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Perspectives of the EU Membership for Ukraine: the Main Challenges and Threats

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Perspectives of the EU Membership for Ukraine: the Main Challenges and Threats

Abstract

With the entry into force of the Association Agreement between Ukraine and the EU the relations between Kyiv and Brussels have reached their peak. At the same time, there are numerous challenges and threats that impede the further deepening of Ukraine's integration into the European Union. The intensification of internal disharmony in the EU after the enlargements in 2004 and 2007 has led to an increase of the enlargement fatigue. The aspirations of some European leaders to first regulate the situation inside the EU and only then to consider the prospects for enlargement potentially threaten Ukraine to stay down in the gray zone between the EU and Russia for a long time. However, the fact that Brussels is continuing a dialogue on enlargement with the Western Balkan countries may be the source for optimism for the Ukrainian side. Citizens of key EU countries consider the high level of corruption and low economic indicators of Ukraine to be the main challenges for the Ukrainian state on its way to membership in the Union. In recent years, despite the ongoing Russian aggression, Ukrainians managed to form an institutional and legal framework to counteract corruption and set the stage for economic growth. This creates grounds for expectations that the impact of relevant negative factors will decrease significantly over time. The position of Russia is the greatest threat for Ukraine's European prospects. After beginning of the Russian aggression in Ukraine, the leading states of the world and EU, while implementing foreign policy in the eastern direction, gradually have opted out of the "Russia First" principle. At the same time, the number of achievements of Russian diplomacy in the EU lately confirms that Russia remains one of the key partners of the leading capitals of Europe. Accordingly, now the Russian factor is a major deterrent to Ukraine's EU membership.

The aim of this research is to evaluate in which way the current economic situation and corruption in Ukraine, the enlargement fatigue in the EU and the "Russian factor" affect Ukraine's European prospects.

Keywords: Ukraine, Membership, European Union, Association Agreement, Challenges, Threats

Introduction

In 2017 the relations between Ukraine and the EU reached a new level. Ukrainians have got an opportunity to travel to the Schengen countries without visas. "Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part" (herein after referred to as the "Association Agreement") has come into force. At the same time, on July 13, 2017, the 19th EU-Ukraine Summit was held in Kyiv, as its outcome no joint statement was adopted. The reason for it was the refusal of



the EU representatives to include a phrase concerning "acknowledgement the European aspirations of Ukraine" (112 Ukraina, 2017) in the joint statement, despite the fact the preamble of the Association Agreement had contained it (Official Journal..., 2014).

Thus, it has to be stated that even now, when Ukraine is closer to the EU than ever before, the relations between Kyiv and Brussels are not simple. On the one hand, the fact that the Association Agreement entered into force opened up many new opportunities for Ukrainians. Therefore, it is no coincidence that in the recent years the EU leadership has repeatedly emphasized that the Association Agreement with Ukraine is the most ambitious agreement that the European Union has ever developed with any other partner (European Council, 2013; European Parliament, 2019b). Undoubtedly, the Association agreement is extremely useful and important for Ukrainians from many perspectives. However, as researcher Alexander Duleba rightly points out, this document guarantees a smaller extend of changes in the Ukraine's legislation in accordance with the EU legislation than in the case of the European Association Agreement (EAAs) with the countries of Central and Eastern Europe and the Stabilization and Association Agreement (SAAs) with Western Balkan countries. Similarly, the Association Agreement with the EU does not require achievement of a strict legal equivalence with the EU aquis as provided according to the EAAs, SAAs, European Economic Area (EEA) Agreement with Norway, Island and Liechtenstein and the terms of the Turkey's Customs Union. In addition, Alexander Duleba draws attention to the fact that, unlike EEA countries, Turkey and Switzerland, Ukraine does not have access to EU comitology (Duleba, 2017, pp. 44-45).

Taking into account the interests of the official Kyiv, the biggest drawback of the Association agreement is that it does not outline Ukraine's EU prospects. For example, in the aforementioned European Association Agreement, which was concluded with the countries of the former socialist camp in the 1990s, it was clearly stated that one of the objectives of the relevant documents was to provide an appropriate framework for their gradual integration into the Community (Publications Office..., 1993; Publications Office..., 1994a; Publications Office..., 1994b). In case of the Association Agreement for Ukraine, the aims of the document include only to "promote gradual rapprochement between the Parties... provide an appropriate framework for enhanced political dialogue... establish conditions for enhanced economic and trade relations..." (Official Journal..., 2014). However, the document does not contain any wording that would support the prospects of Ukraine in a united Europe.

The outlined above dualism in the relations between the partners has given an impetus to launch a study in framework of which we attempted to analyze key challenges and threats that complicate the dialogue between Kyiv and Brussels at the present stage and might potentially hinder further



deepening of EU-Ukraine relations. Analyzing Ukraine's chances for joining the EU, we have taken into account the Copenhagen criteria too. Holding in mind the Copenhagen criteria and the peculiarities of the Ukraine's path towards the EU so far, as well as certain unwritten rules that are taken into account in the accession process, we have focused on analyzing a number factors, which we consider to be the key factors. In particular, the paper analyzes the economic and financial indicators of the Ukrainian state, a critical attitude of a significant part of the association's residents to the accession of new members, the situation with corruption in Ukraine, Russia's place in the politics of Brussels and leading European capitals and, accordingly, the way this factors are influencing on the European integration prospects of Ukraine.

The choice of these factors is determined by the positions of influential politicians and well-known experts on Ukraine's European prospects, decisions of the European institutions concerning the relations in EU-Ukraine-Russia triangle, and the results of a sociological survey on the attitude of European citizens to Ukraine's EU accession. It was held in August 2017 in Germany, France, Italy, Lithuania, the United Kingdom, Poland and the Netherlands by Kantar Public, commissioned by the Yalta European Strategy (YES)¹ and the Victor Pinchuk Foundation.

In order to create a holistic vision of the phenomena and processes studied in the article, the authors focused on the analysis of documents of the European institutions, statistical data, statements of prominent politicians and experts, Ukrainian legislation, features of Ukrainian anti-corruption bodies, etc. The content analysis, event analysis, structural-functional and institutional methods served as the theoretical basis for this study.

Ukraine Economy

As mentioned before In August 2017, Kantar Public conducted a sociological survey regarding the prospects of Ukraine as a member of the EU. Among the arguments why Ukraine should not be a member of the EU, 31% of all polled, including 52% of the French, pointed out a poverty of the Ukrainian state. Economics of states are important factor in membership of EU (Demir, 2020, p. 251; Sylina, 2017).

This is an argument, with which seems to be hard to argue at first glance. After beginning of the Russian aggression, during 2014 – 2015 the GDP of Ukraine per capita decreased almost twice from 4030.3 to 2115.4 thousand dollars (Khaietska, 2018). As a result, according to the World Bank, in 2019 Ukraine is holding the last place in Europe on this indicator (World Bank..., 2020b). The public debt of Ukraine is over UAH 2.168 billion and demonstrates growing trend (Ministry of Finance..., 2019). Debt payments

¹ Yalta European Strategy (YES) is a leading forum for discussing Ukraine's European future and global context.



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by the Ukrainian government, including debt repayments and their servicing in the period from 2019 to 2021, will exceed USD 15 billion, which is 75% of the gross reserves of the National Bank of Ukraine (UNIAN, 2019).

The situation is undoubtedly difficult, but it is not hopeless. Notwithstanding the above, there are a number of facts that are grounds for limited optimism. Thus, although due to Russian aggression it is necessary for Ukraine to spend about 5% of its state budget annually on the needs of the security and defence sector (Rodomskyi, 2017; Rodomskyi, 2018), according to the International Monetary Fund's projections, Ukraine's GDP will increase by 50% until 2023. At the same time, an average GDP growth in the world will be 24%, and only 19% for developed countries (Ekonomichna Pravda..., 2018).

On the other hand, given the purchasing power parity of Ukraine, the situation is much better. In particular, according to the latest data from the World Bank, Ukraine is among the 50 leading economies of the world on this indicator, ahead of Israel, Norway, Portugal and other developed countries (World Bank..., 2019).

One of the important economic indicators of the state is the ratio of public debt to the country's GDP. A record devaluation of the UAH took place due to the conflict with the Russian Federation. As a result, public debt, traditionally measured in dollars, doubled between 2014 and 2015, accounting for 81.0% of the country's GDP. In the following years, the situation began to improve. Thus, in 2017, the debt-to-GDP ratio decreased to 71.8%, in 2018 – to 60.9%, in 2019 – 50.3% (Ministry of Finance..., 2020).

Positive developments are also evident in the Ukrainian economy. Since 2016, there has been a steady upward trend in Ukrainian GDP. According to the results of 2018, Ukraine's GDP grew by 3.4%, in 2019 – to 3.2%, while the EU showed a growth of only 2.1% in 2018 and 1.5% – in 2019 (World Bank..., 2020a; World Bank..., 2020b). Also, despite the many serious challenges, in 2019, the Ukrainian financial system has demonstrated its resilience and ability to address the challenges it faces adequately. This can be evidenced by the successful placement in June 2019 of the next eurobonds worth EUR 1 billion. It is important that the relevant securities will be charged interest at 6.75% per annum, which is the lowest rate since the Revolution of Dignity, when the Ukrainian state resumed this practice (HORDON, 2019b). Ukraine's banking system demonstrates its ability to withstand internal challenges. In particular, in July 2019, despite the presidential and pre-term parliamentary elections, the change in ruling elites, which are traditionally considered to be risk factors, the official exchange rate of the UAH to the US dollar strengthened by 5.5% (National News..., 2019a). Similarly, Ukrainian banks significantly increased their profits in the first half of 2019 (Slovo i Dilo, 2019).



If we consider the situation with foreign investment, we shall see that in general it does not meet the needs of Ukraine. However, it should be understood that Ukrainians are living in conditions of an armed conflict with the Russian Federation. Still, there is a high interest to Ukraine from foreign investors. Dozens of global brands have entered or returned to Ukraine during 2018 - 2019. Among them there are Altostrata Energy Limited, Coin, Eataly, IKEA, North Face, Steve Madden, The Kooples, TIU Canada, Upgrade Energy (ShoTam, 2019a; ShoTam, 2019b; National News..., 2019d). The initiatives related to the construction of wind farms in Ukraine deserve the special attention. The European energy giants EuroCape New Energy, NBT, Total invest hundreds of millions of dollars in their projects in Ukraine (Terminal, 2019; Kosatka. Media, 2019). In January 2019 an agreement between the Norwegian company NBT, the French company Total Eren and the European Bank for Reconstruction and Development on the Syvash project was signed in the presence of former President of Ukraine Petro Poroshenko (2014 - 2019) in Davos. The President of the EBRD Sumantra Chakrabarti (since 2012) then stated: "... Ukraine is open for business, because it has been reforming in the energy sector for several years now and moving towards the EU standards... foreign investors return to Ukraine thanks to the reforms" (FINBALANCE, 2019; National News..., 2019c). In 2019 the "Amazon" company has also started an ambitious project to build an industrial park in Ukraine. The total amount of direct investments will equal to UAH 11.2 billion (Biznes, 2019).

Another practical confirmation of Kyiv's move in the right direction is the EU financial assistance for Ukraine. The amount of financial assistance that Ukraine has received from the EU over the last four years under various programs is approximately 10 billion (Kontrakty.UA, 2018). Accordingly, Ukraine is the leader among the beneficiaries of European funds at present. Instead, it is well known that the European institutions clearly adhere to the principle that next tranches are allocated only after completing certain homework.

An important indicator that objectively contributes to the deepening of relations between Kyiv and Brussels is the systematic growth of trade between Ukraine and the EU. In this regard, it is worth emphasizing the exceptional importance of the DCFTA, which came into force in early 2016 (Kosír, Slobodníková & Orlická, 2016, p. 178). At present the EU is Ukraine's main trading partner. In 2019, the share of EU countries in Ukraine's foreign trade was over 40% (Mission of Ukraine..., 2020).

Thus, the current low economic and financial indices of Ukraine, that raise serious concerns of the ordinary people in leading European countries, pose a problem, and Ukrainians cannot hope to succeed in deepening integration with the EU without resolving it. At the same time, it should be emphasized



that in this area we can witness positive trends that have a potential to neutralize the negative impact of this factor in the future.

EU fatigue from enlargement

The first manifestations of unwillingness to enlargement date back to the beginnings of the European Communities. De Gaulle vetoed the UK's entrance twice in 1963 and 1967 as he saw it as a threat to the French leading position in the Union as well as to the mode of operation of the entire organization due to Britain's imperial trade links and its close transatlantic relations with the USA (Szołuchna, 2010).

After so-called "Big Bang enlargement" in 2004 the Brussels-overseen population and territory expanded by around 20 %, while the EU's percapita Gross Domestic Product (GDP) decreased by some 9 % (Markovic, 2018, pp. 49-50). Shortly after this event, enlargement fatigue symptoms were beginning to emerge in the public discourse (Jónsson. 2017, p. 61). The issue of enlargement fatigue began to arise more actively after 2007, when Bulgaria and Romania were criticized for they had adequately prepared for membership on accession and that membership had done little to change the fundamental problems of governance and state capacity. To illustrate the situation, in his research John O'Brennan cites data that in 2013 the minimum wage in Bulgaria was about 30 percent less than in China and below the rates in Indonesia, Malaysia, the Philippines and Thailand (O'Brennan, November 2013, p. 37).

What started therefore in connection with the eastern enlargement in 2004, where in the aftermath symptoms of enlargement fatigue began to emerge, has been enhanced by the difference challenges and crises the EU has been facing. According to scientist Jónsson Stefán Daníel, the key ones of them are the consequences of Eurozone Crisis, Refugee Crisis, the conflict between Russia and Ukraine, Brexit and Terrorism (Jónsson, 2017, pp. 36-44, 61).

On the fifteenth anniversary of the 2004 enlargement, a nonresident senior fellow at Carnegie Europe and editor in chief of Strategic Europe Judy Demosey argued that during the first few years after the big bang enlargement, most of the new EU's countries were communuataire in spirit. Today, it is almost the opposite. The member states hold sway. That puts integration on the backburner. In this way, she demonstrated how Western European experts assess the behavior of EU member states which previously belonged to the socialist camp (Demosey, 2019). Accordingly, such assessments push the citizens of "old Europe" to be more skeptical about the accession of new countries to the EU.

Therefore, it's no coincidence that in the context of the above-mentioned sociological survey 2017, one of the main reasons why Ukraine cannot become an EU member, 31% of respondents has chosen the item "I am against EU enlargement and inclusion of new members" (Sylina, 2017). The



corresponding results can cause serious concern for Ukrainian politicians and experts. Ukrainians can improve their economic situation, succeed in the fight against corruption, but they cannot directly influence on the wishes of EU residents not to be joined by new members. However, the analysis of individual initiatives and the statements made by the leadership of the EU institutions show that the situation in this regard is not desperate for Ukraine. First of all, this can be seen from the example of the Western Balkan countries.

Shortly after Operation Allied Force (March 24 – June 10, 1999), a summit was held in Sarajevo in July 1999 with the participation of representatives of the EU, the USA, Canada, the Russian Federation, Japan, and Western Balkans countries, with the exception of the Federal Republic of Yugoslavia (Khriashchevska, 2019; Bürgernetz Dillingen e.V., 1999). The initiators of the meeting planned to develop mechanisms that would stabilize the situation in the Western Balkans, promote democratization of the region and prevent new conflicts. The results of the summit were to endorse the purposes and principles of the "Stability Pact for South Eastern Europe", initiated by the European Union and adopted in Cologne on 10 June 1999. The meeting participants indicated that they "will work together to promote the integration of South Eastern Europe into a continent where borders remain inviolable but no longer denote division and offer the opportunity of contact and cooperation" (Bürgernetz Dillingen e.V., 1999).

In June 2003, at the EU summit in Thessaloniki, European leaders pointed out on the European perspectives of the region clear and unambiguous. In particular, the declaration adopted on the summit emphasized that "The EU reiterates its unequivocal support to the European perspective of the Western Balkan countries. The future of the Balkans is within the European Union. The ongoing enlargement and the signing of the Treaty of Athens in April 2003 inspire and encourage the countries of the Western Balkans to follow the same successful path" (Official website..., 2003).

Even more concrete perspectives for the Western Balkans in the EU were outlined in the context of a special strategy for the region adopted by the European Commission on February 6, 2018. In particular, the document has paid attention to the ongoing Montenegro and Serbia negotiations, concerning their accession into the EU and has noted that "With strong political will, the delivery of real and sustained reforms, and definitive solutions to disputes with neighbours, they could potentially be ready for membership in a 2025 perspective" (European Commission, 2018a). The document also talks about good prospects for the European integration of Albania, Macedonia, Bosnia and Herzegovina and even Kosovo (European Commission, 2018a).

It is noteworthy that during the discussion of the relevant document High Representative of the European Union for Foreign Affairs and Security



Policy and Vice-President of the European Commission Federica Mogherini emphasized that "The Western Balkans are part of Europe: we share the same history, the same geography, the same cultural heritage and the same opportunities and challenges today and in the future" (European Commission, 2018b). In doing so, we can conclude from her words that, speaking about the region, she equates all six countries (European Commission, 2018b), including Montenegro, which is a NATO member and since 2012 has been negotiating accession to the EU and Kosovo, which is not even recognized by several countries of the EU as an independent state (Khriashchevska, 2019).

Thus, Montenegro and Serbia have been negotiating accession to the EU for several years (Rudik, 2018, p. 104). Albania and Northern Macedonia have the status of candidates for accession to the EU (Sheiko, 2019). Bosnia and Herzegovina and Kosovo are also considered as potential candidates (European Commission, 2017).

It is worth pointing out that although Albania, Montenegro, Northern Macedonia and Serbia have been EU's candidates for several years, political experts stress that none of them currently fully complies with the Copenhagen criteria of the membership. Former Balkan republics are characterized by relatively high levels of corruption, crime, and weakness of government institutions (Gayeskiy, 2019). However, the need for each country in the Western Balkans to implement their "homework" gradually is not an obstacle for their integration into the EU. Moreover, leading European politicians stress that the UK's exit from the EU and the necessity to improve governance mechanisms shouldn't hurt the European prospects of the Western Balkans (Charlish, 2019; Prokopchuk, 2016). Similarly, a favourable attitude towards deepening the dialogue between the EU and the countries of the Western Balkans was affirmed by a proposal sent to the European Commission at the beginning of 2018 by Austria, the Czech Republic, Estonia, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Poland, Slovenia and Slovakia. The document included a call concerning the participation of ministers of six Balkan governments in top EU meetings in areas including the environment, health, transport and foreign policy (Emmott, 2018).

The relevant facts regarding the European perspectives of the Western Balkan countries objectively expand the possibilities for a similar scenario for Ukraine. On the other hand, despite the outlined situation with the Western Balkans, we are aware that in the context of the European fatigue from enlargement, Ukraine's potential membership in the EU is a distant prospect, at the very least. In this context, we agree with the opinion of the famous German scientist Andreas Umland, who recently stressed that "the European Union may, for many years to come, be absorbed by its own reconstruction, the Western Balkan enlargement, and its increasingly complicated relations to Turkey. As long as the Union's current introversion



continues, Brussels will have only limited energy, resources, and interest to engage with, and for, Ukraine to the degree that many in Eastern Europe hope and expect" (Umland. 2020, p. 78).

Corruption

The issue of strengthening the fight against corruption is systematically raised in joint documents following the EU-Ukraine summits and sessions of the Association Council of Ukraine (Ministry of Foreign..., 2017; European External..., 2018; President of Ukraine, 2018). Nepotism and corruption affects wealth of nations and other economic variables (Dilek, S., Ozdirek, R. & Kesgingöz, H., 2019, p.3190). The last EU-Ukraine Summit, which took place on October 6, 2020, was not an exception. In the joint statement on the results of the meeting there was indicated that "We agreed on the importance of accelerating and reinforcing reform efforts... in the fight against corruption... The EU also continues to support Ukraine... on enhancing the fight against corruption" (President of Ukraine, 2020). The EU leaders often focus their attention on this issue. In particular, even after the entry into force of the visa-free regime for Ukrainian citizens and the ratification of the Association Agreement, while visiting Kyiv in July 2017 the President of the European Commission, Jean-Claude Juncker said: "Corruption is one of the biggest problems of this country... What we are asking is to increase the fight against corruption because corruption is undermining all the efforts of this great nation" (EURACTIV, 2017).

A large percentage of the ordinary EU residents consider corruption to be the major obstacle to Ukraine's European integration. Thus, in the sociological survey, mentioned in the introduction, 24% of respondents chose corruption as the main deterrent on Ukraine's path to the EU (Sylina, 2017).

Undoubtedly, the fight against corruption in Ukraine is carried out not as fast as it would be desired by officials in Brussels as well as by fellow Ukrainians. However, there are many positive changes in this area over the last few years. In recent years, the institutional and legal framework for counteracting corruption has been systematically built in Ukraine. Back in October 2014, the Ukrainian Parliament approved the Law of Ukraine "On Prevention of Corruption". According to the law, since September 1, 2016, an electronic declaration system for all public officials was launched in Ukraine. As a result of the relevant legislative initiative, public officials are required to enter the information about their assets and incomes into the system every year in March. Innovation has become one of the effective tools for prevention of corruption in Ukraine, because through an open digital system with direct access, the fellow citizens, as well as law enforcement agencies, have free access to information on public officials' wealth and incomes (Cela, 2018).



It is interesting that the law was amended in March 2017. The amendments envisaged the electronic declarations for anti-corruption activists. This norm was negatively perceived in Ukrainian society and criticized by the EU leadership. Ultimately, in June 2019, the Constitutional Court of Ukraine found the norm incompatible with the Constitution of Ukraine, what unquestionably means its termination (National News..., 2019b; Segodnya, 2018b).

Another important step in the fight against corruption in Ukraine includes the introduction of the public procurement system called "ProZorro". In 2015, the system started operating in pilot mode, and since 2016 it has been working in full. The essence of the novelty lies in the maximum transparency and availability of the procurement process, the interaction of authorities, business and society. So, after the end of the tender, you can see all the information on the submitted proposals of the participants, the decisions of the tender commission of the procurer, all qualification documents, published agreement and other documents in the electronic system (PROZORRO, 2017). The high efficiency of its functioning was proved just after its introduction. Back in 2016, the ProZorro won a prestigious International Procurement Awards. In 2017, ProZorro got the first place in the C4F Davos Awards in the category "Trust of the Future" (Marchenko, 2017; Vysokyi Zamok, 2016). By the mid-2018, due to the use of the system, the savings of Ukrainian budget funds amounted to more than UAH 50 billion (UNIAN, 2018).

In order to combat corruption a system of anti-corruption bodies has been formed in Ukraine since 2015. Thus, the National Anti-Corruption Bureau of Ukraine (NABU) launched its work in 2015. The agency investigates corruption crimes committed by ministers, deputies, state officials of the highest category, judges, employees of the Prosecutor General's Office, senior military officials, heads of the state-owned enterprises.

In the same year, the Specialized Anti-Corruption Prosecutor's Office (SAPO) was set up to oversee law enforcement during NABU's pre-trial investigations, to support state prosecution in relevant proceedings, and to represent the interests of the citizen or state in the court. The Asset Recovery and Management Agency (ARMA), which is responsible for identifying money hidden by criminals, began its work in October 2017. After a lengthy delay, the State Bureau of Investigation (SBI), which deals with criminal proceedings, that involve senior officials of the state, NABU and SAPO officers, individuals who committed separate war crimes, etc, commenced operation in November 2018 (Slovo i Dilo, 2018; Radio Liberty, 2018).

The completion of Ukraine's anti-corruption system formation is linked to the creation of the High Anti-Corruption Court of Ukraine (HACO), which began its work on September 5, 2019. In this way, Ukraine has fulfilled one of the key requirements of Brussels, which has been expressed by the



European Union in recent years. Thus, all necessary institutional and legal mechanisms necessary for effective investigation and prosecution of high-ranking officials have been created in Ukraine.

To sum up, corruption is one of the key challenges for the development of Ukraine as a modern European country. It significantly slows down Ukraine's movement towards EU integration. At the same time, we can trace some positive trends in the increasing efforts aimed at systematical fighting of corruption. Continuing to move in such direction will be the key to Ukraine's success as a state and it will strengthen its chances for EU membership.

Russian factor

As the main argument against Ukraine's membership in the EU, 10% of respondents, who took part in the 2017 survey, chose the item: "we must reassure Russia, which is hostile to Ukraine's accession to the EU" (Sylina, 2017). From our point of view, this result is unexpected. The assertions of authoritative experts, statements and concrete steps of authoritative European politicians show that the "Russian factor" in European capitals actually plays a very important role. The words of a well-known expert specializing in the study of Eastern Europe, British and Canadian scientist Taras Kuzio may serve as a typical example in this regard. In particular, in 2016, commenting on the statement of the European Commission President Jean-Claude Juncker that "Ukraine will definitely not be able to become a member of the EU in the next 20 to 25 years" he stressed that such a position, together with the EU's enlargement fatigue, is "a product of, an unwillingness to confront Russian objections" (Kuzio, 2016, p. 104-105).

For the first time, this was demonstrated in practice during the NATO Bucharest Summit in April 2008. At that time, the issue of submitting an Alliance Membership Action Plan to Ukraine and Georgia was considered. Despite the strong support for such step on the part of the United States and some European countries a decision was not approved. The main reason for this situation was the position of certain leaders of Western European countries who tried avoiding certain steps which would cause dissatisfaction of the Kremlin. For example, French Prime Minister Francois Fillon, who opposed to the granting of MAP to Ukraine and Georgia, explained that in the following way: "... this would not be a good thing in terms of the balance of power in Europe, in particular with Russia. We want to have a dialogue with it" (Tryhub, 2010, p. 58).

Although the mentioned words concerned NATO integration processes, the situation with Ukraine's accession to the EU was similar. In recent years, the attitude of the EU and the leading countries of Europe to Russia has changed significantly, but in framework of solving many questions the Moscow position is still taken into account. This sometimes takes on forms of a



paradox. For example, in September 2018, one of the most influential EU leaders – French President François Macron, gave an interview to Swedish TV channel SVT, in which he said that "... Putin's dream is the dismantling of the European Union". However, this did not prevent him stating the following in the same interview: "I do respect Vladimir Putin and I am one of the leaders who says we need to construct a new security and defense architecture with Russia..." (Bloomberg L.P., 2018).

A few days after the interview, member of French Parliament Philippe Michel-Kleisbauer, commenting on François Macron's words and the attitude of the "old Europe" countries to the events in the East, said that Germany's and France's position is "... not to make Russia afraid of NATO. The same with Ukraine's accession to the EU...". It should be emphasized that it was the assessment from the MP who supports Ukraine accession to the EU (Segodnya, 2018a).

Another important worrying sign within the EU-Ukraine-Russia triangle, which is a cause for concern in Kyiv, was the decision adopted by the Parliamentary Assembly of the Council of Europe on June 25, 2019, which allows Russia to return to full participation in its work. The fact that the PACE offered a way to return Russian deputies without fulfilling any conditions because of which Russia had been deprived of its right to vote in 2014 (Shymonov, 2019) indicates the actual capitulation of PACE to Moscow, and, on the other hand – the discrediting of its core values, on which the institution is based. It is important that appropriate step was supported by the majority of MPs from such influential EU Member States as Austria, Italy, Portugal, Spain and France (Obozrevatel', 2019).

Undoubtedly, this fact has no direct impact on Ukraine's prospects as an EU member. However, it demonstrates that European countries continue taking into account the Kremlin's position and make concessions to it in the conditions when the Russian side does not agree to any concessions. In this context, it is also worth mentioning a statement made by the Minister President of Saxony, Michael Kretschmer, who shortly after the event stated that anti-Russian sanctions had had a negative impact on the economy of all East German lands and that the next step after the return of the Russian delegation to the Parliamentary Assembly of the Council of Europe had to be the lifting of sanctions from the Russian Federation (HORDON, 2019a).

The EU also showed its weakness in the framework of processes around the incident in Kerch Strait on November 25, 2018. On the one hand, the next day after the Russian provocation, European Council President Donald Tusk condemned Russia's actions and appealed Moscow to release the Ukrainian sailors and return the captured ships to Ukraine (5 kanal, 2018). On December 12, 2018, a decision with similar requirements was adopted by the EP. The document also called for EU and its Member States to impose new



sanctions on Russia if Ukrainian sailors were not released (European Parliament, 2018).

However, at the same time other trends could be traced. In particular, on November 27, 2018 at a closed session of The Political and Security Committee representatives of Germany and France opposed imposing of additional sanctions against Russia due to the actions of the latter in the Kerch Strait. Diplomats from both countries stressed on the importance of "confidence-building measures" in the dispute, and sanctions, from their point of view, contradict this. At the meeting, it was also recommended to involve the OSCE mission in the Kerch Strait conflict resolution (ICTV, 2018), though in the previous years in the context of work in the Donbas conflict zone the mission have demonstrated an inability to significantly influence on the Russia's actions.

Finally, the Council of the European Union was able to take some actions concerning the events of November 25, 2018 only in mid-March 2019. In response to an open act of Russian aggression, Brussels limited itself to including eight Russian officers in the sanction list of, as they participated in the incident in a given way. The formal nature of the sanctions clearly demonstrated the reluctance of EU officials to aggravate relations with the Kremlin, even in the conditions where the Russian aggressive and illegal actions could potentially escalate the conflict in Ukraine (Hurak, 2019, p. 216-217).

The EU's sluggish response to Russia's undermining efforts to provide Ukrainian citizens with Russian passports under a simplified procedure is also quite alarming. It is known that on April 24, 2019, the President of Russia signed a decree on the simplified granting of Russian citizenship to the inhabitants of the occupied by Russian troops areas of Donetsk and Luhansk regions. On July 17, Vladimir Putin also signed a decree granting Russian citizenship in a simplified manner to Donbass residents who do not reside in Russian-controlled territories (Zerkalo nedeli, 2019; Umland, 2019, p. 3-4). Despite a rigorous assessment of Russia's actions by the EU, those actions being interpreted as "an encroachment on Ukraine's sovereignty by Russia" and a demonstration of "Russia's intention to further destabilize Ukraine and exacerbate the conflict" (European External..., 2019), by the mid-2019, the EU has not taken steps, which could have some practical implications.

In such circumstances, we find the assessment of the researcher of the Finnish Institute of International Affairs Arkady Moshes only natural, as, despite the critical attitude to the Kremlin, in December 2019 he stated that "in 2019, Russia's European diplomacy went from one achievement to another" (Moshes, December 2019, p. 1).

The EU, as a union of 27 countries, has problems with taking quick decisions. As a consequence, the EU has a reactive, rather than pro-active



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ISSN: 2147-1185 10 the Years approach towards Russia (Simionov & Pascariu, 2019, p. 153.). Another problem is that countries with different national interests interact within the framework of the Union. Consequently, the EU is sending to Russia the contradictory messages. Both hardliners and Russia-friendly voices in the EU tend to equate dialogue and engagement with compromise and even appeasement (Rácz & Raik, 2018, p. IV). Fortunately for Ukraine, since 2014, the EU has been systematically extending sanctions imposed on Russia because of its aggression in Ukraine (Bilban & Jaeger, February 2020, p. 1). In doing so, the EU leadership generally quite clearly identifies and outlines the threats posed by Russia. It can be well illustrated by the statements of European politicians and the decisions of the European Parliament. Donald Tusk speaking in Krakow in October 2018, said, "Our problem is Russia, which is undermining everything in Europe". He mentioned the "Russian footprints" in the Catalan referendum on independence from Spain, in the referendum on Brexit, in the events connected with poisoning in Salisbury and in the cyber-attack on the servers of the Organization for the Prohibition of Chemical Weapons, etc. (5 kanal, 2018). Equally critical in his estimations was an Austrian politician, the chairman of the parliament's delegation to the EU-Russia Parliamentary Cooperation Committee, Otmar Karas. In an interview with the Austrian newspaper "Kurier" in March 2019, he emphasized: "... I have information from relevant EU services, as well as EU member states, according to which Russia not only systematically produces and distributes false information, but also seeks to strategically weaken and split the EU with the help of a whole set of hybrid measures" (Cenzor.net, 2019).

The same categorical character is the European's Parliament resolution of March 12, 2019. In particular, there was criticized involvement of Russia in the Skripal case, the links of the Russian Government with the extreme right and populist nationalist parties, the cyber attacks of the Russian intelligence services, interference of the Russian Federation in the Brexit referendum campaign etc. (European Parliament, 2019a). The document also stated that Russian Federation can no longer be viewed as a strategic partner of the European Union (European Parliament, 2019a).

The expulsion of Russian diplomats by more than 20 EU members in protest to the use of poisonous substances by Russian intelligence agencies in Salisbury can also be considered a sort of a critical appraisal of Russia's practices on the international arena and, accordingly, of the threats posed by it (BBC, 2018).

Thus, despite the statements by representatives of the leadership of Austria, Czech, Italy and France concerning the need to improve their dialogue with Moscow, taking into account the ineffectiveness of anti-Russian sanctions and proposals to the European Council's on abolish them (RTVI, 2019; Kalashnyk, 2018; UA.NEWS, 2019a), the situation remains unchanged. Fortunately for Ukraine, since 2014, the EU has been systematically



prolonging the sanctions, imposed on Russia because of aggression against Ukraine. Also, it can be stated unequivocally that the EU officials and institutions, sometimes the leaders of the most influential member states of the Union, clearly identify Russian actions as those which are contrary to international law and pose a threat to both the EU and Ukraine. To tell the truth, a weak practical response to such an activity of Kremlin is a reason to suppose that Russia's position and consequently reaction it evokes from some European politicians may be a major obstacle to Ukrainian European prospects in the future.

Additionally, an unwritten rule should be taken into account: the EU blocks integration of countries which have territorial conflicts or occupied territories. It is known that there are exceptions to each rule and in this case such exception was the accession of Cyprus in the EU in 2004 (Finance.ua, 2018; Panchenko, 2019; Zeleniuk, 2018). However, Cyprus is not Ukraine, and Turkey is not the Russian Federation, while the EU is largely dependent on the latter in the energy sphere. Thus, in the context of Russia's occupation of the Ukrainian Crimea, the ongoing Donbas conflict and the aspiration of the Kremlin to maintain status quo with regard to "near abroad", the likelihood that Brussels will take such a step towards Ukraine is not high.

Furthermore, it is worth to emphasize the current tendency that every subsequent enlargement is accompanied by stricter requirements for candidates (Panchenko, 2019), which will also complicate Ukraine's European integration progress.

Conclusion

As of autumn 2020, EU-Ukraine relations are at their highest point. Ukraine is an associate member of the Union, Ukrainian citizens can visit the Schengen countries without visas, the trade between Ukraine and the EU demonstrates a good dynamics. At the same time, there are a number of challenges and threats for further deepening of the dialogue between Brussels and Kyiv as well as for the Ukraine's potential EU membership.

The low economic performance of the Ukrainian state is an influential factor of concern for the citizens of the leading EU countries. The average EU's citizen fears that joining of Ukraine to the Union will be an additional financial burden for it. It is worth noting the experts and the EU leadership do not share the same apprehensions about Ukraine's economic situation. Obviously, this is a logical situation, because despite the significant and diverse difficulties, including the ongoing aggression on the part of Russia, Ukraine's economic growth indicators are significantly higher than the EU's economic growth. A relatively robust financial system has been formed in Ukraine; it is able to withstand existing challenges. On the whole, it can be argued that Ukraine is a poor country with the great economic potential and positive trends. At the same time, the situation with the Western Balkan



countries shows, the low economic indicators of a country is not a weighty argument for denying it membership (Jacobsen, 2005).

A large percentage of the citizens of the leading EU countries are against attracting new members to the union. The accession of 2004 and 2007 led to a significant complication of relations within the EU. On the one hand, this was a natural result of significant quantitative changes. At the same time, citizens and leaders of the countries of old Europe express dissatisfaction with the too slow approach of new members to EU standards, their unwillingness to act in accordance with the initiatives of leading European capitals. On the other hand, after the accession of Romania and Bulgaria the EU experienced several significant crises which also serve as a significant deterrent to the further increase in its membership. Accordingly, some of the countries of the union are in favor of stopping the enlargement process until the situation inside the EU stabilizes. Thus, the fatigue of enlargement can potentially be one of the biggest problems for European integration aspirations of Ukrainians. However, the fact that the EU is simultaneously negotiating prospective accession with the Western Balkans countries opens up prospects for Ukraine, that at some stage a similar window of opportunity will be opened to Ukrainians. It is only necessary to work hard to resolve the problems that Ukraine may be affected by, first of all, to fight corruption, to work on the growth of economic indicators and to wait for a propitious moment to apply for accession.

Corruption, which, according to many Ukrainian politicians and experts, is more detrimental for the Ukrainian state than Russian aggression, is identified by both the EU leadership and common citizens of its member states as one of the key challenges for Ukraine's European integration progress. However, the analysis of the situation in the relevant field gives grounds for a limited optimism. In recent years an institutional and legal framework has been formed in Ukraine, which has sufficient potential to strengthen the fight against corruption. Given the political will of the new political elites and continued efforts in the appropriate direction, the importance of this deterrent on Ukraine's path to a united Europe should be systematically diminished.

At present, the biggest challenge for Ukraine, regarding EU membership, is Russia's position. Certainly, over the past few years, the leading European capitals have opted out of the "Russia First" principle in the context of their foreign policy towards Eastern European countries. However, even after Russia's annexation of Crimea, the beginning of aggression in the Donbas and, accordingly, the Kremlin's violation of key norms of international law enshrined in the UN, OSCE, Council of Europe documents, a part of European actors, to a certain extent, takes into account the position of the Russian leadership when making decisions on Ukraine. Of particular concern is the fact that some European politicians, while understanding the threats posed by the Russian side, are ready to make concessions to Moscow.



A striking example here is the situation with the return of the Russian delegation to a full-fledged work in the PACE, despite the fact that Russia has not fulfilled any conditions by which its deputies were denied voting rights. This demonstrates readiness of certain political forces in the EU to make concessions to Russia even unilaterally, which clearly poses a threat to Ukraine's European integration prospects. From Kyiv's point of view, it is a significant success that EU members, each with their own interests in the spheres of foreign policy and foreign economic, continue to maintain the sanctions against Russia in answer to Kremlin's aggressive foreign policy in Ukraine from year to year. However, as practice shows, for some influential European players, even the outline of the long-term prospects for membership for Ukrainians is a red line that they are not ready to cross at the moment.

The annexation of Crimea and the ongoing conflict in the Donbas are other significant factors that effectively hinder Ukraine's EU membership and which are closely related to the Russian Federation. The EU is trying not to include countries that have territorial problems. Undoubtedly, Russia is well aware of this. Therefore, even if Kyiv demonstrates a significant progress in domestic transformation, Russia will still have opportunities to block Ukraine's accession into the EU.

Thus, in the current situation, Ukrainians should focus on counteracting processes that are slowing Ukraine's development and causing criticism in European capitals, promoting Ukraine among EU citizens, and waiting for a favorable moment when Russia will have limited opportunities or have no ambition to confront the Ukraine's membership in the Union.

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