

**Debating Eastern Partnership:  
A comparison of perspectives and expectations  
Report on Ukraine**

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## **Executive Summary**

The launch of the Eastern Partnership (EaP) marks the natural evolution of the European Neighbourhood Policy (ENP) towards greater involvement of the EU in the transformation process of the partner countries. For Ukraine the EaP has spelled both bad news and good news. It has been bad news since it does not respond to Ukraine's EU membership aspirations and lacks funding (read: commitment). Moreover, the EaP is perceived in Ukraine as having little added values, since the initiative really only extends the offer already on the EU-Ukraine table to the other EaP partners. The EaP has also been good news, since Ukraine is no longer labeled a 'neighbour', but a 'partner'.

When the EaP was launched the EU-Ukraine bilateral agenda was already very intensive. The EU and Ukraine have been negotiating an Association Agreement (AA) with the Deep and Comprehensive Free Trade Area as its key component. The EU and Ukraine have also been implementing the visa facilitation agreement with the prospect of moving towards visa-free travel (it is expected that the EU and Ukraine will sign the visa-free action plan during the EU-Ukraine Summit on November 22, 2010). Within the ENP the EU has offered greater involvement with the domestic reforms in Ukraine. Ukraine and the EU have been implementing the Association Agenda since 2010 (the blueprint for domestic reforms, a second generation ENP Action Plan). Furthermore, the EU has published annual progress reports on Ukraine among the other ENP countries every spring and these have become more detailed over time. The number of institutions conducting dialogue at various levels, capacity building for civil servants, and opportunities for people-to-people contacts has increased since the ENP was launched. The EaP adds little that is new to this agenda; yet, the EaP means to strengthen some of these aspects. Thus, it is no surprise that the EaP did not at once receive a warm welcome from Ukraine. It is only over time Ukraine has come to realize that even a little added value can be useful and has become cooperative.

Despite little added value the EaP has had so far in practical terms, the offer expressed in the European Commission's Communication on the EaP in December 2009 contains interesting ideas, including regional development programs similar to the EU's convergence policy, direct cooperation between regions of the EU and partner countries, cross-border cooperation among the EaP partner countries, and in the longer run the possibility of a targeted opening of the EU labour market and the prospect of full access to the single market. All of these offers are new in the EU's policy towards Ukraine (the other offers of the EaP are new mostly for

other partners, not Ukraine) and even go beyond what is currently being negotiated in the EU-Ukraine Association Agreement. These offers will remain, however, at the idea level until they are deliberately turned into projects or become included in the AA. For the time being, the only specific or practical tool close to the implementation stage is the Comprehensive Institution-Building program (CIB), which is aimed at reforming state institutions in selected areas where reforms are needed, particularly given the forthcoming implementation of the AA. This is supposedly a more efficient approach than that of capacity building for civil servants alone, which has been the thrust so far.

The multilateral dimension of the EaP is a different story. In principle it is a good idea for the region as a whole, which since the collapse of the Soviet Union has experienced only disintegration. The multilateral dimension might help the countries of the region share their experience in pursuing reforms and integration with the EU. It can also help tackle common challenges, such as illegal migration, protection of the environment, the development of transportation routes, and so on. Nevertheless, it is important to move beyond the level of discussion, as is the case now within the intergovernmental thematic platforms, towards specific projects with clear objectives and funding.

About the EU's impact on Ukraine's transformation, the EaP has not been able to tackle the insufficient political will and commitment on both sides. This problem has so far hampered development of EU-Ukraine relations. While Ukraine has focused on the prospect of membership with few commitments and capacity to carry out reforms (this has been true irrespective of the government in question), the EU has been able to offer only limited involvement in Ukraine without far-reaching agenda and sufficient resources. Unless this changes the EaP will not bear fruits in terms of making a difference in Ukraine.

## 1. Introduction

The launch of the Eastern Partnership (EaP) marked the natural evolution of the European Neighbourhood Policy (ENP). Since the ENP's launch in 2004 it has been a policy in the making and upgraded more or less regularly. Along the way new ideas and instruments have appeared aimed at making the policy more effective in terms of meeting its declared objectives of turning the neighbouring countries into better governed, more democratic, and stable states. We may trace this evolution of the ENP by looking at the Communications of the European Commission on the ENP and the EaP.<sup>1</sup> What emerges from them is the fact that the European Commission has gained better understanding of the situation in the partner countries from the experience of having worked with them. Another reason for this evolution has been the EU's ambition to avoid the failure of the ENP, its 'transformative power' being the major criterion of the policy's effectiveness. In other words, if the EU fails to make a difference in the partner countries, its foreign policy (at least its ENP component) can be regarded as ineffective. From this perspective the EaP came not as a surprise, but as a natural step.

On the other hand, the EaP became possible at all due to several contextual factors. Firstly, the launch of the Union for the Mediterranean seemingly guaranteed the EU's attention and resources to the Southern neighbours covered by the ENP, with France (specifically, President Sarkozy) being the driving force behind the policy. Secondly, the Russian aggression against Georgia strengthened the conviction inside the EU that the EU needs to pay more attention to and become more visible in the Eastern neighbourhood. These two contextual factors enabled the creation of the EU's special policy towards the Eastern neighbours – the Eastern Partnership. It is important to note that the idea is not new. In fact, the evolution of the ENP coupled with the contextual factors revived the old UK-Swedish idea of April 2002, when the foreign ministers of those countries put forward the idea of granting 'new neighbours status' to

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<sup>1</sup> European Commission (2008): *Communication from the European Commission to the Council and the European Parliament. Eastern Partnership*. Brussels, 3.12.2008. COM(2008) 823/4, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0823:FIN:EN:PDF> (12.11.2010); European Commission (2007): *Communication from the European "A Strong European Neighbourhood Policy"*. Brussels, 5.12.2007. COM(2007) 774, [http://ec.europa.eu/world/enp/pdf/com07\\_774\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com07_774_en.pdf) (12.11.2010); European Commission (2006): *Communication from the European Commission to the Council and the European Parliament on Strengthening the European Neighbourhood Policy*. Brussels, 4.12.2006. COM(2006) 726, [http://ec.europa.eu/world/enp/pdf/com06\\_726\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com06_726_en.pdf) (12.11.2010); European Commission (2004): *Communication from the Commission to the Council and the European Parliament "European Neighbourhood Policy. Strategy Paper"*. Brussels, 12.5.2004. COM(2004) 373, [http://ec.europa.eu/world/enp/pdf/strategy/strategy\\_paper\\_en.pdf](http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf) (12.11.2010); European Commission (2003): *Communication from the Commission to the Council and the European Parliament "Wider Europe— Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours"*. Brussels, 11.3.2003. COM(2003) 104, [http://ec.europa.eu/world/enp/pdf/com03\\_104\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com03_104_en.pdf) (12.11.2010).

Ukraine, Moldova, and Belarus. The three Caucasus countries<sup>2</sup> not covered by the 2003 ‘Wider Europe’ initiative (the idea that preceded the ENP), but included in the ENP in 2004, naturally became a part of the EaP as well.

For Ukraine the EaP is both bad news and good news. It is bad news, since it does not respond to Ukraine’s aspirations for EU membership. Although these aspirations have been mainly declarative and not supported by reform processes on the ground, the prospect of EU membership has always been a criterion according to which Ukraine assessed the EU’s policy. Moreover, the EaP has been criticized in Ukraine for its under-funding, which has been perceived as reflecting a lack of commitment on the part of the EU. Finally, the EaP is perceived in Ukraine as having few added values, since the initiative simply extends the offer already on the EU-Ukraine table to the other EaP partners, whose level of relations with the EU was lagging behind Ukraine’s. In other words, the EU offered to all the EaP partners the policy tools that have been tested on and in some ways shaped by Ukraine. Yet, the EaP has also been good news, since Ukraine is now no longer labelled a ‘neighbour’ of the Europe Union (implying for some Ukrainian policy-makers that Ukraine is not a European country) but as a ‘partner’. Furthermore, over time Ukrainian policy-makers have come to realize that some added value, or rather the potential of added value, is in fact offered by the EaP and needs to be made avail of.

At this stage, little can be said about the practical implications of the EaP. After less than two years since the initiative’s implementation we can only assess the intentions and adequacy of the EaP in terms of the EU’s ambition to ‘transform’ the partner countries. We can also analyse perceptions on the ground and the capacity of the partner countries to make use of the declared or potential added value, not the least by being proactive and coming up with ideas and proposals.

This analysis therefore starts with an assessment of the current state of relations between the EU and Ukraine and the perception of this relationship by different actors inside Ukraine. The analysis then proceeds with an examination of the EaP (its potential added value), an assessment of the reaction of Ukraine to the EaP, and appraisal of the level of engagement, both by the government and civil society. The analysis concludes by outlining some prognoses for the

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<sup>2</sup> Armenia, Azerbaijan, and Georgia were included in the ENP in 2004.

development of the EaP and its potential to make a difference in the transformation of the partner countries.

## **2. The current policy of Ukraine as a partner-country towards the EU – priority areas in relations with the EU**

Ukraine and the EU are currently facing an important phase in their relationship, with the two sides negotiating an Association Agreement (AA). It is anticipated that it will be signed by the end of 2011. Once having done so, Ukraine will become the first country in the Eastern Neighbourhood to have established ‘political association and economic integration’ with the EU. Moreover, cooperation (or integration) between the EU and Ukraine based on the AA will clearly decouple the EU-Ukraine relationship from the EU-Russia relationship. This is because the AA will require Ukraine to incorporate into its national legislation a large body of the EU’s *acquis*, while cooperation within the four common spaces with Russia is unlikely to follow the same logic of asymmetrical integration. This will be an important development in view of the longstanding ‘Russia first’ policy in the EU’s relationship with the Eastern neighbourhood.

These developments are well in line with the pattern of cooperation that the EU cultivated with its Eastern neighbourhood since the very launch of the European Neighbourhood Policy, meaning that Ukraine has been the flagship country of the ENP since the very beginning.<sup>3</sup> Thus, Ukraine was also the first country of the Eastern neighbourhood to have signed the visa facilitation agreement that entered into force as of 2008 (Russia was offered such an agreement earlier, but since Russia is not an ENP or EaP country we leave this outside the scope of this analysis). Ukraine was also the first Eastern ENP country to have been granted the Governance Facility (back in 2005) as the best ENP performer in the East (Morocco was the best ENP performer in the South). Furthermore, Ukraine was also offered such instruments as TAIEX and Twinning as early as 2005, though formerly they had been available only for the accession countries. Both are aimed at helping the partner countries in legal approximation and capacity building for civil servants. Finally, Ukraine, along with other ENP countries, is eligible for participation in some of the Community Programs and Agencies, although the terms for participation are still being negotiated.

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<sup>3</sup> Russia was not willing to join the ENP, although invited back in 2003.

Overall, the state and dynamics of the relationship Ukraine and the EU have achieved over the past six years – that is, since the ENP was launched in 2004 – are in contrast to the previous relationship. Before 2004, which coincided with the Orange Revolution, the EU was hardly at all an actor in Ukraine’s domestic reform process and the intensity of contacts at different levels was rather limited. Also, as mentioned before, the EU was then pursuing a ‘Russia-first’ policy by offering Russia new policy tools first and only afterwards to Ukraine.<sup>4</sup> With the ENP the EU has become involved in the domestic reform process in Ukraine. The EU-Ukraine Action Plan, implemented during 2005–2008, contained a comprehensive list of ‘homework’, i.e., domestic reforms Ukraine had to implement in various sectors. The European Commission launched the regular progress report (the 2010 report published in May became the third annual report), wherein it took stock of the progress (or lack thereof), and this proved to be an important mode for involvement in domestic developments in Ukraine. It is worth noting that over time the progress reports on Ukraine have become more detailed and informed, although not necessarily critical. The level of contacts, or what is known in academic literature as ‘socialization’, has expanded at the political level and the level of civil servants, as well as in the people-to-people dimension, with more opportunities for civil society, students, scholars, and researchers. The degree of the EU’s involvement in terms of assistance and expertise has also become more sophisticated and intensive, although far from the level of accession countries.

The launch of the Eastern Partnership has strengthened these aspects, although so far more in terms of plans than reality. For instance, the EaP offers a Comprehensive Institution-Building (CIB) program, which is to be launched in 2011. This program will help reform selected institutions. Supposedly this will be a more efficient approach than that of capacity building for civil servants alone, as it is designed to strengthen the reform capacity of Ukraine’s public authorities. Through the four thematic platforms the Ukrainian authorities have become involved in numerous multilateral meetings with the participation of civil servants, judiciary representatives, border guards, and other professional groups from the EU and the EaP countries. Although these meetings have so far been more like talk-shops, this kind of socialization may also be useful.

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<sup>4</sup> For a comprehensive comparison of the EU’s policy towards Ukraine before the ENP was launched and afterwards see Solonenko, Iryna (2007): ‘The EU’s ‘Transformative Power’ beyond Enlargement: the Case of Ukraine’s Democratisation’. *European Research Working Paper Series* (21). The University of Birmingham European Research Institute, [http://www.eri.bham.ac.uk/research/working\\_papers/WP21Solonenko.pdf](http://www.eri.bham.ac.uk/research/working_papers/WP21Solonenko.pdf) (12.11.2010).

Despite the evolution of the EU's involvement with Ukraine and the deepening of ties, the EU-Ukraine relationship can hardly be assessed as one that meets the aspirations of both sides. Despite the growing level of mutual engagement, two problems have persistently hampered the relationship. Firstly, Ukraine has long claimed the prospect of EU membership. In fact, Ukraine still perceives European integration as a zero-sum game, with a lot of emphasis in official rhetoric and popular perception being put on the possibility of membership.<sup>5</sup> Without such a prospect there is lack of incentive to change things at home, despite the fact that common sense tells Ukrainians they can only benefit from the Europeanization process. However, the EU has not yet been able to make the commitment to grant Ukraine the prospect of membership. Because of this, and especially before 2004, the EU-Ukraine relationship was often characterized as a 'dialogue of the deaf'. Things are of course much better today, as Ukraine has adopted a more pragmatic approach. It accepted the ENP back in 2005, along with other policy arrangements that followed. Moreover, since the 2010 presidential election less emphasis on the prospect of membership is found in official rhetoric.

Another problem is that of the lack of reforms and commitment to European values in Ukraine. Since Kuchma's times Ukraine claimed to be seeking EU membership, albeit without undertaking any steps in terms of Europeanization. This became known as 'rhetorical integration', especially during Kuchma's second term, when numerous state programs were adopted that were supposed to lead to Ukraine becoming an EU member state. This was all rather hypocritical given the deterioration of political freedoms during the time, and which culminated into the fraudulent presidential elections in 2004. Although the situation with political freedoms improved over the five years of 'Orange' Ukraine, Ukraine's leadership has failed to implement important reforms, such as constitutional reform, judicial reform, or reform of public administration. Since 2010 presidential elections situation with political freedoms has worsened, while local election on October 31, 2010 failed to meet democratic standards. Ukraine has failed to demonstrate sufficient commitment to reforms, while the EU expects the reforms to be the first step toward closer cooperation and integration.

Ukraine's inordinate focus on membership and the frailty of commitments and capacity to carry out reforms is a problem inextricably entwined with the EU's ability to offer only limited involvement in Ukraine's reform process, and its inability to offer the prospect of mem-

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<sup>5</sup> See Wolczuk, Kataryna (2004): 'Integration without Europeanization: Ukraine and its Policy towards the European Union', *EUI Working paper RSCAS No. 2004/15* (Florence: European University Institute).

bership. According to the EU's Ambassador to Ukraine, there is a 'catch-22' in that Ukraine simply refuses to carry out reforms until the membership prospect is offered, while the EU keeps insisting reforms are the necessary first step for Ukraine<sup>6</sup>. Nevertheless, there has been a slow movement in the direction of Ukraine's recognizing the inability of the EU to move beyond political association and economic integration, while the EU has recognized that more resources and efforts are needed to guide and support the reform process in Ukraine, where both political will and capacity are in short supply.

Where Ukraine's policy of European integration is concerned, Ukraine introduced the Coordination Bureau for European and Euro-Atlantic Integration in 2006. Although this was a bureaucratic response to a political problem – the lack of political will and capacity for reforms could not have been solved by this institution – it nonetheless helped to streamline the endeavours of various ministries and the executive in general where EU-related issues are concerned. In the new government led by Mykola Azarov, the Bureau<sup>7</sup> has been preserved, indicating that institutional inertia in Ukraine's European integration policy does exist. What Ukraine still lacks is the political leadership to make European integration a priority, along with the political will to comply with EU values and standards. The Bureau has too little influence on the ministries due to the fact that its head is not a member of the Cabinet of Ministers. Moreover, since the 2010 presidential election the Bureau seems to have given up the ambition to 'coordinate' the work of relevant ministries. Secondly, it has little impact on the work of the Parliament, whose role is crucial in adopting the necessary legislation. Another institution important for Ukraine's European integration – the Ukrainian side of the EU-Ukraine Cooperation Committee – also has limited impact. It is chaired by the Deputy-Prime Minister for Reforms Serhiy Tyhypko (in Tymoshenko's government – Deputy-Prime Minister for European and International Integration Hryhoriy Nemyria) and consists of various ministers or deputy ministers. In the current government, in which the Ukrainian side of the Committee meets only once every three months, this institution mostly creates the opportunity to discuss and keep each other up-to-date on the implementation of the Association Agenda, progress in negotiations on the Association Agreement, and sundry other aspects of Ukraine's European integration.

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<sup>6</sup> See the interview with the EU, Ambassador to Ukraine in *Korespondent*, May 28, 2010.

<sup>7</sup> In the Azarov government the Coordination Bureau for European and Euro-Atlantic Integration was renamed as the Bureau for European Integration (the Euro-Atlantic component was removed and the staff reduced).

### 3. The approach towards the EU – Armenia’s political opposition and Ukrainian society

It is difficult to discuss political opposition in Ukraine in the classic sense, since the political forces that lost the 2004 presidential elections (the Party of Regions), had the chance to lead the government during 2006–2007 (during the ‘Orange’ period) and are now back in charge of both the presidency and the government. Similarly, the biggest ‘Orange’ political party – the Yulia Tymoshenko Block, which is now in opposition – had its leader Yulia Tymoshenko as prime minister in the two ‘Orange’ governments in 2005 and 2007-2010. Therefore, those political forces that are in opposition now (including smaller political parties being built up by Arseniy Yatseniuk and Anatoliy Grytsenko) had the chance to run the country and influence the pace of its relationship with the EU. For this reason we will highlight some differences in the perceptions towards the EU among different political forces, rather than focus on the current opposition, the latter being rather fragmented.

The issues of European integration and the relationship with the EU do not produce any controversies among the spectrum of mainstream political forces in Ukraine. Indeed, whether they find themselves in opposition or in power<sup>8</sup> they do not challenge the goal of EU accession. Those same political forces, however, have done too little, if anything, to get past declarations and focus on implementing EU-related commitments. The lack of progress in political reforms (constitutional, judicial, electoral) and the reform of the energy sector stand out as the most vivid examples – although we at once must note that the Law on the Gas Market was adopted as a condition for Ukraine’s membership in the European Energy Community. Even so, no steps have been made to introduce transparency into the energy market.

Both the Party of Regions and the representatives of the ‘Orange’ team have cared about their image in the EU and endeavoured to be perceived as a part of the European club. During the political crisis in Ukraine in the spring of 2007 both former Prime Minister Yanukovich and President Yushchenko rushed to Brussels to make their case. Yulia Tymoshenko has probably been the most active in maintaining her contacts in Brussels and presenting a different view on developments in Ukraine while in opposition. Today, both sides have embarked on what can be regarded as information war in Brussels. The Party of Regions is trying to win a better

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<sup>8</sup> Here we mainly mean ‘Orange’ forces – the Yulia Tymoshenko Block, Our Ukraine, People’s Self-Defense, and also the political parties being built by Anatoliy Grytsenko and Arsenii Yatseniuk (both presidential candidates in the 2010 campaign), and the ‘Blue’ forces – the Party of Regions. The two sides have been both in opposition and held power since the Orange Revolution in 2004.

name for itself in the European capital, while Yulia Tymoshenko is attempting to present a different perspective on developments in Ukraine. Both sides rely on Brussels-based PR consultancies.<sup>9</sup> This information war has a positive side though, since it shows that the opinion of the EU matters to Ukrainian political leaders. This gives leverage for the EU to influence developments in Ukraine, which to date the EU has not been using actively enough.

EU-related rhetoric has also been employed by a range of political leaders who hold office in order to win political dividends at home. Thus, throughout 2009 both President Yushchenko and Prime Minister Tymoshenko claimed Ukraine would sign an Association Agreement with the EU (often presented as Ukraine's 'associate membership' in the EU – another manipulative trick) by the end of 2009. Similarly, Viktor Yanukovich, as the President of Ukraine, has claimed Ukraine will be offered a visa-free travel with the EU by the end of 2010, which has little to do with reality.

This is not to say that there are no differences in the approaches towards the EU among the different political forces; yet those differences are more at the level of nuances rather than substance. Where nuances are concerned, the 'Orange' part of the political spectrum in Ukraine is more oriented on the EU than the 'Blue' part. Thus, both Our Ukraine and the Yulia Tymoshenko Block claim affinity to the European Peoples Party (EPP) family of the EU political parties, both having the status of observers in the EPP. The Party of Regions, by way of contrast, did not seek any ties with the EU parties until recently: rather, it is affiliated with United Russia, the ruling Russian party. Recently, however, the Party of Regions signed a Memorandum with the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament. The two political groups agreed to intensify the contacts with a view to supporting the Party of Region's ambition to strengthen the process of Ukraine's EU-integration.<sup>10</sup> Again, this confirms that the EU matters to different political forces in Ukraine.

Beyond that, the 'Orange' team can be portrayed as more romantic where the relationship with the EU is concerned (although Tymoshenko's attitude was much less romantic than that of Yushchenko's), while the 'Blue' team is more pragmatic. Thus, Yanukovich and his team talk less about the prospect of membership, but focus more on practical and short-term issues,

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<sup>9</sup> See Rettman, A. (2010): 'Ukraine chief seeks friends in EU capital. EUobserver', 29.10.2010.

<sup>10</sup> Chyvokunia, V. (2010): 'Azarov pryviv Akhmetova do Sotsialistiv', *Ukrainska Pravda*, 13 October 2010, <http://www.pravda.com.ua/articles/2010/10/13/5473969/> (12.11.2010); see also 'Perspectives of good cooperation between S&D and the party of regions of Ukraine', [http://www.socialistsanddemocrats.eu/gpes/public/detail.htm?id=134806&section=NER&category=NEWS&request\\_locale=EN](http://www.socialistsanddemocrats.eu/gpes/public/detail.htm?id=134806&section=NER&category=NEWS&request_locale=EN) (12.11.2010).

such as the EURO 2012 football championship. Another aspect, which distinguishes the current authorities (namely, the Yanukovich-Azarov government) from the current opposition is the attempt to deny the principle of asymmetry in Ukraine's relationship with the EU. Both Yanukovich and Azarov have claimed on several occasions that integration with the EU should be based on Ukraine's 'national interest' and be carried out on an 'equal footing'.

When talking about the political elites in Ukraine, one also has to consider the factor of the big business interests behind those elites. The latter, known as oligarchs, largely drive the decision-making in the country as they are the major party sponsors and have direct presence in the Verkhovna Rada (Supreme Council) and the Government. This being the background, policy-making in Ukraine, irrespective of which political force is concerned, is driven by rather short-term and narrow corporate interests rather than strategic thinking and what can be understood as national interest. From this perspective, cheaper Russian gas and preserving a non-transparent gas sector are options preferred to implementing gas sector reforms as required by the EU. Yet joining the common economic space with Russia, Belarus, and Kazakhstan (including the customs area) might be a less desirable option as compared to moving towards a free trade area with the EU. This logic is true when it comes to any political force in Ukraine. While the long-term benefits from EU integration require oftentimes expensive immediate reforms, ready-made opportunities offered by Russia in the short-term perspective outweigh the long-term offers made by the EU. Having said this, one can hardly expect serious EU-oriented reforms in Ukraine, this being true irrespective of the political force that holds the office, apart from where things can be done at a rather bureaucratic and low-scale level.

In short, whether we talk about the current authorities or the political forces which are in opposition at the moment, EU-related reforms and policy towards the EU are carried out in a similar manner and with similar attitudes. This has to do with the fact that the EU-Ukraine relationship is driven more by the EU than Ukraine. The EU offers incentives, expertise, policy guidance, and financial assistance – and it is up to the Eastern neighbours whether they accept and take advantage of them. Moreover, the EU's policy, including the policy towards neighbours, is institutionalized and bureaucratized to a large degree, with continuity and institutional inertia playing an important role. In this situation, irrespective of which political force takes the office in Ukraine, the relationship develops and becomes more intensive on its own right. Thus, although the appetite with respect to Ukraine is currently low in the EU (because

of the deterioration of democratization and respect for human rights), contacts at the institutional level remain intensive.

It is due to these factors that the EU is hardly an issue in the domestic power struggle, insofar as the relationship between the authorities and opposition is concerned. Because of the fact that there is general consent among the political elites and within society that European integration is a good or (at least) a neutral thing, it hardly provokes any political debates. Things stand differently where Russia is concerned owing to the importance of the Russian factor for Ukraine's national identity and statehood, and to the lack of transparency in bilateral relations. Thus, the first months of the new president and the government saw controversies between the authorities and the opposition over a number of decisions having to do with the relationship with Russia.

Where society in Ukraine is concerned, support for European integration can be described as moderately popular. Various public opinion polls of recent years have indicated that just over 50 per cent of the population support Ukraine's accession to the EU. Sometimes this support has fallen below the 50 per cent level, but on average it has been more or less on the same level. According to one public opinion poll, 51% of people would have voted in favour of EU accession in December 2009 if a referendum had taken place.<sup>11</sup> According to the same poll, support for EU accession was higher in 2007 (64% in favour) and in 2008 (56% in favour). Yet when people are asked whether Russia or the EU is more important for Ukraine's foreign policy, 51% of respondents state that Russia should be a priority, while only 27% perceive the EU as a priority.<sup>12</sup> Interestingly enough, only 30 % of Ukrainians perceive themselves to be European<sup>13</sup>, and only 14% have ever travelled to the EU, US, or Canada<sup>14</sup>. The latter data indicates that the overwhelming majority of Ukrainians have little or no first-hand knowledge about living standards and values in Western/ European societies. Where differences among the Ukrainian population are concerned, people living in Western Ukraine, Ukrainian-

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<sup>11</sup> Poll carried out by the Democratic Initiatives Foundation. Results available at <http://dif.org.ua/ua/press/hdthdrthhttp://dif.org.ua/ua/press/hdthdrt> (12.11.2010).

<sup>12</sup> Data as of December 2008. Razumkov Centre (2008a), [http://www.razumkov.org.ua/ukr/poll.php?poll\\_id=305](http://www.razumkov.org.ua/ukr/poll.php?poll_id=305) (12.11.2010).

<sup>13</sup> Razumkov Centre (2008b): 'Public Monitoring of the EU-Ukraine Action Plan Implementation' *National Security and Defence* (6), 2008, <http://www.uceps.org/eng/journal.php?y=2008&cat=115> (12.11.2010).

<sup>14</sup> Poll carried out by the Democratic Initiatives Foundation. Results available at <http://dif.org.ua/ua/press/hdthdrthhttp://dif.org.ua/ua/press/hdthdrt>, (12.11.2010).

speaking people, those with higher education, and younger than 40 tend to favour the EU rather than Russia.<sup>15</sup>

#### **4. The perception of the Eastern Partnership (EaP) in Ukraine – the most important advantages and shortcomings of the EaP**

Ukraine's initial reaction to the EaP, similarly as was the case with the ENP back in 2004–5, was rather reluctant. The key problem related to the Ukrainian perception is that any arrangement which falls short of the prospect of membership in the EU is neither sufficient nor attractive for Ukraine. Ukraine argued that the Eastern Partnership lacked any added value. Particularly where the bilateral component is concerned, the perception was that the EaP did not offer anything new to Ukraine, but only extended the offer which Ukraine already had to other EaP partners<sup>16</sup>. Apart from that, the lack of funding allocated within the initiative was criticized.<sup>17</sup>

Gradually, however, Ukraine changed its approach. In an article written for *Zerkalo Tyzhnia*, a high profile weekly, in May 2010 Kostiantyn Yeliseev (at that time Ukraine's deputy foreign minister) noted that the Eastern Partnership initiative was the EU's response to Ukraine's ambitions to move away from being a geographic neighbour towards partnership. Additionally, he argued, the EaP supplements the already advanced EU-Ukraine bilateral relationship and strengthens Ukraine's role as a regional leader that can share its experiences in European integration with other countries in the region.<sup>18</sup> Thus, Ukraine decided to focus on the bilateral dimension of its relationship with the EU irrespective of the EaP and yet use the new elements the EaP offers, be they in the bilateral or multilateral dimension.

Indeed, the EaP has little added value for Ukraine, which currently focuses on two objectives in its relationship with the EU. The first objective is visa-free travel, and the second is the signing of an Association Agreement with its deep and comprehensive free trade area compe-

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<sup>15</sup> See GFK-Ukraine public opinion poll, <http://www.gfk.ua> (12.11.2010).

<sup>16</sup> For instance, the AP successor document – Association Agenda, the Association Agreement with deep and comprehensive FTA component, visa facilitation agreement, and visa-free dialogue.

<sup>17</sup> See Korduban, P. (2009): 'European Union's Eastern Partnership Plan Disappoints Ukraine', *Eurasia Daily Monitor* 64(6), April 3, 2009 for an overview or reactions in Ukraine, [http://www.jamestown.org/single/?no\\_cache=1&tx\\_ttnews\[swords\]=8fd5893941d69d0be3f378576261ae3e&tx\\_ttnews\[any\\_of\\_the\\_words\]=Pavel%20Korduban&tx\\_ttnews\[pointer\]=13&tx\\_ttnews\[tt\\_news\]=34796&tx\\_ttnews\[backPid\]=7&cHash=80faadd150](http://www.jamestown.org/single/?no_cache=1&tx_ttnews[swords]=8fd5893941d69d0be3f378576261ae3e&tx_ttnews[any_of_the_words]=Pavel%20Korduban&tx_ttnews[pointer]=13&tx_ttnews[tt_news]=34796&tx_ttnews[backPid]=7&cHash=80faadd150) (12.11.2010).

<sup>18</sup> Yeliseev, K. (2009): 'Ukraina i ES: Partnerstvo – Asotsiatsiya – Chlenstvo' (Ukraine and the EU: Partnership – Association – Membership), *Dzerkalo Tyzhnia* 16 (744), 30 April – 15 May 2009, <http://www.dt.ua/1000/1600/66101/> (12.11.2010).

tent. In both respects the EaP has no added value, since Ukraine has been pursuing both objectives at its own pace. Thus, in June 2010 the EU decided to move the visa dialogue with Ukraine ‘into an operational phase’.<sup>19</sup> This means that the EU and Ukraine will now jointly draw up an Action Plan outlining the reforms Ukraine has to undertake in order to move towards visa-free travel.<sup>20</sup> It is expected that the Action Plan will be signed during the EU-Ukraine Summit on November 22, 2010. This recent development is rather revolutionary given that until recently the EU had avoided any commitments beyond the formula of the vague and long-term prospect of visa-free travel, but this development has little to do with the EaP as such. Where the Association Agreement is concerned, the progress will solely depend on the pace of the negotiation process, which has to do with the capacity of the negotiation teams on both sides and the ability of the teams to reach compromise in many areas where interests are rather different. Thus, although the political and sectoral parts of the agreement were already provisionally closed, the free trade part has been difficult to agree upon, as revealed in an interview with Péter Balász (Deputy Director General of the European Commission’s Directorate General for Trade) conducted by a Ukrainian newspaper in August 2010.<sup>21</sup> According to the Ukrainian media, the most recent round of negotiations (from October 2010) was marked with a certain progress. Ewa Synowiec, who chaired negotiations on the EU side, stated in an interview with another Ukrainian newspaper that the round was a success. She explained that progress was achieved on eight chapters where the trade of goods is concerned, and the chapter on the trade of services was opened.<sup>22</sup>

Looking more deeply into the EaP proposals, including the European Commission’s Communication released in December 2009, a number of interesting ideas were expressed. Yet only some of them have so far become real or potential projects. The Comprehensive Institution-Building (CIB) program and the Regional Development programs are new elements in the EU’s policy towards Ukraine and will be discussed below. Apart from those, the EaP offers the opportunities for direct cooperation between regions of the EU and partner countries, cross-border cooperation among the EaP partner countries, and in the longer run the possibil-

<sup>19</sup> The EU Council of Ministers of Justice and Home Affairs, which took place in Luxembourg on 3 June 2010, took the decision.

<sup>20</sup> Council of the European Union (2010): *EU-Ukraine Cooperation Council Fourteenth Meeting, Luxembourg, 15 June 2010*. EU Press release 11102/10, PRESSE 181, [http://www.consilium.europa.eu/uedocs/cms\\_Data/docs/pressdata/en/er/115187.pdf](http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/er/115187.pdf), (12.11.2010).

<sup>21</sup> See Ryabkova, D. (2010): *Investgazeta* 30(2), August 2010, <http://www.investgazeta.net/politika-i-ekonomika/es-ne-pojdet-ustupki-ukrainskim-agrarijam--peter-159474/2> (12.11.2010).

<sup>22</sup> See Sydorenko, S. (2010): *Kommersant Ukraina*, <http://www.kommersant.ua/doc.html?docid=1520099>, (12.11.2010).

ity of a targeted opening of the EU's labour market and the prospect of full access to the single market. All of these offers are new in the EU's policy towards Ukraine (the other offers of the EaP are new mostly for other partners, not Ukraine) and even go beyond what is currently being negotiated in the EU-Ukraine Association Agreement. These offers though will remain on the level of ideas until they turn into projects or are included into the AA at a later stage.

Where some progress and steps towards real projects have already taken place, it is the CIB which is worth mentioning. The CIB is aimed at reforming state institutions in selected necessary areas, particularly given the forthcoming implementation of the Association Agenda. This is an important step forward as compared to the current stage where only activities that target civil servants are available. The Twinning and TAIEX programs currently available, although good instruments for socialization and capacity-building, have had limited impact due to the lack of motivation for civil servants to apply the skills they gain. Given that institutions remain unreformed there is no demand for the skills and knowledge introduced by the programs.<sup>23</sup> Thus, fostering the capacity of individual civil servants needs to be matched with reforming institutions and the entire civil service system. It is particularly important to focus on institutions in the areas that will be essential for implementation of the Association Agreement in the short-term perspective. CIB seems to be an adequate response to this need.

The multilateral component of the EaP has been of added value given that this is a new dimension that complements the bilateral relationship of the EU with the partner countries. This of course raises questions as to whether regional cooperation among the countries that are so different domestically and have different aspiration vis-à-vis the EU can be promoted. Moreover, various multilateral initiatives that have included the countries of the region have not resulted in real projects. GUAM (Georgia, Ukraine, Azerbaijan, and Moldova) is a good example. It remains a forum for high level meetings with hardly any practical cooperation on the ground. It is therefore no surprise that the meetings within various EaP multilateral institutions have so far resembled talk-shops with very few practical implications.

Nevertheless, these meetings do serve as an instrument of socialization among the partner countries themselves and with all the EU member states. The latter aspect, which allows officials and civil servants from the partner countries to directly encounter their counterparts from

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<sup>23</sup> Akulenko, L. (2009): 'Pershi Rezul'taty Vykorystannia Instrumentu Instytutsiinogo Budivnytstva Twinning v Ukraini: Problemy I Shliakhy Ih Podolannia', *Publichne Administruvannia: Teoriya Ta Praktyka* 2(2), p.10, <http://www.dbuapa.dp.ua/zbirnik/2009-02/09alvpsp.pdf> (12.11.2010).

the EU member states in different areas, is important. This kind of engagement was an important aspect of the EU relationship with the accession countries from Central Europe – for instance, within the so-called ‘structured dialogue’ established by the Essen European Council back in 1994. Yet this aspect was missing in the EU’s relationship with the Eastern neighbours until the EaP was launched. From this perspective, the EaP offers Ukrainian officials and civil servants from different ministries and sectors an opportunity to meet their EU counterparts, along with those from other EaP countries. This aspect is appreciated by the Ukrainian participants in the intergovernmental thematic platforms of the EaP as one interview confirmed.

The effectiveness of these meetings is a different story and needs extensive interviews with a host of participants in order to receive the necessary feedback. One Ukrainian official who is involved in the work of the thematic platforms regards the meetings as useful, although sometimes boring. He noted that the meetings themselves already serve in capacity building for Ukraine’s and other partner countries’ officials. Yet the expectations of the participants of the meetings go beyond simple exchange of information and ideas – and this is where the EaP has so far failed to deliver. The meetings within the thematic platforms are expected to result in specific multilateral projects; but given the lack of available and potential funding, the incentive for the partner countries to come up with specific project ideas is very low.

## **5. Government engagement in EaP activities**

The Ukrainian authorities and Ukrainian government have become engaged in the Eastern Partnership mainly through the multilateral institutions established within the Initiative. As mentioned above, so far the EaP has brought little that is new where the bilateral relationship between the EU and Ukraine is concerned. For in the EU-Ukraine bilateral dimension the EaP has not led to the establishment of any new institutions. Neither has it upgraded the EU-Ukraine bilateral agenda, which was already quite advanced in comparison to those of other EaP partners.

The multilateral dimension is a different story, as it has brought into existence a number of new institutions starting with the bi-annual summits at the highest level, annual ministerial conferences, and extending to thematic panels for bureaucrats and working groups for civil society representatives. Thus, Ukrainian president Viktor Yushchenko took part in the inaugural summit of the Eastern Partnership in May 2009 (the second summit will take place in

spring 2011 in Hungary), while Ukrainian Foreign Minister Petro Poroshenko attended the first foreign ministers meeting of the EaP, which took place in Brussels in December 2009. The next annual foreign ministers' meeting in November 2010 will also be attended by a representative of Ukraine's Foreign Ministry. The four thematic platforms established by the EaP are also attended by Ukrainian delegations from the relevant central authorities. Ukrainian participation in the thematic platforms is coordinated by one of the central institutions appointed as responsible for one of the thematic platforms. Thus, the Ministry of Justice is responsible for thematic platform 1, "Democracy, good governance, and stability"; the Ministry of Economy is in charge of thematic platform 2, "Economic integration and convergence with EU policies"; the Ministry of Fuel and Energy is responsible for thematic platform 3, "Energy security"; and the Bureau for European Integration<sup>24</sup> is in charge of thematic platform 4, "Contacts between people". The Ministry of Foreign Affairs coordinates overall Ukrainian involvement in the Eastern Partnership. Ukrainian representatives are also involved in panels established to support the work of the thematic platforms. Thus, the Integrated Border Management Panel held its first meeting in October 2009 in Odessa in order to set the agenda for the Integrated Border Management Flagship initiative. Also, in December 2009 in Göteborg in Sweden a panel meeting on "Prevention, Preparation, and Dealing with Implications of Natural Disasters" took place. The other panels (i.e., on corruption – thematic platform 1), customs (thematic platform 2, etc.) are still at the rather initial stage. The flagship initiatives planned within the EaP and which have the ambition of giving 'concrete substance and more visibility'<sup>25</sup> to the EaP are still at the planning stage. Once established (given funding is allocated) they will not only offer additional venues for the exchange of ideas and making contacts at the level of civil servants and experts from the EaP countries, but will also introduce a very practical dimension to the EaP in the form of training, projects, and concrete actions that are currently missing.

Beyond the official executive level the EaP offers the opportunity for cooperation with the members of parliaments from the EaP countries in the form of the Euronest Parliamentary Assembly. However, the first meeting of the Euronest, planned for March 2010, never took

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<sup>24</sup> The Bureau for European Integration was established as Coordination Bureau for European and Euro-Atlantic Integration in the Secretariat of the Cabinet of Ministers in 2008. After the 2010 presidential election and the appointment of the new government the Bureau was reformed into a less ambitious institution (Euro-Atlantic integration was not a part of its agenda any longer, while the function of coordination has become limited, which is well reflected in the new title).

<sup>25</sup> This idea behind the flagship initiatives is spelled out in the Commission's Communication on the EaP.

place. Nor, to date, has the status and composition of the Delegation from Belarus been agreed upon – and this has been the major problem in launching the work of the Assembly. In short, the idea of the Euronest as a multilateral forum where MPs from the European Parliament and the partner countries can meet is a good one; yet political controversies have so far hampered its work.

Additionally, Ukraine has initiated or accepted invitations to participate in multilateral or bilateral cooperation within the EaP with individual partner countries. According to the Ukrainian government's web page, Ukraine has established cooperation on matters related to the Eastern Partnership with Belarus, Lithuania, Poland, and Slovakia. Thus, the Ukrainian Foreign Ministry signed the Memorandum on Cooperation within the EaP with the Republic of Belarus in November 2009.<sup>26</sup> According to the Memorandum, both countries agreed that the flagship initiative “Integrated Border Management” should be one of the priority areas for them and decided to coordinate activities in the thematic platform 1 in order to propose pilot projects for this initiative. They also agreed to coordinate activities and come up with project ideas in thematic platform 2 where transportation and infrastructure are concerned, in the aim of increasing the transit of oil and gas through the territories of both countries.

Where Lithuania is concerned, it was agreed that Lithuania could organize training for Ukrainian civil servants on different aspects of European integration. Additionally, Ukraine held expert consultations with Poland in December 2009 where several ministries and other central authorities were involved and potential joint projects discussed. There is a plan to develop cooperation with Slovakia, which is currently preparing a position document entitled, “Slovak Input into the Eastern Partnership”.

Apart from bilateral cooperation, several multilateral meetings in various configurations have taken place. Thus, the Ukrainian foreign minister attended the informal meeting of EaP foreign ministers in Sopot, Poland, which took place in May 2010 and was attended by Commissioner Füle. In September 2010 an informal meeting of the Ministers of Foreign Affairs of Lithuania, Belarus, and Ukraine took place in Minsk in order to discuss the implementation of the EaP, and this was already the third trilateral meeting of its kind (the two previous meet-

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<sup>26</sup> Memorandum mizh Ministerstvom Zakordonnyh Sprav Ukrainy ta Ministerstvom Zakordonnyh Sprav Respubliki Bilorus pro Vzayemodiyu u Realizatssii Vzayemovyhidnyh Proektiv v Ramkah Initsiatyvy Europeiskogo Soyuzu “Shidne Partnerstvo” (Memorandum between the Ministry of Foreign Affairs of Ukraine and the Ministry of Foreign Affairs of the Republic of Belarus on Cooperation to Implement the Mutually Beneficial Projects within the European Union's Initiative of the Eastern Partnership), 5 November 2009, <http://www.mfa.gov.ua/mfa/ua/publication/content/31638.htm> (12.11.2010).

ings had taken place in Vilnius in February 2009 and in Kyiv in November 2009). The idea behind the meetings is to come up with joint project ideas to be implemented within the EaP. Thus, following the meeting in November 2009 in Kyiv the three countries wrote a joint letter to Benita Ferrero-Waldner, Catherine Ashton, and Swedish Foreign Minister Carl Bildt with a list of areas for trilateral cooperation among the countries within the EaP.

Where the bilateral dimension of the EaP is concerned, Ukraine currently sees two specific issues that explicitly have an added value. These include the Comprehensive Institution-Building (CIB) program mentioned above and the Regional Development program.<sup>27</sup> So far, only the CIB has progressed as a project having substance and funding. The Main Department of State Service, which is the CIB coordinator on the part of the Ukrainian government, established a separate department dealing specifically with the CIB. Ukraine and the EU have already signed the Memorandum of Understanding (MoU) on the Framework Document, which defines the institutions and key issues to be tackled by the program. According to the information of the Ukrainian government, the European Commission and Ukraine identified the following areas: EU coordination/ regulatory approximation; trade; migration; and e-governance. Following the signing of the MoU, the state institutions, which are responsible for the relevant areas, will have to develop Institutional Reform Plans under the coordination of the Main Department of the State Service and the EU Delegation in Ukraine. Those will be multi-annual documents outlining priorities, measures, and funding sources to upgrade the institutions. It is expected that support will come from a range of sources, including EU member states, depending on their presence in Ukraine and capacity in relevant sectors.

## 6. The response of civil society to the EaP

In contrast to the political elites in Ukraine, civil society accepted the new EU's Eastern Partnership initiative if not with enthusiasm, then with the understanding that it offers new opportunities that have to be seized. Even before the European Commission published its Communication on the Eastern Partnership in December 2008, a number of civil society organizations involved in the activities of the Civil Society Council on the Ukrainian side of the EU-Ukraine Cooperation Committee developed proposals<sup>28</sup> for the Commission's Communication, having taken the Polish-Swedish document published in the spring of 2008 as a reference

<sup>27</sup> The Ukrainian government web-page stresses that those two programs are important and have explicitly added value.

<sup>28</sup> The text of the proposals on behalf of the Civil Society Expert Council on the Ukrainian side of the EU-Ukraine Cooperation Committee can be found at <http://eu.prostir.ua/calendar/31791.html> (12.11.2010).

point. These proposals were also distributed among the EU member states and drew a positive response from representatives of the European Commission and individual EU member states.

During the spring of 2009 numerous civil society events related to the Eastern Partnership took place in Ukraine, mostly in Kyiv. Thus, for instance, a group of think-tank experts under the auspices of the Ukrainian Centre for Independent Political Research developed proposals for the Ukrainian government as to the added value of the Eastern Partnership that Ukraine could use in different policy areas.<sup>29</sup> Some NGO representatives tried to use the potential of the multilateral track of the Eastern Partnership. Thus, a Ukrainian environmental expert and civil society activist together with an EU-based colleague were invited to take part in the meeting of the second thematic platform of the EaP in March 2010. This was the first time that civil society representatives were invited to participate in a meeting of the EaP's thematic platform<sup>30</sup>. Similarly, one of the coordinators of the third working group of the EaP's Civil Society Forum launched a monthly newsletter on developments within the six EaP countries' energy sectors.<sup>31</sup>

It must be noted, though, that it has been a limited circle of civil society organizations, mostly think-tanks (and mostly based in Kyiv) that have demonstrated interest in the Eastern Partnership initiative. For the most part, Ukrainian civil society does not follow developments in the EU-Ukraine relationship and has little awareness of the opportunities offered by this relationship. Given that the launch of the EaP did not receive any significant media coverage, not least due to the indifferent or even somewhat critical reaction of the Ukrainian authorities (as described above) and to the lack of clear added value for Ukraine. Thus, the debates about the EaP have not moved beyond the narrow circle of civil society professionals. Hence, when the call for the expression of interest in the Eastern Partnership Civil Society Forum was announced in 2010, the number of applications from Ukraine was surprisingly low (around 50), as compared to, for instance, Belarus or Armenia.<sup>32</sup> Things became better in 2010 as more than 100 Ukrainian NGO activists applied.

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<sup>29</sup> The report in English can be found at [http://www.ucipr.kiev.ua/files/books/EaP\\_2009u.pdf](http://www.ucipr.kiev.ua/files/books/EaP_2009u.pdf) (12.11.2010).

<sup>30</sup> This was possible due to the joint project of the Ukrainian environmental network Mama-86 (<http://www.mama-86.org.ua>) and the WWF (<http://www.wwf.org/>) global environmental network with a strong presence in the EU. The project was initiated and supported by the International Renaissance Foundation, [http://www.irf.ua/index.php?option=com\\_content&view=article&id=29486:position-of-the-ukrainian-civil-society-was-presented-at-a-sitting-of-the-panel-on-the-environment-and-climate-change-within-the-framework-of-the-eastern-partnership-initiative&catid=82:news-euro-en&Itemid=57](http://www.irf.ua/index.php?option=com_content&view=article&id=29486:position-of-the-ukrainian-civil-society-was-presented-at-a-sitting-of-the-panel-on-the-environment-and-climate-change-within-the-framework-of-the-eastern-partnership-initiative&catid=82:news-euro-en&Itemid=57) (12.11.2010).

<sup>31</sup> NOMOS.

<sup>32</sup> My interview with an EU representative confirmed this information.

Nevertheless, Ukrainian participants at both the first (Brussels 2009) and the second (Berlin 2010) Forum's meetings gathered beforehand to develop joint proposals for the Forum. Following the first Forum's meeting, however, the Ukrainian participants failed to join efforts and devise activities aimed at either influencing the agenda of the four thematic platforms or raising awareness on the Eastern Partnership within civil society at large in Ukraine. For the time being the Ukrainian Forum's representatives have not established any network as, for instance, Armenia has done. Subsequently, more than a year since the Eastern Partnership was launched, no civil society events on the Eastern Partnership have been organized and – generally – attention to the anniversary of the Eastern Partnership (in May 2010) was low.

This lack of activity and attention to the Eastern Partnership in Ukraine has to do with the broad perception shared in Ukraine that the bilateral track of the Eastern Partnership is a priority. From this perspective, the EaP has hardly been of added value, given that Ukraine was already ahead of other EaP countries. Thus, the Ukrainian NGOs dealing with EU-related issues have focused on the EU-Ukraine bilateral agenda, including implementation of the Association Agenda and the visa-free dialogue. The Civil Society Expert Council on the Ukrainian side of the EU-Ukraine Cooperation Committee has been particularly instrumental in maintaining dialogue between the experts of the Council and the government on various issues of the EU-Ukraine relationship. The multilateral component of the Eastern Partnership, although a potentially interesting niche for regional civil society, has so far lacked any region-wide initiative and coordination. Although Ukrainian members of the first meeting of the EaP Civil Society Forum do keep in touch with their colleagues from other countries within the same thematic platforms, this communication has not yet grown into specific projects or advocacy activities.

It is likely that the focus on the bilateral agenda of the EU-Ukraine relationship, irrespective of the Eastern Partnership, will be preserved in the activities of civil society in Ukraine. Where the multilateral component of the EaP is concerned, its potential for civil society still needs to be discovered. The second meeting of the EaP Civil Society Forum (to take place in November this year in Berlin) will show whether the national and thematic working group delegations come with prepared positions and are able to contribute to the development of the EaP with fresh and structured ideas – or whether the meeting is merely a useful socialization exercise, with little practical output.

## **7. The EaP in the future – prognoses**

The strategic review of the ENP carried out by the European Union offers a good opportunity to reflect on the gains and shortcomings of the ENP and to come up with enhanced and more impact-oriented policy towards the EU's neighbours. So far the ENP has produced little or no impact on the reform process of the partner countries. Ukraine is a good example. Even such fundamental common values as the freedom of speech and the freedom of assembly have been compromised, not to mention the shoddy electoral process (local elections in October 2010) and revision of the Constitution. If the EaP fails to make a difference where domestic reforms in the partner countries are concerned, especially focusing on reforms related to common values, the EaP will be perceived as a failure. Therefore, the EaP needs to be strengthened with the prospect of having increased impact on the transformation of the partner countries. This means the EU will have to invest even more efforts and resources.

It is for this reason, and given the differences among the partner countries, that the bilateral dimension of the EaP will prevail over the multilateral dimension. Firstly, the partner countries have divergent ambitions vis-à-vis the EU, and for this reason the EU has different kinds of leverage to influence them. Ukraine, Moldova, and Georgia aspire to EU membership and are therefore less immune to the EU's pressure than Armenia and Azerbaijan, who are less interested in becoming members of the EU. On top of that, the energy resources, which Azerbaijan possesses, make that country more resistant to external pressure.

Secondly, various EU neighbours are ready to progress in their rapprochement with the EU at differing speeds. The development of the EU's relationship with the Eastern neighbours so far has revealed these differences in the approach, with Ukraine having been willing to move ahead faster than the other neighbours. Therefore, the bilateral approach makes the EU more flexible in terms of recognizing the needs and capabilities of different neighbours. It is now clear, for instance, that the deep free trade area Ukraine and the EU are negotiating will be different from those the EU will negotiate with the other neighbours. The same concerns sectoral integration, the degree of which might be different depending on the country in question. As a result, the contents of the Association Agreements the EU will conclude with its neighbours in the future will presumably differ significantly, unlike the Partnership and Cooperation Agreements, which are rather similar.

Finally, support to the reform process in the neighbourhood countries might require different tools on the part of the EU, depending on the reform needs of the partners and their receptive-

ness to specific tools. For instance, financial assistance is probably the weakest tool the EU can offer to Azerbaijan, which even refused ENPI funding at the beginning. On the contrary, financial assistance might be appealing to rather poor countries such as Moldova and Georgia. The key to Ukraine is its willingness to be a part of the club and have a good image in the EU. The EU therefore can strengthen political leverage and conditionality to increase pressure on the Ukrainian authorities.

In general the EaP should develop in the direction of getting civil societies and societies in broader terms in the EaP countries more involved in the transformation of the countries and the process of European integration. As the ENP implementation has shown, the governments of the EaP partners are reluctant reformers. On top of that the demands for reforms in the partner countries are low. The EU needs to invest more into this aspect with the goal of increasing the demand and pressure for reforms from within the partner countries. Firstly, more opportunities for direct people-to-people contacts between the EaP countries and the EU need to be offered. From this perspective visa-free travel should be one of the key objectives of the EaP. If the EU and Ukraine sign the Visa-Free Action Plan on November 22, 2010 and Ukraine pursues its implementation, it will set a valuable example to the other EaP countries. Eliminating visa restrictions would improve the perception of the EU among the population of the neighbouring countries, while increased people-to-people contacts would encourage the demand for Europeanization among the societies of the partner countries.

Secondly, the EU needs to think about the long-term strategy of civil society development in the EaP countries. Civil society organizations are the potential agents of change in their respective countries. Yet, at the moment they are far too weak even in the countries where they are considered to be strong. Ukraine is a good example. While many NGOs are active and visible, they have no impact on decision-making. Neither do they have impact on public opinion. The strategy of civil society development should push the authorities in the partner countries to involve CSOs in the policy process and demand a more favourable regulatory environment for CSOs. The issues of civil society development could be a part of the political dialogue with the partner countries' governments and reflected in the annual progress reports of the European Commission. Moreover, the EU should invest more into capacity-building programs for civil society actors in the EaP in order to increase their impact on developments in their countries.

The multilateral dimension of the EaP is nevertheless a good idea for the region, which since the collapse of the Soviet Union has experienced only disintegration. The multilateral dimension might help the countries of the region to share their experiences with reform and integration with the EU. It can also help to tackle common challenges, such as illegal migration, protection of the environment, and development of transportation. It is a long list. From the latter perspective, this is not only an opportunity to discuss and debate, which is needed, but also for common capacity building projects for border guards, environmental agencies, and other professional groups from the Eastern Partnership countries. The fact that the multilateral dimension offers socialization opportunities for the authorities and professionals from the partner countries and the EU is already a positive aspect. Nevertheless, it is important to move beyond the level of discussion towards specific projects with clear objectives and funding. Until this happens, the multilateral dimension will remain a talk-shop. The new financial perspective of the EU as of 2014 coupled with the review of the ENP taking place now gives an opportunity to think about new financial instruments from the perspective of enhancing support for specific multilateral projects in the EaP region.

## **8. Closing remarks**

The Eastern Partnership is a step forward in the evolution of the EU's policy towards its Eastern neighbours. The EaP offers greater integration incentives to the partner countries, greater involvement with their transformation processes, and more enhanced policy tools. It also offers opportunities for multilateral cooperation among the neighbours and with the EU, which represents a new approach in the EU's policy towards the Eastern neighbours.

Nonetheless, the policy of the EaP has not been able to tackle fundamental problems in the EU's relationship with the partner countries. These include the lack of strategy on the part of the EU, which means the lack of vision as to what kind of relationship the EU is striving for in the longer run. Some countries of the region are explicitly interested in the membership prospect, while others have less ambitious objectives. The EU needs to offer a vision that can accommodate these diverse perspectives. The lack of commitment to be seriously involved in the transformation process in the partner countries is another problem that stems from the lack of vision. The lack of commitment leads to the lack of resources, both human (expert involvement, guidance, etc.) and financial. Without adequate commitment and resources the EU will not be able to make a difference in the partner countries. The third problem has to do with

the partner countries themselves. All the countries of the region lack the political will to move towards EU standards, while the societies in the six countries are too weak and do not demand reforms from the political elites. To deal with these problems the EU needs to strengthen the conditionality towards the neighbours, not only in the long run, but also in the short run. It could also make economic integration (access to the EU market) conditional upon fulfillment of political (democratic) requirements. It should also invest more in the people-to-people dimension and the development of civil society to strengthen the push for reforms from inside the partner countries. The EaP offers little to deal with these particular challenges.

In this context, the EaP is a good idea, but in its current shape and with its current resources it can hardly make a difference in the partner countries. It offers institutions for multilateral dialogue and the exchange of ideas among the partner countries and their EU counterparts at different levels, starting with ministerial officials and extending to civil servants and civil society leaders. This is useful as a tool of socialization, but it lacks practical implications. The multilateral platforms could well be used to develop specific multilateral projects; yet with the current resources this seems to be unrealistic. In its bilateral relationship the only added value for Ukraine comes from the CIB Program. A number of other aspects constitute potential added value; yet those are more on the level of ideas and not yet specific project proposals backed by resources.

The ENP review taking place now and the debates around the next financial perspective of the EU offer the opportunity to upgrade the EaP and make it a more impact-oriented policy towards the Eastern neighbours.

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