

## European Integration of Ukraine: Tool for Internal Reform, Source of Problems or Pass Ticket to EU Membership?

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**Abstract:** *Despite the signing of the EU-Ukraine Association Agreement, there would seem to be no alternative to the European choice for Ukraine, given the current Russian aggression; there are different views on the objectives and results of the European integration of Ukraine. This article examines three of the most common points of view related to this process: European integration as a tool for internal transformation in Ukraine; European integration as a pass ticket to the EU membership; European integration as a source of problems in Ukraine.*

**Keywords:** *Ukraine, European Union, European integration, Russia*

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### Introduction

Ukraine's intention to build relations with the EU in view of integration was first proclaimed in the Decree of the Verkhovna Rada of Ukraine on 2 July 1993 "On the main directions of the foreign policy of Ukraine" (1993). The document noted that the long-term goal of Ukrainian foreign policy is the membership of Ukraine in the European Community on the condition that it will not harm its national interests.

The first legal basis of the relations between Ukraine and the EU was the Partnership and Cooperation Agreement signed on 14 June 1994 (entered into force on 1 March 1998). The agreement laid the foundation for the bilateral dialogue between Ukraine and the EU on political and sectoral levels, streamlined trade regime between the two sides on the basis of the GATT/WTO principles, defined the priorities of the adaptation of Ukrainian legislation to the norms and standards of the European Community (*acquis communautaire*) in certain sectors of the Ukrainian economy (1994).

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Within the framework of the Partnership and Cooperation Agreement the following priorities for cooperation between Ukraine and the EU were identified: energy, trade and investment, justice and home affairs, the approximation of Ukrainian legislation to the legislation of the European Union, environmental protection, transport sphere, cross-border cooperation, cooperation in science, technology and space.

Ukraine's later course towards European integration was confirmed and developed in the Strategy of Ukraine's integration into the EU which was approved by the Decree of the President of Ukraine in June 1998 and which identified the main priorities of the executive authorities for the period until 2007, during which the necessary preconditions had been created for Ukraine's membership in the European Union (1998).

In September 2000, the President of Ukraine approved the program of Ukraine's integration into the EU. It was expected that this program would be a major tool for the overall strategy of bringing Ukraine closer to the EU in all areas of cooperation: political, social, financial, economic, trade, scientific, educational, cultural and others (2000).

The parties developed and approved the EU-Ukraine Action Plan – (a bilateral political document) during a meeting of the Cooperation Council on 21 February 2005. This document allowed significantly expanded bilateral cooperation between Ukraine and the EU with a view to providing a new impetus to bilateral relations and to take into account the new conditions of cooperation, particularly in the context of the EU enlargement wave in 2004. The content of the Action Plan contained a list of precise commitments of Ukraine to strengthen democratic institutions, the fight against corruption, structural economic reforms and the development of cooperation with the EU in sectoral areas (2005). Among the key achievements in the development of relations within the Action Plan period were: granting Ukraine a market economy within the framework of the anti-dumping EU law status, granting Ukraine the right to adhere to foreign policy statements and EU positions, the conclusion of the Agreement on the facilitation of the issuance of visas (2007) and the Agreement on readmission of persons (2007), the extension to Ukraine of the European Investment Bank's financing, and others.

In September 2008, at the Paris Summit, Ukraine and the EU reached a political agreement on the conclusion of a future agreement in the framework of the Association Agreement, to be built on the principles of political association and economic integration.

During the 15<sup>th</sup> EU-Ukraine Summit in Kyiv on 19 December 2011 the completion of negotiations on the future Association Agreement was announced, and on 30 March 2012 the text of the future Agreement was initialled by the heads of the negotiating teams of Ukraine and the EU. In 2014, the Association Agreement was signed (2014). The political part of the Agreement was signed on 21 March 2014 and the economic part was signed on 27 June. This was preceded by the tragic events of 2013–2014 which developed into the so-called "Euromaidan", during which the Ukrainians defended their European aspirations.

At the same time, despite the signing of the EU-Ukraine Association Agreement, there would seem to be no alternative to the European choice for Ukraine in the context of the current Russian aggression; for many residents of Ukraine there does not yet exist an unambiguous answer to the question of what is the European integration for the state. The

authors of the article, by virtue of their work, regularly take part in discussions on the topic: “What actually is the European integration of Ukraine: an instrument of internal reforms, a pass ticket to the EU membership, or a source of problems for our country?”. These are the questions that we try to answer in the present article.

### **1. The European integration policy as tool for internal transformation in Ukraine**

The Association Agreement is the most important tool for internal reforms in Ukraine. Given the length of this document, it is not possible to analyse it in detail in the present article. Thus, we consider only some aspects of the Association Agreement, and how its implementation can affect the future development of Ukraine. The success of reforms in Ukraine depends on the reform of the public administration sector, i.e., improving the efficiency and effectiveness of public service. Adapting the regulatory norms of the EU will contribute to the improvement of public administration in Ukraine, primarily by upgrading the system of state regulation.

In the area of customs regulation, it is necessary to develop joint initiatives on import, export and transit operations, cooperation on the automation of customs and other trade procedures, exchange of information in order to develop common positions in relevant international organizations. The gradual approximation to the EU Customs legislation, as defined by the EU standards and international standards, will promote transparency and simplification of customs procedures, avoid discrimination, reduce the length of various customs procedures and so on.

The tax system must also undergo significant reform. Ukraine agrees to apply the principles of good governance in the tax area, in particular the principles of transparency, exchange of information and fair tax competition. The Association Agreement also provides for cooperation between Ukraine and the EU in the fight against tax fraud in both the private and public sector. The number of such offenses can be reduced dramatically by simplifying foreign trade relations between Ukraine and the EU, as foreign trade operations are one of the important mechanisms used for criminal activities. As the European Union single market provides for the free movement of people, goods and capital, the problem of tax fraud in the country is quite acute. Ukraine will introduce international standards of regulation and supervision in the financial services aimed to combat tax evasion and to improve cooperation with the EU in the fight against the smuggling of excisable goods.

In order to simplify the movement of capital, goods and services between Ukraine and the EU it will be necessary to establish rules that correspond with those in the EU single market. They need to pursue the abolition of restrictions on production, import, export, transit, re-export of goods, capital and services including: the technical, fiscal and physical aspects, combined with the removal of discrimination. The Association Agreement provides for the exchange of information, experience and best practices.

In the area of fiscal policy: the development of a medium-term budget forecasting/planning system; improvement of a program-target approach in the budget process and the analysis of efficiency and effectiveness in the implementation of budget programs; improving the exchange of experience and information on the planning and execution of the budget and the level of public debt.

In the area of external audit: the implementation of standards and procedures of the International Organization of Supreme Audit Institutions, as well as the exchange of best practices in the field of EU external control and audit of public finances, with a special emphasis on the independence of the respective bodies of the EU and Ukraine.

In the area of public internal financial control: the further development of the system of public internal financial control through harmonization with internationally recognized standards and best practices of the European Union's internal control and internal audit in government.

In the fight against fraud: improvement of methods aimed at ending fraud and corruption and preventing these destructive practices, in particular by boosting the cooperation between the relevant administrative authorities.

Ukraine and the EU must unite their efforts in order to ensure transparency in the area of public assistance. To this end, each party is to send the other an annual report on the total amount, types and the sectoral distribution of any public assistance which may affect trade. Prohibited are any forms of public assistance that distort competition and, with that in mind, the provided legal guidelines for public assistance should be compatible with European Union regulations.

In the area of public procurement, Ukraine will adapt legislation to regulate public contracts, contracts with utilities and infrastructure sectors, strengthening administrative capacity at all levels, including the bodies of appeal and control mechanisms. The introduction of the progressive electronic public procurement system ProZorro in Ukraine was an important step in this area and has become mandatory for all institutions that use taxpayers' funds in August 2016.

Public institutions and enterprises of Ukraine spend up to 250 billion UAH (about € 8.7 billion) a year (ProZorro, 2016). Previously, all the requests for tenders were submitted in envelopes and the agreements took place in closed rooms, meaning that honest business had little chance to win any bid to get a public contract. Today, public procurement is made online. Anyone, including media representatives and regulatory authorities, can be virtually present in the procurement. An attempt to corrupt the tender immediately goes public. The system keeps a history of all changes and allows seeing the deleted documents. The public process of selecting the winner is clear. Of course, the corresponding reform of public procurement significantly narrows the field for the adoption of non-transparent, non-competitive solutions, and consequently reduces the chances of getting shadow income.

Overall, the impact of the Association Agreement on the development of public administration is public, transparent and legitimate, and the controlling influence of the EU becomes, in this case, an important factor of internal transformation in Ukraine.

It should be noted that cooperation in the economic sphere, which is provided by the Association Agreement, is not confined to certain industries or sectors of the economy, and is associated with other spheres of public life. Experts believe it will attract as best practices and regulation reforms in such areas as information society, audio-visual policy, healthcare, education, training and youth, culture, development of sports and physical culture and so on, along with the direct development of the relevant industries and sectors of the economy (Alexander Sushko, 2012).

It is worth mentioning that the Association Agreement with the European Union devotes considerable attention to the environmental issues. Their relevance to Ukraine is beyond question (we need only recall the tragedy and the loss of life at the landfill near Lviv and the mass poisoning of people in Izmail, which occurred in 2016). The Association Agreement enables Ukraine to improve its environmental standards in the following areas: air quality, water quality and water management, waste management and resources, industrial pollution and so on. It should be noted that there are no transparent and clear procedures for environmental assessment of any economic activity in Ukraine. The Law on environmental impact assessment should fix this matter. It provides for the introduction in Ukraine of a European model for an environmental impact assessment procedure. Its rules are written in such a way as to mitigate corruption opportunities at every stage of the process. Most importantly, officials are denied contact with businesses (all the documentation in the review process shall be entered into publicly accessible registers of environmental impact assessment), and it requires mandatory reviews on any assessment which was adopted by an authority (Semerak, 2016).

The Association Agreement with the European Union provides for large-scale institutional and structural reforms. The fulfilment of obligations requires appropriate capabilities of public authorities to provide for competent civil servants.

In view of this, the need for civil service reform, which has been repeatedly stressed by European and national experts, is of particular relevance, since the adoption by Parliament of laws should ensure their implementation in practice, and the quality of the public service sector is a crucial condition here.

The European Union is currently one of the largest donors that supports the implementation of reforms in Ukraine in all sectors of public administration. The Centre for Adaptation of the Civil Service to the standards of the European Union was established on the foundation provided by the National Agency of Ukraine on Civil Service, which is the national coordinator for the implementation of European Institution Building Instruments Twinning, TAIEX, SIGMA and the projects of the Ukraine-EU Comprehensive Institution Building Programme.

EU assistance in the area of institutional development of the state creates additional opportunities for the implementation of important reforms in Ukraine. The EU offers Ukraine not only financial assistance, but is also ready to share its experience and expertise that will certainly contribute to the implementation of commitments made by Ukraine in accordance with the Association Agreement. Implementation of institutional development tools with the support of the European Union is a unique opportunity to accelerate and effectively implement compelling public administration reforms in Ukraine with the assistance of the best European practices.

In order to support Ukraine in the implementation of the Association Agreement of 10 April 2014 the Support Group for Ukraine has been established by the European Commission (2014). The Working Group is based on the EU-Ukraine Association Agenda (2014), which is a joint practical tool for training and promotes the full implementation of the Association Agreement. This document is the main mechanism for monitoring and evaluating the progress of Ukraine in the implementation of the Association Agreement, as

well as monitoring and evaluating all the achievements of the goals of political association and economic integration.

Another important tool for internal transformation of Ukraine is the European Agenda for Reform (2014) which has been jointly developed by the Ukrainian Government, the European Commission and the European External Action Service. This document is not only about the smooth delivery of the EU support package, but it encompasses a wide-ranging set of measures that reflect the priorities of the Ukrainian Government and the expectations of the Ukrainian people (assistance to constitutional reform, cooperation on energy matters etc.).

The signing of the Agreement on the support of private sector development and economic recovery EU SURE was an important step on the way to support small and medium business of Ukraine by the European Union (2015). According to the program - EU SURE (EU Support to Ukraine to Re-launch the Economy), Business Development Centres will be created in 15 regions of Ukraine, which will provide advisory assistance to SMEs. The amount of donor assistance under the EU SURE program is €55 million. Primarily, the newly established centres will help to launch businesses in sectors such as agriculture, energy, environmental management, improving the quality of public services and infrastructure, and innovative technology. It will provide advice on legal and market issues of doing business in Ukraine and abroad in modern conditions. According to Deputy Minister of Economic Development and Trade of Ukraine Yuri Klimenko: "This is the first program in the last 4-5 years to support small and medium enterprises on a national scale in Ukraine. We hope that it will help those who were forced to begin life with a clean sheet in the new location to start a new business." (Ukrainian small and medium enterprises, 2015). As additional initiative to provide assistance to Ukraine in the development of small and medium-sized enterprises, the European Union also plans to provide €40 million to finance a loan guarantee fund. In other words, Ukrainian banks will receive an additional incentive to lend to small and medium-sized enterprises. The program's authors expect that medium and small businesses can get loans up to a total size of €300 million with the leverage effect in the 7-8%.

The next step in this direction was the joining of Ukraine to the European program to support SMEs COSME (Ukraine joined the EU program for small and medium enterprises COSME, 2016). The program for 2016 consists of 25 sub-programs, which are classified in three areas: the simplification of the output of small and medium-sized enterprises on foreign markets, improving competitiveness, and creating a culture of doing business. It supports projects on various subjects, including tourism, chemical industry, facilitating access to public procurement; reduce the administrative burden, the protection of intellectual property rights for companies operating in countries outside the EU.

The European Union Advisory Mission (EUAM) (2014) plays an important advisory role in the reform of the civil security sector. The EUAM assists the Ukraine government authorities towards a sustainable reform of the civilian security sector through a strategic advice and hands-on support for specific reform measures based on the EU standards and international principles of good governance and human rights. The goal is to achieve a civilian security sector that is efficient, accountable, and enjoys the trust of the public.

The EU-funded project “Support to Justice Sector Reforms in Ukraine” (2014) aims to support consolidated justice sector-wide reforms in Ukraine. This initiative was implemented with the financial support of the European Union and contributed to strengthening the rule of law in Ukraine. In general, the project was divided into six key components and is led by a group of international and national experts: Justice Sector Reform Strategy, Support to Execution of Court Decisions, Prosecution Reform, Access to Justice and the Right to Defence, Independence of the Judiciary, Prevention and Fight Against Corruption.

The EU’s support for reforms in Ukraine consists of different types of financial aid, without which it would be impossible to properly implement the Association Agreement and recover from the economic crisis. In 2014, the European Commission proposed a series of measures aimed at stabilizing the economic and financial situation in Ukraine and to encourage political and economic reform. By 2020, there is a desire to attract more than €11 billion (European Commission’s support to Ukraine, 2014). Another financial aid package was proposed in January 2015, amounting to €1.8 billion (EU-Ukraine, 2015).

EU assistance to Ukraine is carried out in a variety of programs, advisory missions, projects, sectoral and direct budget support. Given the importance of the European assistance to Ukraine’s reform, today the number one task for Ukraine is not only to increase the amount of financial assistance that is certainly very important for macroeconomic stability of the country but also improving of its effectiveness.

The effectiveness of financial assistance was assessed in the Report “EU assistance to Ukraine”, which was prepared by the European Court of Auditors. The conclusion of the report was not too optimistic: “EU assistance to Ukraine has been partially effective in supporting the country’s transformation into a well governed state in the areas of public finance management, the fight against corruption and the functioning of the gas sector” (EU assistance to Ukraine, 2016). According to the report, a positive aspect is that the greatest number of changes in all three of these areas has occurred in the 2014–2015 timeframe, after the change of power in Ukraine. However, during that period many reforms took place under considerable pressure from the public and European partners. So, Ukraine must do much more to ensure that EU assistance is used effectively in order to become a successful state with proper management.

The fight against corruption is the most urgent problem in Ukraine and one of the most urgent needs for reform. If Russian aggression in Ukraine represents the most serious external threat, the greatest internal threat to it is the inability and unwillingness of authorities to fight corruption. This is also clear to our Western partners (David J. Kramer, 2016). In addition, the foreign investment in our country directly depends on the situation regarding the fight against corruption. According to the President of the American Chamber of Commerce in Ukraine “corruption is an acute issue that concerns all potential investors because it is the number one barrier to doing business in Ukraine” (Andrew Gunder, 2016).

An example of the EU-Ukraine Action Plan on Visa Liberalization clearly demonstrates the contribution of the European integration in the fight against corruption in Ukraine (2010).

In May 2015, the European Commission published the Fifth Progress Report on the Implementation by Ukraine of the Action Plan on Visa Liberalisation (2015) where it was

stated that the anti-corruption benchmark is deemed to be only partially achieved. Among other things, the Commission recommended to establish such institutions as an independent National Anti-Corruption Bureau, a Specialized Anti-Corruption Prosecutor's Office, a National Agency for the Prevention of Corruption, a National Asset Recovery Agency. The latter institution was created in accordance with a EU directive 2014 (Directive 2014/42/EU 2014).

The gradual establishment of these institutions began at the end of 2015. It is clear that it is not only necessary to adopt relevant legislation and create corresponding institutions, but also to ensure their proper functioning. It will not happen quickly, however, it is an indisputable fact that, thanks to the implementation of the Action Plan on visa liberalization for Ukraine in the fight against corruption, a lot more has been accomplished than in all previous years since the Ukrainian independence.

In Ukraine, the first stage of E-Declaration for public servants' assets in 2015 ended on October 2016. They were required to disclose their assets in accordance with the new law on combating corruption. More than 70,000 top government officials, including judges, deputies and civil servants, published their declaration. The launch date system was postponed several times due to political pressure and technical problems. This is understandable. Declarations accounted for numerous properties: houses worth millions of dollars, millions in cash and dozens of apartments under one owner, works of art and antiquities, all in the property of different officials. But the fact is that the E-Declaration is only the first step in the long fight against endemic corruption. As noted by *The Economist*, "It is now up to Ukraine's newly created anti-corruption agencies to investigate suspicious declarations. A daunting task indeed". It is important that officials who use their positions for illicit enrichment be brought to justice. That is exactly what will be the real indicator of the fight against corruption (*The Economist*, 2016).

For Ukraine, European integration remains a way to modernize the economy, overcome technological backwardness, attract foreign investments and new technologies, create new jobs, improve the competitiveness of domestic producers, access to world markets – especially the EU market. This makes it possible to lay the foundations for a new model of socio-economic development for Ukraine and to get rid of the Soviet past. Among the most positive potential effects of European integration for Ukraine could be: the consolidation of the rule of law, the development of the freedom of speech, human rights, energy efficiency and security, environmental focus of economic development, the establishment of a fair and competitive market environment, and the introduction of advanced methods and tools for public administration.

## **2. The challenges of Ukraine's European integration**

An important question is whether or not European integration is a source of problems for the Ukrainian state. Giving an answer to this question, first of all, requires consideration of how the reforms are carried out in Ukraine in the context of the European choice. As already noted, European integration promotes the comprehensive improvement of state governance. However, it should be said that only the draft law "On civil service", the adoption of which

was provided by the Association Agreement between Ukraine and the EU and which was developed with the assistance of the European Union, was adopted by the Verkhovna Rada of Ukraine (Parliament) only after the 20<sup>th</sup> attempt (History of the Draft Law “On State Service”, 2015). But even after that, the attempts to revoke the law of the Verkhovna Rada did not stop, arguing that the decision did not meet the requirements of the European Union. The situation was only saved by the intervention of the EU Delegation to Ukraine.

The former Head of the EU Delegation to Ukraine, Jan Tombinski, made a statement which noted that the bill takes into account international experience and the principles of public administration as they are applied across the EU and OECD countries. In addition, Jan Tombinski said that the adoption of this draft law is also a condition in bilateral assistance programmes between Ukraine and the EU, namely, the State Building Contract, the Macro-Financial assistance, as well as for possible future assistance programmes on public administration reform (Responding to the discussion in media on civil service law, Jan Tombinski, 2015). On 1 May 2015, the new law “On civil service” came into force and has launched the reform of the public administration system. However, even after this, there are continuing attempts to make certain changes and amendments.

The real test of commitment to democratic reform was the implementation by Ukraine of an anti-corruption package, which was provided by the Action Plan on visa liberalization. The implementation of this package has caused a real tsunami in Ukrainian political life: from outright conflict between the Ministry of Foreign Affairs and the General Prosecutor’s Office to fierce debates in Parliament.

For example, the heated debate revolved around the creation of the Specialized Anti-Corruption Prosecutor’s Office (SAP). This structure was necessary to start the work of the National Anti-Corruption Bureau. It is another authority that must investigate corruption offenses committed by senior officials authorized to perform state functions or local government. Again, the EU Delegation to Ukraine was forced to intervene in this case, explaining the position of the European Union, and trying to prevent the control of the Specialized Anti-Corruption Prosecutor’s Office by the various political forces. The fact is that such control would block the investigation of any case and turn this body into an instrument of struggle between political opponents.

The European Commission President Jean-Claude Juncker added pressure on the Ukrainian authorities and said in his letter that the progress in reforms in the area of the fight against corruption remains a key priority for achieving visa-free travel to the EU for Ukrainian citizens (No lifting of the visa barrier for Ukrainians, 2015).

One confirmation of the importance of these reforms for Ukraine and of the resistance against change from the old system became apparent in the case of bribing draft scandal involving a judge who tried to bring to justice the Specialized Anti-Corruption Prosecutor’s Office. The Head of the SAP, Nazar Kholodnitskiy (who is the Deputy Prosecutor General of Ukraine), openly said on Facebook that the Prosecutor General of Ukraine sabotages the process of criminal prosecution against this corrupt judge (2016).

Also, it is worth remembering the scandal that was associated with the launch of electronic declaration, which is part of the package of visa-free Ukraine’s commitments. For some civil

servants occupying high posts, the new declaration system posed a threat (so it seems to the authors and Ukrainian citizens). For them it was important to delay the start of the declaration system for at least several months, at all costs. And only thanks to the efforts of civil society and the firm position by the European Union, has this problem been solved.

Thus, European integration creates problems for those Ukrainian officials and politicians who are not ready for radical changes in the country and are not interested in the quality of life for average Ukrainians. European integration is a challenge for corrupt officials in the government, whose main task has become the protection of their own business interests. Of course, today, all the European Union's efforts to combat corruption, judicial reform, etc. are subjected to fierce resistance from officials both in the Parliament and in the public administration system.

In addition, European integration creates problems for those individuals who do not want to improve their condition, by means of speaking English and having an appropriate level of knowledge about the functioning mechanisms of assistance from the EU.

Finally, the Russian officials, mass media of Russia and pro-Russian forces in Ukraine actively disseminate the idea that the European choice of Ukraine has brought continuous problems and it is harmful and destructive for our country.

The common feature of these interviews, articles and statements is an outright lie to manipulate public opinion in order to discredit both Ukraine and the European Union. In December 2015 at a press conference, Vladimir Putin (where he did not even call Ukraine as the state, but used the term of Soviet times that is the sister Republic) cited several reasons for withdrawal from free trade regime with Ukraine within the Commonwealth of Independent States (2015).

In turn, the European Commission has published a list of myths about the Free Trade Area agreement between Ukraine and the EU (Trilateral Talks on EU-Ukraine DCFTA, 2015). This edition convincingly refuted "arguments" of the Russian President. In particular, it notes that the allegations of the Ukrainian market closing for Russian goods in connection with the transition of Ukraine to the EU standards do not correspond to reality. The European Commission noted that Ukraine has already brought 24 sectorial technical regulations for industrial products in line with EU regulations and no Russian company had yet complained that it faced difficulties in exporting its products to Ukraine due to technical regulations.

It should be noted that during the negotiations on a Free Trade Area, Russia demanded the EU data on each transaction concerning exports to Ukraine. By itself, such a requirement is unprecedented and directly violates the rules of the EU Data Protection.

Confirmation of the unfriendly and negative attitude of Russia toward Ukraine and the European Union is clear in an official statement of the Russian Ministry of Foreign Affairs about the Free Trade Area between Ukraine and the EU. Here is the quote in full: "We remove the brackets around the myth of the profitability of the Association Agreement for Ukraine. We cannot interfere with the current leadership in Kiev which is currently **acting as a loss** (highlighted by the authors). It is an internal affair of Ukraine to blow up and to subordinate the economy to external forces of the country. As officials say in Kyiv and Brussels it is its 'sovereign decision'. It is unclear just why Russia should pay for this choice?"

We have our own economic interests that we do not intend to sacrifice, especially to meet the ambitions of others" (Brussels named the six Russian "myths", 2015).

The authors of this article often address this issue and carefully discuss it in classes in the course of their work. It is safe to say that almost all the requirements of Russia pursued a single goal – to postpone the implementation of the Free Trade Agreement between Ukraine and the EU. The purpose of such determination is to stop Ukraine's exit from the sphere of Russian influence. Moreover, Russia never intended to seek common ground in the negotiations (which demonstrated a clear rejection of the European Union Code). When entry into the Agreement became irreversible, Russia has adopted, as always, trade sanctions against Ukraine.

Thus, the problems of Ukraine are not linked to European integration, but are due to Russia's subtle and not so subtle efforts to subordinate Ukraine to its influence and control. It is significant that no country of the Commonwealth of Independent States other than Russia imposed on Ukraine claims concerning the entry into force the Free Trade Agreement between Ukraine and the EU.

In order to punish Ukraine, Russia is taking measures that have nothing to do with the functioning of a Free Trade Area. In January 2016, the Russian Federation imposed restrictions on Ukrainian goods transported through their territory, in order to prevent Ukraine's trade with other countries of the Commonwealth of Independent States. On 3 July 2016, by decree, the Russian President introduced some additional restrictions on the transit of goods originating from Ukraine through Russian territory (Presidential Decree of 01.07.2016). Existing restrictions on the transit of goods to the Republic of Kazakhstan extended to the transit in the Kyrgyz Republic. In general, these Russian actions are aimed at blocking Ukraine's terms of trade with all the countries of Central Asia and to undermine the Ukrainian economy as a whole.

According to the official information of the Ministry of Economic Development and Trade of Ukraine, due to Russia's transit blockade during the year, the Ukrainian economy has lost about half a billion dollars. This is an additional loss of GDP of 0.3 per cent. During this time, the export of goods to Kazakhstan and Kyrgyzstan and Ukraine's traditional markets in Central Asia fell by almost 44 percent and 47 percent respectively (As Kyiv overcomes the consequences of the "transit war" with Russia, 2017).

In Ukraine, the failure of the idea of the European choice of Ukraine is actively supported by pro-Russian policy-makers. One of them is the former Head of the Presidential Administration of Ukraine (2002-2005) Viktor Medvedchuk. The list of his arguments against Ukraine's Association Agreement with the EU is traditional. This list includes the decline in GDP, inflation, meagre quotas in trade, Ukraine's trade turnover decline. And all this, according to Medvedchuk and politicians like him, is due to "European integration scam" of our state (The Association Agreement has changed the course of history and the fate of a multimillion nation, 2016).

There is no doubt that Russia's aggression against Ukraine was directed against the European choice of Ukraine and the fear of losing influence in our country. It should be noted that the Russian assertion that the EU has forced Ukraine to choose between Russia

and Europe is irrational and can be easily refuted. Ukraine is interested in maintaining good relations with the Russian Federation because of having close historical and trade relations with Russia – not to mention many personal and family ties. However, Russia forced Ukraine to elect only the Eastern vector of development through trade sanctions and threats. Finally, the entire juridical base of our relations has been destroyed as a result of military aggression. So, Russia is punishing Ukraine for its independent foreign policy and its European choice.

Ukraine has suffered a huge human, territorial and economic cost because of Russia's aggressive and destructive actions, and not because of the Association Agreement. About 44 thousand sq. km. of the Ukrainian territory were occupied as a result of the annexation of the Crimea and military operations in the East. Approximately 10,000 Ukrainians were killed in the East and more than 20,000 were injured. Today in Ukraine there are 1.8 million internally displaced persons. The communal, social and industrial infrastructure was destroyed in the Donbas and Luhansk regions. Ukraine has lost about 20% of its economic potential (Mikhail Pashkov, 2016).

In fact, given the state of war with Russia, Ukraine has to allocate 5% of its GDP to defence and security, depleting the economy and not properly funding social needs (Poroshenko says unpredictable Russia makes Ukraine spend 5% of GDP on defence, 2016).

Thus, the vast majority of the arguments of opponents to the European integration of Ukraine are the result of Russia's military aggression and economic sanctions of the Russian Federation which are used to destabilize our country and to attempt control over all spheres of Ukrainian life, and it is not the result of European integration.

### **3. Prospects of Ukraine's Relations with the European Union**

Ukrainian politicians at different levels often stress that European integration will inevitably lead to the membership of Ukraine in the EU. There are references to specific dates from 10 to 15 years. This right is claimed in the official Ukrainian documents. Thus, the Strategy for Sustainable Development "Ukraine 2020", which was approved by the Decree of the President of Ukraine on 12 January 2015, states that the requirements of the Association Agreement between Ukraine and the EU gives Ukraine a chance to become a full member of the European Union in the future (2015). On the basis of our own experience, the authors could argue that a significant number of Ukrainian citizens are also convinced of the direct connection of the implementation of the Association Agreement and the prospects of Ukraine's membership in the EU. It should be remembered that the Agreement itself does not contain any statements regarding the prospects of Ukraine's full membership in the European Union.

However, among a large number of analysts in Ukraine, it is believed that it is unlikely that our country will become a member of the EU in the foreseeable future (Peter Dickinson, 2016). The reasons are due to the slow pace of reforms in Ukraine, Russia's aggressive policy against our country, problems within the European Union and others. Germany rejects the talk of Ukraine's membership in the European Union as a most pressing issue. In July 2016, the press secretary of the Ministry of Foreign Affairs of Germany stressed this again. She noted that currently, the prospect of Ukraine's admission to the EU is not on the agenda

of the Federal Government of Germany (Berlin does not see the prospects for Ukraine's membership in the EU in the foreseeable future, 2016). German Chancellor Angela Merkel has expressed repeatedly the same position. In June 2016, speaking about the chance of Ukraine becoming a full member of the EU, she said that it is "not appropriate to raise false hopes about Ukraine's accession to the EU for it is not on the agenda" (Groisman in Berlin: Is there a chance that Ukraine will become a member? 2016). Why do Germany and some other EU Member States maintain such a negative position as a subject of the separate study? It is more than obvious that today European politicians and officials do not want to even talk about the prospect of Ukraine's membership in the European Union.

The lack of prospects of Ukraine's membership in the EU is often used by the anti-European and pro-Russian forces in the propaganda war against Ukraine. Using statements about the future leadership of Ukraine's membership in the EU on the one hand and the political leaders of the European Union on the other, these forces are trying to dishearten the citizens of Ukraine because of their European choice. Consequently, for many citizens, the launch for European integration is losing its meaning.

Under these circumstances, the authors recommend that the effort toward Ukraine's membership in the EU should be discontinued and directed toward reforms in Ukraine that will promote positive development of the country. However, this position is also subject to the attack of Russian propaganda. The most common question posed to the authors of this article is: "How can the EU help Ukraine implement reforms? We can do this independently and without instructions from Brussels." In addition to the standard arguments about the advisory and financial assistance from the European Union, there is another, no less important matter. Relevant official EU statements clearly indicate that full and effective implementation of the Association Agreement, and, more specifically, the DCFTA, is a key priority which, accompanied by reforms, will result in approximating international standards and EU legislation and standards. This will lead to the gradual economic integration of AA/DCFTA partners in the EU internal market and therefore to the creation of an economic area (Joint Declaration of the Eastern Partnership Summit, 2015). That is an issue which Ukrainian authorities should focus on, explaining the advantages of the status of relations with the European Union for Ukrainian society.

As practice shows, it is the successful implementation of the Association Agreement that will be the real challenge for the Ukrainian government and a test of its ability to carry out reforms to match common European standards. The "Ukrainian centre of European policy" analysed the commitments that Ukraine had to perform under the Association Agreement during the past year and a half, since 2014, when the agreement officially started to gain momentum. The document emphasizes that, during this period, Ukraine has done a lot. It was the agreed upon framework for legislation in the field of food safety, standardization, metrology and technical regulation. Therein is the most effective operation in the energy field, namely, in the framework of regulating the gas market directives. At the same time, the analysis noted that Ukraine has not fully implemented any obligation in the field of adaptation of the Ukrainian legislation, which are clearly defined in the Agreement for the period from 2014 to the first half of 2016. This relates to acceptance of the 15 EU acts in the fields of energy, transport, environment and public health and the adoption of a specific policy document on the implementation of legislation in the field of sanitary and

phytosanitary measures. During the reporting period Ukraine has only started to fulfil its obligations in all the above areas, but at different speeds, efficiency and specificity. Most of those commitments have been only partially implemented or relevant bills are still under consideration of the Verkhovna Rada (Akulenko L., 2016).

A positive result of the Association Agreement is the fact that the European Union definitively became a major trading partner of Ukraine. According to the data of the State Statistics Service of Ukraine: “in spite of the general decline in the overall performance of both exports and imports for the period from January to October last year compared to the same period of the previous year, the volume of trade with the EU continue to grow. As such, exports of goods to the European Union grew in the same period by 2.4% and now accounts for 37.3% of total exports. Whereas imports grew even more in exchange rates by 7.9% and reached 43.8% in the structure of Ukrainian import” (Alexander Golubov, 2017).

Therefore, in the opinion of the authors, Ukraine today should focus on the unconditional implementation of the Association Agreement and maximum use of the opportunities that it provides for the reform of Ukrainian society. Only afterwards it will be worth talking about the prospects of our country’s membership in the European Union.

## Conclusions

*1. Today we can confidently assert that the movement toward European integration has contributed to important reforms in Ukraine. This beginning can be successful, fuelled by political will in Ukraine, or fail, despite the support of the European Union.*

As we have seen, the active cooperation of Ukraine with the EU began in 1998. It may seem that 18 years is enough time to carry out the necessary reforms. Unfortunately, this process has only just begun in Ukraine. The reasons for this situation are many, but the main, according to the authors, is the lack of political will to reform. As in previous years, today there are demands of reforms in various fields. The main progress has been made at the level of the adoption of legislation, but citizens of Ukraine, as well as the European Union, expect concrete implementation of these laws.

In Ukraine, there is a belief that political pressure from the European Union and the Ukrainian civil society on the Ukrainian authorities with the simultaneous binding financial assistance to the specific positive results encourages it to reform. As we have seen, this approach only partially works. But it cannot continue for a long time. Any changes are doomed to fail if senior management is not interested in their implementation.

Ukrainian reforms must occur, not despite, but because of the actions of all branches of the government. In the end, the EU may lose patience and willingness to help Ukraine.

The success of our country towards the implementation of European Union reforms is the context under which Ukraine can and must overcome Russian aggression. Russia needs Ukraine as a weak country that cannot progress and move forward. A stable and successful Ukraine will evoke negative responses from Russia, which eagerly awaits the failure of Ukraine’s European aspirations and hopes for revenge against the pro-Russian forces in our country. Kremlin propagandists have provided information on this issue with lies, as usual.

These are evident, as it can be seen in an article entitled “Return to Ukraine”, which was published in the journal *“Russia in Global Affairs”* in 2015. The authors of this article do not doubt the failure of reforms in Ukraine, and this should, in their view, be taken advantage of by the Russian Federation (Edward Ponarin, Boris Sokolov, 2015). Unfortunately, these expectations have certain grounds today. According to an opinion poll conducted from 22 to 26 April 2016, only 14.2% of respondents believe that the situation in the country is developing in the right direction, 72.2% - in the wrong (Citizen assessment of the situation in the country, attitudes toward public institutions, electoral orientation, 2016).

A clear sign that Ukraine is only beginning to move in the right direction is the world’s Corruption Perceptions Index 2016. Ukraine ranked 131 out of 176 countries. This place with 29 points along with Ukraine shared Kazakhstan, Russia, Nepal and Iran. “This is 2 points higher than last year but not enough for a country whose authorities called the fight against corruption a top priority. The anti-corruption reform promotes an improvement of our position in the world rankings but the lack of an effective judicial system and the de facto impunity of corrupt officials does not give Ukraine room to overcome a 30-point barrier”, says Transparency International Ukraine (Transparency International Ukraine, 2017). So, the real effectiveness of reforms is determined not by the presence of certain institutions and legislation, but rather by concrete results that demonstrate the ability and willingness of the authorities to implement the changes.

*2. European integration is not exactly a source of problems for Ukraine, regardless of how certain political forces attempt to portray it.*

European integration is a source of problems for Ukraine only through the aggressive actions of Russia, which does not stop attempts to impede Ukraine’s movement toward the West, by resorting to open military assault, trade sanctions and an unprecedented information war, both in the Russian Federation and abroad.

European integration creates problems for those political forces that are not interested in the de-monopolization of the Ukrainian economy and the replacement of its oligarchic economic model. The rest is due to the typical pro-Russian propaganda that is designed to justify Russia’s aggressive actions against Ukraine.

*3. Today, it is premature and inappropriate to consider the European integration of Ukraine as a pass ticket to the European Union membership.*

In the future, European integration may become a pass ticket to membership of Ukraine in the EU. However, the idea of membership should not be an end in itself.

The issue of Ukraine’s membership in the European Union will be on the agenda possibly in the distant future.

Frankly speaking, it is necessary to say that the European Union has no plans to expand in the current regional context. Moreover, due to such a troubled country like Ukraine, the EU will focus on domestic reforms in the future. The question of *Brexit*, establishing relations with the new American administration, and all the delicate issues revolving around the ongoing migration crisis will be a difficult test for the European Union in the near and mid-term future. Another cliff-hanger for the European Union will constitute the elections

in France and Germany. The potential victory of a Eurosceptic candidate in the race for Elysee could have set a dangerous precedent for the repetition of similar policies in other EU countries. Particularly important for the future of the EU is the electoral outcome in Germany, which will hold parliamentary elections in the autumn.

Under these conditions, the EU may lose interest in Ukraine and reduce the amount of resources spent on their Neighbourhood Policy. It can be assumed that further development of relations between Ukraine and the European Union in many respects determines the decisions of the next Eastern Partnership Summit to be held in November 2017 in Brussels.

European integration is a process of transformation for Ukraine. The end result of this process is to improve people's livelihood and the transformation of Ukraine into a free democratic state with a positive reputation in the world. Unfortunately, today in Europe, the mention of Ukraine quite often causes negative emotions in ordinary citizens. In April 2016, in the Netherlands, ahead of the referendum on the Association Agreement between Ukraine and the European Union, an opinion poll was conducted and found out that 59% of respondents would vote against the Agreement because they did not believe in Ukraine, in particular due to the high level of corruption (The referendum in the Netherlands will not affect the provisional application of the agreement EU-Ukraine, 2016).

Ukraine should try and consolidate its European identity within the state in order to become more attractive for Europeans rather than beg for the prospect of EU membership. After all, Ukrainians dream of living their lives in accordance with such European values as human dignity, freedom, democracy, equality, the rule of law and respect for human rights. Apparently, it is impossible to build such a society without European integration.

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