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# The Evolution of the EU's Perception towards Ukraine



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# **The Evolution of the EU's Perception towards Ukraine**

## **1. Introduction**

“This is a historic moment, which allows us to sketch the contours of the European Union, by deciding today to grant candidate status to Ukraine [...] We are sending a very strong message: it is at once a message of unity and a message of geopolitical determination”<sup>1</sup>.

This powerful message was delivered by Charles Michel, President of the European Council when granting Ukraine the status of a candidate for EU membership on June 23, 2022. The event has been a watershed moment in the wake of Ukrainian's struggle to protect their freedom and democracy against Russian brutal aggression. In extraordinary times, this rare moment of European unity makes a major turning point for EU-Ukraine relations.

Getting EU perspective and candidate status took Ukraine through a long and complex integration path. The scenario, however, became a reality for Ukraine due to its resilience to keep going on that path while committed to embracing and promoting European values. The choice to stand by founding European values makes Ukraine a decent candidate for future EU membership.

Both Ukraine's determination for West orientation and the EU's reaction, respectively, were once simply a bold imagination. To no surprise, the recent security threats unavoidably triggered a discernible change in the EU's ap-

1 European Council, Remarks by President Charles Michel following the first working session of the European Council, Press release, 23 June 2022, online at: <https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/intervention-du-president-michel-a-l-issue-de-la-premiere-seance-de-travail-du-conseil-europeen-23-juin-2022/>.

proach towards Ukraine. Thus, to get a better insight of how the EU's perception of Ukraine has developed over time, this paper will guide through key turning moments and political developments in Ukraine, which brought fundamental changes to the EU's understanding of Ukraine.

## **2. Key stages of transformation of Ukraine's image in the EU's eyes**

### **2.1. Stage 1. The dissolution of USSR and a "New Independent Ukraine" (1991-2003)**

At the end of the Second World War Europe was devastated. The ultimate idea of that time was to secure peace and stability on the continent. Even though the real war was over, another era of the Cold War began. While trying to extend spheres of influence, the polarization of the two world powers, the US and the Soviet Union, led to the creation of the Iron Curtain that divided Europe<sup>2</sup>.

Over time more and more countries in Western Europe were seeking for the opportunity to engage with the European Community. On the contrary, the Soviet Union perceived the European success of integration as a threat to the sections of Central and Eastern Europe falling under the authority of the Soviet regime<sup>3</sup>. At this stage, while restructuring the Soviet Union during the so-called time of 'Perestroika', the word 'independence' appeared in the context of the USSR<sup>4</sup>. Whilst views remain divided on the reasons for dissolution of the Soviet Union but it proved to be the fact that in December 1991 the chapter on the USSR was finished. Some argue that it was a '*fait accompli*'<sup>5</sup> as a result of which new independent states appeared.

2 Mearsheimer J. J., Back to the future: Instability in Europe after the Cold War. In National and International Security, Routledge, 2018, pp. 107-158.

3 Forsberg T., Haukkala H., The European Union and Russia, Bloomsbury Publishing, 2016.

4 Walker E. W., Dissolution: Sovereignty and the breakup of the Soviet Union, Rowman & Littlefield, 2003.

5 Barry D., The USSR: a legitimate dissolution. Rev. Cent. & E. Eur. L., 18, 1992, p.531.

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One of those members of the Soviet Union that voted for its independence was the Ukrainian Soviet Socialist Republic. However, Ukraine that officially gained its independence in 1991 was seen as independent state the way earlier. Back in 1945 while attending a conference on establishing the UN in San Francisco, Stalin insisted that Ukraine should get its seat as an independent country<sup>6</sup>. It is arguable whether it was Stalin's wish to have more influence in the UN with the help of Ukraine or his goodwill towards Ukraine. But from that time Ukraine became an independent legitimate founding member of the United Nations despite being part of the USSR.

In the meantime, after the USSR collapsed, the EU brought discussions regarding the newly emerged independent countries. The EU acknowledged sovereign countries by replacing 'the USSR' and 'the Soviet Union' with the names of each country<sup>7</sup>. The Ukrainian Soviet Socialist Republic appeared to be called Ukraine in the official documents<sup>8</sup>. However, despite replacing the name, Ukraine as an independent state had only started to evolve.

### *2.1.1. Early steps towards cooperation: TACIS and PCA*

As Newly Independent States (NIS) occurred on the map a new phase of collaboration with the EU started. Given the countries' specifics and differentiation the EU adapted its approach and attempted to support these countries on their roads towards economic and political transformation<sup>9</sup>. In this context the programme of Technical Assistance to the Commonwealth of Independent States (TACIS) was introduced<sup>10</sup>.

6 United Nations, The San Francisco Conference, online at: <https://www.un.org/en/about-us/history-of-the-un/san-francisco-conference>.

7 Council Regulation (EEC) No 848/92 of 31 March 1992 amending Regulations (EEC) No 288/82, No 1765/82 and (EEC) No 3420/83 in order to establish the import arrangements for products originating in the independent States resulting from the former Soviet Union and suspend the application of certain quantitative restrictions to the Yugoslav Republic of Montenegro.

8 Ibid.

9 Zagorski A., Policies towards Russia, Ukraine, Moldova and Belarus, In European Union Foreign and Security Policy, Routledge, 2004, pp. 93-111.

10 European Commission, TACIS (Technical Assistance Programme to the former republics of the Soviet Union) – Annual report from the Commission - 1991 and 1992, 1993, online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:51993DC0362>.

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The technical assistance provided by the EU was the most significant aid at that time given to the former Soviet countries, one of which was Ukraine. The programme aimed to cover such spheres as 1) training in the public and private sectors, 2) energy, 3) transport, 4) financial services, and 5) food distribution. Moreover, in the case of Ukraine, there was a component regarding nuclear safety that had to be enhanced<sup>11</sup>.

Following the TACIS programme the EU offered to sign Partnership and Cooperation Agreements (PCA) that aimed “to provide a basis for mutually advantageous economic, social, financial, civil, scientific, technological and cultural cooperation”<sup>12</sup>. Ukraine was one of the first countries to sign PCA on 14 June 1994. Although PCA already included parts regarding facilitation of political dialogue, it focused more on economic and trade partnerships with Ukraine being the second largest country after Russia<sup>13</sup>.

Given that PCA came into effect only in 1998, the process of cooperation building at the political level between the EU and Ukraine was also not that fast. The reason for that could be found in political and social developments held in Ukraine<sup>14</sup>. When a chapter on independent Ukraine started to be written, a big country with a population of 52 million people found itself in the nation-building process. Being sandwiched between East and West, Ukraine was very diverse<sup>15</sup>. Throughout its history Ukraine was influenced by Lithuanian, Polish and Austro-Hungarian cultures and rules in the western part. In contrast, the eastern part of Ukraine had much in common with Russian culture. Moreover, the linguistic situation was also controversial: with an overall predominance of the Ukrainian language, Russian was spoken primarily in the east of the country<sup>16</sup>. Thus, having such a complex and contradicting background, it required a lot of efforts from the EU’s side to make an image of the newly independent Ukraine.

11 Ibid.

12 PARTNERSHIP AND COOPERATION AGREEMENT between the European Communities and their Member States, and Ukraine, O.J. L 49/3, 19.2.1998, p.1.

13 Ibid.

14 See note #9.

15 Ibid.

16 White S., Feklyunina V., *Identities and foreign policies in Russia, Ukraine and Belarus*, New York: Palgrave Macmillan, 10, 2014.

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No wonder that while Ukraine was fully involved in political processes and nation building, the EU was cautious in its approach and less politically engaged despite the existence of some will for political dialogue. Given the presence of Russia factor, the EU had very technocratic and economics-driven relations with Ukraine, mainly through TACIS and PCA.

### *2.1.2. Budapest Memorandum, Common Strategy and further developments*

When the USSR dissolved, Ukraine became the third most powerful nuclear state in the world. The matter was of great concern for the West. It was unclear how a newly independent country would manage these capacities<sup>17</sup>. But it was clear that a nation with such a nuclear potential could threaten the European security. Therefore, the US and the EU took a leading role in the denuclearization of Ukraine<sup>18</sup>.

Despite declaring intentions to move towards being a non-nuclear state, Ukraine proceeded very carefully with this process. The reason for that was apparent: Russia and its possible threat to Ukrainian independence<sup>19</sup>. But given that the outside pressure on Ukraine was growing (e.g. an obligatory condition of PCA to denuclearize the country<sup>20</sup>) Ukraine was looking for guarantees. And only when the Clinton administration, together with the UK and Russia, pledged to guarantee Ukrainian sovereignty, did a newly elected president of Ukraine, Leonid Kuchma, lobby this idea in the Ukrainian Parliament<sup>21</sup>. In 1994 Kuchma signed a Memorandum<sup>22</sup> regarding Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons. Accordingly, Ukraine had to transfer its nuclear capacities to Russia as the Soviet

17 Budjeryn M., *The Breach: Ukraine's Territorial Integrity and the Budapest Memorandum*. Woodrow Wilson Center NPIHP, 2014.

18 Ibid.

19 Felgenhauer T., *Ukraine, Russia, and the Black Sea Fleet Accords*. PRINCETON UN, 1999.

20 See note #12.

21 Meyer P. A., *Empty Promises: The Denuclearization of Ukraine and its Effects Twenty Years Later*, Program in Arms Control & Domestic and International Security, 2019, online at: <https://www.ideals.illinois.edu/items/122957>.

22 *Budapest Memorandum, Memorandum on Security Assurances in connection with Ukraine's accession to the Treaty on the Non-Proliferation of Nuclear Weapons*, Budapest, 1994.

Union's successor<sup>23</sup>. Thus, Ukraine's disarmament made the country less visible to the West.

Meanwhile, nuclear disarmament of Ukraine was seen as one of the crucial steps towards further reforms implemented by Kuchma. Thus, the EU acknowledged a solid success in establishing the basis of democracy in Ukraine, strengthening its independence and political progress, adopting the Ukrainian Constitution and proceeding with economic reforms<sup>24</sup>. Moreover, the Union appreciated "the Ukrainian desire for rapprochement with Europe"<sup>25</sup>, but at that moment the European aspiration of Ukraine was challenging to consider.

In 1999 the European Council adopted a Common Strategy on Ukraine<sup>26</sup> which underlined the importance of strategic partnership. According to the Strategy, the EU supported strengthening of political, economic and cultural ties with Ukraine. Moreover, in the view of the coming enlargement of countries from Central and Eastern Europe, the EU perceived Ukraine as an essential regional partner that would share common borders<sup>27</sup>. Thus, having this Common Strategy together with PCA the EU extended its cooperation with Ukraine.

However, despite broadening the agenda on collaboration, the EU was still cautious with Ukraine mainly due to the political instability of the country and the lack of reforms. Being reelected in 1999, Kuchma became less progressive than during his first term<sup>28</sup>. Furthermore, he started to send ambiguous signals to the West. While declaring pro-European foreign policy, the

23 Budjeryn M., The power of the NPT: International norms and Ukraine's nuclear disarmament, *The Nonproliferation Review*, 22(2), 2015, pp.203-237.

24 European Commission, Communication from the Commission to the Council. Action Plan for Ukraine, 11 November 1996, online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:51996DC0593>

25 Ibid., p.9.

26 European Council, Common Strategy of 11 December 1999 on Ukraine (1999/877/CFSP), 1999 O.J. (L331), 1999.

27 Ibid.

28 Wolczuk K., Ukraine's policy towards the European Union: a case of 'declarative Europeanization', Paper for the Stefan Batory Foundation Project, The Enlarged EU and Ukraine: New Relations, 2003, pp.1-28.



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domestic policy was largely oriented towards Russia especially when Vladimir Putin was elected as president<sup>29</sup>.

In this regard, the EU High Representative for the Common Foreign and Security Policy, Javier Solana, stated that “Ukraine is not playing by the rules but playing with the rules”<sup>30</sup>. Therefore, this twofold approach towards Russia and the West formed a gap in understanding of mutual expectations between the EU and Ukraine<sup>31</sup>. That was also the reason why the European leadership remained rather detached from Ukraine and continued its cooperation in a very technical way.

### *2.2. Stage 2. Early shift in perception: Ukraine on the cross-road (2004-2009)*

#### *2.2.1. Slow development and interplay of powers in Ukraine*

A new decade since 2000 has been observed to be turbulent in the Ukrainian environment. Under Kuchma presidency Ukraine was still too weak to proceed with real transformation. First of all, the reason was rooted in poor economic developments caused by the lack of expertise in the government, poor regulation and very slow institutional reforms<sup>32</sup>. Secondly, despite Ukraine's wish to deepen trade relations within PCA, it failed to comply with some agreement's provisions<sup>33</sup>. Thirdly, the rise of oligarchs and corruption integrated deeply into political landscape<sup>34</sup>. Supported by the Kuchma admin-

29 Ibid.

30 Kuzio T., EU and Ukraine: a turning point in 2004?, European Union Institute for Security Studies, Vol. 47, 2003, p.11.

31 Ibid.

32 Gronicki M., The significance of Poland for Ukraine: Role model, bordering state, integrator?, in Hoffman L., Möllers F., Ukraine on the Road to Europe, Phisica-Verlag Heidelberg, 2001, pp. 32-38.

33 Wolczuk K., Integration without Europeanisation: Ukraine and its policy towards the European Union. European University Institute, EUI Working Papers, RSCAS, (2004/15), pp.1-22.

34 Puglisi R., A window to the world? Oligarchs and foreign policy in Ukraine, In Puglisi R., Wolczuk K., Wolowski P., Ukraine: quo vadis?, S. Fischer (Ed.). Institute for Security Studies, 2008, pp.55-86.

istration, such elites gained privileges, influenced the decision-making process and lobbied its business interests<sup>35</sup>. All these factors depicted Ukraine as a less reliable partner for the EU.

The succeeding argument is the influence of the outside actors, first of all Russia. With Putin coming to the power, Russia – Ukraine relations transformed a lot. If earlier Ukraine played well with the so-called ‘NATO card’ against Russian leaders who did not recognize Ukrainian sovereignty<sup>36</sup>, with Putin there was another type of cooperation. While putting Ukraine as a priority in its FP, Russia began to collaborate closer with Ukraine. This partnership allowed the comparatively weaker Ukraine to postpone the payment of energy debt<sup>37</sup>.

Even though Ukraine managed to cooperate with Russia, the threat to the country’s sovereignty was still present. Therefore, Ukraine tried to maintain its active partnership with NATO<sup>38</sup> (e.g. Ukraine joined the NATO programme Partnership for Peace in 1994 and participated in numerous military projects including the projects in Kosovo and Iraq). On the contrary, Ukraine’s collaboration with European institutions was not that progressive. Despite announcing a pro-European vector of foreign policy, Ukraine was hesitant with fundamental reform implementation. It was seen instead as “declarative Europeanization”<sup>39</sup> than a genuine European aspiration of a country that wanted to return to European home. Hence considering Ukraine’s double political game (looking towards the West and acting towards the East), the EU’s credibility towards Ukraine was falling<sup>40</sup>.

Nevertheless, Ukraine got on the EU’s radar again more seriously while the EU was dealing with the accession process of countries from Central and

35 Ibid.

36 See note #30

37 See note #34

38 See note #28

39 Ibid., p.3

40 Council of the European Union, Relations with Ukraine: information on the Presidency's Work Plan on the implementation of the Common Strategy of the EU on Ukraine, 12 January 2001, online at: <https://data.consilium.europa.eu/doc/document/ST-5262-2001-INIT/en/pdf>

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Eastern Europe<sup>41</sup>. Given Ukraine's geographical location, it was about to have borders with new EU member states. Although Ukraine was pushing the EU regarding its membership, EU Expansion Commissioner Günter Verheugen stated that coming closer to such countries as Ukraine would bring new opportunities for cooperation, but not membership "at least for the foreseeable future"<sup>42</sup>.

In March 2003 European Commission issued Communication on "Wider Europe"<sup>43</sup> cooperation with neighbourhood areas in the East and the South. "Wider Europe" was a new instrument that aimed "to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union"<sup>44</sup>. Within this document Ukraine was viewed as a crucial regional player in terms of security. However, for Ukraine this kind of partnership was rather disappointing because of not getting any perspective of desired EU membership<sup>45</sup>.

Thus, one can conclude that the rise of oligarchs as well as the development of tighter cooperation with Russia slowed the actual collaboration with the EU. The West started gradually to experience "Ukraine fatigue"<sup>46</sup> because of the country's not credible behaviour and its demand for EU perspective.

### 2.2.2. Orange Revolution as the first turning moment

During Kuchma's second term the Ukrainian foreign policy known as 'multi-vectoral' was very controversial. While sending a signal to Russia, Ukraine tried to deepen relations with Europe. On that account, Ukraine got a clear message that "the development of the EU-Ukraine relations depends on the

41 Shumylo-Tapiola O., Why does Ukraine matter to the EU? Carnegie Europe, 16 April 2013.

42 European Commission, Speech by European Commissioner Günter Verheugen "Entering the Final Stage", 2 December 2002, online at: [https://ec.europa.eu/archives/commission\\_1999\\_2004/verheugen/speeches/sp02122002en.htm](https://ec.europa.eu/archives/commission_1999_2004/verheugen/speeches/sp02122002en.htm)

43 European Commission Communication from the Commission to the Council and the European Parliament. Wider Europe — Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours, 11 March 2003, online at: [https://www.eeas.europa.eu/sites/default/files/com03\\_104\\_en.pdf](https://www.eeas.europa.eu/sites/default/files/com03_104_en.pdf)

44 Ibid., p.3.

45 See note #30

46 Wolczuk K., Ukraine and Europe: Reshuffling the boundaries of order, Thesis Eleven, 136(1), 2016, p.58.

success of ongoing internal reforms” predominantly “in the field of media and the judiciary”<sup>47</sup>. Especially these reforms were highly awaited because of coming presidential elections in the autumn of 2004 which made the EU keep an eye on the situation in Ukraine.

Absurd as it may sound but when the elections were taking place, the government that supported Victor Yanukovych tried to steal the votes for his win in the second round<sup>48</sup>. When the fraud became evident, Oleksandr Yushchenko, Yanukovych’s main political rival, called for his supporters to come to Maidan Nezalezhnosti (Independence Square) in Kyiv and protest against such results. Surprisingly, thousands of people appeared to show their disagreement. Moreover, many stayed in the tents for several days and protested unless the Supreme Court made the results void and called for the re-election<sup>49</sup>. This political decision reached democratically was welcomed by the EU<sup>50</sup>. As a result of the re-election, Yushchenko became a president of Ukraine with 52 per cent of the vote.

Important to underline that while protesting in Maidan Square Ukrainians were striving for a fundamental change in society. This case demonstrated early pro-European choice and commitment to European values<sup>51</sup>. For the first time after gaining its independence, Ukrainians understood that they could follow another path in their development leading towards another direction that Russia was going by. It could be fairly said that it was a real breakthrough in the democratization process in Ukraine. After all, the protests became known as the Orange Revolution due to the colour chosen by Yushchenko for his political party<sup>52</sup>.

47 Council of the European Union, EU-Ukraine [Draft reply to oral question № H-0300/03], 3 June 2003, p.3, online at: <https://data.consilium.europa.eu/doc/document/ST-9622-2003-INIT/en/pdf>.

48 McFaul M., Ukraine imports democracy: External influences on the Orange Revolution, *International Security*, 32(2), 2007, pp.45-83.

49 Ibid.

50 Council of the European Union, Draft Council Conclusion on Ukraine, 8 December 2004, online at: <https://data.consilium.europa.eu/doc/document/ST-15917-2004-INIT/en/pdf22>.

51 Pifer S., European Mediators and Ukraine's Orange Revolution, *Problems of Post-Communism*, 54(6), 2007, pp.28-42.

52 Ibid.

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Apparently, such a significant political event triggered a shift in the EU's perception of Ukraine. The EU's reaction to the Orange Revolution and the outcome of the democratic elections was very welcoming<sup>53</sup>. It was the moment when the EU received a powerful democratic sign from Ukraine<sup>54</sup> and changed its attitude towards more promising once being extremely cautious. Therefore, the Orange Revolution became the first turning moment in EU-Ukraine relations.

### 2.2.3. *Period of turbulence and launch of the Eastern Partnership*

The results that the Orange Revolution intended to bring fell short of expectations. Political turbulence caused by the inefficient collaboration between the pro-Western president Yushchenko and the government led by the pro-Russian opposition leader Yanukovich, lack of independence in the decision-making process and the oligarchic influence made it impossible to proceed with fundamental changes expected from the EU's side<sup>55</sup>. Thus, all these arguments painted a picture of Ukraine's instability and fragility.

But after the Parliament's dissolution and a new reelection under the leadership of Yuliya Tymoshenko the EU expressed hope regarding further cooperation with Ukraine<sup>56</sup>. The newly elected Parliament was seen as more credible. It was perceived as it could strengthen the governance of the country, enhance political dialogue with the EU and promote peace and stability within its borders and in the region<sup>57</sup>.

Against this background, the EU stressed the importance of implementing the European Neighbourhood Policy (ENP). In such a way, the Western leadership tried "to consolidate a ring of prosperity, stability and security based

53 Council of the European Union, Draft Conclusion: Ukraine, 26 January 2005, online at: <https://data.consilium.europa.eu/doc/document/ST-5759-2005-INIT/en/pdf>(23).

54 Council of the European Union, General Affairs and External Relations Council, Council Conclusions on Ukraine, [Note], 11 February 2005, online at: <https://data.consilium.europa.eu/doc/document/ST-6337-2005-INIT/en/pdf>.

55 Wolowski P., Ukrainian Politics after the Orange Revolution. How far from democratic consolidation? Ukraine: quo vadis, Chaillot Paper, 108, 2008, pp.25-54.

56 Council of the European Union, EU-Ukraine Parliamentary Cooperation Committee, [Note], October 2007, online at: <https://data.consilium.europa.eu/doc/document/ST-14145-2007-INIT/en/pdf>.

57 Ibid.

on human rights, democracy and rule of law in the Union's neighbourhood"<sup>58</sup>. The strategic importance of Ukraine in this framework was viewed through the lens of its close location to Russia<sup>59</sup>.

The existence of Russia factor in Ukraine is crucial for understanding in this context. Ukraine's rapprochement with the West was alarming to Russia. For Kremlin the dissolution of the USSR was the biggest tragedy and it could not let Ukraine exist on its own<sup>60</sup>. Furthermore, Ukraine was the biggest trade partner for Russia and at the same time "a buffer state"<sup>61</sup> that guaranteed security for Kremlin. Hence, Russia was very concerned about Ukraine and its cooperation with Europe.

Despite the EU's effort to build trustworthy relations with Kremlin, Russia put forward only one narrative. Thus, during Munich Security Forum Putin<sup>62</sup> accused the West of breaking the promise given to the Soviet Union regarding the non-enlargement of NATO in the eastern direction. Therefore, Putin underlined that Russia would continue to use its privilege to conduct independent foreign policy without consulting the EU or NATO for its actions, including in the eastern region<sup>63</sup>.

The speech delivered at the Munich Security Conference followed by another one at Bucharest's Summit<sup>64</sup> sent a clear signal that none of the western

58 Council of the European Union, Council Conclusions concerning the negotiations of a new enhanced agreement between the EU and Ukraine, [Note], 18 January 2007, p.2, online at: <https://data.consilium.europa.eu/doc/document/ST-5479-2007-INIT/en/pdf>.

59 Council of the European Union, Plenary session of the European Parliament in Strasbourg, [Note], 14 November 2007, online at: <https://data.consilium.europa.eu/doc/document/ST-15582-2007-INIT/en/pdf>.

60 Glasser S. B., Putin the Great: Russia's imperial impostor, *Foreign Affairs*, 98(5), 2019, pp.10-17.

61 Webber D., *European disintegration?: the politics of crisis in the European Union*, Bloomsbury Publishing, 2018, p.114.

62 Putin V., "A Speech Delivered at the Munich Security Conference 2007", 43rd Munich Security Conference, 10/02/2007, online at: <http://en.kremlin.ru/events/president/transcripts/24034>.

63 Ibid.

64 Putin V., 'Press Statement and Answers to Journalists' Questions Following a Meeting of the Russia-NATO Council', Kremlin, 4 April 2008, online at: <http://en.kremlin.ru/events/president/transcripts/24903>.

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expansion or projection of its politics would be tolerated. Given the earlier Rose Revolution in Georgia in 2003 and the Orange Revolution in Ukraine in 2004 which brought more liberal ideas to these countries, Russia could not further allow to give up its influence in the eastern region. Thus, in August 2008 Russian troops invaded Georgia<sup>65</sup>. Even though the conflict was settled with the help of the EU, Europe was too insecure about punishing Russia afterwards. With the war in Georgia both NATO and the EU received a message that Russia would maintain its influence in the eastern post-Soviet region<sup>66</sup>.

The war in Georgia brought to light the problem with the eastern dimension of the EU neighbourhood area once again. Against this background, in September 2008 the European Council asked Commission to speed up presenting exact instruments for the earlier welcomed initiative known as the Eastern Partnership<sup>67</sup>.

On 7 May 2009 the Eastern Partnership was officially launched and such countries as Ukraine, Moldova, Georgia, Belarus, Azerbaijan and Armenia signed the Joint Declaration during Eastern Partnership Summit in Prague<sup>68</sup>. The Eastern Partnership aimed “to create the necessary conditions to accelerate political association and further economic integration between the European Union and interested partner countries”<sup>69</sup>. Not only was it about gradual deeper economic integration followed by the signing of Association Agreements (AA) and creation of the Deep and Comprehensive Free Trade Agreements (DCFTAs), but also about collaboration on energy security, migration issues and approximation with EU legislation. On top of that, the

65 King C., The five-day war. Managing Moscow after the Georgia crisis, *Foreign Affairs*, 87(6), 2008, pp.2-11.

66 Cornell S. E., War in Georgia, jitters all around, *Current History*, 107(711), 2008, pp.307-314.

67 European Council, Extraordinary European Council. Presidency Conclusions, 1 September 2008, online at: <https://data.consilium.europa.eu/doc/document/ST-12594-2008-INIT/en/pdf>.

68 Council of the European Union, Joint Declaration of the Prague Eastern Partnership Summit, 7 May 2009, online at: [https://www.consilium.europa.eu/media/31797/2009\\_eap\\_declaration.pdf](https://www.consilium.europa.eu/media/31797/2009_eap_declaration.pdf).

69 *Ibid.*, p.6.

overall framework of the Eastern Partnership had to enhance stability, prosperity and in a broader meaning security in the region<sup>70</sup>.

Important to mention that the Eastern Partnership neither offered nor rejected European membership. Given the enlargement fatigue the accession was not on the agenda provided by this tool. Launched as a ‘one-size-fits-all’ programme, it was rather critically perceived by Ukraine<sup>71</sup>. While having more advanced relations with the EU, Ukraine found itself in the same basket with other third countries. Therefore, for Ukraine the added value of this policy was not clear given the already existing number of initiatives in different spheres<sup>72</sup>.

From the EU’s side, the Eastern Partnership was as ‘carrot-and-stick’ approach towards Ukraine. In this way Brussels insisted on ‘doing home task’, thus enabling rapprochement with the EU. With the help of the Eastern Partnership, the West had a chance to project stability to the eastern neighbours, hence guaranteeing its own security and de facto counterbalancing Russia’s influence in the region.

With implementation of the Eastern Partnership the EU wanted to get Ukraine closer but by no means as close as Ukraine was willing to. The mismatched expectations brought again the misunderstanding between the EU and Ukraine. The Eastern Partnership showed that the EU was not ready to offer Ukraine any European perspective.

### ***2.3. Stage 3. Ukraine crisis as a regional threat (2013-2017)***

#### ***2.3.1. Euromaidan: changing perceptions***

The domestic situation and political changes complicated the implementation of the Eastern Partnership as well as the overall progress in EU-Ukraine relations. At the beginning of 2010 new elections took place and Victor

70 Ibid.

71 Meister S., May M. L., *The EU's Eastern Partnership - a misunderstood offer of co-operation*, SSOAR, 2009.

72 Ibid.



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Yanukovich became the President of Ukraine<sup>73</sup>. The EU acknowledged elections to be democratic but also received another signal that “the Ukrainian political elite wanted to continue the process of integration with the EU and to maintain good neighbourly relations with Russia”<sup>74</sup>. Despite this double intention, it was expected that within the Eastern Partnership Ukraine would proceed with AA signing, establishing of DCFTA and approximation with the EU's acquis<sup>75</sup>. Therefore, the EU counted a lot on the new administration.

However, after the elections Yanukovich started to proceed not with fulfilling of external promises but with several internal political reshuffles. One of his first steps was to imprison Yuliya Tymoshenko, former Prime Minister of Ukraine. The president accused her office of corruption and speculations regarding the gas contract with Russia<sup>76</sup>. This politically motivated prosecution was condemned by High Representative Ashton who called on the following rule of law and transparent procedures. Such actions also made some member states express their wish to shelf the signing of AA for better times until democratic principles are observed in the country<sup>77</sup>.

A new phase in negotiations regarding the AA signing started to be revived when Hungary and Poland took over the EU presidency in 2011. But against that background, Russia launched Eurasian Economic Union (EEU) to deepen cooperation between post-Soviet countries. The EEU seemed to be the last Russia's option to prevent Ukraine from following the European path<sup>78</sup>.

73 Kuzio T., Rise and fall of the party of regions political machine, *Problems of Post-Communism*, 62(3), 2015, pp.174-186.

74 Council of the European Union, Situation in Ukraine Statement by Mr Füle, Member of the European Commission, [Summary of the plenary session of the European Parliament], 10 February 2010, p.2, online at: <https://data.consilium.europa.eu/doc/document/ST-6578-2010-INIT/en/pdf>.

75 Ibid.

76 Council of the European Union, Statement by the High Representative of the Union for Foreign Affairs and Security Policy - Situation in Ukraine, [Summary of the plenary session of the European Parliament], 12 October 2011, online at: <https://data.consilium.europa.eu/doc/document/ST-15564-2011-INIT/en/pdf>

77 Ibid.

78 Webber D., *European disintegration?: the politics of crisis in the European Union*, Bloomsbury Publishing, 2018.

Unlike Belarus and Kazakhstan, Ukraine was very hesitant to join the EEU due to renewed process of the AA negotiations. As Putin's attempts to make Ukraine enter the EEU failed, Kyiv faced complications in exporting goods<sup>79</sup>. However, Ukraine's growing debt on gas, the instability of the economic situation, and the coming presidential elections in 2015 made Yanukovich rethink his stance on Russia<sup>80</sup>. An attractive offer regarding gas price reduction and governmental loan with the help of which Putin was trying to influence prevailed over the proposal concerning the AA offered by the EU. Given that the EU was pushing for Tymoshenko's release, Yanukovich decided to postpone the signing of the AA just a week before the summit<sup>81</sup>.

On the spur of the moment, the European Council conveyed a message regarding its concern in the event of suspension of the AA signing<sup>82</sup>. During the summit in Vilnius, Chancellor Merkel commented about Ukraine's decision:

“I feel like I am at the wedding where the groom has suddenly issued new, last minute stipulations”<sup>83</sup>.

Thus, the ‘groom's choice’ had negatively, if not dramatically influenced EU-Ukraine relations.

The decision not to sign the AA led to the consequences that neither the president of Ukraine, Russia nor the EU could ever foresee. The AA that neither offered a clear EU perspective nor membership became a trigger for the civil society uprising. Within a few days the main square of Ukraine, Maidan Nezalezhnosti, became occupied by almost 100 000 protestants representing different regions of the country<sup>84</sup>. Civil society activists, students, middle-class representatives and educated professionals united for the same

79 Ibid.

80 Casier T., DeBardeleben J., *EU-Russia Relations in Crisis*, Taylor & Francis, 2018.

81 Ibid.

82 European Council, Joint statement by President of the European Council Herman Van Rompuy and President of the European Commission José Manuel Barroso on Ukraine, 25 November 2013, online at: <https://data.consilium.europa.eu/doc/document/ST-245-2013-INIT/en/pdf>.

83 Spiegel Staff, ‘Summit of Failure: How the EU Lost Russia over Ukraine’, Spiegel Online, 24 November 2014.

84 See note #78.

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purpose. Not only was this reaction to the suspension of the AA signing, but also it was a protest against corruption, the unaccountability of the government and strong determination towards changes in the country<sup>85</sup>.

The waves of protests that started peacefully came to escalation. Not being able to control the situation, the government deployed physical force to suppress Maidan protests. The European Council condemned “the unjustified use of excessive force by the Ukrainian authorities”<sup>86</sup> and called on the responsibility of the Ukrainian government to settle the crisis democratically through political dialogue. Given the situation in Maidan, Yanukovich agreed with the opposition to curtail the power and prepare for earlier elections<sup>87</sup>. But the accord collapsed within a few hours as Yanukovich decided to flee the country for Russia leaving Ukraine full of protests<sup>88</sup>.

At that moment Ukraine found itself with a pro-Western choice, bloodshed and crisis. As the event became known, the ‘Revolution of Dignity’ was not about power change. It was instead about the Ukrainian people’s social transformation of values and self-determination. It was about the civil society revival that declined over the years after the Orange Revolution. Maidan brought new democratic ideas of thinking regarding the co-existence of society and government<sup>89</sup>. The Revolution of Dignity proved that Ukraine once perceived by Europe as *terra malecognita*<sup>90</sup> started to become more visible.

85 Hnyp M., Ukrainian National Identity in Transition: Geopolitics and Values, In Kampf um die Ukraine, Nomos Verlagsgesellschaft mbH & Co. KG, 2018, pp.15-34.

86 European Council, Statement on behalf of the European Council on the situation in Ukraine. The President of the European Council, 19 February 2014, p.1, online at: <https://data.consilium.europa.eu/doc/document/ST-41-2014-INIT/en/pdf>

87 See note #78.

88 Mearsheimer J. J., Why the Ukraine crisis is the West's fault: the liberal delusions that provoked Putin, Foreign Affairs., 93, 2014, p 77-89.

89 See note #85.

90 Finnin R., ‘Ukraine: Europe’s Terra Malecognita’, The Huffington Post, 6 July 2012.

Ukraine demonstrated that the values appreciated in the Western communities were not something unfamiliar to Ukrainians. “The democratic aspirations of the Ukrainian people”<sup>91</sup> could not be left unnoticed by the Western leadership. Therefore, the Revolution of Dignity became another turning point that influenced the EU’s perception of Ukraine.

### 2.3.2. *Annexation of Crimea and conflict in Donbas*

The Revolution of Dignity marked the beginning of the crisis in Ukraine. While responding to the ‘Orange’ and ‘Maidan’ syndromes Putin decided to annex Crimea claiming that ethnic Russians and the Russian fleet located in the Black Sea had to be defended<sup>92</sup>. The Crimea peninsula got occupied by the so-called ‘little green men’, Russian special forces that had no identification symbols in their uniform. Given the Ukrainian army was constantly decreased in numbers, no effective military response could be possible to the outnumbering Russian forces<sup>93</sup>.

While denying its presence in Crimea, the Kremlin quickly conducted referendum according to which around 95% of people wanted to rejoin Russia. In such a way, Putin ‘legally’ annexed Crimea<sup>94</sup>. The European leadership firmly reacted that such an outcome would never be recognized and called for peaceful dialogue with the support of the UN and OSCE<sup>95</sup>. In response, Putin accused the West of violating international law (primarily referring to NATO) saying that “they have lied to us many times, made decisions behind our backs, placed us before an accomplished fact. [...] But there is a limit to everything. And with Ukraine, our western partners have crossed the line,

Council of the European Union, Relations with Ukraine. Council conclusions, 21 February 2014, p.2, online at: <https://data.consilium.europa.eu/doc/document/ST-6761-2014-INIT/en/pdf>

92 Forsberg T., Haukkala H., *The European Union and Russia*, Bloomsbury Publishing, 2016.

93 Ibid.

94 Podolian O., *The 2014 Referendum in Crimea*, *East European Quarterly*, 41(1), 2015, pp.111-128.

Council of the European Union, Relations with Ukraine. Council conclusions, 17 March 2014, online at: <https://data.consilium.europa.eu/doc/document/ST-7824-2014-INIT/en/pdf>

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playing the bear and acting irresponsibly and unprofessionally”<sup>96</sup>. With the same rhetoric, the Russian president accused Ukraine's government being under Western influence and full of nationalists, Russophobes and neo-Nazis<sup>97</sup>. With these words Putin tried to justify his ‘help’ to Ukraine, thus preventively liberating Crimea from the Western influence and possible NATO base in Sevastopol.

Meanwhile, on 21 March 2014 the EU and Ukraine signed the political part of the AA. On that occasion, Herman Van Rompuy stressed the EU's support for Ukraine and readiness to facilitate multilateral negotiations<sup>98</sup>. Even though the EU was trying to engage in conflict resolution, there was a lack of political will to oppose Russia's behaviour with stricter measures. Moreover, the understanding that any sanctions could threaten other conflict resolutions (e.g. in Syria) made the EU hesitant in its reaction towards the events in Ukraine<sup>99</sup>.

The EU's reluctance allowed Russia to proceed with further steps of its plans on destabilization of Ukraine. Thus, together with the Euromaidan protests there was an anti-Maidan movement opposing the ideas of the revolution. The insurgents were mainly active in the south-east of Ukraine trying to occupy by force administration buildings and main transport hubs in such cities as Odesa, Kharkiv, Mariupol. But while failing in their military activities in the cities along the seashore, separatists succeeded in taking control over Donetsk and Luhansk. Backed by Russian troops, separatists held referendums there on 11 May 2014 according to which there was ‘people's wish’ to establish the so-called People's Republics<sup>100</sup>. The EU condemned

96 Putin V., ‘Address by President of the Russian Federation’, Kremlin, 18 March 2014, online at: <http://en.kremlin.ru/events/president/news/20603>.

97 Ibid.

98 European Council, Statement by President of the European Council Herman Van Rompuy at the occasion of the signing ceremony of the political provisions of the Association Agreement between the European Union and Ukraine, 21 March 2014, online at: <https://data.consilium.europa.eu/doc/document/ST-7-2014-REV-1/en/pdf>.

99 Gunneriusson H., Bachmann S. D., Western Denial and Russian Control: How Russia's National Security Strategy Threatens a Western-Based Approach to Global Security, the Rule of Law and Globalization, Polish Pol. Sci. YB, 46, 9, 2017.

100 Fischer S., The Donbas Conflict, Stiftung Wissenschaft Und Politik, Research paper 5. Berlin, April 2019.

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Russia's aggression and the illegal results of referendums and called for peaceful conflict resolution through mediation by OSCE/ODIHR observation mission. As before, the EU highlighted its support for Ukrainian territorial sovereignty<sup>101</sup>.

With the eruption of the Ukraine crisis the country's image was gradually changing because of security concerns and instability. Being located far from the core of the EU, Ukraine was very close to the countries on the periphery of the EU. Therefore, Dalia Grybauskaitė, Lithuania's president, alarmed about Russia's threat pointing out that "First it's Ukraine, Moldova will be next and, finally, it can reach the Baltic states and Poland"<sup>102</sup>. Hence, not only did the situation change the EU's insights about Ukraine, but it also brought the understanding of the need for the EU to engage in crisis management.

A turning moment that changed the EU's attitude towards Ukraine crisis was a tragedy that happened to the Malaysian passenger flight MH-17. While going over the uncontrolled territory of Ukraine, the passenger flight was shot down by a missile killing 298 civilians most of whom were Dutch. Consequently, if being earlier more hesitant, after the crash of the plane member states acted confidently and expressed their readiness to share the burden caused by targeted measures towards Russia<sup>103</sup>.

While realizing that Russia was a "game-changer in European security"<sup>104</sup>, some heads of the member states took over conflict resolution duties. The role of *primus inter pares* belonged to Chancellor Merkel who headed the Contact Group consisting of British Prime Minister Cameron and French

101 Council of the European Union, Outcome of Proceedings. Relations with Ukraine. - Council conclusions, online at: <https://data.consilium.europa.eu/doc/document/ST-9735-2014-INIT/en/pdf>

102 Financial Times, 'Crimea occupation casts shadow of 1940 over Baltic Nations', 12 March 2014.

103 Council of the European Union, Outcome of Proceedings. Relations with Ukraine - Council conclusions, 22 July 2014, online at: <https://data.consilium.europa.eu/doc/document/ST-12121-2014-INIT/en/pdf>

104 Vershbow A., 'Deputy Secretary General: Russia's aggression is a game-changer in European security', NATO, 2014, online at: [https://www.nato.int/cps/en/natohq/news\\_117068.htm](https://www.nato.int/cps/en/natohq/news_117068.htm)

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President Holland. Given that the trilateral cooperation between the Contact Group, Ukraine, and Russia did not bring expected results, Hollande came up with the proposal to organize meetings in so called 'Normandy Format'<sup>105</sup>.

After the trilateral meeting between the EU, Ukraine and Russia, Minsk I agreement was signed. Accordingly, it was expected "the full implementation of the cease-fire, the setting-up of comprehensive border control arrangements and the holding of early elections in Donetsk and Luhansk regions in accordance with Ukrainian law"<sup>106</sup>. But despite the efforts made by the EU to stop the violation, the Minsk I agreement was unsuccessful and the fighting in the east of Ukraine continued.

As the situation in Ukraine deteriorated with casualties and bombings in Mariupol, Donetsk International Airport following increasing danger in Debaltseve, the EU initiated another round in Normandy Format<sup>107</sup>. On 11 February 2015 France, Germany, Ukraine and Russia signed Minsk II Peace Agreement. Apart from ceasefire and withdrawal of heavy weapons, the agreement aimed at humanitarian assistance and restoring the socio-economic situation in the region<sup>108</sup>. However, such a fragile agreement as Minsk II was also violated very fast, despite the EU's additional attempts to lift sanctions against Russia once the Minsk agreement is implemented.

Thus, all the efforts in crisis resolution (Trilateral Contact Group, Minsk I, Minsk II, and proposed later 'Steinmeier formula') prove the EU's intention to stabilize its eastern neighbourhood and ensure regional security. However, the fact that European leaders had to come up with different negotiation for-

105 Marples D. R., *Ukraine in Conflict, An Analytical Chronicle*, London: E-International Relations, 2017.

106 European Council, *Conclusions*, 24 October 2014, p.14, online at: <https://data.consilium.europa.eu/doc/document/ST-169-2014-INIT/en/pdf>

107 Council of the European Union, *Relations with Ukraine - Council conclusions*, 29 January 2015, online at: <https://data.consilium.europa.eu/doc/document/ST-5714-2015-INIT/en/pdf>

108 United Nations Peacekeeping, *Package of measures for the Implementation of the Minsk agreements*, 2015, online at: [https://peacemaker.un.org/sites/peacemaker.un.org/files/UA\\_150212\\_MinskAgreement\\_en.pdf](https://peacemaker.un.org/sites/peacemaker.un.org/files/UA_150212_MinskAgreement_en.pdf)

mats and proposals shows that the EU did not elaborate on a long-term strategy towards Ukraine but rather introduced ad hoc solutions aimed at peace establishment and crisis settlement.

### 2.3.3. *Corruption factor and visa liberalization*

Ukraine's picture underpinned by fragile peace and hostilities had new colours of political crisis. Despite being told by the EU to conduct necessary "political and economic reforms, with the aim of tackling corruption and strengthening institutions and mechanisms, based on the rule of law"<sup>109</sup>, the Ukrainian authorities while facing internal changes did little to succeed. Undoubtedly, such state of affairs in the country provoked an unpleasant reaction in the West and made the image of Ukraine less credible<sup>110</sup>.

The dubious perception of Ukraine got even more complicated by the results of the Dutch referendum on the bill approving the AA. The initiated referendum in the Netherlands, one of the most trading countries, showed 64% disagreement on ratification of the trade part of the AA. One of the reasons for such an outcome was rooted in Ukraine's image as a corrupted country. Moreover, the AA was misinterpreted as the first step towards EU membership<sup>111</sup>. Therefore, while addressing the Dutch concerns the European Council clarified that "the Agreement does not confer on Ukraine the status of a candidate country for accession to the Union, nor does it constitute a commitment to confer such status to Ukraine in the future"<sup>112</sup>. Moreover, the European Council reaffirmed that one of the aims of the AA was to help

109 Council of the European Union, Proposal for a DECISION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL providing macro- financial assistance to Ukraine, 8 January 2015, p.5, online at: <https://data.consilium.europa.eu/doc/document/ST-5093-2015-INIT/en/pdf>.

110 Wilson A., *Survival of the richest: How oligarchs block reform in Ukraine*, European Council on Foreign Relations (ECFR), 2016.

111 Akker J. V. D., *The Dutch Referendum on the EU-Ukraine Association Agreement*, In *The Palgrave Handbook of European Referendums*, Palgrave Macmillan, Cham, 2021, pp.671-693.

112 European Council, European Council meeting. Conclusions, 15 December 2016, p.9, online at: <https://data.consilium.europa.eu/doc/document/ST-34-2016-INIT/en/pdf>.



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Ukraine fight against corruption which was a precondition for granting Ukraine a visa-free regime<sup>113</sup>.

At a later stage the European Council did acknowledge some achievements necessary for introducing a visa-free regime. To avoid misinterpretation, the European Council highlighted that a visa-free regime does not intend to give “the right to reside and work freely within the territory of the Member States”<sup>114</sup>, though aimed to enhance the mobility of the citizens. On 11 June 2017 the visa-free regime entered into force granting Ukrainian citizens the right to stay in the Schengen Zone for 90 days over the period of half a year<sup>115</sup>.

No wonder that the abolishing visas for Ukraine triggered different reactions in the West and in Ukraine. Some sceptics considered such gesture a potential threat to the EU because of possible migration outbreaks and illegal work on the territory of the EU<sup>116</sup>. For Ukraine, granting a visa-free regime by the EU was more than symbolic. President of Ukraine, Petro Poroshenko, mentioned that the country finally divorced from the Russian Empire, it was “an exit from a more than 300-year history...and today Ukraine is returning home”<sup>117</sup>.

Granting a visa-free regime for Ukraine demonstrated the EU's readiness to engage closely with the Ukrainian society, on top of a high political level component. This momentum added a fresh impetus for the EU to observe Ukraine from a closer perspective. This new reality translates into another significantly upgraded approach from the West to Ukraine.

113 Ibid.

114 Ibid. p.10.

115 Council of the European Union, Visas: Council adopts regulation on visa liberalization for Ukrainian citizens, [Press release], 11 May 2017, online at: <https://www.consilium.europa.eu/en/press/press-releases/2017/05/11/visa-liberalisation-ukraine/>

116 Secieru S., Saari S., et al., Partnership a decade on, Chaillot paper, 153, 2019.

117 RadioFreeEurope, Poroshenko: Visa-Free EU Travel Marks Ukraine's 'Divorce From Russian Empire', May 12, 2017.

#### *2.4. Stage 4. Frozen conflict and frozen understanding of Ukraine (2018-2021)*

Further years of the EU's approach towards Ukraine were linked to the domestic situation and events. The crisis caused by Russia's aggression was still ongoing, even though the intensity of casualties in 2017-2018 was less in comparison to previous years<sup>118</sup>. Given Russia's constant denial of engagement in the conflict and insisting on separatists' participation in the negotiations, it was almost impossible for Ukraine to give in and accept 'the rules of the game'<sup>119</sup>. Hence, the situation found itself at the deadlock and brought the perception of having another frozen conflict.

Because of conflicts in Transnistria, Abkhazia, South Ossetia and now in Ukraine, the EU gradually became a region's security manager. The heterogeneity of the region of the Eastern Partnership countries demanded the re-orientation of the project<sup>120</sup>. Therefore, at the end of 2016 the EU reviewed the ENP and put more focus on stability<sup>121</sup>. However, some experts have criticized the EU's inertia and its absence of a clear strategy towards the eastern region that became a battlefield of European regulatory approach, Russia's revisionist tactic and China's geoeconomics<sup>122</sup>. The manifold EU's domestic problems like Brexit, migration crisis, and the rise of populism contributed into the vague understanding of the Eastern Partnership that could not serve its purpose, especially in case of Ukraine.

Another factor that had an impact on the image of Ukraine was the president's election in 2019. With almost 75 percent of the vote Volodymyr Zelenskyy, a former comedian and actor, became the President of Ukraine

118 Fischer S., *The Donbas Conflict*, Stiftung Wissenschaft Und Politik, Research paper, Berlin, 5. April 2019.

119 Ibid.

120 Secrieru S., Saari S., et al., *Partnership a decade on*, Chaillot paper, 153, 2019.

121 Council of the European Union, *Joint Staff Working Document. Association Implementation Report on Ukraine*, [Report], 14 december 2016, online at: <https://data.consilium.europa.eu/doc/document/ST-15578-2016-INIT/en/pdf>

122 Paul A., Ciolan I., 'Lessons from the Eastern Partnership: Looking back to move forward', *European Policy Centre*, 14 December 2021.

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after the second round of voting<sup>123</sup>. An outsider Zelenskyy had never dealt with politics before. Therefore, it was rather doubtful that such an unexperienced person in politics would be able to handle the crisis in Donbas<sup>124</sup>. On the contrary, some believed that with Zelenskyy peace negotiations could have a fresh start and the EU could get a new window of opportunity to boost its influence and role in conflict settlement<sup>125</sup>.

However, after a renewed 'Normandy Four' meeting in Paris at the end of 2019 little progress was achieved. Except for detainees' exchange and agreement on the ceasefire, no results were observable. Some experts have argued that the lack of progress in conflict resolution was because of the EU's still 'romanticized' stance on Russia as well as Emmanuel Macron's intention to "bring Russia back in" closer to Europe as a response to increased global geopolitical competition"<sup>126</sup>.

Same as was the conflict in the frozen phase, so was the EU's understanding of Ukraine and how to deal with country and the Eastern Partnership. It is still debatable whether such way of conducting foreign policy could be called as a strategic one. Often criticized as a path dependency for the eastern countries, it was about the EU's approach to do geopolitics in the region<sup>127</sup>.

123 Kuzio T., Peace Will Not Come to Europe's War Why Ukraine's New President Zelensky will be Unable to Improve Relations with Russia, Security Policy Working Paper No. 14/2019.

124 Ibid.

125 Nič M., Gherasimov C., Eastern Challenges for Josep Borrell-and the EU, Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik e.V., 2019.

126 Ibid., p.2.

127 Schmidt P., Reasons for big "blunders"—EU policy towards Ukraine., L'Europe en Formation, (3), 2016, pp. 73-100.

## 2.5. Stage 5. Security alert: war in Ukraine (2022)

### 2.5.1. Russia's invasion of Ukraine and the EU's solidarity

With the outbreak of war on 24 February 2022 caused by Russia's aggression in Ukraine the EU has faced a new 'geopolitical reality'<sup>128</sup>. The war awakened the EU and made it think about hard power and its capability to become a strong security player.

“With war at its doors, the EU discovers a capacity for action”<sup>129</sup>.

If earlier a diplomatic approach to express 'deep concerns' prevailed, now Brussels has become more unified. The EU managed to consolidate its efforts for response to security challenges caused by migratory pressure, the EU's dependence on Russian gas and oil and the threats to the food security on European and global levels. Therefore, already on 24 February, during a special meeting the European Council agreed to impose first sanctions against Russia<sup>130</sup>.

What is more telling is that for the first time the EU decided to support third country by military means. Under Council Decision (CFSP) 2022/338 of 28 February 2022<sup>131</sup> the EU agreed to finance under the European Peace Facility the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force. Such decision demonstrated that one of the biggest EU's taboos has fallen due to shared perception of threat<sup>132</sup>.

There is no doubt that from the first days of the war the EU showed solidarity with the Ukrainian people. Given the mass influx of displaced people fleeing

128 Tyushka A., 'Made in Ukraine: The EU's Emerging Real(ist) Power', Carnegie Europe, March 3, 2022.

129 The Economist, 'With war at its doors, Europe discovers a capacity for action', March 3, 2022.

130 European Council, Special meeting of the European Council - Conclusions, 24 February 2022, online at: <https://data.consilium.europa.eu/doc/document/ST-18-2022-INIT/en/pdf>.

131 Council Decision (CFSP) 2022/338 of 28 February 2022 on an assistance measure under the European Peace Facility for the supply to the Ukrainian Armed Forces of military equipment, and platforms, designed to deliver lethal force. 2022. OJ (L 60/1).

132 Bartoloni M.E., 'First-ever EU Funding of Lethal Weapons: Another Taboo has (Lawfully) Fallen', European Papers, Vol. 7, 2022, No 1, European Forum, Insight of 8 July 2022, pp. 379-383.

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from Ukraine, the EU provided temporary protection status under 2001 Directive<sup>133</sup>. Such action from the EU's side demonstrates not only the gesture of solidarity provided on the high political level, but also on the citizens level.

As the war was evolving, the EU introduced new restrictive measures. After a meeting in Versailles held on 10-11 March 2022, the European leaders while stressing on “the tectonic shift in European history”<sup>134</sup> agreed to take more responsibilities for European security and stability. Furthermore, Brussels made the decision to reduce energy dependency on Russia and to continue providing humanitarian, financial and military assistance to Ukraine. Within half of the year of war the EU has introduced several packages of sanctions<sup>135</sup> that have become more far-reaching and strategic.

What must be noted is that in the light of the war, the understanding of Ukraine as a neighbouring country has been transformed. The fact that the EU is experiencing a shift in its foreign policy approach tells that Ukraine has gained a more strategic value. The EU has turned to be a stronger security player on the global arena.

### *2.5.2. Ukraine and EU candidate status*

After four days of Russia's invasion of Ukraine, the President of Ukraine submitted Ukraine's membership application to the EU<sup>136</sup>. While requesting a fast-track accession procedure, Ukraine raised a sensitive question of enlargement in the EU. The European Parliament in its resolution of 1 March 2022 called the European institutions to work on the direction of granting

133 COUNCIL DIRECTIVE 2001/55/EC of 20 July 2001, online at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0055&from=EN>.

134 Versailles Declaration, Informal meeting of the Heads of State or Government, 2022, online at: <https://www.consilium.europa.eu/media/54773/20220311-versailles-declaration-en.pdf>.

135 European Council, Timeline - EU response to Russia's invasion of Ukraine, 2022, online at: <https://www.consilium.europa.eu/en/policies/eu-response-ukraine-invasion/timeline-eu-response-ukraine-invasion/>.

136 Council of the European Union, Communication. Application of Ukraine for membership of the European Union – Transmission to Member States' Parliaments. Brussels, 4 March 2022, online at: <https://data.consilium.europa.eu/doc/document/CM-2003-2022-INIT/en/pdf>.

Ukraine a candidate status but emphasized on the possibility of integration only “on the basis of merit”<sup>137</sup>.

Meanwhile, the EU’s understanding of the pro-Western aspiration of Ukraine eventually became assertive. President von der Leyen during her visit to Kyiv stated that “Ukraine belongs in the European family”<sup>138</sup> and the Ukrainian people bravely defended European values. But while demonstrating solidarity and strong support it was also clarified to Ukraine that there is no fast-track procedure and the country has to do its homework. Even after giving the ‘green light’ for granting Ukraine the candidate status, the Commission President stressed on the further need to proceed with reforms<sup>139</sup>.

The historic moment of granting Ukraine a candidate status on 23 June 2022<sup>140</sup> triggered vivid discussions regarding the meaning of such gesture. Undoubtedly, such action of the EU shows significant solidarity with Ukraine. The European Union sends a solid support for Ukraine to overcome the war. In addition, a candidate status finally anchors Ukraine’s direction towards rapprochement with the EU and a final goodbye to Russia<sup>141</sup>.

The perception of Ukraine’s candidate status at the EU level raises many concerns. First of all, despite the fact that the Commission deals with enlargement, it is up to member states to start negotiations and make a final

137 European Parliament resolution of 1 March 2022 on the Russian aggression against Ukraine (2022/2564(RSP)) (2022/C 125/01).

138 European Commission, Statement by President von der Leyen with Ukrainian President Zelenskyy at the occasion of the President's visit to Kyiv, 8 April 2022, online at: [https://neighbourhood-enlargement.ec.europa.eu/news/statement-president-von-der-leyen-ukrainian-president-zelenskyy-occasion-presidents-visit-kyiv-2022-04-08\\_en](https://neighbourhood-enlargement.ec.europa.eu/news/statement-president-von-der-leyen-ukrainian-president-zelenskyy-occasion-presidents-visit-kyiv-2022-04-08_en).

139 European Commission, Statement by President von der Leyen with Ukrainian President Zelenskyy on the occasion of the President's visit to Kyiv, 11 June 2022, online at: [https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT\\_22\\_3622](https://ec.europa.eu/commission/presscorner/detail/en/STATEMENT_22_3622)

140 European Council, Conclusions. European Council conclusions on Ukraine, the membership applications of Ukraine, the Republic of Moldova and Georgia, Western Balkans and external relations, 23 June 2022, online at: <https://www.consilium.europa.eu/en/press/press-releases/2022/06/23/european-council-conclusions-on-ukraine-the-membership-applications-of-ukraine-the-republic-of-moldova-and-georgia-western-balkans-and-external-relations-23-june-2022/>.

141 Benford J., Kosmehl M., From Ambiguity to Adaptation: How to Shift Gears in EU-Ukrainian Relations, Bertelsmann Stiftung, 17 March 2022.

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decision. Secondly, if externally there are solidarity and support for Ukraine, internally some member states remain reluctant to accept other countries into the European family<sup>142</sup>. It is also one of the reasons why Western Balkans stayed in the 'waiting room' for over a decade to start a negotiation process. Thirdly, if the EU decides to proceed with enlargement, it will have to introduce some internal reforms. Fourthly, given Ukraine's candidate status, Brussels will have to reconsider its foreign policy to the countries left in the basket within the Eastern Partnership<sup>143</sup>.

It is questionable whether a granted candidate status to Ukraine will maintain its symbolic value. Even though Ukraine has proved its European choice, a further rapprochement with the EU will depend on Ukraine's ability to introduce long-expected reforms and to proceed with the adoption of *acquis communautaire*. Given the war in Ukraine, staying in the 'waiting room' can be prolonged. Despite the EU's solidarity remains in place, Ukraine has to live up to its agreed commitment.

### 3. Conclusions

With the war in Ukraine the European security architecture is experiencing turbulence caused by threats to governance, peace and stability, energy and food security. This upheaval in the spectrum of the actual threats served as a momentum for a radical shift in the EU's perception of its neighborhood, particularly of Ukraine. The new geopolitical reality raises the need for urgent foreign policy transformation in Brussels to adjust to the recent security challenges.

Over time the image of Ukraine was consistently changing in line with key political and social developments in the country. The irony of facts is that apart from being one of the founding members of the UN, Ukraine still used to be *terra malecognita* for the EU. The understanding that the country was

142 Lippert B., Ukraine's membership bid puts pressure on the European Union: A security policy flanking, not a revision of EU enlargement policy, is advisable, No. 21, SWP Comment, 2022.

143 Famà G., Musiol L., The War in Ukraine Raises New Questions for EU Foreign Policy, Crisis Group, 5. ISC, OCHA, 2022.

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going through political and nation-building processes made the EU to carefully shift from detached approach towards Ukraine into a more assertive one. The predominance of technical assistance to the country and further conclusion of PCA were the features that characterized foreign policy towards independent Ukraine.

Notably, it was during Kuchma's era that the EU acknowledged the relevance of the initial stage of democratization processes in Ukraine. During his next term, the phenomena of corruption and emerging oligarchs made the image of Ukraine less trustworthy. That would consequently have a long-lasting impact on the EU's FP remaining technocratic towards Kyiv.

What is meant to be will always find its way - because of the 'big bang' enlargement process Ukraine would come on the European radar again. The post-Soviet Ukraine, a culturally diverse country located at the EU's periphery, would trigger the need for a Western-oriented spirit to ensure peace and stability in the region. Yet, retrospectively speaking, Ukraine would have to wait for quite a long period of time to the point the EU perspective is granted.

The analysis revealed that the Orange Revolution became the first turning point in the EU's perception of Ukraine. The determination and free will of thousands of people gathering in the main square of Kyiv in defence of pro-European aspirations did not go unnoticed and finally sent a long-awaited message to the EU about Ukraine's pro-Western choice.

However, the existence of the Russia factor and oligarchic influence on the decision-making process would defer EU leadership to conduct a more decisive foreign policy vis-à-vis Ukraine. A 'romanticized' perception of Russia would leave Ukraine outside of the EU's agenda, unlike the Russian one.

With launching of the Eastern Partnership that de facto was about regional security but with a focus on soft power, the EU created a tailored tool with the help of which it could project its influence in the eastern neighborhood and proceed with deeper cooperation. For Ukraine that was striving for the European perspective, the tool did not meet its expectations and in return brought disappointment about the EU. The mismatched expectations, therefore, did not bring the EU and Ukraine any closer.



## The Evolution of the EU's Perception towards Ukraine

A further gap of misunderstanding was backed by the election of the pro-Russian president Yanukovich. The unclear signal that the EU received from the multi-vectoral foreign policy conducted by Ukraine proved to be even more misleading. While looking West, Ukraine was closely cooperating with Russia. This 'double game' was an unpleasant signal for the EU. Playing with the rules - and not according to the rules - particularly at the moment when Yanukovich refused to sign the AA again would distort the EU's perception of Ukraine.

The upcoming decisions made under Yanukovich's leadership, in addition to increasing the EU's disappointment in Ukrainian leadership, also led to another revolution starting from the main square in Kyiv. The Revolution of Dignity could be fairly called another key development that demonstrated the transformation of the Ukrainian identity and proved the Ukrainian choice for a more fair and democratic way of life.

Only in the aftermath of the Revolution of Dignity, the illegal annexation of Crimea, and the separatists' movement in the east of Ukraine, brought the shared perception of threats and destabilization in the region and made the EU engage in crisis management more proactively. However, the EU would become less decisive due to a lack of political will and unity. Dependence on Russian gas has contributed also extensively to the outcome. Despite the efforts made, both Russia and Ukraine failed to implement the Minsk agreements initiated by German and French leadership.

As the situation was turning into a de facto frozen conflict, the perception of Ukraine could not go unaffected. At the same time, the effects of the Eastern Partnership were turning into a grey area. What is more telling is that the EU as acknowledging Ukraine's aspiration for a European perspective has consistently pointed out the corruption factor that undermined the credibility of the country.

In the course of the Ukrainians' struggle for freedom and democracy, the EU's perception of Ukraine has changed enormously. The firm determination of the Ukrainian people to fight for European values showed beyond any doubt that their country has a place in the European family. The horrifying war brought solidarity on the Ukrainian side and inevitably triggered stricter

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sanctions on the Russian side. Financing of lethal weaponry was another taboo that the EU had to break for the first time in its history. The tectonic geopolitical shift due to Russia as a game-changer has made the EU to seriously reconsider its power as a security player.

The decision of the European Union on June 23, 2022, to grant Ukraine (and Moldova) the status of an EU candidate country is a significant shift in the EU's perception of the country. This pivotal momentum, as symbolic as it may sound, has finally established that Ukrainians chose European path thus leaving the Russian world permanently. But no matter what the prospect can be, Ukrainians' bold resistance has shown the world that the democratic values and free choice of countries are not negotiable and nations must stand for them at any cost.

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