

UACES 47th Annual Conference

Krakow, 4-6 September 2017

Copyright of the papers remains with the author. Conference papers are works-in-progress - they should not be cited without the author's permission. The views and opinions expressed in this paper are those of the author(s).

www.uaces.org



The European Union (EU) Foreign Policy Change towards its Eastern Neighbours: the Crisis in Ukraine.

Tatiana Shaban, University of Victoria

ABSTRACT

The EU's neighbourhood is complex and far from being stable yet. In Ukraine significant progress has occurred in many areas of transition but much work continued to be done, especially in the field of regional development and governance (where many indicators of the Soviet model remain). Ukraine as a state which is being placed at the crossroads between East and West presents an interesting case for the EU foreign policy development from the EU external governance perspective. This paper asks three main questions: (1) what are the reasons for the European Neighbourhood Policy (ENP) failure in Ukraine; (2) what is missing in that policy and (3) why was the EU unable to prevent a conflict on the ground rather than deal with its consequences. By identifying apparent security, territorial, institutional challenges and opportunities the EU has faced in Ukraine this paper detects important points that matters most within the domestic context when it comes to the EU overall governance performance and crisis management in the region.

I. Introduction.

From 1997 Ukraine recognises itself as a European state actor by moving into European political mainstream and signing Charter on Distinctive NATO (North Atlantic Treaty Organisation)-Ukraine Partnership. A year later Ukraine established its foreign policy course as a European choice after Partnership and Cooperation Agreement (PCA)¹ between the European Union (EU) and Ukraine came into force. In 2010 Ukraine adopted the Law "On the foundations of foreign and domestic policy" which prioritised further integration into the EU with the aim of acquiring membership. However, the 2014 crisis in Ukraine caused substantial changes not only to the foreign policies of major international actors but also that of in the EU. The Ukraine crisis has clearly demonstrated that the EU will have to develop a different strategic approach to its foreign policy towards its Eastern neighbours in order to stabilize the situation in the region as a whole, and in Ukraine, in particular. When it comes to the Ukraine crisis, ineffective (bad) governance

¹ PCA between Ukraine and EU came into force in 1998 and was based on the existing Agreement between the European Economic Community (EEC) and the European Atomic Energy Community (EAEC) and the Union of Soviet Socialist Republics (USSR) on trade and commercial and economic cooperation, signed on 18 December 1989. The Association Agreement (AA) provides a new legal framework for bilateral EU-Ukraine relations, replacing the out-dated PCA, when ratified by all 28 Member States (MS).

was the turning point causing the Maidan revolution. People protested against Yanukovitch government who concentrated enormous assets within his own family. In 2014 the Ukrainian parliament voted Yanukovitch out of power after he refused to sign the Association Agreement (AA) with the EU and turned to Russia instead. As a result, the Maidan revolution (also known as the ‘Revolution of Dignity’) produced persistent political, economic and security crises in Ukraine.

This paper examines the extent to which the European Neighbourhood Policy (ENP) of the EU is able to incorporate the regional crisis in general, and in Ukraine, in particular. Its three main questions are: (1) what are the reasons for the ENP failure in Ukraine; (2) what is missing in that policy and (3) why was the EU unable to prevent a conflict on the ground rather than deal with its consequences. To answer these questions, I proceed in three steps. First, this paper provides a brief literature review of recent academic debates on Europeanisation and EU governance, which delivered extensive attention to the ENP and Eastern Partnership (EaP) since its development. Scholarly debates create a conceptual framework for the EU as a transformative power and help understand the EU external performance in the region. Second, it examines existing programs and instruments of the ENP and how they were anticipated to affect implementation of governance reforms in Ukraine.² Third, it analyses territorial, security and institutional challenges the EU encountered on the ground. The study also looks at the EU’s approach to deal with Russia, which is the main interfering actor in Ukraine. This content will be used to articulate a number of existing challenges and opportunities for cooperation between Ukraine and EU in the area of foreign policy and governance as well as understand the role of the EU as a crisis manager. The final section concludes.

II. Literature Review

Europeanisation (including EU Governance) literature suggests that the EU exerts important transformative power outside its borders. In light of regional conflicts and threats to the

² In this paper I will only cover the period of the ENP, starting with the implementation of the Eastern Partnership (EaP) policy which was launched by the EU in 2009 upon the direct initiative of Sweden and Poland. It aimed to support six partnership countries Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine to advance for a market economy, sustainable development and good governance, http://www.eeas.europa.eu/eastern/index_en.htm. The reason to cover that period resulted from my observation about escalating confrontation between the EU and Russia on the basis of disagreement about the EaP policy goals and functions and limitations of the paper itself.

international order that seem to require joint efforts by the international community to rebuke, the European Commission (henceforth ‘Commission’) called for the EU’s comprehensive approach³ to the management of external conflicts and crises (Rabinovytch 2017). Scholarly research suggests that improved governance in the neighbourhood remains crucial to its economic growth (Aslund 2015) and security (Rabinovytch 2017). In Ukraine the EU provided consistent financial and political support to Public Administrative Reform (PA reform) that was declared a priority for all administrations since its independence in 1991 and was regarded as central to country’s democratic consolidation (Youngs 2009). In addition, the EU paid considerable attention to regional (decentralisation) reform, used in its broad sense to produce a change in the nature of relations between national and subnational tiers of government (Sasse 2001; 2010; Mrinska 2010). At the same time, the external institutional capacity of the EU, in the context of the Common Foreign Security Policy (CFSP), improved gradually with the Treaty of Lisbon (2009), the creation of the European External Action Service (EEAS) and an increased role for the European Parliament (EP).

According to Wolczuk (2017) many EU officials in Brussels and in Kyiv are reluctant to engage at the political level, believing that working with the current, pro-European administration is more desirable than triggering a change of government.⁴ Furthermore, she argues that approaching the reforms as a technical and legal process of legal approximation is insufficient if we want to see democratic transformation of the country (Wolczuk 2017). In the case of Ukraine, despite current government being the most pro-reformist in the history of independent Ukraine, corruption and the old-style (bad) governance prevent the transformation and development of sustainable democratic institutions (Maksak 2015: 71-101). Yet, main critics of EU policies in Ukraine state that linkages between the EU and Eastern Partnership (EaP) countries are increasing but that do not necessarily translate into reform (Solonenko and Shapovalova 2011). Likewise, the question remains whether those EU policies or actions are being translated into sustainable policy change in Ukraine.

³ The EU comprehensive approach towards crisis in a broader sense is understood in terms of providing security and building up security community on the basis of liberal democracy and market economy; not just management of the conflict itself.

⁴ Yet, the most successful reforms so far have been those which created new institutions and systems – i.e, National Anti-Corruption Bureau, the electronic public procurement system (ProZorro) and the new road police. <https://www.chathamhouse.org/expert/comment/eu-must-be-bolder-driving-reform-ukraine#sthash.k6ZxJnsB.dpuf>. Accessed May 25, 2017.

EU actions in Ukraine target not only governments, but various societal actors who either observed EU actions or cooperated with the EU. Academic debates emphasise that in the case of Ukraine, in the absence of strong formal institutions, informal networks and decision-making play a crucial role. Scholars argue that the mobilising effect of the conditionality⁵ would be higher if the society at large views EU conditions as legitimate (Börzel and van Hüllen 2013; Schimmelfennig 2009; Schimmelfennig and Sedelmeier 2005; Vachudova 2005). According to Burlyuk and Shapovalova (2017) “the greater the density of the interaction, the more likely it will be to generate behavioural change on the part of domestic actors”. Likewise the capacity of domestic actors to influence or defeat an illiberal government represents an important factor. As Langbein (2014) concludes in her research on regulatory convergence, beside strong EU policy conditionality, “multiplex” capacity-building that empowers various non-states actors, and state agencies, leads to stronger convergence in Ukraine. The EU advances the capacity to mobilise for support of EU conditions by providing reform elites, opposition and civil society with technical, financial and political aid (Burlyuk and Shapovalova 2017). In the end, the EU assistance reinforces understanding and appreciation of EU norms and values.

In the post-Cold War context, the Wider Europe concept clearly presented the EU as a new kind of international actor (Commission of the European Communities 2003). The idea of the EU as a new type of security community whose policies would rely on normative soft power was officially added to the rhetoric of EU policies. The EU concept of Wider Europe understood in progressive terms, implied increasing openness and inclusionary politics where neighbourhood could be jointly negotiated between the EU and its regional partners. Yet, different objectives of the EU regional cooperation agenda were contradictory and contained both elements of potential regional partnerships as well as exclusionary and discriminatory aspects (Scott 2009; Liikanen, Scott, and Sotkasiira 2014). According to Mychajlyszyn (2008), in its post-Soviet interactions the extent to which Ukraine and its government was committed to Europe’s place in its identification was advanced only when the Russia-Ukraine relationship remained stable or when

⁵ In a recent publication on the EU conditionality in the special issue of the *East European Politics* Burlyuk and Shapovalova (2017) argue that “conceptualisation of (EU) conditionality as a tool for societal mobilisation and differential empowerment of domestic actors, which was largely under-researched in the literature on Europeanisation and democracy promotion, possessed a considerable potential in explaining the EU-driven domestic change”.

the Europe-Russia relationship were cultivating. As a result, political developments since October 2013, when Ukraine decided against signing the EU–Ukraine Association Agreement (AA, the Agreement) once again stressed the necessity to pay serious attention to the pre-existing social and institutional context when studying the EU’s ability to function as an effective architect of its security community beyond its borders (Papadimitriou, Baltag, and Surubaru, 2017a; 2017b; Börzel and van Hüllen 2011; 2013; Sasse 2008; Schimmelfennig 2009). According to Rabynovitch (2017) singling out ‘institution-building’ as well as ‘political and economic transformation’ as important avenues of peace building is crucial to understand its structural dimension. As opposed to the major operations of the Cold War era, representing “the classic model of inter-state conflict management”, the EU concept of international peace-building encompasses security, development, humanitarian assistance, governance and rule of law aspects.

III. The ENP: Review of its Programs and Instruments in Ukraine

The Commission Communication on Wider Europe proposed that the EU should aim to develop zone of prosperity and a friendly neighbourhood – “a ring of friends” – with whom the EU enjoyed close, peaceful and cooperative relations (Commission of the European Communities 2003). Drawing on that concept the EU within the ENP offered its “ring of friends” to share ‘everything but institutions’.⁶ In addition, in 2009, upon the direct initiative of Sweden and Poland, the EU launched its Eastern Partnership (EaP)⁷ policy, which aimed to support six partnership countries Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine to advance a market economy, sustainable development and good governance. That particular step expected to advance relations of the EU with its Eastern neighbours. From the EU perspective, the EaP was built on the frame of the ENP and designed to “accelerate political association and further economic integration” between the EU itself and partner countries. The policy was the first comprehensive initiative introduced into the system of the EU’s external relations, which

⁶ The quote is taken from a famous speech by Romano Prodi, former President of the European Commission: A Wider Europe-A Proximity Policy as the key to stability. “Peace, Security and Stability International Dialogue and the Role of the EU”. SPEECH/02/619. Sixth ECSA-World Conference. Jean Monnet Project. Brussels, 5-6 December 2002, European Commission. Press release. http://europa.eu/rapid/press-release_SPEECH-02-619_en.htm. Accessed 10 may 2015.

⁷ Russia and Russian policy and academic publications viewed EaP policy only as a geopolitical tool used by the EU.

intended to help neighbouring countries with their approximation to and integration with the EU rules and norms, based on a differentiated approach, which committed to supporting each partner country to progress in its own way and at its own speed.

The EaP aimed to advance political dialogue and cooperation in a number of areas, including governance⁸, trade, migration and border management, energy and the environment by setting up bilateral and multilateral projects and programs in areas of economic, political and cultural development with all EaP participants (except for Belarus). The EaP included an official package of at least three main elements which if implemented, would significantly change relations between the EU and partner countries. Firstly, the AA⁹, secondly, a Deep and Comprehensive Free Trade Area (DCFTA), which planned to open markets and deal with competitiveness issues and other standards set by the EU in the area of trade; and finally, full visa liberalisation.¹⁰ The AA highlighted reforms in the sphere of justice, freedom and security, particularly concerning provisions on mobility. In May 2012, the EU Council adopted three main conditions for the signature of the AA in Ukraine: conducting free and fair parliamentary elections, addressing the cases of selective justice and implementing reforms envisaged by the AA.

During the 2010-2014 Commission, both the EU High Representative for Foreign Policy and Security Affairs/Vice-President of the European Commission, who was the Head of the EEAS, and the European Commissioner for Enlargement and ENP played a very important role in the implementation of the EaP policy. They represented the EU during meetings of the Association Councils – the highest formal institutions created under the AAs with Georgia, Republic of Moldova, and Ukraine – to supervise the implementation of these Agreements. If fully

⁸ ‘Governance’ definition employed by the EU means “the method of ‘governing’ proposed for obtaining lasting economic, social and institutional development, promoting healthy equilibrium amongst the state, civil society and the economic market, and generating expressly for this purpose active involvement by citizens”. Contributions to the White Paper on Governance. This definition of governance is provided by the Royal Academy for the Spanish Language. It fully suffices good governance principles incorporated into the White Paper on European Governance. European Commission, Brussels, 25.7.2001, COM(2001) 428 final.

⁹ As of January 2016 the Agreement has been applied provisionally in Ukraine, as far as the provisions concern EU competences. Provisions shall formally come into force upon ratification of the Agreement by all signatories.

¹⁰ Visa liberalisation process has been finalised in Ukraine in June 2017. From 11 June 2017, the visa obligation for citizens of Ukraine who hold a biometric passport and want to travel to the Schengen zone for a short-stay was abolished.

implemented, the AA and DCFTA with the EU will lead to an approximation to the EU *acquis communautaire* by Ukraine (including all other participants of the EaP – signatories of the AA and DCFTA). However, it is important to emphasize that the EaP is a joint policy of the EU and its Eastern Partners, and all parties accepted responsibility for its implementation.

Overall, the Commission estimated the EU's financial assistance to Ukraine for 2014-2020 at €11 billion.¹¹ Since the outbreak of the crisis in early 2014, the Commission mobilised a total of EUR 3.4 billion in macro-financial assistance through three consecutive programmes of low-interest loans to Ukraine. That represented the highest amount ever made available by the EU to a third partner in such a short time. Out of these EUR 3.4 billion, 2.2 billion were disbursed in 2014 and 2015. In addition to substantial financial assistance, the EU created the Support Group for Ukraine, which provided expert assistance for reforms. The Commission also helped to organise the International Conference on Support for Ukraine in April 2015, while the Parliament (EP) launched a special mission to study the needs of Ukraine's parliament, the Verkhovna Rada, in the reform process.

The EU is Ukraine's largest trading partner, accounting for more than 40% of its trade in 2015 (European Commission 2017). Ukraine accounted for 0.8% of EU's total trade, with a turnover of €1.16 bln in 2015. Ukraine exports to the EU amounted to €12.7bn in 2015. The EU was also a large investor in Ukraine. EU investors held investments worth around €16.4 bln in Ukraine in 2014. Ukraine signed 1/3 of the AA, with the EU, containing a free trade component (not included). It also maintained the existing free trade agreements with other post-soviet states, including Russia. Once Ukraine signed the AA with the EU, it would no longer be able to join the Russian Customs Union (subsequently the proposed Eurasian Economic Union (EAEU)) due to the conflicting standards and tariffs in place. However, the EU-Ukraine free trade deal would

¹¹ Information provided during the talk by David Stulik (press officer of the Commission representation in Ukraine) at the National Mohyla Academy, Kiyv, Ukraine. Key documents relating to MFA I (disbursed in 2014-15): Council decision of 12 July 2002 providing supplementary Macro-Financial Assistance to Ukraine (EUR 110 million); Decision of the European Parliament and of the Council of 7 July 2010 providing Macro-Financial Assistance to Ukraine (EUR 500 million); Memorandum of Understanding between the European Union and Ukraine for Macro-Financial Assistance for Ukraine of up to EUR 610 million. Overall, the EC estimated the EU's financial assistance to Ukraine for 2014-2020 at €11 billion.

mean greater access for Ukraine¹² to the EU market through lower customs and non-tariff barriers, higher export quotas for certain sensitive goods, and the adoption of EU standards in a wide range of domains.

Governance beyond EU borders is conceptualised as establishment of “institutions” (in the sense of organisations but rules of the game), which define actors and their responsibilities, both in cooperation towards society’s objectives and in resolution of conflicts that may arise. Due to complexity and programs variety, the EaP initiative created a critical necessity to put into operation essential management structures in order to improve governance quality¹³ within its partners. EaP bilateral projects included Comprehensive Institution Building Programs (CIBP, CIB) which expected to develop and improve the capabilities of the partner states’ public institutions. CIB meant to focus on capacity building in the EaP countries, identifying weak spots and addressing these through training, technical assistance and equipment where necessary. The aim was to help the partner-countries more intensively than before to achieve the reforms where necessary, influence their transition processes towards democracy and stability by step-by-step improving their institutional and organizational capacity. Specific instruments like Twinning, Technical Assistance and Information Exchange instrument (TAIEX), EU advisory missions were used for implementation of CIB.

The CIB programs formed a part of the national indicative programmes (NIPs) of the respective EaP countries, and until 2013 were financed from the European Partnership Instrument (ENPI), which covered all ENP countries plus Russia. The 2011-2013 NIP for Ukraine was adopted in March 2010 and had a budget of EUR 470.1 million. The 2011-2013 NIP included a specific appropriation to finance new actions under the EaP, notably CIB with a minimum of EUR 43.4 million and Cohesion Policy with a minimum of EUR 30.8 million. Implementation of the measures covered by previous Annual Action Programmes (AAP) from the period 2007-2009

¹² DG for Trade: EU –Ukraine. The main Ukraine exports were raw materials (iron, steel, mining products, agricultural products), chemical products and machinery. The main EU exports to Ukraine included machinery and transport equipment, chemicals, and manufactured goods. http://trade.ec.europa.eu/doclib/docs/2006/september/tradoc_111613.pdf.

¹³ When talking about Governance quality I primarily mean establishment of rule of law, clear division of powers, control of corruption and design of impartial, and professional public administration.

(European Commission 2011) was delayed pending timely confirmation of the improved situation in the country regarding public financial management, notably in the field of public procurement. From 2014, the CIB was supported through the European Neighbourhood Instrument¹⁴ (ENI) that replaced the ENPI.

The EaP multilateral track similarly aimed at fostering links among partner countries themselves. Four thematic platforms¹⁵ were organised by the Commission in the multilateral framework:

1) democracy, good governance and stability; 2) economic integration and convergence with EU sectoral policies; 3) energy security and 4) contacts between people. The EaP initiative paid more attention to civil society than previous EU policies towards the Eastern neighbourhood, creating the EaP Civil Society Forum (EaP CSF), which included non-governmental organisations (NGOs) from both EaP countries and from the EU. There were five working groups in the framework of the EaP CSF, four of them related to the four thematic platforms. The fifth working group, named social dialogue, set up in 2012, did not have any parallel thematic platform. In addition, in May 2011, the Euronest Parliamentary Assembly (PA) was created in Brussels. Euronest was established as a parliamentary forum to promote political association and advance economic integration between the EU and its Eastern partners. It aimed to contribute to the strengthening, development and visibility of the EaP, as the institution responsible for “parliamentary consultation, supervision and monitoring” (Council of the European Union 2009). The Euronest PA consisted of the European Parliament (EP) delegation and the Eastern European Partners' delegations from Armenia, Azerbaijan, Georgia, Moldova and Ukraine.

In addition, Ukraine as a member of the EaP benefited from the EU cross-border cooperation (CBC), and various regional and inter-regional cooperation programmes. Mainly in education (Tempus, Erasmus Mundus), transport and border assistance, institution building (TAIEX, SIGMA) and investments (Neighbourhood Investment Facility, NIF). The ongoing NIF projects

¹⁴ Interestingly, the ENI is funding cross-border cooperation (CBC) programs, which activities Russia takes part in under the ENP, even if it is not a part of the ENP as such.

¹⁵ Five Flagship Initiatives were launched in the framework of the thematic platforms as a part of the multilateral track: 1) integrated border management (IBM); 2) small and medium-sized enterprises (SME) facility; 3) regional electricity markets, energy efficiency, and renewable energy sources; 4) prevention, preparedness and response to natural and man-made disasters (PPRD) and 5) environmental governance.

focus mainly on water supply and sanitation, energy security and inter-connections. Ukraine was also eligible for funding under thematic programmes: the European Instrument for Democracy and Human Rights (EIDHR), Instrument for Stability, Instrument for Nuclear Safety Cooperation and the Development Cooperation Instrument (DCI).¹⁶ Regional dimension was covered by Pilot Regional Development Programmes (PRDP) inspired by the EU cohesion policy experience. It supported regional development strategies by aiming at reducing disparities and funding projects, which helped in overcoming structural deficiencies. In September 2011, the Committee of the Regions (CoR) established a Conference of Regional and Local Authorities for the Eastern Partnership (CORLEAP) as ‘a political body of multilateral cooperation’.

Thus, The AA and DCFTA, the European Charter of Local Self-Government, previously Partnership and Co-operation Agreement (PCA), other relevant legal acts of the EU and the Council of Europe (CoE) formed the basis for Ukrainian regional integration with the EU. In addition, EU strategically planned to set up and deepen direct contacts between Ukrainian regions and the countries which were members and candidate members to the EU by transferring the focus of the integration process from central bodies of executive power to regions, bodies of local self-government, and territorial Hromadas (Ukrainian communities) which would have secured a widest possible cooperation and integration (Ministry for Regional Development, Construction and Housing in Ukraine 2017). Local authorities’ joint, coordinated efforts with the EU neighbouring countries expect to improve resource allocation and allow them to advance forward in a more effective way.

Migration was another priority issue for both Ukraine¹⁷ and the EU in their foreign policy. Despite the strengthening of European border controls, refugees and migrants were seeking to cross from Ukrainian territory into neighbouring EU states (European Council on Refugees and Exiles, <https://www.ecre.org/>). In line for those developments, according to Foreign Affairs Council of EU on Ukraine, there was increased regional cooperation between Ukraine and EU on border management, within the context of the EU Border Assistance Mission to the Republic of

¹⁶ Thematic Instruments provided financial support to civil society, including non-state actors and local authorities. Since 2011, the civil society organisations also benefit from the Neighbourhood Civil Society Facility (CSF).

¹⁷ From the Ukrainian side the actors in the sphere of integrated border management included: Administration of the State Border Guard Service of Ukraine, State Customs Service of Ukraine, Ministry of Internal Affairs, Ministry of Foreign Affairs and other government authorities within their competence.

Moldova and Ukraine (EUBAM) and the Southern Caucasus Integrated Border Management (SCIBM) project. Ukraine was also integrated into the Söderköping process¹⁸ on border control. The process was financed by the EU and implemented by the United Nations High Commissioner on refugees (UNHCR). The International Organization for Migration (IOM) and the Swedish Migration Board were the partners of the process.

Local and regional authorities further developed EU-Ukrainian relations through partnership and transnational project work. Those actions were supported through EU funding programmes, which facilitated contact-building between local and regional actors within Ukraine and the corresponding EU Member States (MS) (Committee of the Regions 2011). By using standard tools and additional financial capacity the International Visegrad Fund (IVF)¹⁹ started with flagship projects aimed at the promotion of Slovak Democratisation and Transformation experience, development of the regional cooperation and support of civil society. As an example, Slovakia launched National Conventions for European Integration in Moldova and Ukraine and the Centre of Transfer of the Slovak Experiences from the Accession Process at the Ministry of Foreign Affairs in Bratislava.²⁰ The V4 countries provided various forms of assistance to Ukraine and its people with the aim to complement the transformation process in Ukraine. It prioritized the strengthening of the rule of law, the efficiency of national government and local self-governments, the transparency of public procurement, the reduction of state regulation and, last but not least, the fight against corruption. Such partnership activities intended to endorse the development of good governing practices at the local and regional level through the exchange of experience, ideas and best practices in Ukraine.

¹⁸ Söderköping Process / Cross-Border Cooperation Process (CBCP) was an initiative launched in 2001 to coordinate the CBC issues of asylum, migration, and border management for the countries by the Eastern border of the European Union (Söderköping countries): Belarus (2001), Estonia (observer, as of 2007), Hungary (2003), Latvia (2002), Lithuania (2001), Moldova (2002), Poland (2001), Romania (2003), Slovakia (2003), and Ukraine (2001). The Söderköping countries were divided into two working clusters (1) Northern cluster: Belarus, Estonia, Latvia, Lithuania, Poland, and Ukraine; (2) Central and Southern cluster: Hungary, Moldova, Romania, Slovakia, and Ukraine. As of 2007 there was no centralized governing body, all issues were handled at annual senior meetings and at working meetings of clusters.

¹⁹ The Visegrad Group (also known as the "Visegrad Four" or simply "V4") reflected the efforts of the countries of the Central European (CE) region to work together in a number of fields of common interest within the all-European integration.

²⁰ Ministry of Foreign and European Affairs of the Slovak Republic. IVF, <http://visegradfund.org/home/>.

In 2015 The EU conducted its ENP reassessment. In a reorganised EP initiative, the ‘more for more’ principle was further strengthened through a reformed CIB, providing systematically more support in expertise, twinning, technical assistance, and financial assistance in proportion to the achievements and effectiveness of implementation to date. Better functioning institutions intend to give Ukraine stronger de facto sovereignty and the confidence to choose its own form of strategic identity. The EaP becomes an integral element of a comprehensive Foreign Policy and Security Strategy where all security issues of partner countries addressed through Common Foreign Security Policy (CFSP) and Common Security and Defence Policy (CSDP) initiatives. The priorities for action, defined by the EU’s Global Strategy, included Security of the Union; State and Social Resilience; an Integrated Approach to Conflicts; Cooperative Regional Order and Global Governance for the 21st century.

IV. EU-Ukraine Territorial, Security and Institutional Challenges.

a. EU-Ukraine Territorial and Security Challenges.

Ukraine’s independence²¹ in 1991 pushed Russian borders further east and limited Russia’s access to the Black Sea.²² Thus, Ukraine finds itself at the important geostrategic location between Europe and Russia. Ukrainian territorial integrity and self-determination has been based on general principles of international law and guided by subsequent multilateral and bilateral agreements.²³ In addition, Ukraine signed the Black Sea Economic Cooperation, pro-European

²¹ The former USSR was dissolved relatively peacefully by using a process based on a constitutionally recognized equality of the separating units and retaining the sovereignty in the union through exercising their constitutional right of exit.

²² Crimea: in the context of dissolution of the USSR, the area declared itself a republic, claiming a right of secession from the Ukraine. Ukraine overruled this declaration in its 1995 Law on the Status of the Crimea and 1996 Ukrainian Constitution, <http://zakon1.rada.gov.ua> (in Ukrainian). Crimean Constitution determined that the Autonomous Republic was “an inalienable component part of the Ukraine” which was also approved by Ukrainian Parliament in 1998. Based on 2014 referendum results, the Republic of Crimea declared its independence from Ukraine, started seeking UN recognition, and requested to join the Russian Federation. On the same day, Russia recognized Crimea as a sovereign state, the act, which was condemned by the international community.

²³ Charter of the United Nations, Art. 2, §4 “ all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state”; Articles 2,3 of the Treaty on Friendship, Cooperation, and Partnership between Russia and Ukraine (signed in 1997) promised border recognition removing all Russian territorial claims against Ukraine. The stumbling blocks of the Treaty were the division of the Black Sea Fleet and the federal status of Sevastopol. However, the Treaty contained guarantees that the two sides will build their relations on the non-use of

GUAM (Georgia, Ukraine, Azerbaijan, Moldova) cooperation and Ukraine-US relations, aiming at World Trade Organisation (WTO) and North Atlantic Treaty Organisation (NATO) membership. In its foreign policy Ukraine regarded cooperation with Europe and NATO as a priority component of its national security since its independence. The 2003 EU Security Strategy argued that the EU “task is to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean”.²⁴ However, eleven years later the Eastern neighbourhood turned into a “ring of fire” (Bildt 2015) instead. Thus, crisis in Ukraine seriously challenged European Security order. According to 2016 Munich Security Report, Europe failed to build a credible Common Foreign and Security Policy (CFSP) as envisaged by the Treaty of Lisbon, with institutional arrangements for decisive crisis management action.

Russia continues to view the EaP as being designed to isolate Russia from six of the twelve CIS states²⁵ (with the other five, in Central Asia: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan). Starting from 2014 after the Dignity revolution and Russian annexation of the Crimea Ukraine found itself in a rather tragic disposition when its former “friend” turned into an enemy. The revolution of Dignity, the conclusion of the AA with the EU and the Russian aggression in the Eastern Ukraine dramatically changed an international landscape. Those events clearly exposed EU vulnerability in its foreign policy but at the same time prepared Ukraine to absolutely acknowledge its geopolitical choice and foreign policy orientation towards Europe. The EU Wider Europe concept might not be as contradictory if it eliminates exclusionary and discriminatory regime (visa free regime was already introduced in Ukraine), and develop good governing processes based on the knowledge transfer, best practices and professional expert support.

force or the threat of force, “including economic means of pressure”. FBIS, Doc number FBIS-SOV-97-124; 1994 Budapest Agreement, US-Russian-Ukrainian trilateral Agreement which provided Ukraine security assurances in exchange for the dismantling and destruction of all nuclear weapons.

²⁴ Council of the European Union, “A Secure Europe in a Better World. European Security Strategy,” 12 December 2003.

²⁵ Russian Ministry of Foreign Affairs, December 15, 2008. Russia in order to reinstate its former influence in the country was consistently and powerfully involved into its policies and politics since Ukraine gained its independence. For example, Russian Foreign Minister Lavrov advised “[W]e cannot agree when attempts are being made to pass off the historically conditioned mutually privileged relations between the states in the former Soviet expanse as a “sphere of influence,” adding “If you accept that logic, then under this definition fall the European Neighborhood Policy, Eastern Partnership and many other EU (let alone NATO) projects, on which the decisions are taken without the participation of Russia or countries to which they apply”.

It remains an open question to the EU what to do with Russia or how to deal with Russia in order to secure stability and security on its Eastern borders. In 2014, Russia-EU relationship was reduced to the technical level, with its content filled with managing conflicts over EU energy policies, Gazprom's operations in EU countries, and Russian gas transit across Ukraine (Trenin 2014). According to Mearscheimer, the West had been 'moving into Russian backyard and threatening its core strategic interest for a long time', therefore the Russian aggression should not have come as a surprise (Mearscheimer 2013). The last EU-Russia summit, held in January 2014²⁶ in Brussels demonstrated the complete dysfunction of the top-level EU-Russia relationship. On the one hand, it showed that Russia-US/NATO relationship to some extent moved back toward Cold War²⁷ antagonism. On the other hand, the Directorate General European Neighbourhood Policy and Enlargement Negotiations (DG NEAR), in cooperation with the EEAS and Directorate General Communication made steps to intensify implementation of EU public diplomacy. The leaders of Ukraine, Russia, France, and Germany agreed in February 2015 to the so-called Minsk II accord. Minsk II accord called for a cease-fire, withdrawal of heavy weapons from the front, release of hostages and detainees, changes in the Ukrainian constitution to give more autonomy to the regions, legislation on special status for parts of the Donbas regions of Donetsk and Luhansk, withdrawal of foreign forces from Ukraine, and restored Ukrainian government control over the eastern border by the end of 2015. However, this accord has not achieved all its goals so far.

Recent EaP debates focused largely on the EU-Russia strategy. There was much less focus on the policies of how the EU made EU-Ukraine cooperation more effective at the time when Russia-Ukraine orientation as a geopolitical choice disappeared in the most of Ukraine. Another visible evidence which appeared due to the Ukraine crisis was the EU regional partnership that grew through its persistent social engagement in various regions of Ukraine. Regional divide was

²⁶ Remarks by President of the European Council Herman Van Rompuy following the 32nd EU-Russia summit, European Council, Brussels, 28 January 2014 EUCO 27/14 PRESSE 38 PR PCE.

²⁷ That change was reflected at the NATO summit in September 2014 in Wales. As noted at previous NATO Summits, including in Madrid, Bucharest, Lisbon and Chicago, an independent, sovereign and stable Ukraine, firmly committed to democracy and the rule of law, is key to Euro-Atlantic security. NATO partner countries confirmed once again their commitment to further develop the Distinctive Partnership between NATO and Ukraine, which would contribute to building a stable, peaceful and undivided Europe. It is important to mention, that the key diplomatic format to resolve the Ukraine crisis – the so-called “Normandy group” – did not include the US.

traditionally strong in Ukraine. Ukrainian regions differed in their history, political and cultural traditions, language, economic development, religion, and perceptions of Ukraine's cooperation in relations with the West and Russia. EU Cross-border cooperation (CBC) programmes in Ukraine also encouraged new spaces for the development of policy solutions to policy challenges. The Committee of Regions (CoR) and its members' support for innovation in the form of new governing practices intended to contest regional challenges across borders, such as those promoted through various CBC programmes in Ukraine supported by Memorandum of Understanding (MoU). Cross-Border interactive frameworks normally stimulate new spaces for the development of policy solutions to policy challenges.

b. EU-Ukraine institutional challenges.

The integration into the EU has always been one of the priority directions of the foreign policy for the Ukrainian government. This goal has been supported by many political and legal instruments, such as the Law of Ukraine “On Concept of the National Program of the Adaptation of the Legislation of Ukraine to the Legislation of the European Union”, Program on the Integration of Ukraine to the EU, Strategy of the Integration of Ukraine to the EU, etc. The Ukraine crisis pressed the entire international community and powerful foreign actors to play an important role in the process of shaping Ukrainian governing structures. Not to forget, Ukraine was one of the post-communist states that had a highly centralised state-owned economy. Focus of the political debate in Ukraine gradually shifted from geopolitical orientation to the domestic reform process. The 2005 Blue Ribbon Commission report²⁸ for Ukraine identified five key areas for country reform: first, political reform; second, social spending in areas such as health care and education; third, the tax system and the legal foundations of the financial system; fourth, a clear line must be drawn between the state and private enterprise, so that property rights are fully guaranteed; fifth, integration into the world economy must be facilitated through early accession to the World Trade Organization (WTO) and closer integration with the EU.

²⁸ The report stated that the fundamental political problem in Ukraine, as in other postcommunist countries, is that the state rules its citizens, rather than serving them. ...the state machinery must become efficient through real control by society and law.

Historically, eastern part of Ukraine was and is still tied to Russia in terms of cultural, structural, organizational and societal similarities, as well as by a strong connection between businesses and people: gas supplies, unsettled border issues, trade, etc. By contrast, being once a part of the Polish-Lithuanian state, Western Ukraine was involved in the development of a governance culture typical for the time in Central Europe (CE). However, the historical legacy of the Soviet culture of governance remain evident in the entire of Ukraine in different elements of politics and public administration. That happen despite of differences that can be observed between that part that experienced the late-medieval culture of self-governance based on the Magdeburg rights (West, North, and Centre of Ukraine) and the remaining part (South and East of Ukraine) mostly deprived of that particular historical experience.

As of 2006, Ukraine achieved 37th place in democracy ranking and 27th place in the market economy ranking. Ukraine's overall score on those two dimensions fell in 2014, resulting in Ukraine's drop to 60th place out of 126 states in both rankings.²⁹ According to Freedom House, separately from the conflict in the East, the main obstacle to effective governance in Ukraine was corruption. Ineffective (bad) governance was the turning point which caused the Maidan revolution in Ukraine in February 2014 when people started to protest against Yanukovitch government who reconstructed the oligarchy at the same time by concentrating enormous wealth within his own family which dissatisfied both Ukrainian society and business. Ukraine, along with Russia, was listed among the most corrupted countries in the region.³⁰ Ukrainian President Yanukovitch and the government were continuously destroying democratic principles and the rule of law, including de facto instrumentalisation of the judiciary.

According to Transparency International in many CIS, EU accession and Eastern European countries, it was common to have members of Parliament (MPs) or local governors who were

²⁹ World Bank ranking.

³⁰ In 2013, just one year before the revolution of Dignity, Ukraine scored 26 (Russia 28) out of 100 in The Corruption Perceptions Index which ranks countries and territories based on how corrupt their public sector is perceived to be. <http://cpi.transparency.org/cpi2012/results/#sthash.UMh8PwC0.dpuf>. Overall Change Readiness Index (enterprise capability, government capability, political and civil society capability) which assesses country's ability to manage change and cultivate opportunity for Ukraine was 0.4 (out of 1.0), <http://www.kpmg.com/global/en/issuesandinsights/articlespublications/change-readiness/pages/index-tool-2013.aspx?countryCode=UA>.

also business owners, without being questioned by the public. In Ukraine companies, networks and individuals influenced institutions to shape policies, the legal environment and the economy to their own interests. EU pushed Ukraine to adopt comprehensive reforms and what is really important, to effectively implement anti-corruption provisions. However, according to the Corruption Perception Index 2016, Ukraine showed a minor improvement by two points on that year's index. That improvement could be credited to the launch of the e-declaration system that allowed Ukrainians to see existing assets of politicians and senior civil servants, including those of the president. Largely, oligarchs³¹ continued to exercise considerable influence through their control of the economy, much of the media, and the financing of political parties. Moreover, political parties used their positions in the parliament to control profitable state companies. Also, the government recovered almost none of the billions of dollars in assets that were allegedly discharged under previous administrations. Finally, cases of Grand Corruption against former president Yanukovich and his allies were delayed due to systemic problems in the judicial system.

Another key problem was persistent corruption among Ukraine's prosecutors and judges. A package of anticorruption legislation adopted in 2014 was implemented. A National Anticorruption Bureau (NABU) was set up to investigate corrupt officials, called for a National Agency for Corruption Prevention (NACP), and a separate anticorruption section within the prosecutor general's office³² was planned. However, Ukrainian nongovernmental organizations (NGOs) focused on combating corruption criticised the government that they were not properly included in the process of choosing the new leaders of the NACP as required by law. In December, Poroshenko signed a law creating an additional agency to deal with the assets of corrupt officials³³. Despite of all those reforms, Poroshenko was unwilling to give up his control of the judicial branch. The senior prosecutors and law enforcement officials he appointed failed to arrest high-level officials on corruption charges.

³¹ In March 2015, after attempting to assert control over the country's main oil company, Kolomoysky was dismissed from the governorship of Dnipropetrovsk by Poroshenko. However, he continued to influence politics through his support for election financing, his personal television network, armed battalions that are nominally loyal to the state, and other means.

³² Artem Sytnyk was appointed to lead the NABU in April 2015, and Shokin appointed Nazar Kholodnytsky as the new anticorruption prosecutor in November, though it remained to be seen how effective either official would be, particularly without reforms in the prosecutor's office and judiciary.

³³ That law potentially exacerbated the problem of overlapping authorities.

Support of the EU of both national and local reforms anticipated to facilitate establishment of democratic system and good governance in Ukraine. In April 2015, the government sharply reduced energy subsidies, aiming to remove distortions in the market that exhausted state assets and promoted corruption. Among reforms which supported democratisation and governance processes in Ukraine were: public broadcasting with an independent editorial board to set an example of quality and impartial coverage; institutions aimed at countering corruption (most notably, the Anti-Corruption Bureau, which was supposed to fight high-level corruption); new public procurement regulations which made bidding more competitive and transparent; initiatives aimed at ending monopolies in some sectors of the economy and revising state subsidies to businesses were launched; laws making the information about media ownership and end beneficiaries of companies public were passed; a law on state funding to political parties was adopted; reform of the natural gas market was underway and because of introduction of market prices it already helped to diminish corruption (Umland 2016). Among other measures during 2015 year, new traffic police forces were introduced in Kyiv, Lviv, Odesa, and other cities. However, the lack of proficiency of staff and lack of local experience created additional challenges to reforms on the ground.

Overall, the vast majority of citizens were deeply disappointed with the government's slow progress in combating it during 2015 and 2016. Reformers demanded that the EU played a stronger political role to bring about change in Ukraine. In 2010, after Yanukovich's arrival to power, Commissioner for ENP Štefan Füle passed to the Ukrainian government "Füle matrix"³⁴ – the list of 18 political and economic reforms with benchmarks and deadlines. With the EU, Ukraine realised a very demanding roadmap, in particular in fighting organised crime and corruption. Those reforms anticipated to facilitate EU-Ukraine cooperation for the years to come. It was also due to civil society pressure, coupled with external pressure, that those reforms were announced in the first place. As a result, Ukraine civil society grew into a source of renewal of

³⁴ "Füle matrix": the document was seen to renew mutual commitments as well as bring clearer conditions for the finalisation of negotiations and eventual conclusion of the AA. On top of that, the EU promised some sectoral rewards, such as €610 million of macro-financial assistance and €2.5 billion of credit for the modernisation of Ukrainian gas transit system conditioned upon the implementation of the gas market reform.

the political class by becoming part of the government and parliament, where they equally promoted necessary reform initiatives.

At the same time, the 2014 Ukraine crisis seriously challenged the concept of the EU as a new kind of international actor (community) and its own concept of normative (soft) power. In 2011, even before the crisis, Pelczynska-Nalecz, the current Polish Ambassador to Russia (Fall 2014-TBD), reflected on the EU foreign policy and deep distinctions of the six EaP countries, which all shared a common Soviet past and continuing widespread problems, such as corruption, close links between politics and business, and an inefficient bureaucracy. She noted: “One of key problems....is the discrepancy between the declared principle of partnership and the existing practice of asymmetry in the relations between the EU and its neighbours...it is striving to disseminate its values, standards and rules, the EU has not yet managed to avoid recognition of the fact that its relations with the countries under this policy are asymmetrical” (Pelczynska-Nalecz 2011). According to her, those asymmetry was already visible in 2009, when the EaP was launched. Academic and policy research also shows that the EU cooperation with Ukraine depend on negating asymmetric relations and applying the EU soft power concept on the ground responsibly and respectively.

Due to and during the Ukraine crisis, a strong civic identity was developed in Ukraine owing to institutional cooperation with the EU on various levels. Pro-European orientation, together with the growth of civic identity and patriotic feelings, make somewhat political nation in Ukraine (Papadimitriou et al. 2017a; 2017b). Civil society grows into a foundation of the political class by becoming part of the government and parliament, where they equally promote and implement reform and reform initiatives. According to public opinion polls³⁵, after the Euromaidan, the trust in civil society among the broader public for the first time since Ukraine’s independence exceeded the distrust. Importantly, it was due to civil society pressure, coupled with external pressure from international donors, that some governance reforms were initiated. Ukrainian society became less authoritarian and ready to take things into its own hands.

V. Conclusion:

³⁵ The Razumkov Centre. Ukraine.

This paper examined the extent to which the ENP of the EU was able to incorporate the regional crisis in general, and in Ukraine, in particular. It attempted to answer three questions (1) what are the reasons for the ENP failure in Ukraine; (2) what is missing in that policy and (3) why was the EU unable to prevent a conflict on the ground rather than deal with its consequences. To answer these questions, this study proceeded in four steps. Academic debates on Europeanisation and EU governance provided a conceptual framework for the EU as a transformative governance power and helped to understand better the EU external performance in Ukraine. The Maidan Revolution, the conclusion of the Association Agreement with the EU and the Russian aggression in Ukraine, all radically changed the situation not just in Ukraine but regionally and globally. Second, the paper presented how EU programs and instruments of the ENP anticipated affected the implementation of reforms in Ukraine. Third, it analysed territorial, security and institutional challenges the EU and ENP encountered on the ground. This paper also looked at the EU strategy to deal with Russia, which was the main interfering actor in the Ukrainian territory. Finally, it offered an explanation of reasons behind ENP foreign revisions as a result of the crisis in Ukraine.

The study contributes to the debates within the EU governance literature and foreign policy analysis. The constructed context provides a summary of challenges (territorial, security and institutional) which can be used to identify opportunities for effective cooperation between Ukraine and EU in the area of foreign policy. It shows that the EU continued and persistence presence in Ukraine pushed forward towards development and implementation of an important number of reform initiatives. Uneven development without the promise of the EU membership limits the implementation of any “innovative policy framework” in Ukraine. However, the revised ENP seems to orient Ukraine into the path of democratic development which can be created within its own society by using existing EU mechanisms and tools. Overall, following the comprehensive approach to the Ukraine crisis, the EU provides Ukraine with exceptional support for its intended long-term transformation.

References:

- Aslund, Anders. 2015. *Ukraine: What Went Wrong and How to Fix It?* Peterson Institute for International Economics. Washington DC.
- Aslund, Anders, and Olekssndr Paskhaver 2005. Blue Ribbon Commission Report.
- Balmaceda, Margarita. 2008. *Energy Dependency, Politics and Corruption in the Former Soviet Union: Russia's Power, Oligarch's Profits and Ukraine's Missing Energy Policy, 1995-2006*. London: Routledge.
- Bátora Jozef. and Matej Navrátil. 2014. "The Socially Conditioned Dynamics of Security Community Building Beyond EU Borders." *NUPI Working Paper 834*. Norwegian Institute of International Affairs.
- Bildt, Carl. 2015. "The Fire Forging Europe." *Project Syndicate*.
- Börzel, Tanja A., and Vera van Hüllen. 2011. "Good Governance and Bad Neighbors? The Limits of the Transformative Power of Europe". *KFG Working Papers*. No.35, December.
- Börzel, Tanja A., and Vera van Hüllen. 2013. The EU's Governance Transfer: From External promotion to Internal to Internal Protection. SFB-Governance. *Working Paper Series*. No.56.
- Börzel, Tanja, and Bidzina Lebanidze. 2017. "'The Transformative Power of Europe' Beyond Enlargement: the EU's Performance in Promoting Democracy in its Neighbourhood." *East European Politics*, 33 (1): 17-35.
- Burlyuk, Olga, and Natalia Shapovalova. 2017. "'Veni, vidi, ... vici?' EU performance and two faces of conditionality towards Ukraine." *East European Politics* 33 (1): 36-55.
- Commission of the European Communities. 2003. "Communication from the Commission to the Council and the European Parliament: Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours." Brussels, COM(2003) 104 final, Mar 11. http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03_104_en.pdf
- Committee of the Regions. 2011. "Local and regional government in Ukraine and the development of cooperation between Ukraine and the EU" Luxembourg, CdR 173/2010. <http://cor.europa.eu/en/documentation/studies/Documents/local-regional-government-ukraine.pdf>
- Council of the European Union. 2009. "The Council of the European Union: Joint Declaration of the Prague Eastern Partnership Summit." Prague, May 7. http://collections.internetmemory.org/haeu/20160313172652/http://www.consilium.europa.eu/ue_docs/cms_data/docs/pressdata/en/er/107589.pdf

Dragnevaand, Rilka. and Kataryna Wolczuk. 2012. "Russia, the Eurasian Customs Union and the EU: Cooperation, Stagnation or Rivalry?," *Chatham House Briefing Paper*. REP BP 2012/01.

Eastern Partnership Revisited: Associated Partners in Focus. 2015. The Stefan Batory Foundation. The Friedrich-Ebert-Stiftung (FES).

European Commission. 2011. "Implementation of the European Neighbourhood Policy in 2010. Country report: Ukraine." *Joint staff working paper*. SEC (2011) 646 final, May 25. http://aei.pitt.edu/39637/1/sec2011_0646en01.pdf

European Commission. 2017. "Trade: Countries and Regions: Ukraine". Last accessed 29 June 2017. http://ec.europa.eu/trade/policy/countries-and-regions/countries/ukraine/index_en.htm

Fritz, V. 2007. *State-Building: A comparative study of Ukraine, Lithuania, Belarus, and Russia*, CEU press.

Langbein, Julia. 2014. "European Union Governance towards the Eastern Neighbourhood: Transcending or Redrawing Europe's East-West Divide?" *JCMS: Journal of Common Market Studies* 52 (1): 157–174.

Langbein, Julia, and Börzel, Tanja. 2013. "Introduction: Explaining Policy Change in the European Union's Eastern Neighbourhood." *Europe-Asia Studies* 65 (4): 571–580.

Langbein, Julia. and Kataryna Wolczuk. 2012. "Convergence Without Membership? The Impact of the European Union in the Neighbourhood: Evidence from Ukraine". *Journal of European Public Policy*, 19 (6): 863-881.

Lavenex, Sandra, and Frank Schimmelfennig. 2011. "EU Democracy Promotion in the Neighbourhood: From Leverage to Governance?" *Democratization* 18 (4): 885–909.

Liikanen, Ilkka, James W. Scott, and Tiina Sotkasiira. 2016. *The EU's Eastern Neighbourhood: Migration, Borders and Regional Stability*. Routledge Series on Russian and East European Studies.

Maksymenko, Serhiy. 2001. *Regional Policy in Ukraine: Challenges of Transition*. Discussion Papers. Role of the Regions in the Enlarging European Union. 124-136. Ed. by Zoltcin Gal, Centre for Regional Studies.

Mearsheimer, John. 2014. "Why the Ukrainian Crisis is the West's Fault." *Foreign Affairs*, 93 (5): 77-89.

Mezhevich, Nikolay. 2015. "Money in the Morning – Chairs in the Evening" or "Eastern Partnership" before the Riga Summit. *RIAC*.

Ministry for Regional Development, Construction and Housing in Ukraine. 2017. Accessed December 13, 2016 <http://www.minregion.gov.ua/decentralization/>

Mrinska, X. 2010. Between Confusion and Ignorance: Public Policy Responses to Growing Regional Divergence in Ukraine. Annual Conference of the Regional Studies Association, Pecs, Hungary, 2010. *Unpublished Paper*.

Papadimitriou, Dimitris, Dorina Baltag, and Neculai-Cristian Surubaru. 2017a. "Introduction: Assessing the Performance of the European Union in Central and Eastern Europe and in its Neighbourhood." *East European Politics* 33 (1): 1-16.

Papadimitriou, Dimitris, Dorina Baltag, and Neculai-Cristian Surubaru. 2017b. Special issue: Assessing the Performance of the European Union in Central and Eastern Europe and in its Neighbourhood *East European Politics* 33 (1): 1-142.

Pelczynska-Nalecz, Katarzyna. 2005. The ENP in practice – the European Union's policy towards Russia, Ukraine, Belarus and Moldova one year after the publication of the Strategy Paper. – Warszawa, Czerwiec.

Pelczynska-Nalecz, Katarzyna. 2011. Szklany Mir. *Nowa Europa Wschodnia* (5).

Ponomoreva, E., and L. Shishelina. 2014. Latvia's EU-2015 Presidency: the Eastern Partnership instead of or together with Russia / Analytical report edited by Gaman-Golutvina O. Russian Association of Political Science, Moscow.

Poikans, Juris. 2015. "The European Union Eastern Partnership from Vilnius to Riga // per Concordiam". *Journal of European Security and Defence Problems* 4 (4): 18.

Rabinovytych, M. 2017. The EU's Response to the Ukrainian Crisis: Testing the Union's Comprehensive Approach to Peacebuilding. *Rechtswissenschaftliche Beiträge der Hamburger Sozialökonomie*. Heft 11.

Sasse, Gwendolyn. 2008. "The European Neighbourhood Policy: Conditionality Revisited for the EU's Eastern Neighbours." *Europe-Asia Studies* 11 (3): 69-100.

Schimmelfennig, Frank. 2009. "Europeanisation Beyond Europe." *Living Reviews in European Governance*, 4 (3): 1-28.

Schimmelfennig, Frank, and Ulrich Sedelmeier. 2005. *The Europeanization of Central and Eastern Europe*. Ithaca: Cornell University Press.

Scott, James W. 2009. "Bordering and Ordering the European Neighbourhood: a Critical Perspective on EU Territoriality and Geopolitics." *TRAMES* 13(63/58) (3): 232–247.

Smith, Michael. 1996. "The European Union and a Changing Europe: Establishing the Boundaries of Order." *JCMS: Journal of Common Market Studies*, 34 (1): 5–28.

Solonenko, Iryna. 2010. "The EU's 'Transformative Power' towards the Eastern Neighbourhood: The Case of Ukraine." *SPES Policy Papers*. Berlin: Institut für Europäische Politik.

Solonenko Iryna. 2014. "Ukrainian Civil Society from the Orange Revolution to Euromaidan: Striving for a New Social Contract." Institute for Peace Research and Security Policy at the University of Hamburg/IFSH (ed.).

Украина. Проблемы территориально государственного развития. Ukraine: Problems of territorial and state development. In Ukrainian or Russian.

Stepan, Alfred. 2005. "Ukraine: Improbable Democratic 'Nation-State' But Possible Democratic 'State-Nation'?" *Post-Soviet Affairs*, 21 (4): 279–308.

Speck, Ulrich. 2016. "The West's Response to the Ukraine Conflict: A Transatlantic Success Story." *Transatlantic Academy Paper Series*, Accessed December 19, 2016.

Strezhneva, M. 1998. *Европейский союз и СНГ: сравнительный анализ институтов. М.: Московский общественный научный фонд, 1999 Social Culture and Regional Governance: Comparison of the European Union and Post-Soviet Experiences*. New York: Nova Science Publishers.

The Ukraine crisis and the demise of the European security order. The King Baudouin Foundation is the strategic partner of the European Policy Centre by Paul Ivan. European Policy Centre, 1 Dec. 2015.

Trenin, Dimitri. 2014. *The Ukraine Crisis and the Resumption of Great Power Rivalry*. Carnegie Moscow Center.

Youngs, Richard. 2009. "Democracy Promotion as External Governance?" *Journal of European Public Policy*, 16 (6): 895-915.

Vachudova, Milada Anna. 2005. *Europe Undivided: Democracy, Leverage, and Integration after Communism*. Oxford: Oxford University Press.

Vosman, Andres and Magnus Petersson. 2015. "European Defence Planning and the Ukraine crisis: Two Contrasting Views", *Focus strategique* N°58.

Documents and Internet Resources:

Ashton, C., 2010b. Newsweek, December 2010, [Online], Available at European Council Conclusions 19-20 December 2013', p.24; 'European Parliament resolution of 13 December 2012 on the situation in Ukraine 2012/2889 (RSP)'.

COM (2006) 724, Communication from the Commission on "The general approach to enable ENP partner countries to participate in Community agencies and Community programmes", Brussels, 4 December 2006 Commission of the European Communities. 2004. European Neighbourhood Policy. Country report Ukraine. COM(2004)373. Brussels.

Council of the European Union, "A Secure Europe in a Better World. European Security Strategy," 12 December 2003.

ENP Package, Country Progress Report – Ukraine, MEMO/12/344. Brussels, 15 May 2012.

High Representative of the Union for Foreign Affairs and Security Policy, EU Global Strategy, 2016.

Munich Security Report 2016. Conference in Munich. 2016. Boundless Crises, Reckless Spoilers, Helpless Guardians.

Transparency International, 2016.

http://www.transparency.org/news/feature/corruption_perceptions_index_2016.

OSCE Yearbook 2014, Baden-Baden 2015. Some of the most prominent resources include Corruptua.org, Nashigroshi.org, Slidstvo.info or Programme 'Skhemy' [Schemes] of Radio Free Europe – www.radiosvoboda.org.

Daily chart: More neighbours make more fences. *Boundary walls and security fences worldwide, the Economist*.

Euronews. 2013. 'EU's Fueler rues Ukraine's 'missed chance'' Euronews, 26 November 2013, available under: accessed on 29 August 2016.

European Council on Refugees and Exiles, <https://www.ecre.org/>. Accessed 10 April 2017. The author conducted interviews in Kiev, Lviv and Warsaw during the period from 2015 to 2017 with governmental officials, academics, journalists and NGO activists; additional data was gathered by the study of official documents and newspapers during the period from 2015 to 2017.