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UKRAINE – THE EUROPEAN UNION



KEY THEME ANALYSIS

PROSPECTS FOR UKRAINE'S EUROPEAN INTEGRATION IN THE CONTEXT OF REVIEWED NEIGHBOURHOOD POLICY

"Review of the European Neighbourhood Policy" (ENP) prepared by the European Commission disappointed those Ukrainian, who hoped for a special relationship as a potential candidate for EU membership. The EU decided to refrain from diversifying its approaches to shaping relations with the Eastern Europe, the North Africa and the Middle East, thus significantly limiting the promised "differentiation" of the reviewed ENP. As a result, the ENP may lose its attractiveness for countries, which seek more than just "neighborhood."

The latter half of September 2015 brought controversial news for Ukraine's European ambition. On the one hand, on November 18, the Greek Parliament finally ratified the Ukraine-EU Association Agreement and DCFTA; and on November 20, the Brussels regional parliament did the same. Thus, **the Association Agreement has already been ratified by all the EU members**, and the only remaining obstacle is Netherlands' referendum scheduled for April 6, 2016 (its initiators oppose the Association and DCFTA with Ukraine). The results of the referendum will be advisory in nature, and the EU and Ukraine still have time to persuade the Dutch people to say 'No' to the proposal of Eurosceptics and Russophiles.

Good news was the **optimistic statement by European Commissioner for enlargement and neighborhood policy Johannes Hahn about likely recognition of Ukraine's successful implementation of the Visa Liberalization Action Plan**: *"I believe that the decision will be positive for Ukraine."*¹ However, a positive decision on the implementation of the "homework" does not automatically mean the cancellation of visa regime. The delay may be caused by the reasons, which are not directly associated with Ukraine, such as Syrian refugees – there is enough politicians in Europe, who prefer to lay the blame on somebody else.

EU's reluctance to talk about Ukraine's membership prospects is disappointing, and nothing has been changed in this respect in the "Review of the European Neighbourhood Policy".² In this document developed by the European Commission and issued on November 18, Ukraine is only one of the sixteen EU neighbors, most of which are located outside of Europe – in Africa and the Middle East – and thus cannot seek for the EU membership.

Being the hallmark of the new ENP differentiation envisages

¹ <http://www.pravda.com.ua/news/2015/11/19/7089460>

² http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf

individual plans for cooperation reflecting the ambitions and wishes of the neighboring countries. However, such differentiation does not envisage the increase in cooperation opportunities for the most ambitious neighbors. It is mostly about, so to say **"negative" differentiation, which allows qualifying for less, but does not allow seeking for more than Ukraine already has, namely the Association Agreement and DCFTA**. Actually, such **differentiation is focused of the outsiders of deepening relations with the EU**: *"For those who do not wish to engage in negotiations for a DCFTA, we will seek to jointly determine attractive and realistic alternatives to promote integration and strengthen trade and investment relations that reflect mutual interest."*³

The reviewed ENP provides **some options for security cooperation**, among them are the security sector reform, tackling terrorism, and preventing radicalization and crisis management. Cooperation within the Common Security and Defence Policy (CSDP) is also mentioned in the document, including dealing with the protracted conflicts, participation in the missions of the CSDP and the EU Battlegroups, as well as in the programmes of the European Defence Agency and the European Security and Defence College. However, **nothing is said about possible cooperation in order to stop Russia's aggressive actions against four countries – participants to the European Neighbourhood Policy**, namely Ukraine, Georgia, Moldova and Syria. Only "financial instruments" are mentioned regarding the response to "the conflicts in Syria and Ukraine." As a bad signal for Kyiv should be interpreted the **usage of Russian propagandist cliché about "the conflict in Ukraine" in the EU official document**, as well as the combining of Ukraine and Syria in single example, despite the fact that there is a civil war in Syria, while Ukraine is a victim of foreign aggression.

Actually Kyiv can find only few inspiring provisions in the ENP Review; among them is the reference to the **integration of Ukraine, Moldova and Georgia to the EU energy market**, as well as mentioning the **gas reverse to Ukraine**.

During his visit to Ukraine, Johannes Hahn affirmed that Kyiv should not count on something more than the Association Agreement and DCFTA for now. He also said that **the EU does not intend to allocate additional financial assistance for Ukraine in order to cover its losses from the Russian trade embargo** (to start on January 1, 2016 as response to the Ukraine-EU DCFTA entry into force). Judging by Johannes Hahn's statements, the EU has no plans to influence the pace of reforms in Ukraine,⁴ while it is exactly what the majority of Ukrainians expect from the EU. The "GfK" poll of October 22 – November 10, 2015, ordered by the Institute of World Policy, indicated that 30% of the Ukrainians believe the EU has to put more pressure on the Ukrainian authorities to accelerate reforms, while only 9% believe that more money from the EU is needed.⁵

Instead of offering new perspectives to its Eastern European partners, **the EU chiefs tries to inveigle Russia with proposals of cooperation between the European Union and the Eurasian Economic Union**. The European Commission President, Jean-Claude Juncker wrote the respective letter to Vladimir Putin immediately after the G-20 Antalya summit.⁶ Juncker's proposal was publicly rejected by Moscow, which did not agree to make cooperation with the EU subject to Russia's fulfillment of Minsk II agreements.⁷ It remains unclear what for the Brussels decided to

³ http://eeas.europa.eu/enp/documents/2015/151118_joint-communication_review-of-the-enp_en.pdf

⁴ <http://www.dw.com/uk/єврокомісар-ган-впливати-на-темп-реформ-в-україні-не-справа-єс/a-18865737>

⁵ <http://www.epravda.com.ua/news/2015/11/26/569403>

⁶ <http://www.reuters.com/article/2015/11/19/us-eu-juncker-russia-idUSKCN0T821T20151119#AigdZZFoepUJTf3B.97>

⁷ <http://www.pravda.com.ua/news/2015/11/19/7089501>

demonstrate once again the weakness of its position in relations with Moscow.

Thus, the "Review of the European Neighbourhood Policy" became a "wake-up call" for those, who hoped that the EU would change its negative attitude to the idea of further enlargement to the East. Russia managed to create enough problems for the EU to make it back up in the neighborhood policy and to agree on less ambitious, "differentiated" relations with those countries, whose rapprochement with the EU is firmly restricted by Moscow. On the other hand, Ukraine has not yet managed to take all the advantages provided by the Association Agreement and DCFTA. And if Kyiv continues irritating Brussels with the slow pace of reforms, then all the talks about European integration ambition may become senseless.



UKRAINE – NATO



KEY THEME ANALYSIS

RUSSIA FORCES NATO TO DEMONSTRATE STRENGTH

When provoking Turkey to defend its airspace, the Kremlin reached the red line after which its aggressive actions could lead to the military disaster. If its Syrian campaign fails, the Kremlin may try to recoup itself in Ukraine. Therefore, Kyiv should rapidly strengthen its armed forces taking advantage of the new opportunities, provided by NATO's realizing the need to take more drastic measures in deterring Russia's aggressive course.

Russia blatantly turned Syria into testing ground for its new arms and for strength demonstration. Russia unreasonably uses the cruise missiles based on warships and submarines; deploys in Syria the S-400 advanced anti-aircraft missile systems that covers southern Turkey, Cyprus and Israel; bombs the moderate Syrian opposition; and assists the Assad army in ground operations. The goal is double: to demonstrate strength to the West, and to test new capabilities of the Russian armed forces. Later, these practical skills of warfare may be applied in other regions, possible in the Caucasus, against Ukraine or the Baltic States.

One more goal is to conquer a **strategic position in the Middle East, close to Russia's ally Iran and possible ally Egypt, and not far from the important U.S. allies Israel and Saudi Arabia.** Fortifying the Middle East, Russia seeks to get additional **leverage to influence the oil prices, which is critically important for Russia's economy.**

Repeatedly violating Turkey's airspace, **Russia was searching for the red line after which the NATO will be forced either to respond, or to acknowledge its impotence in protecting own members. On November 24, 2015 Russia reached the red line, and Turkish F-16 fighter destroyed Russian Su-24 bomber** that violated Turkish airspace. Besides the violations of the airspace, Ankara had other reasons to demonstrate firmness to the Kremlin: in particular, Russia's bombing Syrian Turks who are ethnically close to Turks, as well as Moscow's support for Kurdish separatists threatening the territorial integrity of Turkey.

Turkey possesses powerful armed forces with strong military aviation, but still it seems unlikely that Ankara did not discuss the possibility of such development with its NATO partners, at least at the informal level. **Ankara took strategically right decision to urgently convene the North Atlantic Council** – for Moscow to have no doubt that provoking armed conflict with Turkey it would have to deal with the whole NATO military machine. Besides, it was a good opportunity to test the Alliance's solidarity, and to show it to Moscow. After the meeting of the North Atlantic Council,

Secretary General *Jens Stoltenberg* express the Alliance's solidarity with Turkey and urged Ankara and Moscow to de-escalation.⁸ *Barak Obama* also said that Turkey had the right to defend its airspace and urged Ankara and Moscow "to discourage escalation."⁹

Turkey's decisive actions and NATO solidarity put Russia in awkward spot – Moscow had to respond with economic sanctions because it could not dare to military response. No wonder, Sergei Lavrov said that Russia was not going to be in war with Turkey,¹⁰ – actually, Russia would have no chance in such conflict. However, it is still **possible that Russia will continue aggravating situation – may be through provoking local air battles with Turkish air forces, or through shooting down Turkish aircrafts with S-400 missile system.** On November 30, Russian Su-34 aircrafts were loaded with air-air missiles during their combat flights in Syria.¹¹ Neither ISIS militants, nor Syrian opposition have aircrafts, therefore, Russian aviation is prepared to possible conflicts with Turkish air forces in case of new provocative violations of its airspace.

Understanding the growing threat, **on December 1, 2015 the NATO foreign ministers discussed the additional assurance measures for Turkey, agreed new hybrid strategy,¹² and decided to strengthen the cooperation between the European Union and NATO** in three areas: 1) addressing hybrid threats; 2) cooperation is helping partners to become more capable of securing themselves in Europe and in the Middle East and North Africa; 3) to further boost the capabilities of European Allies.¹³ Besides, the Allies decided to **invite Montenegro to join NATO.** Jens Stoltenberg also stressed that NATO remained committed to the policy of "open doors" and supported the **respective aspirations of Georgia, Macedonia, and Bosnia and Herzegovina.**

Earlier in November, the NATO's and member states' officials made statements, which indicated the increased resoluteness of the Alliance. At the Berlin security conference, NATO Deputy Secretary General *Alexander Vershbow* stated that the Alliance should "ensure effective deterrence against a revisionist Russia."¹⁴ And Polish Foreign Minister *Witold Waszczykowski* said that the *NATO-Russia Founding Act* had lost its relevance because of the Russia's aggressive actions.¹⁵

The EU-NATO arrangement to assist partner countries in developing defense capabilities should be about Ukraine as well – Kyiv actively cooperates with both organizations, and it badly needs help now. By the way, **in November 2015 the second phase of the U.S.-Ukrainian exercises "Fearless Guardian" was launched** – three hundred American instructors train five battalions of the Ukrainian Armed Forces and one battalion of special operations.¹⁶ **Kyiv received two pieces of the U.S. counterbattery radar system AN/TPQ-36 as well as high-tech Canadian equipment for demining.** Besides, Barack Obama finally signed the Pentagon budget for 2016, which provides **\$300 million aid for Ukraine.**

Growing awareness of the Alliance of the need to take a tougher stance towards Russia will expand the prospects for more effective assistance to Ukraine – of course, if Kyiv demonstrates commitment to proclaimed reforms, ensures the transparent use of aid, and avoid putting itself in awkward spot. Some Ukrainian media reported that in

⁸ http://www.nato.int/cps/uk/natohq/news_125052.htm?selectedLocale=en

⁹ <http://www.bbc.com/news/live/world-middle-east-34908469>

¹⁰ <http://ria.ru/world/20151125/1328117267.html>

¹¹ http://ria.ru/syria_mission/20151130/1332865115.html

¹² http://www.nato.int/cps/en/natohq/news_125368.htm?selectedLocale=en

¹³ http://www.nato.int/cps/en/natohq/opinions_125361.htm

¹⁴ http://www.nato.int/cps/en/natohq/opinions_124808.htm

¹⁵ <http://wyborcza.pl/1,75478,19241244,waszcykowski-uchodzczy-nie-przyjada.html?disableRedirects=true#MTstream>

¹⁶ <http://www.defense.gov/News-Article-View/Article/631007/us-begins-second-phase-of-ukrainian-training-equipping-mission>

November, at the security conference in the Marshall Center, representatives of the U.S. special operations forces requested the member of Ukrainian parliament Iryna Friz to transmit to the President of Ukraine their concern about "blocking" the establishment of Ukraine's special operations forces.¹⁷

Russia misinterpreted NATO's moderate position as weakness and continued to escalate the aggressive course, forcing the Alliance to take more drastic measures and to recall the deterrence policy. Henceforward, NATO will be less tolerant to Moscow's inadequate actions, and will strengthen cooperation with the partner countries including Ukraine. To effectively use the new possibilities, Kyiv should demonstrate commitment to reforms, and focus on cooperation with NATO and on the Euro-Atlantic integration course.



¹⁷ http://gazeta.dt.ua/internal/mislivci-scho-stali-zaruchnikami-chomu-genshtab-zrivaye-programu-spivrobotnictva-z-nato-zi-stvorenniya-sil-specialnih-operaciy-_html

FOREIGN POLICY OF UKRAINE



KEY THEME ANALYSIS

THE ABILITY OF "NORMANDY" FORMAT TO ENSURE A PEACEFUL SETTLEMENT IN DONBAS IS BECOMING INCREASINGLY ILLUSIVE

Terrorist attacks in Paris predictably shifted the focus of European countries, especially of France and Germany, onto the Syrian issue. Thus, the peaceful settlement in Donbas pales into insignificance, and the Crimean issue risks to drop out off the agenda.

Whoever is responsible for the terrorist attacks in Paris of November 13, but they happened very "timely" for Russia, which needed a cause to show its importance in fighting against terrorism, and to split the West over that issue. **Two days after the Paris events, the Russian Deputy Foreign Minister Sergei Ryabkov said: "We hope that the events in Paris will probably put things in order and will change the scale of priorities of our colleagues in Washington and in other NATO capitals".**¹⁸

The hopes of Russian Foreign Ministry partially came true. Confused French President did exactly what the Kremlin expected – he said that a large anti-terrorist coalition including Russia is needed, and rushed to Moscow to negotiate the issue. Russia also managed to persuade the Western allies to agree on its demand to exclude Australia from the list of participants to the Vienna peace negotiations on Syria.¹⁹

Paris attacks also updated the range of issues for discussion in the sidelines of the G20 Antalya summit (November 15) and the Paris UN Climate Conference (November 30) – **the Ukrainian issue was pushed into the background making way for the Syrian one.** Western experts suggested such developments and urged to not indulge in illusions about Russia's real goals and to not "barter" Ukraine for Syria.²⁰

The Paris' and Berlin's readiness to agree on Moscow's suggestion on common actions in Syria caused obvious concern in Kyiv, who already had the opportunity to see the striking difference between the Kremlin's statements and real actions. **Amid the anti-terrorist rhetoric, the Russian-separatist forces intensify shelling on Ukrainian positions in Donbas.** The representatives of the "DPR" and "LPR"

¹⁸ <http://ria.ru/world/20151115/1320935880.html>

¹⁹ <http://www.theguardian.com/australia-news/2015/nov/16/australia-excluded-from-syria-peace-talks-after-russian-objection>

²⁰ <http://ukrainian.voanews.com/content/paryzhy-putin-olland/3062053.html>; <http://ukrainian.voanews.com/content/russia-west-experts/3063581.html>; <http://ukrainian.voanews.com/content/syriya-ukraina/3065506.html>

separatists take uncompromising stance at the peace talks trying to impose on Kyiv the unacceptable solution on local elections, which would turn them into a farce without the withdrawal of Russian troops, without pro-Ukrainian candidates and without free media.

Against this backdrop, **Russia continues repressions against the Crimean Tatars; but this issue does not cause strong reaction of Western politicians, including the "Normandy" Four members.** Germany and France avoid talking about the prospects of returning Crimea to Ukraine, as well as about measures to stop the persecution of Crimean Tatars by Russian special services. **Kyiv also does not propose clear strategy to protect the Tatars, so, there is no recourse for the latter but to resort to the drastic measures.** On November 21, the unidentified persons damaged the electricity support power lines in Kherson region, thus causing suspension of power supply to Crimea.

Activists say they will let to restore power supply to Crimea, if Russia frees the Tatar political prisoners.²¹ The Kremlin predictably ignores the demands, but it is less clear why the problem of Tatar political prisoners is also ignored by other "Normandy" four countries. Instead, the German government urged Ukraine to investigate the damage of electricity support power lines, to restore the power supply and to prevent similar incidents in future. **Special representative of the Federal Government for cooperation with Russia, Gernot Erler even accused the Ukrainian government of a deliberate escalation with Russia,** recalling Kyiv's decisions to close Ukrainian airspace for Russian aircraft.²² Mr. Erler also said that Ukraine avoids performing certain Minsk II provisions, "forgetting" to add that it is Russia, who prevents Minsk II from implementation. The Russian-separatists forces continue shelling Ukrainian positions, Russian troops have not been withdrawn from Donbas, and the Kremlin-backed separatists block peace talks with their unacceptable undemocratic demands on conditions for the local elections.

It becomes increasingly difficult for Ukraine to rely on its "Normandy" partners in the issue of peace settlement for Donbas. Being concerned with refugee crisis and establishing common "anti-terrorist" coalition with Moscow, Paris and Berlin are willing to turn a blind eye on the obvious discrepancy between Russia's rhetoric and actions in Syria and Donbas. Kyiv should make every effort to convince its partners that their concessive policy can be perceived in Moscow as a carte blanche to escalate – and thus a large war may be provoked with all the negative consequences. Kyiv should also shape its own effective strategy for Donbas and Crimea, including the issue of human rights protection, as well as the principles of economic relations with the aggressor state and with the occupied territories.

²¹ http://zn.ua/columnists/koridor-v-krym-196616_.html

²² <http://www.dw.com/uk/в-імя-дескалації-чому-берлін-незадоволений-блокадою-криму/a-18878841>