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**A PLACE FOR UKRAINE IN A  
MORE COHESIVE EUROPEAN  
UNION: *SYNERGISING THE TWO  
DIFFERENT INTEGRATIONS***

Edited by: Liubov Akulenko, Dmytro Naumenko

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## **A PLACE FOR UKRAINE IN A MORE COHESIVE EUROPEAN UNION: SYNERGISING THE TWO DIFFERENT INTEGRATIONS**

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# TABLE OF CONTENTS

<b>4</b>	<b>Authors</b>
<b>5</b>	<b>Abstract</b>
<b>6</b>	<b>Introduction as a preface</b>
<b>9</b>	<b>CHAPTER 1</b>
	Theoretical
<b>13</b>	<b>CHAPTER 2</b>
	Structural
<b>18</b>	<b>CHAPTER 3</b>
	Operational
<b>26</b>	<b>Discussion and recommendations</b>
<b>29</b>	<b>Conclusive remarks</b>
<b>30</b>	<b>Bibliography</b>

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## Abstract ○ ○ ○

The main point of departure for this observational material is represented by a desire to test the following hypothesis: in order to be theoretically solid, structurally stable and operationally viable, the special case of the EU-Ukraine integration needs to portray a synergised two-way traffic.

Coming naturally from the aforementioned claim, the data-gathering chapters (theoretical, structural, and operational) will be methodologically supported by discourse analysis and process tracing, considering the report's pluralistic qualitative outlook. Historically, there is no better time to address the issue of multiple inconsistencies in regards of the EU-Ukraine interactions. With the ongoing 'revolution of governance' in Ukraine and the upcoming new European Commission in the EU, the two sides have already got a particular 'homework' to be completed to get on a higher level of interrelations.

Arguably, the duo is currently facing a range of certain challenges, and many of those are common for the two partners. In such a context, paradoxically, it is where this material makes a call on detecting a proper framework for the EU and Ukraine to synergise their integration-focused positive intentions, should they keep communicating with each other in geo-strategic terms of partnership. In many respects, as detected in this report, an enhanced all-round integration between the EU and Ukraine not only exemplifies a basic function of statecraft, but it can also be a matter of survival for both.

### Keywords:

*Ukraine, the European Union, European integration, strategic partnership, agenda setting strategies, theories of integration, synergy.*

## Introduction as a preface

In the context of this observational report that can also be understood as a hint on a policy revision, the document attempts to determine, interpret and then discuss a range of factors, which are of equal importance for a highly complicated and, to an extent, unique communicational framework of strategic significance. It is where the European Union (EU) is trying hard to answer its 'Ukrainian question', while Ukraine is doing exactly the same but towards the EU. Those factors are to be determined, and, in spite of being analytically interlinked, they are to be systematised into theoretical, structural and operational 'baskets'. Such a split naturally 'creates' the titles for the document's three interrelated data-gathering chapters, offering a certain argument-bound academic logic before moving to a small discussion on findings, which will then generate some recommendations.

Indeed, the aforementioned framework of the highest complexity where the EU and Ukraine interact is positively comprehensive (in its general scope) and highly profitable (in economic terms). However, despite the most recent EU-focused Ukrainian constitutional extravaganza when the EU and NATO had literally 'entered' the Constitution of Ukraine, a three decade-long period of being accustomed to each other and few Ukrainian democratic revolutions in between, the framework is still geo-strategically vague for both sides. In reality, what is Ukraine for the EU, if only a decade ago German Chancellor Angela Merkel was declaring that "owing to its geographical position, Ukraine is obliged to stay between the EU and Russia in all senses of the phrase"<sup>1</sup>? This is not to mention that Federica Mogherini, the entity's High Representative for Foreign Affairs and Security Policy, was not even present in Minsk in 2015, during one of the most important rounds of international negotiations on European security.

On the other side, what would be the EU for Ukraine, if the United States or Asia-Pacific political elites and business-conglomerates significantly and quickly enhance their interest and expand their presence in the country that

is opening up as we speak? After all, the United States (no matter who is in charge in the White House) has been visibly enjoying its presence in European political economy for a significant period, and China, as argued, has already become "a fully-fledged European power"<sup>2</sup> with its Belt and Road Initiative and other Europe-focused strategic sub-projects. Howsoever, keeping other major powers in mind, this material is to specifically concentrate on the EU-originated integrative mechanisms, contextualising those with the Ukrainian case and prospective integrative scenarios of effective cooperation in the nearest future.

The main point of departure for this report is an enquiry-driven desire to test a hypothesis that has plenty to do with common sense but has not yet enjoyed any substantial backing from decision-shapers in Brussels and Kyiv. In order to be theoretically solid, structurally stable and operationally viable, the special case of the EU-Ukraine integration needs to represent a synergised two-way traffic. In a quiet Nordic-Baltic manner, such a necessity has already been recognised by some of the most loyal friends of Ukraine within the EU. For example, Kersti Kaljulaid, the current President of Estonia, while not missing an opportunity to note that Ukraine "made one wrong choice after another in the [19]90s, most of all underestimating the importance of the rule of law in fostering development", still found it worthwhile adding that "there [i]s no point in saying: it [i]s [Ukraine's] own fault"<sup>3</sup>. As a way forward, Edgars Rinkēvičs, the Latvian Minister of Foreign Affairs, stated that "Latvia and the Allies will actively side with Ukraine in international organisations"<sup>4</sup>. In her turn, the former Lithuanian President Dalia Grybauskaitė was very vocal in showing her support to the Ukrainian "people's pursuit of a European future"<sup>5</sup>.

However, objectively, this position is not the mainstream within the EU in regards of strategising its Ukrainian direction. It is also a pure reflection of reality that there has been no

1) Angela Merkel as quoted in 'Ukraine's long-term prospects depend on Germany's relations with Russia, says Merkel' in Kyiv Post, 3 March 2009.

2) Emilian Kavalski, 'China's "16+1" is dead? Long live the "17+1"' in The Diplomat, 29 March 2019.

3) Kersti Kaljulaid, 'President of the Republic of Estonia Independence Day, Estonia Theatre and Concert Hall' in President of the Republic of Estonia, 24 February 2019.

4) Edgars Rinkēvičs in 'The Foreign Minister Edgars Rinkēvičs: Latvia and Allies will continue supporting Ukraine bilaterally and in international organisations', Ministry of Foreign Affairs of the Republic of Latvia, 15 January 2019.

5) Dalia Grybauskaitė in 'D. Grybauskaitė after meeting P. Poroshenko: Western attention to Ukraine is waning' in Delfi.lt., 25 January 2019.

policy-shaper in a massive Ukraine (remember, the country was 52 million before the Soviet Union had collapsed) who would dare to ever propose a solid theory-framed and integration-focused synergy between the modern Ukrainian state and the EU. Therefore, this material will be among the first in the field to evidently challenge the nearly absolute acceptance as well as the seemingly eternal applicability of a 'mentor-student' communicational paradigm, which both the EU and Ukraine have been maintaining thus far. Characteristically, there will be no academic attempt to deny a certain degree of the paradigm's usefulness either – after all, the normative side and some of the theoretical 'shades' of the existing mode of the EU-Ukraine cooperation still rightfully 'insist' on maintaining a particular subordination between the two sides.

Methodologically, depending on a segment of this observation, discourse analysis and process tracing (together or separately), are to be employed in this material. The idea is to allow for widening and deepening the general debate beyond the most obvious point of factual reference, which is (and will be for quite some time) directly linked to the ongoing Russian aggression in Ukraine. Utilising its enormous pluralistic might, discourse analysis assists in the process of capturing "the inevitable cultural changes in representations of reality", because any formal discourse "maintains a degree of regularity in social relations", while "produc[ing] preconditions for action"<sup>6</sup>. As argued<sup>7</sup>, the Romano Prodi-originated linguistic enquiry on "where the limits of Europe lie" and how to "prevent these limits being determined by others"<sup>8</sup> was instrumental for the EU in working up a concept of designating its neighbourhood. As for process tracing, this method is considered analytically rewarding for any observational material that endeavours seeking to empirically verify the "presence [or] absence of [a] causal mechanism"<sup>9</sup>.

On the report's structure, the already named data-gathering chapters will correspondingly be having the following content. Firstly, on theory, ranges of academia-originated platforms that can be considered relevant for our particular enquiry

are to be singled out. In order to establish this material's analytical instrumentarium, an attempt is made to comprehensively utilise and positively combine scholarly postulates taken from different theories of integration to determine actual theory-validated boundaries, within which the EU and Ukraine can comfortably communicate today.

Secondly, on the structural segment, a status quo on interactions between the two sides, when different as well as actual settings, legal structures, and capabilities to adequately respond to prospective challenges are to be detected. In a significant addition, this academically holistic cluster of the document allows for interlinking examples of generic discourse with normativity at work (the Association Agreement/Deep and Comprehensive Free Trade Area or AA/DCFTA, for example), and, on a more concrete note, the obvious necessity for both the EU and Ukraine to establish a productive agenda setting mechanism in foreign policy.

Before discussing the findings, the third chapter is to concentrate on a dynamic operational side of interrelations, which outlines a clearer picture on how compatible the existing EU-Ukraine co-operational framework is with the two sides' operational capacities. Once again, the special focus is on agenda setting in foreign policy to empirically determine a) the main challenges that both the EU and Ukraine are required to overcome in the process of setting up their foreign policy-related agendas towards each other and b) the content of the main strategies that the two sides need to employ in the process of achieving a range of mutually beneficial results, which they would want to attain. This operational Chapter as well as the report's discussional part is to significantly benefit from a seminal study of Sebastiaan Princen, which argued on the two challenges that any agenda-setting process faces all the time, namely "how to gain attention" and "how to build credibility"<sup>10</sup>. Moreover, the same study for this material's benefit outlines the exclusive list of strategies on how to successfully 'jump over' those 'hurdles': in order to gain attention, there is a necessity to effectively "mobilise supporters" and a requirement to professionally "arouse

6) Iver B. Neumann, 'Discourse Analysis' in A. Klotz and D. Prakash (eds.), *Qualitative methods in international relations: A pluralist guide* (Palgrave Macmillan, 2008), p. 62.

7) See more in Vlad Vernygora, David Ramiro Troitiño and Sigrid Västra, 'The Eastern Partnership Programme: is pragmatic regional functionalism working for a contemporary political empire?' in T. Kerikmäe and A. Chochia (eds.), *Political and Legal Perspectives of the EU Eastern Partnership Policy* (Springer International Publishing, 2016), p. 9.

8) Romano Prodi, 'Speech 02/619: A wider Europe – A proximity policy as the key to stability' in The European Commission, 2002.

9) Derek Beach, 'Process tracing methods – an introduction. PhD Workshop', the University of Konstanz in The University of Michigan, 16 March 2012.

10) Sebastiaan Princen, 'Agenda-setting strategies in EU policy processes' in *Journal of European Public Policy*, 2011, 18:7, pp. 927-943.

interest”. In a similar fashion, “capacity-building” and “claiming authority”<sup>11</sup> should be employed by our actors-in-focus to build and solidify their credibility. The Chapter will enhance the Princen’s classification by arguing that, for the specific context of the EU-Ukraine interrelations, strategic cooperation needs to form the foundation for the process of establishing a natural synergy between the two sides.

As a prospectively anticipated outcome of this report, its main contribution is visualised to be

a significant value-added analytical component for the general debate on the EU and the entity’s existence in years to come. Provided that it is still normatively true that the EU is open to any European state, which respects its values and is committed to promoting those<sup>12</sup>, it is a basic function of statecraft (and, possibly, a matter of survival) for both the EU and Ukraine to start effectively synergising their integration-bound intentions and actions.

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11) Princen, p. 931. See also Sophie Vanhoonacker and Karolina Pomorska, ‘The European External Action Service and agenda-setting in European foreign policy’ in *Journal of European Public Policy*, 2013, 20:9, pp. 1316-1331.

12) ‘Consolidated version of the Treaty on European Union’ in *Off J Eur Union* C326 55:13–46., 2012, p. 43, Art. 49.



# CHAPTER 1

## Theoretical

In 2003, a credible argument was expressed by Taras Kuzio that the West-Ukraine interrelations are of cyclical nature, being evolutionised from “disinterest” into “partnership” and ending up at a point of certain “disillusionment”<sup>13</sup>. Then, presumably, the process can start all over again. Considering the supersonic speed, with which the actuality is being transformed these days, it is hard to ‘catch’ a right moment to determine at what part of the Kuzio’s cycle the two partners currently are. Yesterday, it would seem to be a genuine partnership, but today, breaking through some real and perceived illusions, they may not express plenty of interest in communicating with each other. Therefore, keeping the aforementioned useful piece of systemic analysis in mind, it is still worthwhile noting that whatever integrational arrangements are being implemented in the realm of the EU, there is always a particular theory/theories that is/are framing the process of cooperation. This is not surprising, because the EU and the entity’s every single predecessor are direct ‘products’ of theorising, political science wise. The EU in itself, having grown up to an unmatched level of intra-integration, visibly enjoys employing (sometimes, even ‘juggling’ by) different theoretical concepts when it comes to establishing an interlinkage with the outer-area (Georgia, Libya, New Zealand, Ukraine, the United States, and the rest of the non-EU world). It can be evidently suggested, however, that not every time the EU’s choice of a theory has been leading to a desirable outcome, and this is where it is possible to pick up on some of the shortcomings in regards of theoretical applicability, focusing the data-gathering on the EU-Ukraine collaboration.

### **Liberal intergovernmentalism as a ‘saviour’ for some**

The very fact of the so-called Minsk-2 Agreement when the leaders of Germany, France, Russia, and Ukraine met in the Belarusian capital in February

2015 – presumably, not to celebrate the 70th anniversary of the Yalta Conference, but to find a solution on the ongoing Russian aggression in Ukraine, with the aggressor sitting at the table – reminded the world that ‘intergovernmentalism’ is very much alive and will be in ‘good health’ for quite some time. Otherwise, the UN, the EU or, at least, OSCE should have been dealing with the problem. In the context of the EU, its CFSP has an intergovernmental ‘DNA’, thus Chancellor Angela Merkel and the then President François Hollande (not the European Commission’s Vice-President Federica Mogherini) were the EU-associated negotiators who visited Belarus.

At the same time, remembering that the foreign policy is only one of many, the EU’s approach in regards of intergovernmentalism has a more sophisticated nature – it is something that a geo-strategically growing Ukraine needs to comprehend and, whenever necessary, appreciate. It was Andrew Moravcsik who, back in 1990s, managed to explicitly outline the concept of liberal intergovernmentalism, linking its effectiveness with “economic interests, relative power, [and] credible commitments”<sup>14</sup>. Certainly, for the formula to positively work, a range of prospective participants are required to be liberal, at least in terms of political economy.

From the liberal intergovernmentalism perspective states differ in accordance with their economic status and administrative capacity. Firstly, economic heterogeneity of actors is not a danger, but it stems from divergent interests in the market-oriented policies pursued by the EU. As a rule, high-standard national economies support market expansion and rule out extension of EU subsidies, while states with weak standards want to keep their competitive advantage by opposing high-level standards. On the other side, secondly, high-capacity Member States fear unequal policy implementation as they are interested in efficiency of EU policies. The

13) Taras Kuzio, ‘Ukraine’s relations with the west: disinterest, partnership, disillusionment’ in *European Security*, 2003, 12:2, pp. 21-44.

14) Andrew Moravcsik, *The Choice for Europe. Social Purpose and State Power from Messina to Maastricht* (Ithaca, NY: Cornell University Press, 1998), p.4.

turbulence induced by successive enlargements and the 2009 European sovereign debt crisis have shaken the EU and made the intra-EU actors aware of a potentially high cost of major disagreements as well as disbalances, therefore, many of the EU Member States became more discreet about their decisions on integration policies. In such a context, there was an illustrative example of the 2016 Dutch Ukraine-EU Association Agreement referendum, which, for many reasons, did not go the way Ukraine would be hoping it to go. Leaving aside the issue of effective Russian propaganda in the Netherlands, it can still be argued that some ‘credible commitments’ was the missing element for the Dutch citizens in the particular case of Ukraine (they simply did not think that Ukraine could be a reliable partner for their country, and they are not to be blamed for that), even though some of the experts would call the referendum “[a]n unexpected Dutch initiative”<sup>15</sup>.

Consequently, differentiated integration (DI) – yet another ‘baby’ of liberal intergovernmentalism – has gradually become a distinctive feature of the EU that, in contrast with a uniform model, granted individual Member States the right to selectively adopt specific policies, hence expanded leeway for negotiation. For our report, this approach is noteworthy as it creates an opportunity to circumvent the inability to cooperate, which inevitably occurs in a scenario that involves multiple players who need to make unanimous agreements but usually tend to have divergent goals in order to realise that. On a more concrete note, it allows individual Member States, in particular those that are more reluctant towards further integration, to maintain the status quo and, possibly, spearheading them from their own ‘Brexit’. This is even more pertinent at times, when the increasing heterogeneity of preferences and capacities among states and societies increases, which serves as a bottleneck for further integration, not to mention enlargements. However, the offer and demand for differentiation are not exclusive for the intra-EU countries, and this point has been recently reinforced by Emmanuel Macron. As noted, the French President gladly ‘sponsored’ the positive connotation of *avant-garde* in support of his vision to make the idea of further DI more acceptable<sup>16</sup>.

Theoretically, there is no reason to believe that DI cannot be externally-focused to ensure a more open communication with those European nations who share the EU’s values and have genuine intentions to integrate. In principle, the heterogeneity hardly presents a serious hurdle for synergy among actors, even in cases where the cleavage in interests and capacities is drastic – this is the good news for Ukraine. However, is there anything that underpins DI, making it viable in the context of European integration?

As mentioned earlier, before DI came into play, the EU’s Member States had already had their choices made between the status quo and a relatively uniform integration. By far, this is not the Ukrainian case now. Moreover, liberal intergovernmentalism comfortably dwells on economic heterogeneity and views wealth as the major factor in determining state preferences. With necessity, it means that the demand for DI increases as the wealth gap between the states within an integrative framework widens. Therefore, insolvent actors seek exemptions from unfavorable rules and policies while “wealthier countries are more likely to have competitive, export-oriented sectors, to start from higher regulatory standards, and to be net contributors to the EU budget”<sup>17</sup>. Under these circumstances, namely, unequal preference intensity and unequal mutual dependence, affluent states have superior bargaining power, and therefore, are less dependent on cooperation, which is the reason why they are more likely to resort to DI and impose it to governments that want to reach another level of integration. At the same time, this is not the Ukrainian case either as the country’s position on the issue of DI has been recently announced. In September 2019, Dmytro Kuleba, the current Ukrainian Vice Prime Minister for European and Euro-Atlantic Integration, stated that

*any idea that creates an alternative to [EU] membership should be thrown out of the way. And we reject those [ideas], because our goal is EU membership, not any alternative*<sup>18</sup>.

It means that there can be a situation when the EU and Ukraine will be attempting to seek the truth (and mutual benefits) of integration from the very basic postulates of liberal intergovernmentalism – the Moravcsik’s seminal formula allows a weaker

15) Richard Rose, ‘Referendum challenges to the EU’s policy legitimacy – and how the EU responds’ in *Journal of European Public Policy*, 2019, 26:2, p. 221.

16) Kinga Brudzinska, ‘Multi-speed Concept is in the European Union’s DNA’ in *GLOBSEC*, 2018.

17) Frank Schimmelfennig and Thomas Winzen, ‘Grand theories, differentiated integration’ in *Journal of European Public Policy*, 2019, p. 1176.

18) Дmyтpо Кулеба in Сергій Сидоренко and Юрій Панченко, ‘Дmyтpо Кулеба: Я бачу, що потрібно зробити, щоб ЄС погодився на наше членство’ in *Європейська правда*, 27 September 2019.

but liberally-minded outsider to exhibit its relative power, clearly specify its economic interests, while presenting a serious proof on its credible commitments. Then, there will be no chance for the EU to treat such a power unequally.

### **A ‘puzzle’ made out of functionalism, neo-functionalism and an imperial paradigm**

Popular discourse wise, the concept of neo-functional spillover represents the EU’s most favourite approach when it comes to getting a number of different developments naturally interlinked. In general, the idea – with respect, it could hardly be called a proper theory – was developed by Ernst Haas<sup>19</sup> out a notable enquiry of David Mitrani on “essential functions”<sup>20</sup>. Unfortunately, for Mitrani, there was no EU to exemplify a myriad of ground-breaking enhancements in relatively diverse segments of being. For Haas, the EU’s predecessor was already around, and the spillover-bound successes were happily recorded on a number of occasions, so the concept would become a buzzword associated with different integration-focused victories.

Productively linking a country with a country, an industry with an industry, and a region with a region, a good dozen of policies brought a real ‘better off’ effect to tens of millions, almost automatically counting on the theurgical spillover. It would have been still the case, had the EU not been enlarged to the present size, so it would eventually decide to designate its own periphery. By 2004, the process of the periphery’s designation, firstly, led to the establishment of the European Neighbourhood Policy (ENP) and later, after the 2008 Russo-Georgian War, to the ENP’s further segmentation. However, secondly, the EU started assigning the so-called Action Plans to the neighbourhood, thinking that the spillover effect would work in the area, which the EU could not manage in structural and operational terms. This strategy led to an astonishing geo-strategic defeat that the entity had to suffer during the 2013 Eastern Partnership (EaP) Summit in Vilnius. It could be argued that it was due to the fact that the EaP’s (neo)-functionalistic nature dramatically clashed with the EU’s newly

adopted but always denied status of a de facto political empire<sup>21</sup>.

In this context, it may sound intriguingly for the official Brussels, but there is a growing segment of academic analysis that argues that Ukraine represents a classic periphery for the two out of existing four contemporary empires (the EU and Russia), while being a point of special interest of the third imperial entity (the United States). Elaborating on the subject, Jan Zielonka claims that neither the EU nor the USA functions as a typical territorial state – both have clear characteristics of an empire that is a workable alternative to the Westphalian paradigm. Zielonka argues that the Westphalian paradigm of a state has limited explanatory power when it comes to understanding the rules of the international game; he describes it as ill-suited for the XXI century:

*The rigid Westphalian notion of territoriality has been found obsolete in the age of globalization, while the principle of sovereignty has been described as a mere theoretical abstraction or a kind of ‘organized hypocrisy’<sup>22</sup>.*

Instead, the medieval imperial paradigm represents a perfect contrast to the dominant Westphalian – “it is about overlapping authorities, divided sovereignty and multiple identity, as well as soft border zones that undergo regular adjustments”<sup>23</sup>. In the EU, conflicts are not about borders, but about the shape of European institutions and the abuse of agreed laws. In this perspective, the system of international relations in the realm of the EU is more akin to the pattern of international relations that existed in the Middle Ages.

A number of accounts reveal how different kinds of empires reoccur across history, including the present day. Although the notion of ‘empire’ usually has a negative connotation, Noel Parker argues that “empire is a likely, even an attractive form of regime for extending order in response to the ‘disorder’ experienced as an effect of globalization”<sup>24</sup>. ‘Empire’ emerges as that type of power, which naturally extends its order over space. However, territory is only one, and, by far, not the most important type of space, which an empire seeks domination over. In addition, as noted, a number of historical empires could move or divide their centres of power:

19) Ernst B. Haas, *The uniting of Europe: political, social and economic forces, 1950-1957* (Stanford: Stanford University Press, 1958).

20) David Mitrani, ‘The progress of the international government’ in P. Taylor (ed.), *The functional theory of politics* (Bristol, London School of Economics and Political Science: Martin Robertson & Company, 1975), p. 99.

21) See more in Vernygora, Ramiro Troitiño, and Västra.

22) Jan Zielonka, ‘The international system in Europe: Westphalian anarchy or medieval chaos?’ in *Journal of European Integration*, 2013, 35:1, p. 2

23) Zielonka, 2013, p. 6

24) Noel Parker, ‘Empire as a geopolitical figure’ in *Geopolitics*, 2010, 15:1, p. 128

*Empires shape global space in ways that are often indirect and unwitting, at the same time generating deceptive understandings of global order in both metropole and periphery*<sup>25</sup>.

The polycentric system is quite a peculiar phenomenon that certainly has some benefits, for instance, it currently helps the EU in the process of creating a structural environment that is conducive to intra-peace and intra-cooperation. On the other hand, it hampers efforts to project power abroad in a geo-strategic manner. Therefore, for the spillover effect to be positively working in the EU's periphery, an idea on the Lviv-based headquarters of the European Central Bank or the European External Action Service does not look too eccentric, given the importance of the ultimate goal. This way, the integration-focused mechanisms will appear as naturally balanced, and the situation will not be presented as yet another time when "the EU feels 'obliged' to respond to instability beyond its borders by incorporating its troubled neighbours"<sup>26</sup>. Instead, the EU will keep legitimately claiming its institutional superiority, and the peripheral Ukrainian state will receive an enormous boost to its normatively declared intentions to join the EU as a full Member State.

## Postfunctionalism as a mechanism to halt populism

While it is generally agreed that rational economic interest is decisive for regional integration, some studies direct the attention to other equally powerful factors, arguing that, today, in order to understand the course of European integration, it is required to look beyond the economic standpoint. Both neo-functionalism and liberal intergovernmentalism stressed that economic gains lie behind demands for regional integration, which essentially means that, in order to make sense of it, one needs to have an insight into the preferences of interest groups. This was particularly the case in the period between the late 1950s and 1980s when the process of market-framing was intense, as well as in 1990s when market integration was extended to monetary union.

However, some conflictual situations, which were generated in the more integrated part of

the European continent over decades, had spilled over into the public sphere, so it would become shortsighted to ignore the public's attitudes regarding the raised issues. Therefore, earlier assumptions that the general public has no interest in European integration became obsolete. The subsequent research has found that public opinion, by contrast, is well structured, affects national voting and is connected to the basic dimensions that structure contestation in European societies. Some studies clearly demonstrate that the European integration has become enormously politicised with the Maastricht Treaty. As argued, this was reflected in increased proportion of statements devoted to European issues during national electoral campaigns as well as Europe-oriented social movement protest across the continent<sup>27</sup>, which changed both the content and the process of decision-making. In a significant addition, this had some decisive implications on domestic publics – for example, a Eurosceptical segment of societies started requiring more 'room'<sup>28</sup>.

Liesbet Hooghe and Gary Marks underline that public has greater sensibility to their economic interests than it was initially projected<sup>29</sup>. However, only since 2002 national identity has gained close attention as a determinant of attitudes over Europe. In the case of Ukraine, the 2004-2005 Orange Revolution even made an attempt to revise the EU's geo-strategic agenda, but it was not well-received by the then newly appointed José Manuel Barroso's European Commission. Although economic interest was particularly salient in the research on European integration, it was evident that identity underlies preferences over jurisdictional architecture, and this point became the central argument of the postfunctionalist theory. In the context of this particular theoretical framework's prospective usefulness for the EU-Ukraine interrelations, the example of Ukrainian civil society defending their country's EU-focused perspective in 2013-2014 could have indirectly generated a highly effective EU-wide unifying movement, rather than a cumbersome 'Brexit' to occur three years later. However, instead, the so-called "Ukraine crisis" (a derogatory academic cliché and a questionable substitution for a Russian occupation of Ukraine) was generally qualified in the EU as "external"<sup>30</sup>.

25) Parker, p. 119.

26) Jan Zielonka, 'America and Europe: two contrasting or parallel empires?' in *Journal of Political Power*, 2011, 4:3, p. 345.

27) Liesbet Hooghe and Gary Marks, 'A Postfunctionalist theory of European integration: From permissive consensus to constraining dissensus' in Cambridge University Press, 2008, 39, 1:23 p. 7.

28) Hooghe and Marks, p.9.

29) Hooghe and Marks, p. 10.

30) Douglas Webber, 'Trends in European political (dis)integration. An analysis of postfunctionalist and other explanations' in *Journal of European Public Policy*, 2019, 26:8, p. 1143.

## CHAPTER 2

### Structural

On analysing the distinctly structural side of any cooperation, when it comes to detecting a partnership-specific settings, legal structures and evident capabilities to effectively tackle serious challenges together, one should be mindful of the cooperation-driven scale that always depends on how 'deep' and 'comprehensive' the partners really want their cooperation to be. In the particular case of the EU-Ukraine interlinkage, it has been a) emphatically tested by time as well as the collapsing UN-based international system, b) featured by different types of behavioural inconsistency from both sides, but, nevertheless, c) eventually resulted in establishing a recognisable setting (the AA/DCFTA) to start practically 'exercising' credible commitments and sending 'warm greetings' to both classic functionalism and liberal intergovernmental tendencies in communication.

Indeed, A Global Strategy for the European Union's Foreign and Security Policy<sup>31</sup>, if analysed through the opaque prism of extreme political correctness and without unnecessary journalistic sarcasm, does not have plenty on Ukraine (in fact, nothing at all). Surprisingly, the grand document, which dramatically but predictably failed to win a 'battle' of news headlines with the pre-confirmed Brexit<sup>32</sup>, did not bother mentioning a big Ukraine-neighbour even in the clusters that were supposedly relevant to the difficult case of the EU-Ukraine interactions (namely 'Enlargement Policy' and 'Our Neighbours'). In this context, one may argue that a clearly framed set of answers to its 'Ukrainian question' could have made both the EU and its Global Strategy looking more credible in the context of the humongous entity, dreaming about its very distinct as well as global geo-strategic 'footprint'.

In her 'Foreword' to the aforementioned document, Federica Mogherini managed to clearly underline

that "[t]he Strategy nurtures the ambition of strategic autonomy for the European Union"<sup>33</sup>. However, in the document's body, the passage on the EU's intention to be engaging "further in the resolution of protracted conflicts in the Eastern Partnership countries"<sup>34</sup> comes short from what the EU – is it a strategically autonomous entity in the making? – could have stated in its major document on the multi-faceted factor of perpetual Russian aggression in the European east. Therefore, the issue of the so-called "strategic autonomy" can be evidently considered a distant future for the EU. Arguably, the entity is yet to find a place it thinks it deserves within the still existing UN-based international system, which was designed for different actors, at different times, in different circumstances. At the same time, when it comes to an almost two generations-old sceptical prediction of Robert Keohane on the "Europeans" who would not be enjoying their growth into a hegemonic power "in the foreseeable future"<sup>35</sup>, the EU's comprehensively prime role in global trade and operationalisation of technology effectively denies and event gently rebuffs such a scepticism.

After all, the Single European Market, being the historic 'jewel' of the EU-originated integrative mechanisms from the beginning of the process, makes the EU intrinsically attractive to outsiders. Moreover, the EU's economic development has been showing considerable growth in recent years, projecting substantial upward trend in years to come as crisis-hit countries have successfully rebounded and aggregate demand has steadily increased. This is all in the line with the factor of relative stability that the EU objectively exhibits in regards of the entity's impressive record in maintaining the European Commission's institutional memory. In terms of political economy, there has been no major discrepancies noted in

31) 'Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy' in The European Commission, June 2016.

32) The United Kingdom European Union membership referendum or the so-called Brexit referendum took place on 23 June 2016, while A Global Strategy for the European Union's Foreign and Security Policy was adopted on 28 June 2016. Evidently, the particular outcome of the Brexit referendum made A Global Strategy looking secondary in the news headlines globally.

33) Federica Mogherini, 'Foreword' in 'Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy', June 2016, p.4.

34) Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy, p. 29.

35) Robert Keohane, *After hegemony: cooperation and discord in the world political economy* (NJ: Princeton University Press, 1984), p. 49.

transferring the knowledge, lessons learned and homework done from an outgoing Commission to a new one. Each and every moment in history of giving different speeches, a President of the European Commission, almost by default and with a possible exception of Romano Prodi, has been more comfortable in discussing political economy rather than geo-strategy. In his final State of the Union as the President of the European Commission, Jean-Claude Juncker proudly and rightfully described the EU as “a trade power” and “the world’s biggest single market” that “has trade agreements with 70 countries around the world, covering 40% of the world’s GDP” and “accounting for a fifth of the world’s economy”<sup>36</sup>, while stating absolutely nothing on the European continent’s biggest destabilising factor of the ongoing Russian aggressive stance towards Georgia, Moldova and Ukraine.

Considering the above and keeping in mind the already discussed in the previous ‘theoretical’ Chapter a range of possible and existing frameworks for the EU and Ukraine to be positively cooperating, this ‘structural’ Chapter’s focus is on a tangible (or measurable) side of the interaction. The seminal expression of David Mitrany on “common material needs”<sup>37</sup> was an almost pre-designed ‘message in a bottle’ for the very special case of the EU-Ukraine interconnectedness. On the one side, the EU is visibly happy to always discuss economics, thinking of seamless expansion of its Single Market’s outreach, without having to make any difficult geo-strategic calls. On the other side, the beginning of the Volodymyr Zelensky’s ‘revolution’ in Ukrainian governance (whether or not it will continue being associated with the current Ukrainian President in the next decade) is ‘pushing through’ an abundance of functional ‘orders’ on changing the country’s outlook as soon as possible. Sometimes, these ‘orders’ are cunningly presented before an EU official in the form of a hint, an enquiry or a quote request, but the classic version of functionalism in conjunction with a distinctly intergovernmental

approach towards each other, so-much welcomed and appreciated by the EU, prevails almost each time. The only thing that the EU is yet to realise that a new Ukraine – a large country and, arguably, a more complicated case-study than any of the EU Member States – is unlikely to be concentrating on the EU-bound formats in each case, but it is a different story to be outlined in the ‘operational’ Chapter further on.

In the post-2014 time of global turbulence and unpredictability, not many remember the Strategy for Ukraine’s Integration into the EU, which was adopted in Ukraine during the Leonid Kuchma’s era in 1998<sup>38</sup>, when the country’s EU-focused prospects were not yet bleak and Georgiy Gongadze<sup>39</sup> was still alive. An increasingly into a destructive oligarchic ‘democracy’, Ukraine was hoping to present its case like it would be yet another normal Estonia, which entered membership negotiations with the EU in the same year. Characteristically, it was about four years before Romano Prodi, the then President of the European Commission, started openly wondering on “the limits of Europe”, because, as it was mentioned before, he did not want “these limits” to be drawn up by some other entities. In a way, the answer to his question would be found in the EU’s initial wish to designate its neighbourhood in the aftermath of the entity’s biggest enlargement in 2004 – the idea was “to avoid neglecting ‘the new neighbours’”<sup>40</sup> and the countries in focus were Belarus, Moldova and Ukraine only<sup>41</sup>.

However, the post-Orange Revolution Ukraine quickly became permanently treated as a “nation in transit” that was featured by “negative democratic development”<sup>42</sup> throughout the post-Orange decade. In this context, it could be suggested that within the post-Orange period until the AA/DCFTA times, “the EU-Ukraine Action Plan adopted on 21 February 2005 [had to become] the document for the two parties to live with”<sup>43</sup>. Intriguingly, in spite of the country’s very poor record in adopting democratic practices and regardless of its general

36) Jean-Claude Juncker, ‘State of the Union 2018. The Hour of European Sovereignty’ in The European Commission.

37) David Mitrany, ‘Nationality and nationalism (1938 and early 1950s)’ in P. Taylor (Ed.), *The functional theory of politics* (Bristol, London School of Economics and Political Science: Martin Robertson & Company, 1975), p. 145.

38) See more in Katarzyna Wolczuk, ‘Ukraine’s Policy towards the European Union: A Case of ‘Declarative Europeanization’ in Stefan Batory Foundation, 2003.

39) ‘Declaration by the Presidency on behalf of the European Union about working conditions for media and to remind about concerns regarding the Gongadze case’ in The European Commission, 5 February 2001.

40) Michael Emerson, ‘Just good friends? The European Union’s multiple neighbourhood policies’ in *The International Spectator: Italian Journal of International Affairs*, 2011, 46:4, p. 50.

41) Vernygora, Ramiro Troitiño and Västra, p.16.

42) Daniel Silander and Martin Nilsson, ‘Democratization without enlargement? The European Neighbourhood Policy on post-communist transitions’ in *Contemporary Politics*, 2013, 19:4, p. 455.

43) Vernygora, Ramiro Troitiño and Västra, p.17.

instability in many respects, Ukraine, since 1993, had positive access to the EU's Generalised System of Preferences (GSP). As it was reported, in 2013, "more than 70% of Ukrainian exports to the EU of machinery and mechanical appliances, plants, oils, base metals, chemicals and textiles benefitted from GSP preferential tariffs"<sup>44</sup>. Albeit it was then, and today is a completely different time in structural terms – Ukraine is experiencing the EU's Single Market as an actor, not just as a factor.

### **A brief structural overview of the process: the AA and its DCFTA**

For the context of cooperation, an effective combination of economic and legal integrative mechanisms is helping the two sides to cover a respectable number of different sectors where the actual interactions take place. The process benefits from the Ukrainian side's gradual but voluntary approximation of its national legislation to the EU acquis in the sectors specified by the AA, and the whole scheme of actions on the changes to be made is financially supported by the EU. The AA-bound framework is sectoral, and with regards to trade liberalising measures outlined in the DCFTA, the impact of removing customs duties on many traded commodities has been significant – bilateral trade between the EU and Ukraine grew by 49% since the DCFTA entered into force in January 2016<sup>45</sup>. On the functional side, the AA essentially provides Ukraine with a detailed roadmap how to transform, among others, the state administration, economic policies and suggests deadlines for specific reforms, which are, however, flexible.

The administration of the process is done in a relatively flexible manner by a range of bodies, most notably by the Association Council that is allowed to update the annexes of the AA. The political supervision is reminiscent of the EEA in its threefold structure but is additionally supplemented by technical assistance unidirectionally provided to Ukraine, for example, by means of the Support Group for Ukraine (SGUA), which is "made up of a number of thematic teams corresponding to the essential reform priorities set out in the Association Agenda"; as noted, the SGUA provides expert advice on and coordination of crucial reforms<sup>46</sup>. As the project-holder, the European Commission, releases an annual implementation report and has all the

rights to elaborate on Ukraine's track record.

On the top of that, the AA includes judicial supervision in the form of a multi-layered dispute settlement procedure ascribing jurisdiction to the European Court of Justice (ECJ) as the highest court of appeal. Contrary to the integrative mechanisms that the EU has in place with the Western Balkans, the EU-Ukraine AA is featured by a relatively low level of legal integration. Approximation of laws in the case of Ukraine<sup>47</sup> can be understood as making domestic legislation converge to the EU acquis, while approximation of laws for candidate countries makes the legal system identical to it (or being legally homogenous with the EU acquis). In that sense, full market treatment is only foreseen in a total of four sectors, in which the acquis is required to be implemented in its entirety (it does not apply to the remaining sectors). Arguably, these provisions underscore the functionalistic essence of the AA/DCFTA that clearly appears as a mechanism for trade liberalisations (not a market-bound integration) and political semi-affiliation with the EU (not a roadmap towards full membership).

In accordance with the set of deadlines, which are specified in the AA/DCFTA, its implementation will take about 10 years, without any perspectives beyond mere associative linkages with the EU, but with prospects to significantly deepen relations in trade. Given the current circumstances of Ukraine (both positive and negative), this open-endedness can push and, to an extent, is already pushing the country towards strategising for a more global outreach. Having started in 2014, the process of voluntary approximation with provisional application of the AA/DCFTA demonstrated that even such a strong normative framework as the AA/DCFTA could not provide for a breakthrough in the process of reforming Ukraine as it was in case of candidate countries. Is there a need for a geo-strategic 'motivator' as well?

### **Voluntary approximation of legislation within the AA/DCFTA framework: some lessons to be learnt**

A notable research that was conducted under the umbrella of the EU-STRAT argued that the concept of legal approximation was one of many 'triggers', which were engaged in the process of bringing a

44) 'Countries and regions. Ukraine' in The European Commission, 22 July 2019.

45) 'EU-Ukraine relations – factsheet' in European External Action Service, 5 June 2019.

46) 'Support Group for Ukraine' in The European Commission, 30 June 2018.

47) Alexander Duleba et al., 'Integration without membership. Potential and limits of Ukraine's Association with the EU' in Research Centre of the Slovak Foreign Policy Association, April 2017.

number of Central-Eastern European (CEE) nations closer to the EU membership<sup>48</sup>. More specifically, then, the actual enlargement was framed by a block of elements: the Copenhagen Criteria, extensive financial assistance, political pressure (membership perspective), and legal approximation. In the Ukrainian case, there are only two visible elements: legal approximation (within the AA/DCFTA) and financial assistance (it could be argued that it is not as substantially comprehensive as it was provided during the CEE enlargement).

Yet another study on the subject, this time it is an ongoing analysis on the subject that has been directed by the Ukrainian Centre for European Policy/UCEP from 2014<sup>49</sup>, found a range of the following tendencies, which the process of the AA/DCFTA's implementation has been featured by. For example, there are only several sectors where Ukraine is successful with legal approximation process such as agricultural sector, energy sector, technical regulation and public procurement. Those are nearly the only spheres where different stakeholders find "a strong motivation" to support legal approximation process. In the specific case of agriculture, all major Ukrainian agri-food companies are exporting their products to the EU market, and they are very keen on shaping up their offers along the line with the actual demand. That is why these businesses are active supporters of legal approximation in the Sanitary and Phyto-Sanitary (SPS) sector. A similar situation is detected in the technical regulation sector where Ukraine has a positive structural position to sign an Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA) with the EU. If the country enters this particular sub-framework, then a confirmed range of Ukrainian industrial products will find their ways towards an EU consumer. In such a context, the ACAA can be treated as a prospectively strong motivator in regards of stimulating the process of legal approximation in a given sector.

A slightly different situation has been observed in the energy-associated sector where plenty of geopolitics usually 'resides', especially when an attempt is ever made to have relative or absolute independence from Russia-supplied oil/gas. In the Ukrainian context, legal approximation can be seen as an opportunity to 'run away' from the unpredictability of energy supply from the Russian

Federation. At the same time, such a desire of Ukraine has been clashing with the situation 'on the ground' – the Nord Stream 2 Pipeline (NS-2) that is to create a natural gas route to deliver the commodity from Russia to the EU, while bypassing Ukraine, evidently makes it confusing for the Ukrainian side to judge its position in the whole scheme. Even if approximation of national energy regulation with the respective EU *acquis* becomes completed, it does not provide any normative guaranties in regards of protecting Ukrainian interests as a major transit country for the EU. After all, it is Ukraine, but not Russia, who has an AA with the EU. For some experts who study the NS-2 development, a question on how Ukraine is treated in the framework of the EU-bound energy market has already become academic.

Finally, on public procurement, it is the only sector when legal approximation, of the Ukrainian side, was voluntary and successfully promoted by one of the country's high-level official (a Deputy Minister of Economic Development, Trade and Agriculture of Ukraine). It is worthwhile noting, however, that the sector is extremely competitive within the EU, and Ukrainian business has still plenty of weaknesses in terms of making its voice heard in the process of legal approximation.

In other sectors of the AA/DCFTA, on the structural side, not much of systemic and effective legal approximation can be observed. Most probably, the process lacks 'political motivators', which can stimulate business in order to start introducing astonishingly funds-consuming EU standards. On the side of the EU, if the entity is interested in benefiting from the Ukrainian market in all respects, there could be more financial support to be assigned for Ukrainian business (it was the case with the CEE countries at the time when they were still seeking the EU's attention to 'discuss' membership prospects) or, as a corresponding idea, a range of quotas for agricultural products could be revised.

In terms of the status quo, there is a negative tendency in the process of legal approximation in Ukraine, which can be described as the "Ukrainisation of EU legislation". Evidently, since some of the EU norms are very challenging to be implemented right away, a growing number of Ukrainian governmental agencies and public authorities started interpreting the EU regulations

48) Kataryna Wolczuk et. al., "The Association Agreements as a dynamic framework: Between modernization and integration" in EU-STRAT Working Paper No. 06., September 2017.

49) For example, Olena Stepanenko and Hanna Dobrynska, Ukraine and the Association Agreement: Implementation monitoring, L. Akulenko and D. Naumenko (eds.), (Ukrainian Centre for European Policy, 2016).



at their own discretion, whilst attempting to apply these regulations in a selective manner. There are also some cases when another range of governmental authorities, in a desire to keep their existing power mechanisms closer to their 'possession', are simply not interested in effective legal approximation at all.

In general, as argued by the UCEP, it could be suggested that the concept of voluntary legal approximation in the AA/DCFTA's framework does not represent a platform for providing plenty of motivational incentives for the country to reach

a positive point of no return in terms of the EU-bound irreversible interconnectedness. Certainly, a tangible material interest can, in principle, broaden the circle of businesses and other stakeholders who could be genuinely interested in participating in the process of legal approximation in Ukraine, contextualising it not only with the AA/DCFTA's normative framework, but also with a prospective geo-strategic attitude of the EU to not treat Ukraine as a forever-in-the-gray-zone-of-transformation country.

## CHAPTER 3

### Operational

Considering the previous two Chapters of this material, there is a noticeable argument-driven lead to an educated guess that the two sides of the interlinkage have not been fully satisfied with the degree of compatibility in regards of their interrelations. This fact has been evidently supported by analysis of both theory and structural development, but, unfortunately, the multi-faceted field of international relations has not done much in regards of finding a practical approach on looking at the EU-Ukraine interactions in dynamics. Historically, there is no better time to address this issue now – with the Ze<sup>50</sup> ‘revolution of governance’ in Ukraine and the Ursula von der Leyen’s upcoming European Commission in Brussels, the two sides have got five years to recognise a small number of relatively obvious things. In case of a consensus found to make the process of recognition much faster, there will be more time to solidify the cooperation via avoiding a mentor-student approach. Firstly, for the EU, Ukraine is simply too big and too important to be treated as just an ordinary neighbour. It is not ordinary, never has been, and unlikely to become an ordinary European state in the nearest future. In a certain way, Ukraine represents a paradigm for Europe – it can be on the continent’s political map, or disappear from it, or become geo-strategically invisible, but a ‘Ukrainian question’ has been there for centuries. This is where the Ukrainian state has plenty of similarities with some other major countries-paradigms in Europe (for example, Austria, Germany, and Poland).

Secondly, for Ukraine, the country’s natural as well as normatively-enhanced desire to be recognised as a reliable European EU-focused democracy has very little to do with its own habitual practice of converting such a desire in a ‘presented-in-the-face mantra’ before each and every official from the EU. Without going into yet another theorising, a ‘Danish democracy’ cannot be imported from the EU to a big Ukraine. Arguably, as it was clearly undersigned

by the EaP-bound cumbersome developments, the EU can assist in building but will not be able to maintain a needed range of democratic institutions for Ukraine – it has to be one of the tasks of the Ukrainian civil society.

Thirdly, for both the EU and Ukraine, the duo is currently facing certain challenges, and, paradoxically, – this is where this material will make an attempt to detect a proper operational framework for the two sides to synergise their integration-focused positive intentions, – should they keep communicating with each other in geo-strategic terms of equal partnership. Forecasting this paper’s main recommendation, there is an argument that they should do it, but this argument will be solidified via presenting the actual operational scheme to make the interlinkage effective and mutually beneficial. Forgetting for a moment about the leverage that the EU is visibly enjoying in international trade, there is something truly substantial that makes both the EU and Ukraine equally ill-prepared to tackle their own (and, sometimes, common) challenges alone, without the synergised support received from each other. These days, they have to exist and act within an international system that was designed at a different time and for different powers to make major calls on exceptions and possibilities to cooperate.

#### Non-conventionality at its best

Evidently, the EU represents a non-conventional actor for the current (rumbles of) international system, which has its peculiar traces to the Yalta Conference. Indeed, the framework that was ‘cemented’ by Roosevelt, Stalin, and Churchill in February 1945 is an atavistic element of the difficult past, let alone the concept of the ‘world’s five policemen’ (the number was initiated to be ‘four’ but let it be ‘five’, agreeing with the Winston Churchill’s vision on a role for France in Europe)<sup>51</sup>.

50) Since the announcement of the Volodymyr Zelensky for President campaign in Ukraine, the Ze is a commonly used linguistic equivalent of the current Ukrainian President’s family name. A sounding similarity of the ‘Ze’ with the definite article ‘the’ for many Ukrainian and Russian speakers made the ‘Ze’ a linguistic cliché frequently used by many media sources. See more, for example, in Katya Soldak, ‘Ukrainian humor: A comedian is elected President’ in *Forbes*, 21 April 2019. or Volodymyr Kim, ‘Поствиборний хайп’ in *DT.UA.*, 26 July 2019.

51) See more on the 1945 Yalta Conference in Serhii Plokyh, *Yalta: the price for peace* (Viking Penguin, 2010).

The entertaining fact that one of those ‘policemen’ is a Member State of the EU and the other one has conflicting ideas on whether to ‘stay’ in or ‘swim’ away from the EU does not assist the entity in any geo-strategic sense. It is a completely different discussion, but the UN-based international system does not provide a comfortable ‘housing’ for NATO either, if this reflection of reality helps the EU or its own ‘world’s policemen’ in any way (most probably, it does not).

In the special case of Ukraine, since the times of the 1945 San Francisco Conference (but more articulately – from 1991), their high-profile representatives never missed a chance to underline the fact that, nominally, Ukraine was in the list of the UN’s inaugural members. It is, indeed, true, but that particular Yalta-generated normative ‘know-how’ did not prevent the same Yalta (this time it was a city, not an international conference) from being occupied by the Russian military in 2014, when the Ukrainian revolution of 2014 had not yet been finalised. Unsurprisingly, the “other peace-loving states”, which, in strict accordance with the UN’s main document, “accept[ed] the obligations contained in the [...] Charter and, in the judgment of the Organisation, [...] [were supposed to be] able and willing to carry out these obligations”<sup>52</sup>, did nothing to stop the aggression. Being pleasantly ‘encouraged’ by the fact that the UN-bound international system did not quite produce a ‘warning-danger’ signal, the Kremlin had proceeded further with yet another occupation, taking a significant segment of the Donbass area in eastern Ukraine. Should it be also mentioned that one of the world’s ‘policemen’ as well as a major “peace-loving state” was the actual aggressor that is still acting as such in a couple of sizeable parts of the Ukrainian sovereign territory?

After the 1938 Munich Betrayal (history remembers about the well-known four countries-signatories of the deal), the League of Nations started fading away to disappear in few years after Czechoslovakia had been dismantled by the aforementioned Agreement signed in Bavaria. However, even a weak Ukraine in 2014 was still much stronger and larger than the Czechoslovakian state in any year of its historical existence. The Russian invasion was stopped by the newly rebuilt Ukrainian army and hundreds of thousands of civilian volunteers – a sophisticated policy of pacifying Russia by many

countries, including some of the EU’s Member States, played only a marginal role in the process. Ukraine continues being a sovereign country, and, most probably, the fact that it still represents a significant part of the European continent’s political map gives the UN a decent chance to survive in a longer term. Having argued that “Russia felt little or no consequences through the UN for its annexation of Crimea, nor the long-running Ukraine war that followed”, a 2018-issued Reuters commentary on the issue had concluded the material with the following statements:

*It might yet take another world war-scale catastrophe to generate effective institutional reform. But for now, the UN’s most important role remains forcing the world’s most powerful nations into constant dialogue on matters of global importance. We should be glad we have it. Countries could never build it today*<sup>53</sup>.

In short, the EU, despite some efforts already made via its European External Action Service (EEAS) to be discussed further, has not established its geo-strategic ‘silhouette’ in the UN-based international system as yet. A European Council President’s speech given at a UN General Assembly does not clearly answer the almost eternal Henry Kissinger’s question on “Who do I call if I want to speak to Europe?”, not that the former US Secretary of State (say, the USA) has ever been particularly keen to “speak [directly] to Europe” anyway<sup>54</sup>. As for Ukraine, even the country’s most recent active participation in the UN Security Council (2016-2017) as the body’s non-permanent member did not lead to any significant breakthroughs in the process of prospective de-occupying the Crimea-n-Donbass area – the territories are still controlled by the Kremlin and its veto power at the UN.

Extraordinarily for the context of this material, there is something that makes a comprehensive discussion on the international system even more complex. Not only does the weak state of the current UN-bound global framework have any good news for the non-deciding actors like Ukraine or the EU, it has no great perspectives for those who are strongly in favour of maintaining the Yalta-1945 international system either. Firstly, because, for 75 years, the system has not managed to ‘craft’ a common vision on basic international rules for the community of ‘united nations’. For the post-WWII planet, the fact that Qatar is no Estonia (Denmark is

52) Charter of United Nations, Chapter II, Article 3 in The United Nations, 1945.

53) Peter Apps, ‘Commentary: An imperfect U.N. is still the world’s best hope’ in Reuters, 25 September 2018.

54) Gideon Rachman, ‘Kissinger never wanted to dial Europe’ in The Financial Times, 23 July 2009.

no Malaysia, Canada is no Egypt and so on) would be absolutely acceptable. However, a situation when a ‘nominal Turkey’ can openly say ‘no’ to the very ‘ordinal United States (or, for that matter, Russia)’ is not what Roosevelt, Stalin, and Churchill were visualising back in February 1945. To a surprise of the world’s five ‘policemen’ (whichever ‘policeman’ might be taken as an example for a proper analysis), Turkey is no longer ‘nominal’. As for a case that would be similar to what happened to Jamal Khashoggi in October 2018, the Yalta-1945 international system would have no possibility for such an occurrence to be ignored (not to mention, quickly forgotten) – simply because it did not reserve a high-level place, if any, for a Saudi Arabia in the decision-making process.

Secondly, the UN-apprised ‘policemen’ have not managed to make the international system’s members more secure. An arrangement, solidified by the original ideas on NATO, however, has successfully managed to create a secure environment for its participants, both geo-strategically and militarily. At least, this is the status quo thus far, and its continuation is positively welcomed by the EU as well the Ukrainian government, since their security is tightly ‘sewn into’ a range of different NATO-originated frameworks (correspondingly, to an ultimate and a significant extents). Surprisingly, these days, the EU’s very own Common Foreign Security Policy (CFSP) adds plenty of structural and operational complexity to the process though.

### CFSP, sanctions, and a new Europe

There is a definite commitment to a Common Foreign Security Policy (CFSP), normatively expressed by the EU’s Member States. Being traditionally intergovernmental in its nature, the CFSP is, arguably, still a work-in-progress. For example, a high-level panel at the 2019 Riga Conference, under the Chatham House Rule though, discussed the vagueness of the Global Strategy’s main postulate, the so-called strategic autonomy<sup>55</sup>. A legitimate question was asked on whether or not the EU should be leaning to become more strategically responsible rather than autonomous.

On the Ukrainian case, despite the apparent fact

that the Global Strategy was very shy to even mention it explicitly, the CFSP framework has been treating it slowly but seriously. The main body of the 2017 CFSP Report begins with the reference that “[t]he EU’s relations with Russia in 2017 [...] continue[d] to be dominated by Russia’s violation of international law in Ukraine, including the illegal annexation of the Crimean peninsula and destabilisation of eastern Ukraine”, noting also that the EU “remains committed to the policy of nonrecognition of the illegal annexation of Crimea and Sevastopol”<sup>57</sup>. Responding to the unfortunate developments in the Crimea and Donbass, the EU cancelled the planned EU-Russia Summit in 2014, and there have been no such events taking place ever since. Bilaterally, some of the EU Member States continue communicating with the Russian Federation, but those meetings are irregular. In addition, some asset freeze and travel restrictions are imposed by the EU on 170 individuals and 44 organisations “because their actions undermined Ukraine’s territorial integrity, sovereignty and independence” (in September 2019, these sanctions were extended until 15 March 2020)<sup>58</sup>. More significantly, a set of economic sanctions that target Russia in a number of different economic sectors (imposed in July and September 2014) are now aligned “to the complete implementation of the Minsk agreements” and, since it did not become a reflection of reality, extended until 31 January 2020<sup>59</sup>.

At the same time, there is a growing body of analytical literature that criticises the entity for “failing to rein in Russia’s ‘Trojan horses’ within the EU that pursue pro-Putin foreign policies”, attributing the fact of failure to “a specific type of disaggregation in [the EU’s] foreign and security policy”, which did not prevent the EU’s Member States “from pursuing divergent pro-Russia policies, such as signing new energy deals or granting port access for Russian naval forces”<sup>60</sup>. Such claims, in an indirect way, are connected with some other arguments that are much broader in scope but more concrete in regards of the EU-Ukraine interrelations. For example, there is a high-level academic argument about the following three factors that are, as suggested, constraining EU power: the entity’s “unwillingness to view Ukraine as a candidate for membership, a miscalculation of Ukrainian leaders

55) ‘Night owl session: EU strategic autonomy vs. EU strategic responsibility?’ in The Riga Conference, 11 October 2019.

56) ‘Night owl session: EU strategic autonomy vs. EU strategic responsibility?’.

57) ‘CFSP Report – Our priorities in 2017’ in EEAS, 5 July 2017.

58) ‘EU restrictive measures in response to the crisis in Ukraine’ in The European Council and the Council of the European Union, 13 September 2019.

59) ‘EU restrictive measures in response to the crisis in Ukraine’.

60) Mitchell A. Orenstein and R. Daniel Kelemen, ‘Trojan Horses in EU Foreign Policy’ in *Journal of Common Market Studies*, 2017. 55-1 (Special Issue: Europe’s Hybrid Foreign Policy: The Ukraine-Russia Crisis), pp. 87-102.

and the ignoring of growing nationalism and xenophobia in Russia<sup>61</sup>. This particular claim has its point of departure from the fact that “[t]he EU did not appreciate that Russia also viewed the EU (not just NATO) as a hostile actor intervening in what it views as its ‘zone of privileged interests’<sup>62</sup>. Indeed, there is something on the aforementioned strategic responsibility that the EU is now asked to deliver on the European continent, at least.

It would not be fair to say, however, that the EU is not searching for options. The entity is in constant search, and the intergovernmental nature of the CFSP is getting visibly reinforced by the EU’s current front-runner in the process of establishing a new vision on a new Europe. In May 2019, about two weeks before the European Parliament elections, the political party of the French President Emmanuel Macron, *La République En Marche*, issued a document that had immediately been treated as one of the main segments of the Macron plan on reforming the EU. The programme had a super-sounding title, *Projet Renaissance*, and was featured by nice major proposals, “including increased investment in environmental policy, imposing a tax on Big Tech across Europe, and moves toward a European army<sup>63</sup>. Evidently, while aiming for a much broader audience, *Projet Renaissance* was still very intra-EU, having a local focus on winning the elections in France. In geo-strategic terms, it did not do a proper job to enlighten the international readership on the EU’s prospectively enhanced global position in the grand decision-making process. There is an educated guess on why President Macron has a distinctly modest attitude towards making the CFSP have a more sounding voice in global affairs. This is because France reserves this role ... for France.

Should the structurally disastrous Brexit ever take place, the French Republic will become the sole representative from the EU in the UN Security Council. In mathematical terms, this fact will increase the country’s ‘international’ leverage within the EU by 100%. Then, most probably, President Macron will be coming back to yet another major

document, *For European renewal*, which was issued by the Élysée Palace, in all official languages of the EU, on 4 March 2019<sup>64</sup>. On the practical side, a) it had a nouvelle proposal on a European Agency for the Protection of Democracies to protect the electoral process against cyber-attacks and manipulation, as well as to prohibit the funding of European political parties by foreign powers; b) a common border force and a European asylum office; c) a treaty on defence and security that can clarify the EU’s obligations in regards of NATO and our European allies (Ukraine?); and d) a European Climate Bank<sup>65</sup>. At the end of the document, it was a nice *au revoir* to the British: “In this Europe, the United Kingdom, I am sure, will find its true place<sup>66</sup>.”

Considering the above and keeping in mind some reflective ideas on differentiating the integrative process – back in 2017, for example, German Chancellor Angela Merkel suggested that the EU could be a union of “different speeds<sup>67</sup> – the geo-strategic ‘homework’ that Ukraine needs to be completed as soon as possible is simply enormous. In all cases, the EU is waiting for the newest European Commission to commence its duties from 1 November 2019. The role of Ursula von der Leyen, the Commission’s new President, can hardly be underestimated in the context of converting the EU’s CFSP into a policy of a global leader. President von der Leyen is known to be “confident in the process<sup>68</sup>, but a new Europe is going to be a Europe with a new France, a new Germany, a new Ukraine, and an old Russia. Operationally, from the memorable times of 1989-1991, the European integration has not experienced such a challenging period of existential significance.

## The known challenges to overcome... together

Getting back to the main topic of this document, it is worthwhile distinctly reiterating that both the EU and Ukraine objectively struggle to ‘live a happy life’ in the current international system. One may argue that the 25 July 2019 Trump-Zelensky phone

61) Taras Kuzio, ‘Ukraine between a Constrained EU and Assertive Russia’ in *Journal of Common Market Studies*, 2017. 55-1 (Special Issue: Europe’s Hybrid Foreign Policy: The Ukraine-Russia Crisis), pp. 103-120.

62) Kuzio, ‘Ukraine between a Constrained EU and Assertive Russia’.

63) Rym Momtaz, ‘Macron unveils plan for Europe’ in *Politico*, 9 May 2019.

64) Emmanuel Macron, ‘For European renewal’ in *The Élysée Palace*, 4 March 2019.

65) Macron, ‘For European renewal’.

66) Macron, ‘For European renewal’.

67) Angela Merkel in ‘Merkel says Europe’s future could be two-speed’ in *The Local*, 4 February 2017.

68) David M. Herszenhorn, Maia de la Baume, and Rym Momtaz, ‘Finger-pointing and charges of betrayal follow Gouillard’s defeat’ in *Politico*, 12 October 2019.

conversation<sup>69</sup> as well as its real and speculative consequences for Ukraine<sup>70</sup> could only deliver one tangible message for the EU in the regards of the EU-Ukraine cooperation – a vulnerable Ukraine that is trying to ‘sit’ on a couple of ‘chairs’ at the same time is not a reliable partner for the EU from a long-term perspective.

Instead, there can be a diametrically different argument that the modern Ukrainian state (historically, no less ancient than the vast majority of the EU Member States though) started discovering and then ‘employing’ its own competitive advantages in conversations with much stronger powers. By doing that, paradoxically and arguably, a European Ukraine (with the normative provision on European integration ‘residing’ in the country’s Constitution) is growing into a much greater value-added component for the EU-bound integrative framework and a more equal partner for the EU as an entity, which Ukraine would like to become an integral part of.

There is nothing embarrassing for the two partners to recognise that both of them are currently facing existential crises. For Ukraine, it is a historical routine, since the current hybrid conflict with the Russian Federation is not going to fade away in a foreseeable future and, also, the country has not yet done enough to deter its own self-destruction. For the EU, however, it is a good moment to get reminded of a saying that ‘the bigger they are, the harder they fall’. In was only in 2012, almost in a pre-historic era, Lee Kuan Yew, who was not known for making plenty of wrong calls, compared the EU to “an enterprise that was conceived wrongly because it was expanded too fast and it will probably fail”<sup>71</sup>. It could be argued that not much has been accomplished by the EU to decisively counterargue with the late founder of Singapore.

Therefore, the remaining part of this Chapter will be briefly focused on exemplifying this material’s main claim about the synergised integrative framework. Firstly, in the process of working out their own foreign policy-associated agendas, the EU and Ukraine are to tackle the already mentioned two identical types of challenges (“how to gain attention” and “how to build credibility”), which can be overcome by employing a certain range of

strategies (see Table 1). However, secondly, the existence of the AA/DCFTA – normatively, geo-strategically, and morally – presumes that if the EU and Ukraine ‘meet’ each other in the same ‘corridor’, neither of the partners should be pretending that it does not know the other one, and a kind ‘bonjour’ or ‘guten Tag’ is expected.

Less metaphorically, in other words, a Josep Borrell is going to be needed in the room when yet another ‘Minsk’ or something similar to a ‘Budapest Memorandum on Security Assurances’ is going to be negotiated and then signed. With respect, neither German Chancellor nor French President should have plenty of comfort to be publicly acting on behalf of the whole EU, literally substituting the role of the EU’s High Representative for Foreign Affairs and Security Policy. This would be the only way to make Ukrainian (Georgian, American, Japanese and other) citizens less confused about the real actorness of the EU, unless the entity would prefer being perceived as just an ‘enterprise’; and this would be the only manner for the EU to embrace, if the entity would like to get promoted into a ‘premier geo-strategic league’ where the United States, China, and Russia are already ‘residing’.

In fact, Josep Borrell himself picked up on this issue during his recent hearing at the Committee on Foreign Affairs of the European Parliament<sup>72</sup> as the position-designate, even though he spoke about it indirectly. As reported, the prospective Vice-President of the European Commission noted the following:

*The best way to counter Russian expansion, if I may call it that, or the Russian threat, if you will, is to help Ukraine, strengthen Ukraine, [...] its capabilities, and help with reforms to become a fully-fledged democratic and prosperous country. Ukraine remains the centre of the strategic challenge, let’s call it the strategic challenge that Russia presents to us<sup>73</sup>.*

Based on the above, it could be suggested that, if the efforts to surmount the challenges are synergised, it can serve as a solid basis for strategic cooperation between the EU and Ukraine. As specified before, the proposed foreign policy-focused operational framework is an academic extrapolation from the

69) Stephen Collinson, ‘Four days that pitched America into an impeachment nightmare’ in CNN, 27 September 2019.

70) Yulia Mostova, ‘Між стільцями’ in DT.UA., 27 September 2019.

71) Kuan Yew Lee in Matthias Nass, ‘The world according to two old friends: Lee Kuan Yew and Helmut Schmidt’ in The Straits Times, 22 September 2012.

72) ‘Hearing of Josep Borrell Fontelles, High Representative of the Union for Foreign Policy and Security Policy/Vice-President-designate of the European Commission in The European Parliament, 7 October 2019.

73) Josep Borrell Fontelles in ‘Боррелль: Крайній шлях протистояти Росії – допомогати Україні’ in DT.UA., 7 October 2019.

**Table 1:** An operational framework for strategic cooperation between the EU and Ukraine

Common challenges	First block of strategies to overcome challenges	Second block of strategies to overcome challenges
How to gain attention	Mobilising supporters	Arousing interest
How to build credibility	Capacity-building	Claiming authority
Strategic cooperation between the EU and Ukraine		

Source: Extrapolated from S. Princen (2011) and modified by author.

Sebastian Princen's monumental research on agenda-setting, which was modified for the purpose of this material, in search for a positively effective way to operationalise the multi-dimensional interrelations of colossal significance for the European continent.

As argued, agenda-setting is widely considered "the first and indispensable phase in any policy-making process"<sup>74</sup>, and its dynamic operational nature has never been questioned. In regards of the two highly generalised main challenges as such, "some [concrete] issues may emerge automatically consequent to prior commitments, many others never materialise, or only appear after a lengthy process of trial and error", but, in the very special case of foreign policy, the problems "often arise much more quickly than in other policy sectors"<sup>75</sup>. In a significant addition, these myriads of concrete foreign policy-related issues can be of external and internal nature. Therefore, in accordance with the context, there is a certain logic in summarising on a non-exclusive range of issue-specific problems, while assigning them to each of the two common challenges. The following Discussional Chapter will consist short elaborations on the proposed operational frameworks, connecting those, from the one side, with the already mentioned theories of integration, and, from another side, with policy recommendations in the context of this material's main argument.

## How to gain attention in a synergy

This particular general challenge is related to a major theoretical postulate on agenda-setting – "controlling agendas is about controlling participation"<sup>76</sup>. There is also another important factor that the "foreign policy agenda is largely 'event-led', [and] many issues compete for the attention of policy-makers"<sup>77</sup>. Intriguingly, as it was predicted by this material, plenty of issue-specific concrete challenges, which the EU and Ukraine are currently facing, are common for the two parties. In an expository way, it can simplify the process of synergising the duo's efforts to overcome a certain challenge, but some nuances, however, could be found in the nature of the problem. For example, for Ukraine, the issue can be external, but, for the EU, it can be systematised as a distinctly internal question. In an academically speculative way, which does not undermine its expressively evident basis, Table 2 presents an indicative range of concrete challenges (it is far from being treated as exclusive), which are common for both the EU and Ukraine in the context of gaining attention. These issue-specific challenges are indicated to show the widest possible spectrum where interactions can take place, and, for each of the problematic issues, a relevant strategy (strategies) is (are) assigned as well. It is worthwhile clarifying that via 'arousing interest' an actor can make an effort on "broader[ing] international objectives or [recognising] particular strengths"<sup>78</sup> of a policy or a partner. As for 'mobilising supporters', this strategy is primarily about "shaping participation through institutional venues"<sup>79</sup>, but it can also be applied externally, via public diplomacy mechanisms, for example.

74) Vanhoonacker and Pomorska, p. 1317.

75) Vanhoonacker and Pomorska, pp. 1317-1318.

76) Princen, p. 929.

77) Vanhoonacker and Pomorska, pp. 1323.

78) Vanhoonacker and Pomorska, pp. 1326.

79) Princen, p. 931.

**Table 2:** Operational framework on synergy to gain attention

Common issue-specific challenges/Strategy	Strategy for the EU	Strategy for Ukraine	Nature
The Hungary-Ukraine dispute on the Hungarian language/ minority's rights in Ukraine	Arousing interest	Mobilising supporters	External (for Ukraine); Internal (for the EU)
Media-pushed narratives undermine objectives of the EU-bound integration	Arousing interest	Arousing interest	Internal and External (for both the EU and Ukraine)
Sizeable pro-Russia factions in both the European Parliament and the Verkhovna Rada <sup>80</sup>	Mobilising supporters	Arousing interest	Internal (for both the EU and Ukraine)
Public Diplomacy mechanisms are focusless	Mobilising supporters	Arousing Interest and mobilising supporters	Internal (for both the EU and Ukraine)

Source: Author

## A prospective synergy in building credibility

The second general challenge, as argued, has a triangular analytical 'shape': a) it is featured by the "formal aspect of legal competence"; b) it is about having "sufficient expertise and other organisational capabilities to deal with the issue"; and c) an actor (in our case, either Ukraine or the EU) can be unique in the context of providing a positively effective platform for solving a specific problem<sup>81</sup>. In a substantial addition, there is something else that is directly linked to the concept of credibility, but it is often neglected by a serious analysis – prestige.

If the 'heavyweight' multi-disciplinary factor of defending the country (and, to a distinguishable extent, European values) against the Russian aggression is placed outside of the imagery brackets, one may argue that the modern Ukrainian state could only be associated with a vector of prestige for Europe when the country's civil society would dear rebuffing the Kuchma-built oligarchic and the Yanukovich-established arbitrary regimes during the subsequent democratic revolutions. However, there is a noticeable argument that the

EU, too, does not usually represent a vector of prestige for Europe – it is quite the opposite, since "[c]ulture and history are reservoirs that provide European nations and an overarching, profuse Europe with indigenous sources of prestige that the EU does not possess"<sup>82</sup>. Should the EU agree with the latter statement, yet another operational framework for a synergy between the entity and Ukraine can easily be established.

In a similar fashion with the previous segment of this material, Table 3, indicatively and speculatively, outlines a non-exclusive number of real issue-specific challenges that both the EU and Ukraine stand up to, while striving for a higher level of credibility in all respects. Regarding the strategies to be employed along the way, 'capacity building' naturally "takes place both within and outside the EU [and Ukrainian] institutions", whilst 'claiming authority' is a strategic approach to construct a credible narrative that a certain issue is of the EU's or Ukraine's direct concern and scope<sup>83</sup>. In theoretical terms of strategic narrative, an actor constructs a "meaning to past, present, and future in order to achieve political objectives"<sup>84</sup>.

80) This challenge is directly linked to the factor of a growing number of openly or latently pro-Russia political parties as members of current governmental coalitions in some of the EU's Member States.

81) Princen, p. 930.

82) Steve Wood, 'Does the European Union Have Prestige?' in *European Politics and Society*, 2015, 16:2, p. 301.

83) Princen, pp. 935-936.

84) Alister Miskimmon, Ben O'Loughlin, and Laura Roselle, *Strategic Narratives: Communication Power and the New World Order* (New York, London: Routledge, 2013), p. 5.



**Table 3:** Operational framework on synergy to build credibility

<b>Common issue-specific challenges/Strategy</b>	<b>Strategy for the EU</b>	<b>Strategy for Ukraine</b>	<b>Nature</b>
Corruption in Ukraine	Claiming authority	Capacity building	External (for the EU); Internal (for Ukraine)
Dysfunctionality of the EaP	Capacity building	Claiming authority	Internal (for the EU); External (for Ukraine)
The Minsk-2, the MH17, and the Russian aggression in Ukraine	Claiming authority and capacity building	Claiming authority and capacity building	External and internal (for both the EU and Ukraine)
Nord Stream-2	Claiming authority	Capacity building	Internal (for the EU); External (for Ukraine)
The Belt and Road Initiative (including 17+1)	Claiming authority and capacity building	Capacity building	External (for both the EU and Ukraine)
The US new role in Europe	Claiming authority and capacity building	Claiming authority	External (for both the EU and Ukraine)

*Source: Author*

## Discussion and recommendations

Objectively, the data-gathering parts of this observational report can, in principle, provide a meaningful basis for a serious high-level discussion on substantial improvements in the grand-framework of the EU-Ukraine strategic cooperation, should it ever become a synergised two-way traffic. When European Council President Donald Tusk underscores that “Ukraine can count on the EU”<sup>85</sup>, it is still not geo-strategically clear whether or not the EU would be willing to count on Ukraine. In a relatively amateurish way, such a sentiment was also confirmed by President Volodymyr Zelensky, during his record-breaking 14-hour press-conference on 10-11 October 2019. However, in order to count on a partner, one needs to visualise the partner’s necessity in/for a particular framework. Considering the EU’s undisputed competence in building and successfully maintaining a humongous single market, many of the entity’s prospective and existing interlinkages with Ukraine have been, presumably, looked at through the prism of trade, rules-based investment policies, macro regions development and other elements of political economy. Arguably, it would have been good enough for the 1980s and would have worked for another ‘Portugal’. The ‘Ukrainian question’ is of a greater complexity, and it needs to be answered by the EU within the coming third decade of the XXI century. Evidently, while ‘walking the walk’ together, the two partners will have to be using a variety of different frameworks to get the integration-focused job done – a ‘one-framework-fits-all-policies’ approach is simply not applicable for the whole range of the EU-Ukraine interrelations. The times when the 2005 EU-Ukraine Action Plan was ‘cowboyishly’ treated as the only document for the two sides to be happy with are long gone.

For example, liberal intergovernmentalism, in its classic interpretation, can become a solid framework-provider for tackling a great deal of challenges, especially when it would come to building credibility. For some of the Member States on the EU’s western side (those are traditionally

more sceptical in regards of Ukraine’s perspectives to ever be an integral part of the entity), it may give an impression of the Ukrainian state’s relative outsidership from the EU-bound everyday business. For Ukraine, even with the AA/DCFTA being in full force, it is not going to be something new – the country is outside of the EU format anyway. Nevertheless, the two parties’ credible commitments can be better tested in the intergovernmental ‘waters’ – the Russian aggression-related issues, the Nord Stream-2 difficult conversations and actions, and the EaP ‘leftovers’ are better to be operationalised in an intergovernmental way.

To a reluctance of many decision-makers in Brussels, it is a moment to declare the relevance of imperial paradigm for the EU, confirming that it is as ‘native’ for the entity as it is for the United States, China, and Russia. There is nothing geo-strategically negative or operationally ineffective in coming out with such a confession – at least, the other contemporary political empires will then be thinking twice before ‘entering’ the EU’s area of geo-strategic competence. A serious high-level discussion on the European Commission to be formally ‘converted’ into the Government of the EU, with the Council of the EU to get an ‘upgrade’ to the European Parliament’s upper chamber<sup>87</sup>, is yet another evidence that the EU is slowly ‘warming up’ before confirming what it really is.

For Ukraine, which has already made a normative confession that it belongs to the EU’s periphery (apparently, the corresponding norm of the Ukrainian Constitution does not explicitly state it, but this is how it is understood and analysed in political science), the EU’s prospectively growing geo-strategic self-respect can be a positive sign. Not necessarily such a positivity should always be attributed to the Russian factor though. The bibliography list<sup>88</sup> on how a particular ‘bear’ is trying to ‘look after’ a geographically unlimited ‘taiga’<sup>89</sup> is, probably, one of the longest in the field of international relations, but there are no new sophisticated nuances to be found on what

85) Donald Tusk in Rachael Kennedy and Sandrine Amiel, ‘Ukraine can count on EU,’ bloc’s leaders tell new president Zelensky’ in Euronews, 8 July 2019.

86) ‘Zelensky’/‘Зеленський: Деякі країни не хочуть нас бачити в ЄС’ in Корреспондент.net., 10 October 2019.

87) ‘The Merkel plan’ in The Economist, 13 June 2013.

88) For example, see some of the relevant materials on the topic in ‘Exploring EU Foreign Policy’ (is a project of the Jean Monnet Chair in EU Foreign Policy) in KU Leuven.

89) Vladimir Putin as cited in ‘Путин: российский медведь никому своей тайги не отдаст’ in VESTI.RU., 24 October 2014.

Russia does in Ukraine. The ‘Chinese factor’ in the Ukrainian context is, however, less pronounced and, by far, under-researched.

From 2012-2013, China is ‘marching west’, having already ‘approached’ Europe and made few ‘client-states’ along the way<sup>90</sup>. Being historically very cautious on Ukraine (since, the Chinese state has always been keeping in mind the Russian Federation’s special ‘feeling’ towards its largest western neighbour), China is gradually and irreversibly becoming more ‘visible’ for official Kyiv<sup>91</sup>. This can form a substantial implication for the EU’s strategy on Ukraine (if there is one), because the vast majority of the China-bound 17+1 European countries are the EU’s Member States (not to mention that the number grows higher to reach astonishing ‘fourteen’ when one starts counting the NATO membership in the same framework)<sup>92</sup>. Thus far, many hearts and minds in the Visegrád Group, Romania, Greece, and the Balkans have been won by the Chinese Prime Minister Li Keqiang-led geo-strategic project in the Central-Eastern Europe. When (it is not a matter of ‘if’) China approaches Ukraine, kindly asking to adjust the number on the left side of the 17+1 formula, it may be already late for the EU to have a ‘say’ on such a conversation. This is going to be one of those situations when the EU-Ukraine intergovernmental ‘game’ should be, with necessity, substituted by a classic empire-periphery discussion, otherwise the prospectively enormous as well as seemingly unconditional Chinese funding can make a negative difference for the EU in the process of operationalising its ‘Ukrainian’ direction. Moreover, it will be very difficult for Ukraine to formulate its agenda on China without having a proper discussion with the EU on the topic – a crucial mistake made at this stage can be irreversibly negative for the European integration as a process of values-based positive engagement.

On the ‘gaining attention’ side, in general, both classic functionalism and its theoretical quasi-‘relatives’ (neo- and post-) can be extensively employed as framework-providers to synergise cooperation. For example, some of the post-functional postulates may be of assistance for both sides to solve the still existing dispute between Hungary and Ukraine – should the conflict be

‘replaced’ onto an internal platform for the Ukrainian side (meaning that Ukraine and the EU – together – are solving the issue on the same platform where the EU as a ‘centre’ has more leverage over the two disputants), its populist dimension can be easily eliminated. Only then, the neo-functional spillover will be able to pop up and provide a final solution for the problem, which should not have existed in the first place. As for a classic functional approach, the EU and Ukraine can, for example, use it right and left to create a unified range of public diplomacy mechanisms. In the context of European integration, both partners are presumably aiming at the same ultimate goal, thus their public diplomacy initiatives should represent a unified front of actions, being formulated in synergy.

In principle, there is always a justified need to extensively elaborate on each and every concrete challenge that can be singled out in conjunction with the EU-Ukraine cooperation. Most definitely, a separate mini-strategy is required to be worked out in each case, providing for a more nuanced look at the interrelations. The style and the ‘spirit’ of this document, however, was not about presenting a countless range of details, which are associated with what the EU and Ukraine are trying to accomplish. On the contrary, this material, being designed to have a traditional academic indirect structure, aimed at making a modest effort to distance its analysis from an every-day routine. The idea was to have a glance at a bigger picture, from which both the EU and Ukraine, given circumstances, have plenty of chances to disappear, moving into geo-strategic averageness. There are, however, few major steps that can be suggested to be made in order to preserve the relative stability of European integration in some years to come, and they are as follows:

1. Yet another attempt on drafting a renewed EU-Ukraine Common Strategy (not an EU strategy on Ukraine) is long overdue. Arguably, “a priority partner”<sup>93</sup> is a weak point of departure to start tackling the aforementioned common challenges together. In this respect, there is a positive example of NATO and its idea of establishing a circle of the “enhanced

90) Max Fisher and Audrey Carlsen, ‘How China Is Challenging American Dominance in Asia’ in *The New York Times*, 9 March 2018.

91) Brett Forrest, ‘U.S. aims to block Chinese acquisition of Ukrainian aerospace company’ in *The Wall Street Journal*, 23 August 2019.

92) Vlad Vernygora, ‘The framework of China’s cooperation with Central-Eastern Europe: A view from the Baltics’ in *The Market for Ideas*, 2017.

93) ‘EU-Ukraine relations – factsheet’ in *European External Action Service*, 30 September 2019.

opportunities partners”<sup>94</sup> to realise the organisation’s ‘Partnership Interoperability Initiative’ and commence implementing programmes of cooperation with each of the enhanced partners in a tailor-made manner. Linguistically and politically, the concept of interoperability presumes synergy of actions between partners.

2. An EU-Ukraine ‘joint communique’ being issued on a point of common concern should become a norm, if this integration is the integration. This approach can, to a great extent, solidify the process of formation of the EU’s strategic narrative.
3. Based on the renewed EU-Ukraine Common Strategy, a new geo-strategic design for the

EaP could be found in the context of Ukraine. Back in time, when the programme was introduced, some of the high-profile European optimists wanted it to be treated as a “seeming guarantor for security in Europe”; it was only few years after such an optimism was expressed, “the EaP revealed defects regarding the fulfilment of its objective of being a guarantor for security in Ukraine”<sup>95</sup>. With necessity for both the EU and Ukraine, the re-framed EaP can significantly benefit from the CSDP-associated elements to be included into the framework. In fact, as reported, there is something in the same context was expressed by Linas Linkevičius<sup>96</sup>, the Lithuanian Minister of Foreign Affairs, during his speech at the 2019 Riga Conference.

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94) After the 2014 Wales Summit, five partners were granted these “enhanced opportunities”, namely Australia, Finland, Georgia, Jordan, and Sweden. See ‘Partnership Interoperability Initiative’ in NATO, 7 June 2017.

95) Anna-Sophie Maass, ‘From Vilnius to the Kerch Strait: wide-ranging security risks of the Ukraine crisis’ in *European Politics and Society*, 2019.

96) Linas Linkevičius in *Hromadske Int.* 11 October 2019. Twitter.

## Conclusive remarks

In short, any strategic cooperation is directly associated with agenda setting process. For the EU, such a 'discovery' (secret de Polichinelle) can lead towards learning a better way to interlink the process of tackling all sorts of foreign policy challenges with different techniques on delivering strategy-related messages to an important partner. Comprehensively employing this multi-

dimensional approach, while re-discovering a new Ukraine in a less generic manner, the EU can significantly boost its leverage as a global actor. For the Ukrainian state, it works the same way. There is only one thing that is required for the two partners to become much better off – a synergy in the process of achieving positive and mutually-beneficial results out of their interrelations.

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## Notes



