupposes the far-reaching opening to EU influences on domestic policy-making. In an asymmetrical relationship, the EU has a license to involve itself in domestic policy-making of the state seeking membership and to unilaterally devise and apply instruments for doing so. The insistence on 'partnership' by the Ukrainian officials may merely stem from the resentment for being denied the prospect of membership. But it may also indicate that they would have difficulties with the accepting the sovereignty-diminishing cost associated with the accession into the EU.

Pro-European politicians and diplomats put high hopes on the galvanising effect of being offered the prospect of membership. It is doubtful, however, whether the mere offer of the prospect of membership for Ukraine would be a sufficient stimulus for accelerating the domestic transformation of Ukraine. In East-Central Europe, the EU supplied 'normative targets' well before it had set out any membership requirements or even agreed to expansion. But only some governments responded to these targets (for example, Poland and Hungary did but Slovakia and Romania did not). Had the EU remained passive, some scholars argue that the democratisation in the latter countries would have been endangered. It was only when the 'active leverage' of the pre-accession conditionality was applied, that the prospect of EU membership affected the course of political change in those two countries.<sup>44</sup> This argument could clearly be extended to Ukraine. The much sought 'positive message' would provide only limited 'negative leverage'.

## 6. Conclusion

Ukraine represents a 'difficult' case insofar as its westward stance is coupled with stuttering domestic transformation. The nominal commitment to the 'European choice' is shared across the Ukrainian political spectrum. Indeed, it has become an inherent element of ideology of any political force, which supports Ukrainian independence. The self-interested nomenklatura elite, which retains the reins of power, is the primary source of pro-European aspirations, even though it renegades on the related commitments in the domestic context. Seeking closer ties with European institutions is unlikely to abate in Ukraine, because insofar as the political elites are concerned, there is no effective alternative for Ukraine but keep proclaiming the 'European choice' (unless this dominant post-independence political discourse is replaced by a Slavic and/or Eurasian alternative). This accounts for the situation where - as one EU diplomat put it - 'the unrealistic expectations on the Ukrainian side for eventual EU membership overshadow the objective of implementing the PCA'.<sup>45</sup>

While none of Ukraine's main political forces objects to integration with the EU, none of them committed and/or strong enough to implementing the reforms

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<sup>43</sup> Interview with Oleksandr Chalyi, the State Secretary for European Integration in the Ministry of Foreign Affairs of Ukraine, *Den*, Feb 2003, p. 3.

<sup>44</sup> See Milada Anna Vachudova, 'The Leverage of International Institutions on Democratizing States: the Eastern Europe and the European Union', *EUI Working Paper RSC No. 2001/33*, IUE, Florence.

<sup>45</sup> Fraser Cameron, 'Relations between the EU and Ukraine', Paper presented at the Kennan Institute for Advanced Russian Studies, Washington, DC, 18 May 2001.

necessary to enable the country to make membership of the EU a more realistic goal. At the same time, as Gould has pointed out, ‘the existence of an eastern option for Ukraine, and especially one that ostensibly leads to Brussels [‘to Europe together with Russia’], influences the overall context for Ukrainian decision-making and militate against a sustained and unequivocal choice of EU rules’.<sup>46</sup>

While the benefits of participation in European integration are not lost on the Ukrainian elites, they have been incapable of moving beyond declarations. Indeed, European integration is far from the foremost priority for all branches of power and levels of government, let alone generates bottom-up pressure from society. Thus the essential question ‘Will this declaration be acted on?’ remains unanswered

In this context, given the domestic difficulties, the proponents of the Europeanization of Ukraine critically evaluate the current state of relations between the EU and Ukraine. In particular, the existing instruments are viewed as inadequate for deepening co-operation. The prospect of membership is also actively being sought on the grounds that even though the country will not be able to join the EU for many years to come, the acknowledgement of this possibility by the EU would only strengthen the case of the pro-reform forces in Ukraine. At present, the dominant power elite limits itself to ‘declarative Europeanization’, that is proclaiming the ‘European choice’ without enacting it in the domestic context.

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<sup>46</sup> Tim Gould, ‘Ukraine's Place in the Wider Europe. The European Economic Area as a Model for the EU’s “Proximity Policy”’, Presented at the 44th Annual Convention of the International Studies Association, Portland, Oregon, 26 Feb-1 March, 2003.



## **Appendix 1**

### **Chronology of Relations between Ukraine and the European Union, 1991-2002**

#### **2 December 1991**

In the Declaration on Ukraine, the European Union noted the democratic character of the All-Ukrainian Referendum and called on Ukraine to maintain an open and constructive dialogue with the EU

#### **September 1992, Kyiv**

The first Ukraine - EU top-level meeting between President Leonid Kravchuk and the President of the EC Commission Jacques Delors

#### **October 1993, Kyiv**

Opening of the European Communities Commission's Representation in Ukraine

#### **9-11 March 1994, Kyiv**

The first Ukraine - EC Troika meeting at the level of Ministers for Foreign Affairs

#### **14 June 1994, Luxembourg**

A Partnership and Cooperation Agreement (PCA) between Ukraine, on the one side, and the European Communities and its member states, on the other, is signed (the negotiations on the PCA had been held since 23 March 1993, Ukraine ratified the PCA on 10 November 1994)

#### **5 January 1995, Kyiv**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (prospects for the development of the Ukraine - EU relations and topical international matters are discussed)

#### **24 March 1995, Brussels**

The first meeting of the Joint Ukraine - EU Committee (set up under the Agreement on Trade, Commercial and Economic Cooperation between the EEC and EURATOM and the former USSR dated 18 December 1989; the Committee was operating under the Temporary Agreement dated 1 June 1995)

#### **1 June 1995, Luxembourg**

Meeting between President Kuchma and the President of the European Commission, Jacques Santer (Temporary Agreement on Trade and Issues Related to Trade Between Ukraine, on the one side, and the European Community, the European Coal and Steel Community and the European Atomic Energy Community, on the other, is signed)

#### **28 June 1995, Brussels**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs

#### **July 1995, Brussels**

The Mission of Ukraine to the European Communities (European Union) is established

#### **24 November 1995**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (security issues and situation in the former Yugoslavia are discussed)

#### **5 February 1996**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (issues of regional cooperation are discussed)

#### **6-7 May 1996**

Meeting of the Joint Ukraine - EU Committee

#### **21 May 1996, Rome**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (the European Union announced its Statement on political support for Ukraine)

#### **June 1996**

The European Union recognized the status of Ukraine as a country with a transitional economy

#### **26 September 1996**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (issues of Ukraine - EU relationship, relations with Russia and the Commonwealth of Independent States are discussed)

#### **5 February 1997**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (ways of implementing the Action Plan for the Development of Relations Between the Ukraine and the EU adopted on 6 December 1996 and opening of an EU Documentation Center in Kyiv)

**17-18 April 1997**

Meeting of the Joint Ukraine - EU Committee

**5 September 1997, Kyiv**

Ukraine - EU Summit (current status and prospects for development of the Ukraine - EU relations are discussed)

**1 March 1998**

Agreement on Partnership and Cooperation Between Ukraine and the EU came into force

**8-9 June 1998, Luxembourg**

The 1<sup>st</sup> meeting of the Ukraine-European Union Cooperation Council in the framework of the PCA (Ukrainian Prime Minister announced Ukraine's aspiration to become an associate member of the EU)

**11 June 1998, Kyiv**

The Decree of the President of Ukraine approved the Strategy of Ukraine's integration to the EU, which charted a priority course of action for the bodies of executive power until 2007 to establish preconditions necessary for Ukraine to become an associate member of the EU

**24 September 1998, New-York**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (issues of a long-term EU strategy for Ukraine are discussed)

**16 October 1998, Vienna**

The 1<sup>st</sup> Ukraine - EU Summit after the coming into force of the PCA (Ukraine - EU relations are determined as 'a strategic partnership', issues of cooperation in fields of foreign and security policy are discussed)

**5 November 1998, Brussels**

The 1<sup>st</sup> meeting of the Ukraine - EU Cooperation Committee in the framework of the PCA (six Sub-Committees are founded: on Trade and Investments; on Financial, Economic Issues and Statistics; on Energy, Nuclear Issues and Environment; on Customs and Border Cooperation, Combating Money Laundering and Drug Trafficking; on Transport, Telecommunications, Science and Technology, Education; on Coal, Steel, Mining Industry and Raw Materials)

**December 1998, Kyiv**

The 1<sup>st</sup> meeting of the Ukraine - EU Parliamentary Cooperation Committee in the framework of the PCA

**26-27 April 1999, Brussels**

The 2<sup>nd</sup> meeting of the Ukraine - EU Cooperation Council (economic aspects of bilateral relations are considered)

**23 July 1999, Kyiv**

The 2<sup>nd</sup> Ukraine - EU Summit (progress in EU recognition of Ukraine's course toward European integration is made, the EU reaffirmed its intention to promote Ukraine's accession to the WTO)

**28 July 1999, Kyiv**

The 2<sup>nd</sup> meeting of the Ukraine - EU Cooperation Committee in the framework of the PCA

**23 September 1999, New-York**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (the EU acknowledged Ukraine's pro-European choice)

**24-26 November 1999**

The second meeting of the Ukraine - EU Parliamentary Cooperation Committee in the framework of the PCA

**6 December 1999, Brussels**

Meeting of President Kuchma with the President of the European Commission Romano Prodi

**10 December 1999, Helsinki**

The European Council approved the EU Common Strategy on Ukraine aimed at strengthening of 'a strategic partnership' between Ukraine and the EU (the document acknowledges Ukraine's European aspirations and welcomes the country's pro-European choice; the EU reaffirmed its obligation to support the political and economic reform in Ukraine that should ensure Ukraine's further rapprochement to the EU)

**25 January 2000, Brussels**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs (issues of the implementation of the EU Common Strategy on Ukraine are discussed; the EU submitted to the Ukrainian side the first Working Plan on Implementation of the EU Common Strategy on Ukraine)

**23 May 2000, Brussels**

The third meeting of the Ukraine - EU Cooperation Council (home affairs of Ukraine and the EU, Ukraine - EU relations, international matters are discussed)

**15 September 2000, Paris**

The third Ukraine - EU Summit (the Ukrainian side proposed a reform of the joint Ukraine - EU organs, set up under the PCA, and to institutionalize the relations in fields of foreign policy, security, military and military-technical cooperation as well as justice and internal affairs)

**9-10 October 2000, Brussels**

The third meeting of the Ukraine - EU Parliamentary Cooperation Committee

**11 October 2000**

The resolution of the Council of the European Union, removing Ukraine from the list of non-market economies in the EU antidumping legislation, became effectual

**9-10 November 2000, Kyiv**

Meeting of President Kuchma and the President of the European Commission. Romano Prodi on the eve of the Chornobyl Nuclear Power Plant's decommissioning

**14 December 2000, Brussels**

Meeting of the Minister for Foreign Affairs of Ukraine Anatoliy Zlenko with the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy, Javier Solana

**18 December 2000, Brussels**

The third meeting of the Ukraine - EU Cooperation Committee

**19 January 2001, Berlin**

Meetings of President Kuchma with the President of the European Commission Romano Prodi and the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy Javier Solana

**13 February 2001, Kyiv**

Ukraine - EU Troika meeting at the level of Ministers for Foreign Affairs; EU Troika had meetings with President Kuchma, Head of the Verkhovna Rada Ivan Plushch, Prime Minister of Ukraine Viktor Yushchenko.

**15 March 2001, Strasbourg**

The European Parliament adopted a Resolution on the Common Strategy of the European Union on Ukraine.

**9-10 April 2001, Kyiv**

Visit of the Head of delegation of the European Parliament for connections with Ukraine, Moldova and Belarus, Jan Virsma, to Ukraine.

**18-19 April 2001, Kyiv**

Visit of the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy Javier Solana to Ukraine.

**15-16 June 2001**

The final document of the EU Summit in Goteborg invited Ukraine to participate in the European Conference

**19-20 June 2001, Kyiv**

Visit of the President of the European Council, Prime Minister of Sweden Goran Persson to Ukraine.

**26 June 2001, Luxembourg**

The fourth meeting of the Ukraine - EU Cooperation Council (six priorities for the implementation of the PCA for the next 12 months are approved; reduction to four of the number of the Sub-Committees agreed)

**30-31 July 2001, Kyiv - Crimea**

Visit of the Secretary-General of the Council of the European Union/High Representative for the Common Foreign and Security Policy Javier Solana to Ukraine.

**11 September 2001, Yalta**

The 4th EU-Ukraine Summit.

**4 July 2002, Copenhagen**

The 5<sup>th</sup> Summit EU-Ukraine Summit

**11 November 2002**

First EU Troika and Ukraine meeting with a view to discuss co-operation in the field of justice and home affairs.

**27 November 2002, Brussels**

The 5<sup>th</sup> meeting of the EU-Ukraine Cooperation Committee discusses questions of co-operation within the framework of the PCA, the impact of EU enlargement on Ukraine, the New Neighbourhood Initiative and Ukraine's 'European choice' policy.

*Source:* adapted from the webpage of the Ministry of Foreign Affairs of Ukraine  
(<http://www.mfa.gov.ua/eng/diplomacy/?ua-eu/syn.html>)