Partnership for Enlargement.
The commentaries

Mykhailo Pashkov

Advantages and features of the new Polish-German initiative

Partnership for Enlargement: a New Way to Integrate Ukraine And the EU's Eastern Neighbourhood, a document authored by Piotr Buras and Kai-Olaf Lang aims at reconsidering and modernising the European neighbourhood policy and enlargement policy in view of new geopolitical conditions. This Polish-German initiative is a testament to solidarity and support for Ukraine, an attempt to initiate the strengthening of favourable conditions for its further European integration.

The authors offer Partnership for Enlargement (hereinafter PfE), an innovative strategic model comprising three basic pillars:

- Reconstruction and the single market;
- Energy security and green transformation;
- Security and political cooperation.

In mid-June 2022, we published Piotr Buras and Kai Olaf-Lang's report Partnership for Enlargement: a New Way to Integrate Ukraine and the EU's Eastern Neighbourhood,[1] which proposes a significant strengthening of ties between Ukraine and the European Union. The authors argue that while the European Union's granting of candidate country status to Ukraine was an important step in the right direction, without a change in attitude towards the Community's enlargement policy, the gesture could prove hollow and end in damaging frustration for both sides. In the face of the Russian aggression against Ukraine and the confrontation of security policies between the West and Russia, the European Union is required to significantly increase its economic and political presence as well as to make new commitments to and with its neighbours interested in joining the Community. Therefore, the granting of candidate status should be accompanied by a new ambitious offer – the Enlargement Partnership. In the run-up to formal accession,

[1] *Partnership for Enlargement: a New Way to Integrate Ukraine and the EU's Eastern Neighbourhood*, Warszawa 2022, https://www.batory.org.pl/wp-content/uploads/2022/06/Partnership-for-Enlargement-A-new-way-to-integrate-Ukraine-and-the-EUs-eastern-neighbourhood.pdf.

It is worth noting that previously the political discourse included various options for 'partial' or 'intermediate' EU-Ukraine integration. One should mention the idea of French President Emmanuel Macron to create a 'European political community' which, in his opinion, is supposed to 'stabilise the EU's neighbourhood' and intensify cooperation with non-member countries 'on defence, geopolitics, energy, infrastructure, people movement projects'.[1] Therefore, the task is to determine to what extent Mr. Macron's idea and the proposed Polish-German initiative are correlated – whether these two projects complement or compete against each other.

the aim of such an initiative should be to ensure the closest possible ties – in terms of economic, energy and security cooperation – between the EU and the countries aiming to become members in the future. The report presents concrete proposals for such cooperation aimed at anchoring the partner countries firmly within the EU circle. The authors also argue that Poland and Germany are the most predestined to come up with such an initiative together in the EU forum. We asked five Ukrainian experts, representing prominent think tanks and present in leading media outlets, to comment on this proposal: Viktoria Boyko, Oleksandra Bulana, Maryna Yaroshevych, Mykhailo Pashkov and Vitaliy Portnikov.

As the authors emphasise, it is important that the PfE would not be an alternative to enlargement policy, but would give it a new dynamic and 'anchor aspiring countries more firmly within the European community'. As the document highlights, this new cooperation structure 'would be qualitatively new and would quickly bring concrete benefits'.

This thesis is important for Ukraine which has already been granted candidate status.[2] The country counts on further activation of the European integration process, a new quality of relations with Brussels and practical results. Obviously, support and solidarity of the EU, assistance in the implementation of internal reforms gain prominence in the times of war. Currently, the strategic priority for Kyiv is implementing the European Commission's seven recommendations, given their impact on the positive decision to grant candidate status to Ukraine.[3] According to the Vice-Prime Minister for European and Euro-Atlantic Integration of Ukraine Olha Stefanishyna, this package of recommendations should be fully implemented by the end of 2022.[4] (Administrative, legal and organisational measures supported by political will are primarily required for the implementation of most of the recommendations. Therefore, the head of the state enjoys carte blanche for decisive actions in view of the high level of public trust, strong support across all branches of power and broad solidarity of the global community).

Piotr Buras and Kai-Olaf Lang rightfully express frank scepticism about the benefits of candidate status, stressing that 'having EU candidate status today has almost no practical significance', while the EU accession process is long and overly bureaucratic.

1   *Кандидатський статус для України та Молдови є політичним сигналом ЄС, процес триватиме роками – Макрон* [*Candidate status for Ukraine and Moldova is a political signal from the EU, the process will continue for years – Macron*], Interfaks-Ukraina, 24 June 2022, https://interfax.com.ua/news/political/841399.html (here and hereafter accessed: as of 4 July 2022).

2   This document was published after the decision of the European Commission and the European Council to grant Ukraine and Moldova candidate status for EU membership.

3   The 7 necessary steps – notably ensuring the effective work of the Constitutional Court, a higher qualifying commission of courts, a specialised anti-corruption prosecutor's office, etc. The need for law enforcement reform, the de-oligarchisation of the country, the strengthening of anti-corruption policies and the fight against money laundering are also emphasised. The list concludes with a point referring to legislation on national minorities.

4   *Україна має намір виконати рекомендації Єврокомісії щодо надання статусу кандидата в члени ЄС до кінця 2022 року – Стефанішина* [*Ukraine intends to comply with the European Commission's requirements to be granted candidate status as an EU member by the end of 2022 – Stefanishina*], Interfax-Ukraine, 22 June 2022, https: //interfax. com.ua/news/general/840880.html.

In this context, the PfE initiative is productive because it focuses on ensuring specific conditions and mechanisms for a deep integration of candidate countries into the single European market, the EU energy system and the area of political security of the European Union (here it is worth noting that security in this triad is the top priority for Ukraine these days).

It is also important that the PfE is a Polish-German initiative and the authors quite convincingly argue for the advantages of the synergy of such a duo.

The idea of active integration of the Ukrainian economy into the single European market is reasonable. Temporary suspension of tariff-rate quotas and import duties on Ukrainian products by the EU Regulation in May 2022 can be considered as a step in this direction. In the near future the parties plan to sign a special Ukraine–EU Agreement on the liberalisation of road transport. Ukraine's expanded participation and presence in European markets is both an opportunity and a challenge (especially given the current situation in the country). Providing adaptive mechanisms, forming an effective investment policy towards Ukraine, creating joint production and industrial chains, involving Ukraine in large infrastructure projects, providing technological assistance, ensuring a balanced policy on the labour market, etc. are the most important aspects here.

The energy policy pillar of the PfE is particularly significant, where the paths and mechanisms of the partnership have been systemically defined in key directions: renewal and reform of the EU partner countries' energy systems, diversification of energy sources (which is fundamental in fighting against Russian expansion), decarbonisation and a common climate policy. Overall, it is a balanced, constructive plan that takes into account contemporary realities and is future-oriented.

Undoubtedly, as for now security issues are the ultimate priority for Ukraine. They include boosting military-technical cooperation with EU countries, consolidated military support of the European Union and NATO, mainly supplies of heavy weapons, armoured vehicles, rocket artillery, anti-aircraft systems, etc. At the same time, however, it is debatable whether, according to the authors' thesis, 'any plans for integration or cooperation with the EU will only be feasible if the country manages not only to defend itself against current Russian aggression, but also to build a deterrent capacity that minimises the likelihood of a similar war in the future'.

On the contrary, European integration and cooperation with the EU constitute part of the main components forming that very 'deterrent capacity' to potentially resist Russian aggression. Internal pro-European reforms develop and strengthen security as well as the socio-economic, legislative, legal, anti-corruption, and humanitarian areas. In particular, granting the EU membership candidate status to Ukraine has become a powerful political, moral and psychological incentive for the Ukrainians who, without any exaggeration or fanfare, are fighting for their European choice.

In this context, one should pay attention to the following important circumstance. The PfE initiative features a universal character and is generally designed for the 'Associated Trio' and the group of Balkan countries. In other words, the traditional package approach, the 'one basket' principle, is being introduced (However, such a universalisation turned out to be hardly productive both in the framework of the Eastern Partnership project and in some aspects of the EU–Western Balkans negotiation process).

It has to be acknowledged: although the Balkan region, Moldova and Georgia are important for the European Union, it is the Ukrainian direction that, under the current circumstances, has an obvious priority and particular importance – primarily due to security policy factors.

Taking the brunt of Russia's all-out war power, Ukraine has been defending the EU's eastern flank against the Kremlin's continental expansion for a long time, thus ruining Putin's plan to reformat the European political security space. Indeed, not only does the fate of Ukrainian statehood, but also the continued existence of the European Union, at least in its present form, depend on the Ukrainian Armed Forces today.

At the same time, integration with the EU is a fundamental worldview imperative and a top political priority that unites and sustains all branches of the Ukrainian government, influential political forces, civic organisations and the public. Nearly 90% of Ukrainians support EU entry, identifying their future and the future of their country with inclusion in the European community.[5]

This is the main basis of the importance of Ukrainian Euro-integration and the main difference from other contenders for EU entry. Therefore, the EU's enlargement policy must be clearly differentiated, in line with contemporary challenges and security threats.

The essence of the Partnership for Enlargement initiative is to give a concrete dimension to the process of anchoring in the 'European family' the countries that wish to join the European Union. This idea deserves attention and all possible support. The document was published by the Stefan Batory Foundation: it covers the various spheres and directions of the EU's complex relations with the candidate countries, and defines a complex of appropriate undertakings for their improvement. Obviously, this all the more current and complex topic requires a comprehensive expert analysis and a comprehensive discussion by the parties concerned.

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5 *Тринадцяте загальнонаціональне опитування: зовнішньополітичні орієнтації (18–19 червня 2022)* [*Rating Group Ukraine: Foreign Policy Directions (18–19 June 2022)*], https://ratinggroup.ua/research/ukraine/trinadcatyy_obschenacionalnyy_opros_vnesh-nepoliticheskie_orientacii_18-19_iyunya_2022.html.

Viktoriia Boiko

Geopolitical leadership of the European Union: anchoring Ukraine more deeply in the Union

The granting of EU candidate status to Ukraine is to some extent a recognition that Putin's invasion of Ukraine should be seen as a declaration of war on the European Union and its values.

Russia has waged a hybrid war against Europe for years. Kremlin-linked agents and oligarchs have influenced European politics, bought stakes in EU companies, sports teams and media, lobbied

politicians, interfered in electoral processes, destabilised and polarised societies through disinformation and cyber warfare, while very often acting openly with the support of official factors.

By launching a war against Ukraine, Russia tried to create a starting point for further subjugation of other European countries. Therefore, a successful defence and future victory in this war is fundamental to the security of Europe as a whole, as Russia poses the greatest threat to common European security.

The war in Ukraine resulted in the country being granted candidate status on 23 June 2022,[1] which means a revision of the basic principles of the renewed consensus on enlargement policy on which the European Union has been operating since 2006.[2]

It can thus be said that Russia's aggressive policy is directed against the entire European security order and thus against fundamental EU interests.[3]

In light of the above, further steps on the road to integration with the Union transition Ukraine from the purely economic and social spheres to the political and defence ones.

At the same time, it is no exaggeration to say that the process of successful Ukrainian integration will be crucial for the success of the entire further European project in terms of repositioning the EU as a geopolitical actor. Simultaneously, however, it will create an opportunity for deeper unification and consolidation of the Union as well as overcoming the internal divisions and conflicting interests that have once led to the long forgotten genesis of the EU project through which peace was supposed to reign on the European continent.

Many EU citizens have forgotten (or have never seen) what a Europe with closed borders and a visa requirement to enter a neighbouring country might look like, let alone what a Europe at war might look like. Unlike today, even half a century ago the free movement of people and goods from Porto via Amsterdam to Vilnius, Riga and Tallinn did not seem obvious.

With the successful integration of Ukraine, the EU can gain more strength and capacity to shape a common security policy, overcoming internal divisions and strengthening its position in the geopolitical arena.

For without the EU framework, each individual member state, even among the original founders of the European community, would remain at best a regional power. Moreover, with a common market based on the free movement of goods, services, people and capital, the EU benefits from a multiplier effect.

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1 *European Commission proposes to give Moldova a European perspective and candidate country status* (*Єврокомісія пропонує надати Молдові європейську перспективу і статус кандидата*), «Європейська правда», 17 June 2022, https://www.eurointegration.com.ua/news/2022/06/17/7141477/ (here and further accessed: as of 4 July 2022)
2 *Enlargement Strategy and Main Challenges 2006–2007. Including an annexed special report on the EU's capacity to integrate new members*, Communication from the Commission to the European Parliament And The Council, 8 November 2006, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52006DC0649&from=EN
3 *Partnership for Enlargement: a New Way to Integrate Ukraine and the EU's Eastern Neighbourhood*, Warszawa 2022, https://www.batory.org.pl/wp-content/uploads/2022/06/Partnership-for-Enlargement-A-new-way-to-integrate-Ukraine-and-the-EUs-eastern-neighbourhood.pdf

The need to transform the 'Western Balkan candidate status' scenario

Candidate status does not equate to an immediate rapprochement of a country with the EU institutions. The decision to proceed with a series of negotiation processes will depend on a number of EU actors. There are a number of factors that could hold the process hostage to potential diverging political interests, especially among EU member states critical of enlargement.

Thus, the successive stages of negotiations may be unsubstantive, biased and deliberately bureaucratic, i.e. artificially complicating procedures. We observe this in the context of the Western Balkan countries, in particular Albania and North Macedonia, which have remained candidates for many years, but the accession negotiations do not bring them any closer to their goal.

To ensure a level playing field, something needs to be invented beyond the already existing set of policy tools – the Eastern Partnership and Association Agreements.

Proposed by Kai-Olaf Lang and Piotr Buras, the idea of the Partnership for Enlargement[4] is based on sectoral approximation to the European single market – i.e. freedom of movement of people, goods, services and capital without quota restrictions (unlike the Association Agreement, so frustrating for the countries that signed it). Partnership for Enlargement uses cohesion policy to bridge differences and proposes consensual ways to anchor Ukraine in the EU.

Such an idea is also strongly supported by the fact that one of the barriers to Ukraine's integration has already been removed: the EU has, in principle, implemented one of the four fundamental EU freedoms for Ukrainian citizens, de facto granting them freedom of movement within the Union (albeit limited to those forced to emigrate due to the war).

The proposed framework would also bring a new dynamic to the integration process of the Balkan countries, creating a level playing field for all candidates in their process of moving closer to the Union.

In addition, the proposal falls below the accession threshold, thus avoiding radical disputes between existing members. This is a prospect that is achievable within a decade – a period that should be adjusted according to the pace at which candidate states meet the Maastricht criteria.

For Ukraine, the most important thing is full access to the single market and the Cohesion Fund as part of its post-war reconstruction strategy as well as transformation of its economy and infrastructure.

For Brussels, candidate status is first and foremost a tool to force reforms in Ukraine and a means of exerting pressure on governmental and parliamentary structures. The progress recorded since 2014 in Ukraine's implementation of the Association Agreement can serve as an excellent building block here.

Ukraine has already made significant steps towards convergence with the EU *acquis communautaire*. The Ukrainian authorities have developed a project to strengthen the country's banking supervision and recapitalisation rules. Several distressed private banks have been nationalised and have reached viability, with more banking institutions in the process of nationalisation.

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4   *Ibidem*.

The five bodies of the anti-corruption ecosystem created after Ukraine's 2014 Revolution of Dignity are effectively fighting the scourge of corruption. Under wartime conditions, anti-corruption institutions continue to function, but have had to limit their activities. They will resume full-scale work once the situation has stabilised.

Integrating Ukraine into EU energy and security cooperation

As Kai-Olaf Lang and Piotr Buras rightly point out in their report, anchoring Ukraine into the European family can be done without fanfare in the sphere of the single market, but there are two no less important spheres of gradual sectoral integration, i.e. energy policy and security policy.[5]

Since 2017, Ukraine has been preparing to disconnect from the old Soviet power grid and synchronise with the European system to increase its security and expand its energy trade with other European countries. Full synchronisation was planned for 2023 with initial tests expected in the winter and summer of 2022.

The first planned test was due to start on 24 February. However, it was on that day that Russia launched its invasion, so Kyiv asked for emergency synchronisation with European transmission lines operating under the aegis of the European Network of Transmission System Operators (ENTSO-E).[6]

For more than two weeks, Ukraine struggled to keep the country's nuclear power plants and thermal power plants running under wartime conditions in a bid to prevent the transmission system from collapsing. Risking their lives, the brave workers of Ukraine's energy sector protected critical infrastructure while fighting to realise the dream of European market integration.

On 16 March, Ukraine synchronised with the European power grid in emergency mode, allowing further integration into the common energy market. At the moment, Ukraine's entire infrastructure is under constant threat, i.e. bombarded and shelled, and other Ukrainian critical infrastructure facilities are also under constant attack. The inclusion of Ukraine in the EU energy union would contribute to strengthening the energy security of both Ukraine and the Union. It would be of great importance to establish a regular dialogue on energy security with partner countries at ministerial level.

Russia's war against Ukraine has created a catastrophe from which it will take the next decade to recover (provided war crimes stop), but it has also created a growing awareness in EU countries of the need to become independent of Russian energy sources by the end of this decade.

Under these circumstances, further integration into the EU electricity and energy market, including through the RePowerEU Plan,[7] will certainly have a stabilising effect on the EU's common security policy, as Ukraine will be part of the three planned import corridors for hydrogen. The provisions of the Ukraine Relief and Reconstruction Plan will contribute to the diversification of the Ukrainian energy market, bringing the process of dismantling the legacy system to its logical conclusion and bringing Ukraine closer to the objectives of the European Green Deal.

5   *Ibidem*.

6   *Continental Europe successful synchronisation with Ukraine and Moldova power systems*, Entsoe, 16.03.2022, https://www.entsoe.eu/news/2022/03/16/continental-europe-successful-synchronisation-with-ukraine-and-moldova-power-systems/.

7   *REPowerEU Plan*, Communication From The Commission To The European Parliament, The European Council, The Council, The European Economic And Social Committee And The Committee Of The Regions, 18.5.2022, https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52022DC0230&from=EN.

In addition, due to Russia's war against Ukraine, the European Union and its member states have violated several of its core principles and taken steps that would normally be strongly opposed. Among other things, for the first time in the EU's history, a decision was taken to finance the delivery of lethal weapons to a third country (under the European Peace Facility project), to step up defence cooperation in the face of new threat optics, to open up the prospect of membership after years of fatigue with the process, to activate the 2001 Temporary Protection Directive and to grant Ukrainian refugees the right to temporary residence within the Union.

The EU Strategic Compass – the EU's most important attempt to harmonise the defence and security objectives of all 27 member states – mentions war in its introduction, but the programme had been written before war broke out and therefore it insufficiently reflects the current state of affairs.[8] War crimes are being perpetrated, civilians are being killed and thousands of people are being abducted and tortured, so the strategy needs to be changed to enhance the EU's role as a security guarantor and geopolitical actor.

An unprecedented EU effort to integrate Ukraine more boldly into the EU's security policy deserves a separate mention, setting in motion a sustained process that goes beyond an ad hoc response to the current crisis. Even before the outbreak of the war, Ukraine had started negotiations for inclusion in the Permanent Structured Cooperation (PESCO) projects. The main consequences of the war will be structural: EU countries will have to allocate increased resources to energy security and defence.

It would therefore be extremely important to include Ukraine in PESCO[9] (the European Council has established the general conditions under which third countries can be invited to participate in individual PESCO projects). In the medium term, this would foster greater infrastructural cohesion and thus benefit all parties.

The Partnership for Enlargement initiated by Germany and Poland, which is an intermediate step on Ukraine's path to the EU, covers the above-mentioned areas and could serve as a consensual solution to circumvent the problem of 'enlargement fatigue', while at the same time providing new impetus to the strengthening of the EU's geopolitical role.

Ukraine's candidate status at the origin of the project of peaceful coexistence in Europe

Ukraine has been on the path towards integration with the European Union since the overthrow of the pro-Russian regime of Viktor Yanukovych in 2014. The government has been steadily implementing EU-backed political and economic reforms for years. In 2022, 92 laws and 55 bills are planned to be enacted bringing Ukraine closer to the goal of convergence with the Union.[10] Further sectoral rapprochement as a prelude to fuller membership and an investment plan for reconstruction will go a long way towards restoring peace in the region.

8   *A Strategic Compass for the EU*, https://www.eeas.europa.eu/eeas/strategic-compass-security-and-defence-1_en.

9   Council Decision (CFSP) 2020/1639 of 5 November 2020 - Official Journal of the European Union: https://eur-lex.europa.eu/eli/dec/2020/1639/oj.

10   *Ukraine has fulfilled 63% of the Association Agreement with the EU – Shmyhal* (*Україна на 63% виконала Угоду про асоціацію з ЄС – Шмигаль*), 5 June 2022, УКРІНФОРМ, https://www.ukrinform.ua/rubric-polytics/3392395-ukraina-na-63-vikonala-ugodu-pro-asociaciu-z-es-smigal.html.

Russia's war with Ukraine was planned as a prelude to targeting a united Europe. Deepening integration would be a very strong reaction to this move.

The EU needs to stop looking at enlargement policy as a purely technocratic process, as the Russian invasion of Ukraine has given enlargement a geopolitical character.

Alternative visions of enlargement may focus on deepening sectoral integration in various areas as a preliminary step before Ukraine meets the criteria for membership. Deepening labour mobility, which would further bind Ukraine to the EU, could serve as a strong incentive in this context.

Maryna Yaroshevych

The Partnership for Enlargement offer commentary
How to avoid being disappointed?

The European Union (EU) positions itself as the most powerful political and economic association both on the European continent and far beyond its borders. Once the EU was the largest world economy[1] but after Great Britain left the EU in 2020, with its EUR 2.7 trillion economy, the situation has changed dramatically. According to 2021 WorldData.info, despite such a significant structural shift, fifteen EU countries-members enter the list of fifty richest countries in the world by gross domestic product (GDP). In other terms, the EU's total GDP for 2021 amounts to EUR 14.45 trillion, which as of now makes it the world's third largest economic power after the United States[2] and China.[3]

The significant success of the EU as an association of democratic states with a market economy can be explained by a set of factors. The key is the strong intention to establish and implement highly effective government standards, the rule of law, and the protection of human rights politically, as well as guarantee of free movement of people, goods, services and capital in the economic plane. Despite the fact that some EU members have challenged the EU system over the last years by violating the assumed obligations, during the whole period since the day the bloc was established twenty two countries have joined the Union and only one has left. Therefore, we can state that the EU used to be attractive for neighbouring countries for decades, until all states who met the membership criteria could join the Union. After Britain's exit, the EU lost one of its key member-contributors, which hit the Union economically, and, to some extent, the vision to ensure its sustainable development without experiencing other significant political losses.

Dozens of options have appeared on the agenda – starting from creating the Federated States of Europe, through the Union of different speeds, ending up with the 'fortress-Europe shielding the Union' from entering new 'weak' members that could further weaken the association economically and politically. However, no matter how much some EU member states would like to isolate themselves from

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1 27-member bloc's GDP falls behind that of China in 2021, EU data shows, *Global Times*, 1 February 2022, https://www.global-times.cn/page/202202/1250282.shtml (accessed 4 July 2022).
2 In 2021 US GDP increased year on year to approximately USD 22.99 trillion.
3 In 2021 China's GDP was approximately USD 17.46 trillion.

the ambitions and challenges of the world, the bloc is too powerful a global player to stand aside from international geopolitical and economic processes.

That is why, it is logical, timely and appropriate to raise the question of which existing or new options could be optimal for the EU itself, as well as the third countries with whom it interacts. No simple or quick answer could be provided as the neighbouring states are very diverse in their political, economic and social structure, the size of their territories, the population and its density, and most importantly – their ambitions in the relations with the Union.

Therefore, in this commentary we will confine ourselves to some ideas on the EU-Ukraine future relations development in the context of the russian federation's[4] full-scale invasion of Ukraine in early 2022. Indirectly, the EU–Ukraine policy also correlates with the Union's relations with Moldova and Georgia, because all three states have signed the Association Agreements (AA), including deep and expanded free trade areas (FTA), and form the Associated Trio within the framework of the Eastern Partnership program. However, the same approach cannot be applied automatically due to the factors mentioned above, as well as active hostilities in Ukraine and the far-reaching consequences of the war Ukraine will have to face after it ends.

The decision to grant Ukraine candidate status for the EU membership and its preservation, provided that Ukraine fulfills seven requirements, was adopted by the European Council in June 2022. The EU member states showed great solidarity to 'take the risk' by promising the country, war-torn by external aggression, to join their 'club'. On the other hand, everybody understands that candidate status is a political gesture only. In the future, if Ukraine fulfills the additional demands and the European institutions decide to start membership talks, it can either go to the next implementation level, or remain a mere scrap of paper and a source of frustration and disappointment due to the lack of progress. This scenario has already happened with the countries of the Western Balkans.

Understandably, the desire to see step-by-step progress encourages the leaders of some individual EU member states and representatives of the expert environment to search for options that would satisfy all parties involved. The Partnership for Enlargement is one of such options. This idea should give a new impetus to the European Union's enlargement policy rather than replace or guarantee it. This initiative is quite sensible because it comprises three fundamental pillars, such as reconstruction and the single market, energy security and the green transformation, as well as security and political cooperation. However, this offer is problematic on the conceptual level.

Aiming to satisfy both pro-integration and skeptical EU member states, Partnership for Enlargement seems to create comfortable and acceptable prospects for all parties. However, the experience of the Eastern Partnership policy shows that the search for a middle way still leaves discontented parties. More ambitious partners are dissatisfied with the initiative's lack of impact, and the less interested parties are displeased with the level of EU expectations or obligations that the Union imposes on its partners. Thus, promoting the deepening of relations as well as approximation to the EU norms and practices without fixing the final result is seen by the addressees as a lack of a distinct vision of the EU's own future, and a reluctance to provide specific membership prospects for the candidates.

Therefore, any other EU foreign policy initiative, no matter how it will be named, will trigger irritation if the final goal of this very initiative does not stipulate granting membership to the EU applicant

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4   Notation consistently used by the author in this text (from the editors).

countries in accordance with Article 49 of the Lisbon Treaty. As for Ukraine, joining another initiative on the way to potential membership after receiving the long-awaited candidate status against the background of a bloody war would be insulting. Nine years in a row, Ukraine has been paying the highest price for its European choice – thousands of human lives. Within the last five months of the full-scale invasion, the Ukrainian state listened to the passionate speeches of European leaders about their own support and solidarity. Today Ukrainian political leaders also expect that all these words will not remain empty, as they are uttered against the backdrop of macro-financial aid shelled out for post-war reconstruction and reforms. Instead, they hope these speeches will trigger a deep and meaningful dialogue that will be truly impactful. This dialogue already has its defined parameters called 'enlargement negotiations'.

Undoubtedly, the EU membership criteria are demanding and the process itself is complicated. But, as it was mentioned earlier, the Ukrainian people pay an extremely high price out of their own good will. Secondly, the Ukrainian leadership expressed its readiness to implement the necessary reforms in the shortest possible time under the existing circumstances. Thirdly, the membership criteria have changed over time, adapting to every enlargement stage. That is why no new additional mechanisms are necessary as they would only complicate and drag out the process. Reconsidering the membership criteria based on the modern Ukrainian reality will be sufficient enough.

Through all these years on the path towards European integration, Ukrainians have come to terms with the complicated and long EU membership process. At the same time, not only have the people of Ukraine kept their faith in successfully completing their European journey, but also they have strengthened their belief in the European choice, as proven by recent public opinion polls and heroic resistance to the russian invaders. In short, Ukraine has made its choice and does its best to keep working on the necessary reforms.

Now it is high time for the EU to make a step. Instead of creating new intermediate mechanisms between the AA, candidacy and membership, the EU should seize the opportunity to benefit from a strong Ukrainian trigger to implement its own internal reforms. Among the attention-worthy proposals, the institutional change through amending the current Lisbon Treaty or adopting a new one appears to be especially valuable, albeit the most difficult. While the enlargement decision still requires unanimity, there is hope that a consensus on a qualified majority system in foreign policy, namely the Common Foreign and Security Policy, will be found. At the beginning of Ukraine's EU membership movement it would be enough for the more optimistic EU countries to provide Ukraine with the necessary all-level security support. As for energy, Ukraine has already entered the European Energy Union. In terms of reconstruction and the single market, Ukraine already enjoys a free trade zone with the EU. The next step is the 'industrial visa-free regime', as well as a revision of quotas and tariffs, in accordance with the provisions of the AA, without having to create fundamentally new terms of bilateral trade relations.

Understandably, every state is surrounded by its closest allies who are ready to take the lion's share of obligations to promote its partners' interests due to their historical ties, geographical and mental proximity, or elementary security prospects. The task is to 'free their hands' without waiting until all EU members are unanimous in supporting the country. In this regard, the offer to allow Germany and Poland to drive this process seems reasonable. Taking into account France's formed competence in the context of the Normandy format participation, the ambition of the French president after being re-elected for a second term and French Presidency of the EU Council in the first half of 2022, it would be helpful for France to join as one more driving force behind Ukraine's membership. Much as such a

proposal also involves potential risks related to French concessions made on behalf of russian interests. Therefore, the European leaders of Ukraine's accession to the EU should be balanced, reliable and principled to avoid employing double standards.

In summary, the content of the Partnership for Enlargement initiative sets the right priorities for Ukraine to become a full member of the EU. At the conceptual level, it reasonably positions Poland and Germany as potential leaders. However, it is unacceptable for such countries as Ukraine to treat the directions provided for by the Partnership programme as a new political initiative serving as a bridge between candidacy and membership. It will waste precious time and distract attention from the key point – the mutual desire of the parties to see Ukraine ready enough to become a full member of the European Union.

Oleksandra Bulana

Which way to the European Union?

Ukraine's entry into the European Union – this is the dream of the Ukrainian people, which has set the course of Ukrainian foreign policy for many years now. Support for this idea is so strong that it led to the Revolution of Dignity of 2013–2014. In a situation of war, support for EU membership is only increasing and, as of June 2022, 86% of Ukrainians support Ukraine's accession to the Union.[1] Therefore, Ukraine and its political leaders are unlikely to be satisfied by any alternatives – 'substitutes' for full-fledged membership.

At the same time, it is unlikely that Ukraine's path to the Union will be taken quickly. According to the opinion of the European Commission and the decisions of the European Council, Ukraine should meet the requirements and implement seven points of essential reforms before talks on the subject can begin.

The first review of the effects of the implementation of these requirements is planned by the European Commission for the end of 2022. However, the likelihood of implementing them in full by the end of this year is low. Firstly, the conditions for the adoption of new legislation require the inclusion of civil society and stakeholders in the discussions, which is not always possible in a situation of war. In addition, the opinion of the Venice Commission may be useful for the reforms of the Constitutional Court and the changes in legislation towards national minorities, and this takes time. Therefore, according to the most optimistic scenarios, the opening of talks will begin in a year's time, if no other requirements arise. This means that the start of the EU entry talks is not yet determined at the moment. It is equally difficult to set likely dates for Ukraine's readiness for full EU membership.

The unjust and unprovoked war started by russia[2] has left Ukraine vulnerable in many ways. The country needs not only military support, but also financial and logistical help, as well as the creation

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1 *Тринадцяте загальнонаціональне опитування: зовнішньополітичні орієнтації (18–19 червня 2022)* [*Thirteenth nationwide survey: foreign policy orientations (18–19 June 2022)*], Sociological group 'Rejting', https://ratinggroup.ua/research/ukraine/trinadcatyy_obschenacionalnyy_opros_vneshnepoliticheskie_orientacii_18-19_iyunya_2022.html (here and further accessed: as of 4 July 2022).

2 Notation used consistently by the author in the text (from the editors).

of favourable conditions for Ukrainian business, etc. In this respect, it is difficult not to agree with the analysis of Piotr Buras and Kaj Olaf-Lang, which concludes that an additional mechanism of inclusion in the single European market even before full membership would be beneficial for Ukraine.

However, the question arises as to what the mechanism for such inclusion should look like. Starting in 2014, the Association Agreement was an important tool for reform in Ukraine. However, its effectiveness has not always lived up to expectations. Some of the reforms envisaged in the agreement have not even been initiated for various reasons, not least because carrying out a comprehensive and difficult (and sometimes unpopular among the population) adaptation of legislation to the EU *acquis communautaire* has not been straightforward in an environment of unclear European prospects. Candidate status for EU membership is expected to change this and stimulate progress in problematic sectors.

The Association Agreement should continue to be implemented because, at the intermediate stage between the granting of EU candidate status and the beginning of talks, it must remain the key determinant for the further pursuit of Euro-integration reforms. There is progress in the implementation of the agreement in specific sectors, even under war conditions; the achievements to date include the following:

- Ukraine has received positive opinions from the European Commission's Directorate General for Taxation and Customs Union (DG TAXUD) regarding the possibility of joining the Convention on a common transit procedure (NCTS) and expects to join already by the end of 2022.
- Ukraine's power system was fully synchronised with the European ENTSO-E power grid in April 2022.[3] Ukrenergo has been granted ENTSO-E 'observer member' status[4] and has coordinated the resumption of electricity exports to the Union.[5]
- The Council of Europe Convention on preventing and combating violence against women and domestic violence was ratified.

For Ukraine, access to the common European market for goods and services is essential at this time. The war has severely limited the logistical possibilities for trade in Ukrainian goods, leaving only the western border accessible. This is why trade with and transit of goods through the Union is becoming critically important for the Ukrainian economy.

In order to deepen its cooperation with the European Union, Ukraine must continue its Euro-integration reforms. The Association Agreement already provides tools for deepening cooperation that are of significant importance for Ukraine. These include the possibility of drawing up an Agreement on Conformity and Acceptability of Industrial Products (ACAA Agreement), joining the digital single market and integration into the Trans-European Transport Network (TEN-T) and others.

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3 *Енергосистему України повністю синхронізовано з європейською енергомережею ENTSO-E* (*Ukraine's power system is fully synchronised with the European ENTSO-E power grid*), Ukrenergo, https://ua.energy/integraciya-do-entso-e/energosystemu-ukrayiny-povnistyu-synhronizovano-z-yevropejskoyu-energomerezheyu-entso-e/.

4 *«Укренерго» отримало статус «члена-спостерігача» ENTSO-E* (*Ukrenergo has been granted 'observer member' status by ENTSO-E*), Ukrenergo, https://ua.energy/media-2/ukrainian-power-system-is-fully-synchronised-with-the-european-power-network-entso-e/.

5 *ENTSO-E погодило поетапне розширення експорту української електроенергії в Європу* (*ENTSO-E agreed to gradually expand Ukrainian electricity exports to Europe*), Ukrenergo, https://ua.energy/zagalni-novyny/entso-e-pogodylo-poetapne-rozshyrennya-eksportu-ukrayinskoyi-elektroenergiyi-yevropu/.

The implementation of these reforms in wartime may be difficult. For example, improving the infrastructure for quality control of goods, which is necessary due to the ACAA Agreement, is hardly possible during the war, not only through lack of resources, but also directly due to the ongoing warfare. (For example, one of the largest metrological institutes of Ukraine SE *Kharkivstandartmetrologiya* is located in Kharkiv, and this city is shelled daily by russian artillery).

In addition to the cooperation tools provided for by the Association Agreement, it would be extremely important for Ukraine to be able to use some of the Union's tools already available to member states. This is where we also support the authors of the publication and their perspective on the Partnership for Enlargement. Taking into account the economic structures, it would be vital for Ukraine to be included in the EU's common agricultural policy and to gain access to relevant EU funds. Even before Ukraine's eventual entry into the EU it would be beneficial to consider its inclusion in the EU Customs Union.

Ukraine is to be included in the European climate policy. Before the war, the CBAM (Carbon Border Adjustment Mechanism) was expected to feature significant negative consequences for Ukrainian exports. More than 17% of Ukrainian exports to the EU would be subject to this mechanism. However, the war has had a very serious impact on the Ukrainian economy and has changed this situation. After the russian occupation of Mariupol and the ruination of the two large metallurgical plants of the Private Joint Stock Company *MKM Ilyich* and the Private Joint Stock Company *MK Azovstal* (which accounted for 30% of Ukrainian metallurgical production), exports of black metals to the EU decreased.

The energy industry, which was also expected to feel the consequences of the CBAM, was also affected. The energy ministry reported that on 8 June, carbon-neutral energy in the energy balance reached 87.4%,[6] as renewable energy production is reduced by regulators due to low demand. Demand for electricity in Ukraine has been reduced by about 30% by the war, which is associated with reduced production and population displacement. A number of power plants in Ukraine were damaged during the fighting (the Okhtyrka CHP plant was completely destroyed, control of the Luhansk CHP plant was lost, the Vuhlehir CHP plant was damaged, etc.), while closed ports and limited logistics caused difficulties in supplying coal to power plants. The reduction in consumption and increase in carbon-neutral energy allows Ukraine to undertake ambitious plans to increase exports to the EU.

The end of hostilities and the start of economic reconstruction will lead to increased electricity consumption. The post-war demand for its production is to be provided by carbon-neutral energy sources. Therefore, the entire reconstruction process in Ukraine should be carried out in the context of European climate policy. In the reconstruction of both industrial facilities and residential buildings and civil infrastructure, modern technologies should be taken into account and the emphasis should be placed on the efficient use of energy and resources.

Therefore, the green transformation of Ukraine's economy is not only a Euro-integration task, but also one of the key tasks of post-war reconstruction and recovery.

In the context of security cooperation, Ukraine cannot be expected to be an 'ordinary' member of the EU. Regardless of how the russian-Ukrainian war ends, in the context of security, the threats against

6 *Війна РФ проти України: енергетичний вимір* (*The war between the Russian Federation and Ukraine: the energy dimension*), DiXi Group Alert (as of 12:00, June 10), https://dixigroup.org/wp-content/uploads/2022/06/vijna-rf-proty-ukrayiny_2022_06_10_ua.pdf?fbclid=IwAR2rcBnAElfMcWyUSu1Wc4UAWtsEBPaaz17lG6LQChByzUMQY3tn94ejhiU.

Ukraine will be present for a long time to come. Moreover, it is understandable that security threats have also been updated for other EU members (threats towards Lithuania from russia[7]). Therefore, the adaptation of the EU's security policy to current challenges and the deepening of cooperation in this direction is gaining a topicality hitherto unknown since reunification. How the EU develops its security policy will have a major impact on the process of Ukraine's entry into the Community. In any case, further integration of Ukraine and the EU on security issues is vital for both parties.

The idea of the Partnership for Enlargement is supremely interesting. The process of joining the EU can take years, while the benefits of enhanced cooperation between Ukraine and the EU can be obtained earlier. The integration of Ukraine and the European Union will be convenient for both sides, both economically and in terms of security, so any steps that allow this process to be accelerated are welcome.

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7   *Will the Kaliningrad Crisis Lead to War?*, https://foreignpolicy.com/2022/06/24/kaliningrad-russia-lithuania-crisis-lead-to-war/.

Vitaly Portnikov

Security, recovery, reforms

The granting of candidate status to Ukraine and the Republic of Moldova for membership in the European Union took place in circumstances that were difficult to imagine just a few months earlier. These circumstances have changed the entire European security architecture and the entire future of the continent. Until recently, it was hard to imagine that a country that had survived two world wars would attack a country on whose territory many of the memorable battles of those world wars took place. Today, however, it is a political reality and this reality will have to be responded to.

I agree that candidate status in the European Union for Ukraine and Moldova is primarily a step of symbolic support. However, this symbolic support is very serious, because it sets a vector for further development. The very approach to the candidacy of Ukraine and the Republic of Moldova, and the European prospects for Georgia, testify to the fact that the European Union is beginning to move away from the false notion of a post-Soviet space contained in the Eastern Partnership programme. As both countries which were oriented towards European integration and those which were not really considering it were invited to participate in this programme. What did all these countries have in common in the eyes of Europeans? The fact that they were former Soviet republics, or that their membership in the Russian sphere of influence was thus indirectly recognised? In the Soviet political dictionary, this approach was referred to by the term 'kolkhoz'. However, was it a 'kolkhoz' or a 'Noah's Ark'? It was only with the onset of the Russian war against Ukraine that the European Union's entire neighbourhood policy and the Eastern Partnership programme collapsed. Now the time has come for other initiatives, which is why the Partnership for Enlargement proposal is so valuable. At least it is a

plan with addressees, and we in Ukraine want our European integration to be treated precisely as a concrete and realistic project, not symbolic. I believe this is quite obvious.

However, when thinking about such an initiative, we must first understand that it can only take place if the countries offered candidate status survive on the political map of the world. As the Moldovan MP and political scientist Oazu Nantoi wisely pointed out after the European Council decision, his country will of course enter the European Union as long as Russia does not conquer it. The same can be said of Ukraine. We are in the midst of an exhaustive war aimed at destroying our country. If Vladimir Putin succeeds in his plans, neither Ukraine nor Moldova will become members of the European Union. They will simply become regions of the Russian Federation.

However, let us try to hope that the West will give Ukraine the necessary support and that we will succeed in driving the aggressor from our territory. Of course, after the end of hostilities, Ukraine will be a country without much of its economy and population. At the same time, there is a great likelihood that the war will end without any agreements being signed between the parties. In other words, we will be waiting for a new, no less ruinous and bloodthirsty war. What, in that case, will be the policy of the European Union? How to help Ukraine economically? How to attract investments? How to demand compliance with European standards? It seems to me that we need to act very simply. Help as if the time of peace has already come – but keep security as a priority in development. Ukraine – should the country not become a member of NATO – will nevertheless remain a unique candidate for membership in the European Union. A country for which the main task of the coming years will be a question of survival, which is why European policy towards Ukraine and Moldova must be built on three pillars - security, aid and reforms.

If Germany and Poland take the lead in supporting the future European integration of Ukraine, they should be aware of the complexity and delicacy of such a mission. Actually, in my opinion, there should be three, not two, authors of such an initiative. Given that we are talking about two candidate states, it would be important to include Romania in such an initiative, as this country is particularly interested in the European integration of neighbouring Moldova. Only the joining of forces between Germany, Poland and Romania will make the European integration of Ukraine and the Republic of Moldova a process in which the parties with a genuine interest will be involved. Apart from this, I am convinced that a solution to the post-Soviet security issue is impossible without granting candidate status to Georgia, whose people were the first to fall victim to the Russian onslaught, back in 2008. When we talk about Georgia or Bosnia and Herzegovina, it is worth asking ourselves – is a war really necessary in order to seek candidate status in the European Union? Well, without a doubt the EU has paid a price for its caution and lack of strategic insight. Putin will resolve this war eventually – in the Caucasus and the Balkans.

The reminder of Georgia and Bosnia is by no means a diversion from the conversation. No, it is a reminder that security issues on the continent must be dealt with comprehensively. In the case of Ukraine and Moldova, as well as in the case of Georgia and Bosnia, we are dealing with states that wanted to become part of the European family. Meanwhile, the question of their territorial unity and very existence has still not been resolved. Russia's war against Ukraine is only the beginning of crisis processes. If the Kremlin cannot be stopped, the coming decades will be filled with war conflicts and ruinous crises, not even so much in Europe as in Eurasia. Therefore, this great initiative which was proposed to us must be considered as an idea that can be valid in times of peace as well as in times of war. But as a war-time initiative, it must be developed with an understanding of the reality in which we will all be living in the near future.

The Partnership for Enlargement is a strategy for assisting and reforming countries that have already resolved their survival and security issues. But what will be the approach if these issues are not resolved in the coming years or even decades (after all, the crisis around Transnistria has been going on for 30 years, Crimea and Donbas have been occupied for eight years)? Freezing European integration and being content with the status of an 'honourable' candidate for the former Soviet republics? This is a more than possible approach if we look at the experience of the Western Balkan states, for example. Perhaps, however, the European Union itself needs to be reformed as an organisation which needs to adopt a new approach to security issues and which needs to understand that the new enlargement now defines not the frontier of the EU but the frontier of Europe as such, or if one prefers, the frontier of our values.

This is the essence of the decision taken with regard to Ukraine and the Republic of Moldova. Russia is demonstrating disrespect and even open hatred for the values on which modern European civilisation is founded. Values which have been shaped by the experience of two world wars and which are linked to respect for individual rights and human life. Therefore, now the frontier of the civilised world will run first and foremost where Ukrainian state sovereignty can be preserved and renewed. At the same time, clearly, this is also where the new border of the European Union will run. This border will not simply be a line on a map: this border will have to be guarded and defended. It is possible that people will have to die on that border again. However, if Europeans are not yet ready for that, then we will have to recognise the collapse of European ideas as such and understand that if there is no new EU border, if Russia wins and gets its way, then the consequence will be that Europeans will have to die on the 'old' – current – borders of the EU. This is what the citizens of Germany and Poland must understand when they think about the future of European enlargement. The accession of countries such as Ukraine and Moldova to the EU will increase our collective chances of defence. When you help us – you help yourselves. That is why partnership for enlargement is our joint initiative.

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