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## UKRAINE'S POSITION IN THE EUROPEAN UNION'S NEIGHBOURHOOD POLICY

### INTRODUCTION

Due to the Brexit negotiations launched in 2017 the attention of European policy makers is focused primarily on internal affairs. In addition to Brexit, there are other crises and difficulties affecting the condition of the Community<sup>1</sup>. There is no doubt that internal affairs are crucial for the European Union as an organisation, its cohesion and *de facto* its international position. It should be borne in mind, however, that in the eastern neighbourhood of the European Union (EU) there is an armed conflict between Russia and Ukraine, which can determine the development prospects not only of Ukraine but of the entire post-Soviet area. Therefore, the future of the countries covered by the Eastern Partnership project depends on also on the effectiveness of EU

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<sup>1</sup> About EU crises, inter alia in Łukaszewski, J. 2015. *Unia i Polska w świecie wstrząsów i przemian*. [The Union and Poland in the world of shocks and transformations.] Lublin: Instytut Europy Środkowo-Wschodniej; Kuźniar, R. 2016. *Europa w porządku międzynarodowym*. [Europe in the international order.] Warszawa: Polski Instytut Spraw Międzynarodowych, p. 193, ff.; Stępniewski, T. 2015. Unia Europejska, Ukraina i Rosja: kryzysy i bezpieczeństwo. [The European Union, Ukraine and Russia: crises and security.] *Studia Europejskie*. Warszawa: Centrum Europejskie Uniwersytetu Warszawskiego, no. 4 (76), pp. 11–25; Józwick, B., Stępniewski, T. 2016. Transformacja, integracja i kryzysy w Europie Środkowej i Wschodniej. [Transformation, integration and crises in Central and Eastern Europe.] *Rocznik Instytutu Europy Środkowo-Wschodniej*, year 14 (2016), vol. 5, pp. 11–21.

policy towards Russia (taking into account the neo-imperial policy of Russia in Ukraine and earlier in Georgia in 2008).

EU policymakers have avoided specific declarations in relation to Ukraine. In the 1990s, the European Union policy was limited to economic means directed to support the construction of democratic institutions and the market economy in Ukraine. The situation has changed in the twenty-first century, when individual Member States support the transformations in Ukraine. European Union's policy towards Ukraine has evolved from passivity in the 1990s to engagement in Ukrainian affairs in the twenty-first century. This is confirmed, for example, by the concept of the eastern dimension of the EU's policy announced by Poland or by the Polish-Swedish Eastern Partnership initiative announced in June 2008, adopted at the EU Summit in Prague on 7 May 2009 as an EU project.

When analysing the European Union's eastern policy in the twenty-first century, it is important to point out that it is continually modified as a result of changes within and outside the EU. This also results from the fact that the basis of the Union's actions towards its neighbours, i.e. the European Neighbourhood Policy, is not an effective construction. Thus, either EU bodies, or individual Member States of the Community, discerning the low effectiveness of these activities, come up with new initiatives to make these undertakings more effective. Examples of such projects of EU Eastern policy are: Black Sea Synergy and Eastern Partnership<sup>2</sup>. On the other hand, a new project addressed to the countries of the southern neighbourhood is the Union for the Mediterranean.

The aim of this article is an attempt to show Ukraine's place in the European Neighbourhood Policy (established in 2004) and in the framework of the Eastern Partnership project based on this policy. The 'Orange Revolution' of 2004 and the events at the turn of 2013/2014 called 'Euromaidan' in Ukraine have shown that the European direction of this state is crucial for a part of Ukraine's society and political elite<sup>3</sup>.

<sup>2</sup> See more in Stępniewski, T. 2011. *Geopolityka regionu Morza Czarnego w pozimno-wojennym świecie*. [Geopolitics of the Black Sea region in the post-Cold War world.] Lublin-Warszawa; Klatt, M., Stępniewski, T. 2012. *Normative Influence. The European Union, Eastern Europe and Russia*. Lublin-Melbourne.

<sup>3</sup> More on this topic in Fiszer, J.M. 2016. Ukraine between Russia and the European Union and its Prospects: Geopolitical and Geo-Economic Dilemmas. In: Kukuła A.J. ed. *Political, social and economic conditions of development of contemporary Ukraine and its regions*. Lublin: Wydawnictwo KUL, pp. 39–69; Świder, K., Stec, A., Leszczyński, T. Z. eds. 2015. *Współczesna Ukraina – trwałość czy rozpad?* [Contemporary Ukraine

## INSTITUTIONALISATION OF EUROPEAN UNION-UKRAINE RELATIONS

On 24 August 1991 the Ukrainian Parliament passed the Declaration of Independence. In the referendum held in December of that year, more than 90 percent of Ukrainians were in favour of full independence from the Union of Soviet Socialist Republics. From that moment we can talk about cooperation between Ukraine and the European Community (EC) on the basis of independence.

In the 1990s, the EC Member States saw Ukraine as an actor belonging to Russia's exclusive sphere of influence, following the 'Russian way' towards democracy and the market economy. EC decision makers did not want to worsen their relations with Russia at that time, so they did not attach much importance to relations with Ukraine (only to the issue of denuclearisation). Gradually they concentrated more and more on the countries of Central and Eastern Europe (Poland, the Czech Republic, Hungary), which articulated the desire to become members of their structures and were located in the immediate vicinity. Due to this Ukraine was perceived as a distant state not only in geographical but also in consciousness terms. In fact, relations between Ukraine and the European Community were formally established on 2 December 1991, when the EC acknowledged Ukraine's independence<sup>4</sup>. The next step in the intensification of cooperation between the two parties was the protocol on technical assistance in the implementation of the reform programme signed between Ukraine and the EC on 11 February 1992. It should be noted that a legal instrument regulating mutual relations is the Partnership and Cooperation Agreement (PCA) signed on 14 June 1994. The PCA entered into force on 1 March 1998 and was in force for ten years, that is until March 2008. The institutional framework includes a ministerial council, a committee composed of senior civil servants, subcommittees and a joint parliamentary committee. Political dialogue is conducted at a high level – EU-Ukraine summits take place every year. Apart from legal instruments, political instruments regulating mutual relations should be also mentioned. These are Common EU Strategies for priority countries. The decision of the European Council of 10 December 1999, when the Common EU Strategy for Ukraine was formulated in Helsinki, was of crucial importance for Ukraine.

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– *durability or disintegration?*] Warszawa-Kraków: Polskie Towarzystwo Geopolityczne, p. 17, ff.

<sup>4</sup> See Dumala, A. 2007. Stosunki Ukrainy z Unią Europejską. [Ukraine's relations with the European Union.] In: Pietraś, M., Kapuśniak, T. (Stępniewski) eds. *Ukraina w stosunkach międzynarodowych*. [Ukraine in international relations.] Lublin, pp. 323–324.

The joint strategy created an opportunity for cooperation between the two parties in the fields of common foreign, security, defence and military-technical policies. The aim of the Common Strategy was to establish a strategic partnership between the EU and Ukraine, thus concentrating cooperation on three main tasks: 1) supporting the process of political and economic transformation; 2) jointly counteracting threats (in the sphere of security, environment protection and energy and nuclear security); 3) strengthening cooperation in the context of broadening, supporting the integration of Ukraine's economy with the European and global economy, strengthening cooperation in the field of justice and internal affairs<sup>5</sup>.

After the EU summit in Helsinki in 1999, at which the Joint Strategy was adopted, Ukraine was disappointed with the EU's attitude. Despite many efforts Ukraine did not receive an association perspective or even the right to seek to join the European integration process. Ukraine, however, did not abandon its aspirations for integration. In September 2002 the 'Ukraine's Integration Programme with the EU' was adopted, highlighting the priority issues: WTO membership (Ukraine became a member in 2008), creation of a free trade zone with the EU, obtaining the status of an associate member of the EU (as predicted in 2004), and a strategic issue was full integration with the EU in 2011<sup>6</sup>. Unfortunately, in December 2002 in Copenhagen the Union still did not give Ukraine an integration perspective, and Romano Prodi, then president of the EU Commission, stated that 'Ukraine's chances are equal to those of New Zealand'.

Multi-vector foreign policy of Ukraine influenced the change of the previous attitude. In 2003 Ukraine announced its resignation from efforts to join the EU, and added that a new goal would be to achieve European standards, and even 'the pursuit of Europe with Russia', which undermined the credibility of the earlier pro-European declarations of the decision-making centre in Kiev.

The relations of Ukraine (broader Eastern Europe) with the EU will be shown below through the prism of the format of multilateral cooperation,

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<sup>5</sup> Cf. Kołodziej, T. 2005. Nowe sąsiedztwo na wschodzie poszerzonej Unii Europejskiej: wyzwania dla PECSA. [New neighbourhood in the east of the enlarged European Union: Challenges for PECSA] In: Kołodziej T. ed. „Nowe sąsiedztwo” na wschodzie poszerzonej Unii. [‘New neighbourhood’ in the east of the enlarged Union.] Warszawa, pp. 17–18.

<sup>6</sup> European Commission. 2004. *Commission Staff Working Paper: European Neighbourhood Policy, Country Report Ukraine*. COM (2004) 373 final, 12 May 2004, SEC(2004) 566. Brussels, p. 5.

i.e. the European Neighbourhood Policy (ENP)<sup>7</sup> and the Eastern Partnership project based on in.

## EUROPEAN NEIGHBOURHOOD POLICY AS A TURNING POINT IN THE EUROPEAN UNION'S EASTERN POLICY

Before the enlargement of the EU by ten new states in 2004, in the European forum a debate took place on future neighbourhood policy after the enlargement of the EU in the East that year. The discussions on this issue accelerated in April 2002, when Denmark and the United Kingdom presented their first proposals entitled *the New Neighbours Initiative*, suggesting to assign the 'special neighbour' status to states located on the future enlarged eastern borders – Belarus, Ukraine, Moldova. Then, as a result of the opposition of France and Spain, fearing the marginalisation of the Mediterranean dimension, the non-European states were included in the initiative. On 11 March 2003 the European Commission in *the Communication on Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours*<sup>8</sup> presented a vision of relations with neighbouring countries. At the beginning of July 2003 the European Commission published another Communication *Paving*

<sup>7</sup> See more on ENP in Fiszer, M.J. ed. 2012. *Europejska Polityka Sąsiedztwa Unii Europejskiej. Geneza, doświadczenia, perspektywy.* [European Union Neighbourhood Policy. Origin, experiences, perspectives.] Warszawa: Dom Wydawniczy Elipsa; Pietraś, M., Stachurska-Szcześniak, K., Misiągiewicz, J. eds. 2012. *Europejska Polityka Sąsiedztwa Unii Europejskiej.* [European Union Neighbourhood Policy.] Lublin: Wydawnictwo UMCS; Lyubashenko, I. 2012. *Europejska Polityka Sąsiedztwa Unii Europejskiej wobec państw Europy Wschodniej.* [European Union Neighbourhood Policy towards Eastern European countries.] Toruń: Dom Wydawniczy Duet; Parzymies, S. ed. 2009. *Dyplomacja czy siła? Unia Europejska w stosunkach międzynarodowych.* [Diplomacy or strength? European Union in international relations.] Warszawa: Wydawnictwo Naukowe Scholar; also Lesińska, M., Stępniewski, T. eds. 2016. *Wschodnia granica Unii Europejskiej: polityka, migracje, bezpieczeństwo.* [The eastern border of the European Union: Policy, migration, security.] *POLITEJA. Pismo Wydziału Studiów Międzynarodowych i Politycznych Uniwersytetu Jagiellońskiego*, no. 41/2016; Góralczyk, B. 2014. *Unia Europejska jako aktor na scenie globalnej. Razem czy osobno?* [The European Union as an actor on the global stage. Together or separately?] Warszawa: Centrum Europejskie Uniwersytetu Warszawskiego.

<sup>8</sup> European Commission. 2003. *Communication on Wider Europe: A New Framework for Relations with our Eastern and Southern Neighbours.* COM (2003) 104 final, 11 March 2003.

*the way for a New Neighbourhood Instrument*<sup>9</sup>, which was largely devoted to issues related to various aspects of ENP funding, including the establishment of a new financial instrument: the European Neighbourhood and Partnership Instrument – ENPI<sup>10</sup>. The *Wider Europe* Communication became the basis for the formulation of the European Neighbourhood Policy (ENP) announced on 12 May 2004<sup>11</sup>. The next step was a package of policy initiatives prepared by the Commission in May 2004 – *Strategy Paper*, which was approved by the EU Council and the European Council in June 2004<sup>12</sup>. The package concerned issues such as political dialogue and reforms, trade and measures preparing partners for gradually obtaining participation in the EU internal market, justice and home affairs, energy, transport, information society, environment, research and innovation, social policy and interpersonal contacts.

It should be noted that Russia did not express any interest in participating in the ENP. At the St Petersburg summit in May 2003 it was decided that relations between the EU and Russia would take the form of a ‘strategic partnership’ and would be based on four jointly developed areas<sup>13</sup>. As a result of this, the ENP covered states that were in the EU’s geographical neighbourhood, had no prior prospects for EU membership, and had established treaty regulations with the EU (PCAs or association agreements). Taking the last condition into account, that is having treaty regulations with the EU, one can be tempted to conclude that the ENP was to offer the EU’s neighbours (including Eastern European countries) another form of co-operation and thereby eliminate the possibility of prospective membership

<sup>9</sup> European Commission. 2003. *Communication from the Commission: Paving the way for a New Neighbourhood Instrument*. COM (2003) 393 final, 1 July 2003. Available at: [http://ec.europa.eu/world/enp/pdf/com03\\_393\\_en.pdf](http://ec.europa.eu/world/enp/pdf/com03_393_en.pdf).

<sup>10</sup> European Parliament and the Council. 2006. *Regulation (Ec) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument*. Official Journal of the European Union, L 310/1. Available at: [http://ec.europa.eu/world/enp/pdf/oj\\_l310\\_en.pdf](http://ec.europa.eu/world/enp/pdf/oj_l310_en.pdf).

<sup>11</sup> European Commission. 2004. *Communication from the Commission: European Neighbourhood Policy – Strategy Paper*. COM (2004) 373 final, 12 May 2004. Brussels.

<sup>12</sup> European Commission. 2004. *Communication from the Commission: European Neighbourhood Policy – Strategy Paper*. COM (2004) 373 final, 12 May 2004. Brussels. Available at: [http://ec.europa.eu/world/enp/pdf/strategy/strategy\\_paper\\_en.pdf](http://ec.europa.eu/world/enp/pdf/strategy/strategy_paper_en.pdf).

<sup>13</sup> Bieleń, S. 2006. *Tożsamość międzynarodowa Federacji Rosyjskiej*. [International identity of the Russian Federation.] Warszawa, p. 283; Menkiszak, M. 2006. *Rosja wobec Unii Europejskiej: kryzys „strategicznego partnerstwa”*. [Russia vs. the European Union: crisis of ‘strategic partnership’.] Warszawa: Prace OSW.

of its structure. In addition, the lack of a binding agreement (PCA) between the EU and Belarus prevented it from becoming a member of the ENP, although the EU proposal included also Belarus. The following table shows the individual ideas postulating a reform of the ENP after 2004, with a focus on its territorial coverage.

Table 1

**The territorial coverage of the European Neighbourhood Policy of the European Union (and of other projects reforming the ENP)**

Idea	The New Neighbours Initiative	The Eastern Dimension of the EU	The Wider Europe idea	The European Neighbourhood Policy
Territorial coverage	Belarus, Moldova, Ukraine	Belarus, Moldova, Ukraine, Russia	1) Eastern neighbours: Belarus, Moldova, Ukraine and Russia; 2) Southern neighbours: Mediterranean countries	1) Eastern neighbours: Belarus, Moldova, Ukraine, Armenia, Azerbaijan and Georgia; 2) Southern neighbours: Algeria, Egypt, Israel, Jordan, Lebanon, Libya, Morocco, the Palestinian National Authority, Syria, Tunisia

Source: own study.

The main goal of the ENP is to foster cooperation between the EU and its neighbours in the fields of economy, politics, culture and security. This cooperation should be based on shared values (democracy, the rule of law, respect for human rights, development of co-operation on a free market basis, and cooperation in combating common threats – e.g. terrorism).

Through the EPS, the Union offers its neighbours enhanced economic cooperation (with the prospect of a free trade area, participation in certain areas of the internal market, basing economic relations on the four freedoms binding within the EU), and privileged political relations. Although the ENP is a coherent EU policy towards its neighbours, it should be stated that it is based on the principle of conditionality (the EU uses a strategy of the ‘carrot’ – awards and the ‘stick’ – penalties). The need to carry out political, social and economic reforms, demanded by EU policymakers, in a given country is reflected in the EU strategy towards that country. The greater the desire

to meet the expectations of the EU, the greater the reward. This leads us to the principle of a differentiated EU approach, as it negotiates bilateral commitments (rights and obligations mutually binding for the state and for itself). In exchange for the fulfilment of the commitments, the state receives financial and technical assistance.

The political changes that occurred in the southern and eastern neighbourhood have not significantly affected the shape and logic of the ENP. The neighbourhood policy has not been radically changed, only modified, and thus has not contributed to improving the situation in the region, particularly in terms of security. The so-called Arab Spring, Russia's war with Georgia in August 2008, and Russia's hybrid war with Ukraine since 2014 confirm that the ENP is not an effective policy and does not prevent conflicts in the close neighbourhood of the European Union. In addition, the European Commission's review of the ENP in 2011 (the result of the Arab Spring) and in 2014-2015 (due to Russia's armed conflict with Ukraine, mass migration from the Middle East and Africa to Europe) confirmed the low effectiveness of the policy and pointed to the need for changes in its operation. According to the European Commission, the ENP should focus on stabilisation, greater co-responsibility, security and economic development of the neighbouring countries in the coming years. It is worth stressing that in the eastern neighbourhood we have a conflict in Donbas that affects the stability of Eastern Europe and raises the question about the situation in this area. As Kersti Kaljulaid, the President of Estonia, rightly pointed during the Global Forum 2017 in Warsaw on 7 July 2017 the conflict in Ukraine could last for decades. It results from the fact that 'the Kremlin, however, attempts to politically dominate those European areas that for a long time were dependent on or occupied by the Soviet empire and today want to develop independently of Moscow. This gives rise to counter-reaction on the part of the Putin regime. This area covers the majority of Eastern Partnership countries between the Union and Russia or the Western Balkan region. However, attention should be paid primarily to Ukraine'<sup>14</sup>.

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<sup>14</sup> Kubilius, A. 2017. Czy Zachód ma długoterminową strategię, która nie dopuści do zwycięstwa Putina na Ukrainie? [Does the West have a long-term strategy that will prevent Putin's victory in Ukraine?] *Gazeta Wyborcza/Magazyn Świąteczny* [Online] 14 July 2017. Available at: <http://wyborcza.pl/magazyn/7,124059,22095808,czy-zachod-ma-dlugoterminowa-istrategie-ktora-nie-dopusci.html>.

## ORIGIN AND OBJECTIVES OF THE EASTERN PARTNERSHIP POLICY OF THE EUROPEAN UNION

Talking about Ukraine and EU policy towards Eastern Europe, it is important to note that an important component in the processes of the realisation of the eastern dimension of EU policy is the Eastern Partnership initiative – a new proposal for regional cooperation that the EU addresses to selected Eastern European and the South Caucasus countries: Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Poland and Sweden are the initiators of the Eastern Partnership, inaugurated on 7 May 2009 at the EU summit in Prague<sup>15</sup>. In May 2008 these countries proposed to deepen relations with the eastern neighbours covered by the European Neighbourhood Policy (ENP), although the actions of many other EU members also contributed to the shape of the described project<sup>16</sup>. The necessity to intensify relations with the eastern neighbours were consistently emphasised in the earlier years by the Visegrad Group states<sup>17</sup>, while Lithuania, Latvia and Estonia presented an analogous position. An important role was played by Germany, which presented the concept of the so-called ENP Plus while holding the EU Presidency in the first half of 2007<sup>18</sup>. An expression of the changing approach

<sup>15</sup> More information on the Eastern Partnership, its creation, structure and functioning in Stępniewski, T. 2012. Partnerstwo Wschodnie Unii Europejskiej: między realizmem a rozczarowaniem. [The Eastern Partnership of the European Union: between realism and disappointment.] In: Stępniewski, T. ed. *Kaukaz – kultura, społeczeństwo, polityka.* [Caucasus – culture, society, politics.] Rocznik Instytutu Europy Środkowo-Wschodniej, Year 10 (2012), vol. 2, pp. 11–22; Stępniewski, T. 2012. Ukraina w polityce sąsiedztwa Unii Europejskiej: europeizacja czy peryferyzacja? [Ukraine in the European Union's neighborhood policy: Europeanisation or periphery?] In: *Co po ULB? Polityka wschodnia Polski wobec sąsiadów w nowych uwarunkowaniach.* [What after ULB? Poland's eastern policy towards its neighbors in new conditions.] Rocznik Instytutu Europy Środkowo-Wschodniej, Year 10 (2012), vol. 1, pp. 39–49.

<sup>16</sup> Kapuśniak, T. (Stępniewski) 2009. Miejsce Ukrainy w polityce wschodniej Unii Europejskiej. Perspektywa Polski. [The place of Ukraine in the eastern policy of the European Union. Perspective of Poland.] *Krakowskie Studia Międzynarodowe*, no. 4 (VI), pp. 95–107.

<sup>17</sup> Cf. Pełczyńska-Natęcz, K., Duleba, A., Póti, L., Votápek, V. 2003. *Polityka wschodnia Unii Europejskiej – perspektywa krajów wyszehradzkich. Myśląc o Wymiarze Wschodnim.* [Eastern policy of the European Union – perspective of the Visegrad countries. Thinking of the eastern dimension.] Warszawa: Punkt Widzenia OSW.

<sup>18</sup> Wojna, B., Gniazdowski, M. 2009. Partnerstwo Wschodnie: geneza, możliwości i wyzwania. [Eastern Partnership: Genesis, opportunities and challenges.] *Biuletyn PISM*, no. 24 (556), 30 April 2009, Available at: [www.pism.pl](http://www.pism.pl); Schaffer, S., Tolksdorf, D. 2009.

of the EU to neighbourhood policy was also the adoption in December 2007 by the European Council of Polish-Lithuanian proposals for the development of the southern and eastern dimension of the ENP, not only in the bilateral but also in multilateral frameworks.

The Eastern Partnership is based on the European Neighbourhood Policy implemented since 2004. It is rated by many Member States as a continuation of their earlier efforts to strengthen the ENP in its eastern European section, and at the same time, a new opening in the EU's relations with its addressees. The initiative has gained a lot of support also due to the changing conditions within both the EU and its external surrounding. Undoubtedly, the awareness of the challenges and threats existing in Eastern Europe and the South Caucasus increased in the Member States five years after the EU enlargement. At present, all Members clearly recognise that tensions, political and economic destabilisation and 'frozen conflicts' in the region can directly pertain to the EU itself. Moreover, it was not an accident that work on the Eastern Partnership project accelerated after the Georgia-Russia war and energy cooperation is its essential component. At the same time, the experience of several years of implementation of the ENP has shown that in order to increase the effectiveness of this policy, it is necessary to adapt its instruments to the specificities of the countries concerned, and that it is indispensable to take greater account of the aspirations of EU neighbours in Eastern Europe<sup>19</sup>. In addition, it should be noted that the above mentioned premises – as well as events called the Arab spring – also became the basis for the publication of the report *Delivering on a new European Neighbourhood Policy* by the European Union on 15 May 2012 containing a new 'more for more' principle, i.e. more money in return for progress in integration and internal reforms binding under the European Neighbourhood Policy<sup>20</sup>. It is worth emphasising that the introduction of this

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The Eastern Partnership – 'ENP plus' for Europe's Eastern neighbors. *CAPerspectives*, no. 4/2009, pp. 1–4.

<sup>19</sup> Wojna, B., Gniadzowski, M. eds. 2009. *Partnerstwo Wschodnie – raport otwarcia*. [Eastern Partnership – opening report.] Warszawa: Polski Instytut Spraw Międzynarodowych, p. 5; Hillion, Ch., Mayhew, A. 2009. *The Eastern Partnership – something new or window-dressing*. SEI Working Paper. Sussex European Institute, no. 109, January 2009. Available at: [http://www.sussex.ac.uk/sei/documents/wp\\_109.pdf](http://www.sussex.ac.uk/sei/documents/wp_109.pdf).

<sup>20</sup> *Delivering on a new European Neighbourhood Policy*. Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, 15 May 2012, JOIN (2012) 14 final. Brussels.

new rule by the EU 'may *de facto* mean the reduction of EU funds for the Eastern Partnership countries'<sup>21</sup>.

The Eastern Partnership is a plan of the development of relations between the EU and the countries of Eastern Europe and the South Caucasus, which allows them to gradually get involved in EU policies and programmes and to integrate with the common market. In the bilateral dimension it assumes the signing of association agreements and the creation of wide-range and comprehensive free trade zones. The undertaken initiative also enables multilateral cooperation among eastern neighbours of the EU covered by the ENP. It consists of, among others, regular meetings at the level of heads of state and government, foreign ministers, senior officials and experts. It is supposed to be a forum for exchange of information and experiences of partner countries, acting as a mechanism building mutual trust. The omission of a 'hard' security agenda (desecuritisation) in the Eastern Partnership is to allow the EU to use 'soft power' and indirectly contribute to improving international security in the region. The project is not an enlargement strategy, although it does not exclude the possibility that the countries covered by it may become members of the EU in the future. The model for developing the relations with the EU contained in the Eastern Partnership seems so flexible that it can satisfy both states that are interested only in close cooperation with the EU (Armenia, Azerbaijan, Belarus) as well as those that aspire to join directly the processes of European integration (Ukraine, Georgia)<sup>22</sup>.

In addition, the Eastern Partnership in the bilateral dimension assumes the development of new foundations for legal relations between the EU and its eastern neighbours in the form of the previously mentioned association agreements and deep and comprehensive free trade agreements (DCFTA) with the EU (they have already been signed with Moldova, Georgia and Ukraine and entered into life). In addition, the practical implementation of the project means, among others, undertaking efforts to fully liberalise the

<sup>21</sup> Iwański, T., Ciechanowicz, A., Kwiatkowska-Drożdż, A., Sadowski, R. 2012. Kryzys w relacjach UE–Ukraina wokół sprawy Tymoszenko. [Crisis in EU-Ukraine relations around Tymoshenko case.] *Tydzień na Wschodzie*, no. 17(218). [Online] 9 May 2012. Available at: [www.osw.waw.pl](http://www.osw.waw.pl); Представництво Європейського Союзу в Україні. [Delegation of the European Union in Ukraine]. 2012. *ЄС ухвалив нову Програму з інтеграції та співпраці Східного партнерства*. [The EU has adopted a new programme for integration and cooperation within the framework of the Eastern Partnership.] 27 June 2012. Available at: <http://eu.prostir.ua/news/253736.html>.

<sup>22</sup> Wojna, B., Gniazdowski, M. eds. 2009. *Partnerstwo Wschodnie – raport otwarcia*. [Eastern Partnership – opening report.], p. 2.

visa regime (visa-free regime applies to Georgia, Moldova and Ukraine) in relations with individual partner countries, as well as assumes the development of co-operation in the field of energy security<sup>23</sup>.

A new aspect of the Eastern Partnership – as opposed to the ENP – is the multilateral scope of its implementation which should contribute to promoting political and economic changes in the countries of Eastern Europe and the South Caucasus, becoming, by the way, a forum for exchanging information and experience of partner countries in such areas as democracy, governance and stability, economic integration and convergence in the sphere of EU policies, energy security and interpersonal contacts. Many EU members and some partners expect that the multilateral political cooperation will also act as a confidence-building mechanism throughout the region.

It is worth mentioning that the Eastern Partnership initiative has also initiated a discussion among the Member States of the EU on its relations with Russia in the area of Eastern Europe and the South Caucasus. Most of them have believed that its implementation could not in practice lead to rivalry between the EU and the RF, and thereby to the isolation of Russia in the region. In contrast, a competitive group of the Member States have opposed the perception of EU initiatives addressed to the eastern neighbourhood through the prism of Russian interests. In their opinion, the Eastern Partnership should serve to bring the countries concerned closer to the EU, regardless of the position taken by the RF in the matter, which treats Eastern Europe and the South Caucasus as its exclusive sphere of influence (so-called ‘close foreign countries’). All the Member States have emphasised the need for the parallel development of the Eastern dimension of the ENP and cooperation of the EU with the Russian Federation. Possible contradictions between the objectives of the Eastern Partnership and Russia’s fears may be offset, in the opinion of EU members, by the participation of this entity in individual projects implemented within the framework of the Eastern Partnership<sup>24</sup>.

One can be tempted to say that an indirect result of the Eastern Partnership summit in Vilnius is Russia’s war with Ukraine. If Ukraine had signed an association agreement with the EU, probably nothing would have

<sup>23</sup> *Ibidem*, p. 6; Longhurst, K. 2007. Stepping into the geopolitical game. The European Union and its Eastern Neighbourhood. *Analizy Natolińskie*, no. 2 (15).

<sup>24</sup> Wojna, B., Gniazdowski, M. eds. 2009. *Partnerstwo Wschodnie – raport otwarcia*. [East-ern Partnership – opening report.], p. 8; Schaffer, S., Tolksdorf, D. 2009. The EU member states and the Eastern Neighbourhood – from composite to consistent EU foreign policy? *CAP Policy Analysis*, no. 1/2009, pp. 1–4.

happened, and Ukraine would have been in the same place as it was in 2013 (before the Eastern Partnership summit in Vilnius). As a result of not signing the association agreement by Viktor Yanukovich the situation got out of control. The consequences of this decision are dramatic for Ukraine: Russia's war with Ukraine (conventional and unconventional measures – in other words a hybrid war), annexation of Crimea by Russia, destabilisation of south-eastern Ukraine (so called separatist republics in Donetsk and Lugansk supported by Russia), tragic economic and military situation, etc. The key question arises: whether the aim of these agreements (the association agreement and DCFTA) was to destabilise the situation in Ukraine<sup>25</sup>.

#### PROBLEMS OF EASTERN NEIGHBOURHOOD CONDITIONING THE EFFECTIVENESS OF THE EASTERN PARTNERSHIP POLICY

The Eastern Partnership assumes that actions undertaken by the EU towards the Eastern states will be implemented within five main areas (priorities): 1) integrated border management programme; 2) support for SME development (SME Facility); 3) regional energy markets; energy efficiency and renewable energy sources, 4) environmental management, 5) combating effects of natural disasters and man-made disasters<sup>26</sup>. Unfortunately, the implementation of these priorities, as well as the tightening of political and economic relations between the EP countries and the European Union face serious difficulties, mainly of a political nature. These difficulties are mostly connected with the following issues<sup>27</sup>: 1) internal problems: high corruption, weak state power, freedom of the media, restrictions on freedom

<sup>25</sup> See more in Stępniewski, T. 2015. Partnerstwo Wschodnie Unii Europejskiej: w poszukiwaniu nowego modelu integracji. [Eastern Partnership of the European Union: looking for a new model of integration.] *Mysł Ekonomiczna i Polityczna*, no. 4 (51), pp. 242–256.

<sup>26</sup> Ministry of Foreign Affairs of the Republic of Poland. 2011. *Partnerstwo Wschodnie*. [Eastern Partnership.] Warszawa. Available at: <http://www.eastern-partnership.pl>.

<sup>27</sup> Wojna, B., Gniazdowski, M. 2009. Partnerstwo Wschodnie: geneza, możliwości i wyzwania. [Eastern Partnership: Genesis, opportunities and challenges.] *Biuletyn PISM*, no. 24 (556), 30 April 2009. Available at: [www.pism.pl](http://www.pism.pl); Kapuśniak, T. (Stępniewski) 2010. Wymiar Wschodni Europejskiej Polityki Sąsiedztwa Unii Europejskiej. Inkluzja bez członkostwa? [The eastern dimension of the European Union's Neighbourhood Policy. Inclusion without membership?] *Zeszyty Natolińskie*, no. 42. Warszawa: Centrum Europejskie Natolin, p. 103. Available at: [http://www.natolin.edu.pl/pdf/zeszyty/Natolin\\_Zeszyty\\_42.pdf](http://www.natolin.edu.pl/pdf/zeszyty/Natolin_Zeszyty_42.pdf).

of the opposition, organised crime; 2) separatist tendencies (e.g. in Georgia – Abkhazia and South Ossetia) and ethnic conflicts (e.g. Nagorno-Karabakh, Transnistria), the problem of Crimea annexed by Russia, the situation in Donbas; 3) strong influence of the Russian Federation in the EP area (wider in the so-called ‘close foreign countries’) implemented through political, economic, energy, socio-cultural instruments; 4) Turkey’s position increasing in the region in the recent years, undermining the EU efforts (especially in matters of energy supply diversification), as Turkey – just like Russia – strives to maintain the supremacy of the two entities in the Black Sea region<sup>28</sup>. After the annexation of Crimea by Russia, the situation in the Black Sea basin has changed. Russia not only controls a part of this area, but also in cooperation with Turkey seeks to dominate in this area.

## CONCLUSIONS AND PROSPECTS

In the second half of 2017 the Presidency of the European Union is held by Estonia, for which cooperation with the Eastern Partnership countries is of particular importance. The next Eastern Partnership Summit is scheduled for November 2017 in Brussels<sup>29</sup>. The Estonian government also declares its wish to improve the mechanisms of the implementation of principles adopted in the association agreements (DCFTA) with Moldova, Georgia and Ukraine, and moreover its support for the resumption of negotiations with Azerbaijan<sup>30</sup>.

On the one hand, the EU policy eastern dimension is slowly becoming a constant and clear component of the European Union’s Neighbourhood Policy. On the other hand, it is being put to a serious test in the form of a war between Russia and Ukraine in Donbas. It is significant that the ENP is still addressed to a very diverse group of countries from the Mediterranean region

<sup>28</sup> Stępniewski, T. 2011. *Geopolityka regionu Morza Czarnego w pozimnowojennym świecie*. [*Geopolitics of the Black Sea region in the post-Cold War world.*], p. 39, ff.

<sup>29</sup> On earlier Eastern Partnership summits and their provisions, significance and implications in Stępniewski, T. 2015. *Partnerstwo Wschodnie Unii Europejskiej: w poszukiwaniu nowego modelu integracji*. [Eastern Partnership of the European Union: looking for a new model of integration.], pp. 242–256.

<sup>30</sup> Raś, K. 2017. „Jedność poprzez równowagę” – przewodnictwo Estonii w Radzie UE. [‘Unity through balance’ – Estonia’s presidency in the EU Council.] *Biuletyn PISM*, no. 68 (1506), 17 July 2017. Available at: <http://www.pism.pl/publikacje/biuletyn/nr-68-1506>.

and Eastern Europe. In recent years, initiatives have been taken by France in the form of the Union for the Mediterranean and the Polish-Swedish Eastern Partnership, which have changed the current logic of the EU's contacts with its neighbours. However, there is still the question about the effectiveness of these projects and the need for effective implementation of these initiatives by the EU. The effectiveness of their implementation depends on whether all the EU Member States will support these projects.

EU countries' expectations and demands for changes, without specific aid instruments, do not have a great chance for success. It cannot be expected that pure declarations of political will of the Community will translate into fundamental reforms. On the other hand, the countries-addressees must confirm that they are determined in their democratic choice. The reform of the EPS after 2015 in a sense puts emphasis on cooperation with those countries that are interested in the transformation and stabilisation of their internal situation. It is therefore worth stressing that EU policy-makers formulating the assumption of policy towards Ukraine should not only rely on a balanced analyses of the situation, but also focus on long-term positive phenomena such as increased awareness and political activity of Ukrainian society, favourable economic trends, pragmatism and the necessity to normalise the relations with the Russian Federation (this demand seems difficult to meet in the face of the war in Donbas) or the development of in-depth cooperation with NATO. In addition, the aim of the EU policy should be strong and prudent support for Ukraine's 'democratisation potential', that is processes creating a basis for further modernisation and the democratisation of the state as an irreversible fact.

Whether the Eastern Partnership based on the European Neighbourhood Policy – unfortunately without any concrete perspective for Ukraine's membership in the EU – will prove an effective instrument for a change of the both internal and external situation of Ukraine depends on decision-makers of the European Union, but also on the internal situation and political will of individual countries covered by this policy. The Eastern Partnership 2.0 is more and more frequently mentioned, that is a project that will emphasise the pragmatic dimension of EU cooperation with Ukraine (and other EP countries), but without the need to declare membership prospects. This raises a fundamental question: whether the EP countries will see any sense in the transformation of their political systems into democratic ones without a reward in the form of membership in the EU? Perhaps visa-free movement will prove to be a much more effective mechanism to change the internal situation in Ukraine and in other EP countries than void political declarations

of decision-makers. Certainly, the EU should put greater emphasis on interpersonal contacts and projects of youth and student exchanges between the EP countries and the EU Member States.

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## UKRAINE'S POSITION IN THE EUROPEAN UNION'S NEIGHBOURHOOD POLICY

### Summary

The objective of the present paper is to discuss Ukraine's position in both the European Neighbourhood Policy (established in 2004) and the Eastern Partnership project based on the policy. The Orange Revolution of 2004 and events of 2013/2014 in Ukraine labeled the Euromaidan indicated that the European direction of the country is of critical importance for a considerable part of Ukrainian society and political elites. Integration with the EU presents a necessity for a civilizational choice for Ukraine. The fact that, of all states located on the EU's eastern border, it is Ukraine which poses the greatest challenge, is noteworthy. Ukraine's geopolitical and geoeconomic position make it a key player both for the EU and Russia as well.

## MIEJSCE UKRAINY W POLITYCE SĄSIEDZTWA UNII EUROPEJSKIEJ

### Streszczenie

Celem niniejszego artykułu jest próba ukazania miejsca Ukrainy w Europejskiej Polityce Sąsiedztwa (ustanowionej w 2004 roku) oraz w ramach bazującego na tej polityce projektu Partnerstwa Wschodniego. Szczególny nacisk położony zostanie na rolę Polski w kształtowaniu wschodniego wymiaru polityki Unii Europejskiej. „Pomarańczowa rewolucja” z 2004 roku oraz wydarzenia z przełomu 2013 i 2014 roku zwane „Euromajdanem” na Ukrainie pokazały, że kierunek europejski tego państwa ma kluczowe znaczenie dla części społeczeństwa i elit politycznych Ukrainy. Integracja z Unią Europejską oznacza dla Ukrainy konieczność dokonania wyboru cywilizacyjnego. Należy pamiętać, że spośród wszystkich państw położonych na wschodnich granicach Unii Europejskiej to właśnie Ukraina stanowi największe wyzwanie. Pozycja geopolityczna i geoeconomiczna Ukrainy powoduje, że jest ona kluczowym państwem nie tylko dla UE, ale również dla Rosji.

## МЕСТО УКРАИНЫ В ПОЛИТИКЕ ДОБРОСОСЕДСТВА ЕВРОПЕЙСКОГО СОЮЗА

### Резюме

В настоящей статье предпринята попытка определения места Украины в Европейской политике добрососедства (установленной в 2004 году), а также в рамках основанного на данной политике проекта Восточного партнёрства. Особое внимание будет уделено роли Польши в формировании восточного параметра политики Европейского Союза. «Оранжевая революция» 2004 года и события на рубеже 2013 и 2014 годов, называемые «Евромайданом», на Украине показали, что европейский вектор этого государства имеет ключевое значение для части общества и представителей политической элиты Украины. Интеграция с Европейским Союзом означает для Украины необходимость выбора в пользу цивилизационного направления. Следует помнить, что из всех государств, расположенных на восточных границах Европейского Союза, именно Украина связана с наиболее сложной проблематикой. Геополитическая и геоэкономическая ситуация Украины обуславливает тот факт, что она является ключевым государством не только для ЕС, но также и для России.