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Friedrich Naumann  
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## **Ukraine – the European Union**

**KEY THEME ANALYSIS:** *Last “Non-Chinese” warning of the European Parliament?*

One cannot say that preparations for the EU – Ukraine Summit, which will take place at the highest political level on 19 December 2011 in Kyiv, are absolutely cloudless. It is also unknown whether the final 20th round of political consultations on the text of the Association Agreement, which took place on 27 October, was the last point in this politically committed history. Even having an international legal instrument which is ready for initialling and can change the geopolitical, economic or even cultural and historical position of Ukraine in the territory of the European continent, the European Union doesn't hurry to tell us the final “Yes”. In our turn, we also do not hurry to exercise the requirements of this leading international institution which is principal for us today.

Indeed, having received enough criticism from the European Parliament in its Resolution on Ukraine of 27 October 2011, in which MEPs expressed concern about the situation in Ukraine related to the disrespect for the rule of law and human rights, as well as about the observance of the other democratic values, instead of trying to improve the situation, the Ukrainian officials began to “look towards” the East, thinking about the Customs Union. And the President Viktor Yanukovich even expressed the idea of a possible “pause” in the process of European integration of Ukraine. How can the phenomena be paused, if it doesn't exist in principle? Well, unless between the lines of empty rhetoric of Ukrainian politicians. So, it is not strange that **on 1 December 2011 the EP adopted a new Resolution on Ukraine, giving clear recommendations to the EU Council, the European Commission and the European External Action Service (EEAS) on talks on the Association Agreement with Ukraine.** The authors of the document – Ryszard Legutko and Paweł Zalewski (Poland) – quite clearly described the nearest prospects of Ukraine in its relations with the EU. But the other thing is important: they specifically identified **conditions under which such prospects would be possible.** And to name them as bright ones is not only difficult but actually impossible.

**Firstly,** it was recommended “to take the necessary measures for quick initialing of the Association Agreement between Ukraine and the EU, if it is possible – till the end of 2011; to strive that the Agreement is signed by the EU Council during the first half of 2012, and all the

*documents related to the process of ratification are submitted for consideration of the EP and national parliaments by the end of 2012”.*

However, it is possible only under the condition that the call to respect the rule of law and other requirements set forth in the European Parliament Resolution of 27 October 2011 will be executed. That's why the Ukrainian authorities shouldn't advertise this position of the EP as its own victory. One shouldn't forget that the process of initialling is just a technical procedure of agreeing the text. The document itself – together with the annexes, it has about 1800 pages – should be translated into all official EU languages, then submitted to the national parliaments of the EU Member States. It will take next six months.

But the essence is not in the time dimension: precisely during this time *the official Kyiv has to prove that it “adheres to the principles of democracy, respect for human rights and fundamental freedoms, minority rights and the rule of law, taking into account that the conclusion of the Association Agreement between Ukraine and the EU, including the Agreement on a Free Trade Area, will be important for Ukraine’s European perspective”.* Otherwise, the EP proposes **“to develop clear measures of protection and possible mechanism of temporary suspension of the Association Agreement as a whole in case if its basic principles were violated or ignored”**. And here the Association Agreement framework is defined as “the most important tool for modernization and the road map for management of internal reforms, as well as a tool for national reconciliation which helps the country to overcome the negative trends of recent years, becomes a bridge to get over the existing split in the Ukrainian society and unites it with its goal to reach the European perspective based on democratic values, the rule of law, human rights and good governance”. Otherwise, *the fact that the Resolution provides the possibility for Ukraine, as the European state, under Article 49 of the Treaty on the EU, to apply for membership in the organization would become a simple fiction.*

**Secondly**, the document again and again outlines an active discontent with the conviction of the former Prime Minister of Ukraine Yulia Tymoshenko, which causes not only a serious concern in the EU, but is also seen as an act of revenge, or as a part of an effort to condemn and jail the representatives of the opposition in order to prevent their participation in the parliamentary elections next year and in the presidential elections in 2015. Accordingly, the EP demands “to ensure that Yulia Tymoshenko and other opposition leaders are able to exercise their right for fully participation in the political process now and during the forthcoming elections in Ukraine”. But, of course, it will not happen.

In spite of the appeals of loyal Poland and of the representatives of other EU states which are not so “friendly” to Ukraine, to stop the political process towards the opposition, the Ukrainian officials are trying to cheat, relying on artificial “independence” of the judiciary or their non-participation in these “precautions”. And even the Ukrainian Guarantor, having made the European integration a top priority of the foreign policy of his team, is thinking whether or not to go to Moscow to attend the meeting of the Interstate Council of the Eurasian Economic Community (EurAsEC) which will also take place on 19 December 2011. Of course, it is good political move for Russia. ***The Kremlin once again makes the official Kyiv to choose: East or West?*** But now it is even tougher. We must have understood a long ago that we can't play “on two fronts”. Only the initialling will give us strong hope that Europe doesn't completely refuse from us and still gives us some hope. However, we refuse from it ourselves.

The Ukrainian leaders for no purpose enjoys the fact that the Resolution provides an opportunity “to give Ukraine an adequate financial, technical and legal assistance during the preparatory period and during the implementation of the Agreement”, as the condition for any aid should become an assessment of the reforms published in annual reports of independent experts from Ukraine and the EU. Thus, the Ukrainian top leaders can't alone “assemble the mosaic” from originally unknown information: the EU wants to monitor everything. And it is not strange because in modern reality even the initialing looks as quite an advanced step which is in no way justified by Ukraine, except, perhaps, by very stubborn pressure in this direction. It is useless to pretend that the EU needs our country economically or energetically because it agrees to help us on those fronts. We can't talk about the EU economic dependence on our markets because we are still far from being an applicant for the membership in the organization. However, the applicants are quite actively provided with the EU financial assistance before the accession in order to coordinate all indicators on key economic positions. Energetically we also remain on the sidelines of the geopolitical game: the EU and Russia have launched two stages of the Nord Stream without paying any attention to the position of Ukraine, and no one refuses to build the South Stream.

**Thirdly**, in the modern realities the largest faction in the European Parliament European People's Party has a strong disposition against the Ukrainian European integration perspectives. Being extremely dissatisfied with the current situation, on 7 December 2011 at its Congress in Marseilles the EPP adopted the Resolution where warned that *"if there are no significant changes to implement the necessary reforms and strengthening democracy, human rights and the rule of law in Ukraine, if the politically motivated lawsuits against opposition continues, and Yulia Tymoshenko is not be released, the EU may refuse to sign and ratify the Association Agreement"*.

Thus, giving the Ukrainian society a tool to promote further reforms in the form of the Association Agreement which would democratize the country, modernize Ukraine through the introduction of European standards, the EU makes a very big advance. However, nobody knows whether the official Kyiv receives this "bonus", taking into account the current realities and situation. After all, having no trump in the hands, to try to manipulate the position of the "strategic partner" is, at least, unwise. And really it is just stupid. So, if today we estimate our European integration perspectives in percentage, we do not even get 50%: we should just hope that our chances are not zero.

## Ukraine – NATO

### **KEY THEME ANALYSIS: *European BMD and Afghanistan as Strategic Boundaries in a New Geopolitical War***

Expanding its geopolitical offensive to the West after the successful prevention of Ukraine and Georgia to join NATO, Russia faced a new obstacle – the European BMD system. And it means nothing that a year ago, at the NATO Summit in Lisbon, Russia and the Alliance agreed to collaborate on the project of the European BMD: the negotiations reached an impasse due to the US refusal to provide legal guarantees of the non-direction of the deployed system against the Russian forces of deterrence.

The attempts to improve the situation led to the fact that at the APEC Summit in Honolulu on 12 November 2011 the President of the RF Dmitry Medvedev simply declared that the positions of Moscow and Washington are far from each other, because the USA did not only refuse to stop the BMD deployment in Europe, but also does not react to Russia's requirements to give it so necessary legal guarantees. The culmination of the diplomatic scandal occurred **on 23 November when the President of Russia announced measures of military and technical and diplomatic character, which can be used by Russia in order to respond to the deployment of a ballistic missile defense system in Europe**. *The Russian servicemen would strengthen the cover of objects of strategic nuclear forces; the strategic ballistic missiles would be equipped with the perspective complexes to overcome the BMD and with new and highly effective fighting units; modern percussion weapons systems which provide fire BMD defeat could be deployed in the West and South of the country.* By the way, in case when the events take place according to the "adverse scenario", D. Medvedev does not exclude the possibility to refuse from the disarmament policy, the revision of the previously reached agreements with the US on arms limitation and control. He reminded the American party about the right of Russia to withdraw from the START – the Treaty (of 6 April 2010) which is seen on both sides of the Atlantic ocean as a true symbol of the "reloading" of relations between Moscow and Washington – because there is a direct connection between strategic offensive and defensive weapons.

This position rejected the "reloading" mentioned before. Now to talk about it is not only useless, but it is rather in vain, because now we will discuss the diplomatic confrontation. ***Worsening of the relations between Russia and the United States in disarmament and arms control may negatively affect the effectiveness of multilateral efforts to strengthen confidence and security in Europe.*** It does not exactly promote the national interests of Ukraine because Russia and the USA are strategic partners of Ukraine and the guarantors of security of our state under the Budapest Memorandum of 5 December 1994.

Currently the USA has two strategic areas of the BMD in its territory – in Alaska and California. Russia has one positional are of the strategic BMD – near Moscow. Now the US plans to create the so-called third positional area of the BMD – in Europe. In fact, it means the deployment of a global BMD system, and can change the balance of power in the world. Accordingly, a firm decision of Russia to deploy its missile complexes in the Kaliningrad region and the subsequent refusal of the US and he majority of the Western countries to provide the RF with the information

on arms in the territory of the European continent under the Treaty on Conventional Armed Forces in Europe, which, by the way, in 2007 Russia imposed a moratorium on, could not disappear without a trace. Now the situation takes new geopolitical turns.

In order not to limit itself with the deployment of missiles in Kaliningrad, Moscow decided not to give the last springboard of its influence – the Central Asia. But here arose the problem: China, defending its own interests, remains aside. India, which has always been a strategic partner of Russia, actively started establishing contacts with Washington which has been present in the territory of Afghanistan since 2001. Of course, the tandem of India and Russia wasn't abolished but New Delhi is not also striving to act as a satellite of Russia.

Pakistan only remains. After the operation to annihilate the former terrorist № 1 Osama Bin Laden (May, 2011), Islamabad doesn't really welcome such a "pseudo cooperation" with the US when the latter even in the territory of the ally country do what it wants without any agreement with its even nominal partner. Having an influence on Islamabad due to its anti-American position, Russia can restore a long-awaited favour of Afghanistan.

On the other hand, according to the decision of the Conference on Afghanistan took place in Bonn on 5 December 2011, the security in Afghanistan will be guaranteed with the International Security Assistance Force (ISAF) until 2014, then the international community also will help the country in issues on national reconciliation until 2025. Russia wants to use this decision in its favour because geographically it is much closer to Kabul than the USA or other members of ISAF. As a result, Russia supports a number of economic projects in Afghanistan. In addition, recently Moscow has "written off" USD 11 billion of the public debt of its perspective "geopolitical friend" that is really much considering that Afghanistan doesn't have special benefits for the RF neither economically nor in terms of natural resources. However, it will bring to Russia an imaginary victory over the US which has been so desired since the Soviet consolidation in Afghanistan and, which is the most important thing, it will bring the reformation of forces in the region and the geopolitical transformation of the latter: Russia could finally "throw" the US out of Asia and assert its own geopolitical leadership in the region. Although, now it should compete for such leadership with China, but it is pleased with the fact that China is also a very important enemy of Washington. Therefore, ***the potential promise of Moscow to shut down the air corridor of delivering cargoes to Afghanistan is quite real.*** Doing so Russia partitions off the foreign aid from the country making the latter its own partner. Russia clearly understands that for the US it is quite important to control the transit base in Afghanistan, through which no one could lay oil or gas pipelines from the Gulf or from Iran. That is why, neither oil nor gas India or China can get without the permission of the United States. And taking into account the fact that the USA encroaches upon the Central Asia, such a move would be quite sensible. Indeed, if the US controls a new "Silk Road", it could gain control over the Eurasian region. ***Associating in one union with Pakistan and Afghanistan, Russia will receive so desirable victory and geopolitical control.***

Whether Russia is going to shut down the supply routes to Afghanistan now remains the question. In case of such actions its relations with the US do not just get worse but can completely bring to nothing the "reloading" started with so much difficulty because it can undermine the US geopolitical interests in the region. However, Russians beware of the return to the unstable situation in Afghanistan and the Central Asia.

## Foreign Policy of Ukraine

**KEY THEME ANALYSIS:** *Visit of the Minister for Foreign Affairs of Ukraine Kostyantyn Gryshchenko to India as an Attempt to Mark Partner Relations with Concrete Results*

Going towards the "multidimensionality" of its foreign policy and trying to find new, really priority and beneficial partners, the Ukrainian state paves the way in all directions and tries to expand strategic contacts at all levels. But very often this kind of "strategic" or "deep" relationship is left only the declarative one. In the early 2000-s such a situation was, for example, with the South-Eastern direction of Ukrainian foreign policy when it, in accordance with the official position of the authorities, had about 20 strategic partners that is a priori impossible, taking into account

the depth and structural content of real strategic relations between nations. However, taking into consideration a new concept of Ukrainian foreign policy (the basis for it is the Law of Ukraine "On the Foundations of Domestic and Foreign Policy" of 1 July 2010), one hopes that another attempt to establish mutually beneficial, truly effective partnership between the official Kyiv and main countries of the world will not become its empty documentary approval.

***The first in last eight years official visit of the Minister for Foreign Affairs of Ukraine Kostyantyn Gryshchenko to New Delhi on 24-25 November 2011*** can be considered as an attempt to mark such a partnership with concrete results. According to authorities, the official Kyiv considers India as one of priority partners both in political and in trade and economic spheres because India becomes one of the centers of a new system of international relations.

The dominance of high-tech industries is increasingly seen in the national economic complex of India that's why it is an undisputed economic and political leader of the Hindustan peninsula. Taking into account that this year the trade turnover between Ukraine and India reached USD 2.5 billion and, according to experts, the positive dynamics of bilateral trade will allow our countries to achieve the turnover accounted for USD 5 billion by 2015, it is actually extremely important the official Kyiv to develop strong contacts with that country.

In political context, it may also become a very important partner, especially in case of reforming of the UN Security Council when India could take the place of its permanent member and become one of the most influential countries of Asia. From the very beginning Ukraine supported such aspirations of this South Asian country. This was also announced during the visit of Kostyantyn Gryshchenko. In addition, during the meeting the parties pointed out the importance of further development of friendly and mutually beneficial relations between Ukraine and India and expressed their readiness to intensify the bilateral political dialogue and cooperation on the national security.

During the visit there were stressed on the positive results of the Kyiv Summit on Safe and Innovative Usage of Nuclear Energy held on 19 April 2011, and discussed prospects for cooperation in the nuclear energy sphere. It is not strange that Kyiv pin its hopes just on the help of India which allocated USD 1 million for the reconstruction of the Chornobyl sarcophagus after the Summit. So, today we also hope for some dividends.

Besides, during the meeting the parties discussed the Ukrainian-Indian defense cooperation, combating terrorism and piracy. In case of trade in products of the military industrial complex, our country has the possibility to establish close cooperation with this South Asian giant. Today India is one of the largest importers of Ukrainian weapons and military equipment that together with the trade in metal products is a great "plus" for our country in its relations with New Delhi.

Moreover, during the visit there were discussed the further intensification of bilateral trade, and, considering the positive examples of Ukrainian-Indian industrial cooperation, the expansion of cooperation in machine building, shipbuilding, energy sphere, mining industry, aerospace sector and the implementation of joint infrastructure projects. K. Gryshchenko noted the readiness of the Ukrainian state and private institutions to participate in a number of national infrastructure projects in India. It was emphasized the importance to held the fourth session of the Intergovernmental Ukrainian-Indian Commission on trade, economic, scientific, technical, industrial and cultural cooperation and the first meeting of the Working Group in the nearest future.

The necessity to intensify cooperation in order to participate in joint projects in the third countries' markets was also emphasized. It was also agreed to launch the permanent Ukrainian-Indian Business Council in 2012. Indeed, this intensification of trade and economic contacts and cooperation in vital spheres for investment can significantly deepen bilateral relations between Ukraine and India. But now, taking into consideration that India pays for the Ukrainian production by the way of so-called "barter" (for example, by the way of pharmaceutical products), it is too early to tell about the inflow of "live" investments from this country to Kyiv. And only in ***the sphere of space exploration***, where today the states have really good results of cooperation, Ukraine can wait the investment in future.

As a result of the negotiations the parties signed the Agreement between the Cabinet of Ministers of Ukraine and the Government of India on the abolition of visa requirements for persons who use diplomatic passports. With this in mind, we can predict that in future India and Ukraine will reach mutual complete abolition of visas for their citizens, if such a dialogue has already begun.

Thus, the results of the visit of the Minister for Foreign Affairs of Ukraine K. Gryshchenko once again make one sure that Ukraine has a stable “big” partner in this region, and this partner is an important subject of the world politics. However, as we know, *New Delhi partnership with the republics of the former Soviet Union primarily starts from Russia*. That’s why one can’t say whether this fact could change the relations of Ukraine and India in future, but, in principle, it is also too early to leave this fact out of sight.