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UKRAINE-EU: A TROUBLED RELATIONSHIP

By Taras Kuzio

On July 4, Copenhagen will host the next Ukraine-EU summit. The session is unlikely, however, to resolve poor relations between the two once and for all because there is fault on both sides. Next year, Poland--the last country on Ukraine's western border--will require visas for all visitors from CIS countries. Time, that is to say, is slipping away for Ukraine to sign an association agreement with the EU.

Such agreements were originally signed in the early 1990s with central-eastern European postcommunist countries and the three Baltic states from the former Soviet Union. Each was negotiated on an individual basis, and signified that the country intended to eventually join the EU, whether on a slow or a fast membership track.

Since then, however, the situation has changed. It is, in the mind of Brussels, a totally different era. The agreements made in the early 1990s were made in part to show solidarity with the new post-communist regimes. The EU has never expressed any interest in returning to that formula simply in order to sign an association agreement with Ukraine. A different era yields different needs and requirements.

STUMBLING BLOCKS

The EU has regularly complained about "guns, drugs and bugs" and migrants moving from east to west through Ukraine. It has sought to stem this tide by tightening the former Soviet border with Central and Eastern Europe. The only exception to this is the Baltic states, where the new EU border would be between Russia and the three Baltic states. Some 15 million Russians, Ukrainians and Belarusians cross into Poland each year. In February, Poland submitted a 92-page document to Brussels detailing tougher measures on its eastern border, which include additional border troops and equipment. The Ukraine-Russia border has not yet been demarcated. Russia refuses to do so.

Another thorny issue involves both religion and psychology. It took decades for the EU to accept that a Muslim country, Turkey, could participate as a compatible and active member in a largely Christian Europe. It may take just as long with the eastern Slavic countries.

The EU and the Council of Europe have tended to place Ukraine and Russia in one group on questions of membership, despite the fact that Russia has never raised the question of an association agreement with the EU. A 2000 policy paper by the French Foreign Ministry argued that the EU should not consider Ukraine a potential EU member because doing so would isolate Russia. On a visit to Moscow in May, the president of the European Commission, Romano Prodi, said that neither Russia or Ukraine would become EU members in the foreseeable future.

The EU is now developing a joint strategy towards Ukraine and Belarus. This would appear to be inherently faulty, given that the two countries have different domestic and foreign policies. Prodi has hinted that Ukraine would be do better integrating within the CIS, which in turn might then be considered as a regional group for future association. Notably, Ukrainian President Leonid Kuchma met Prodi in Brussels in May just prior to his meeting with Russian President Vladimir Putin in Sochi. Kuchma then, at the Sochi summit, announced Ukraine's intention of joining the Eurasian Economic Community as an associate member.

Because these three eastern Slavic states--Belarus, Ukraine and Russia--all have different strategic objectives, the EU would do better to treat them individually. It is still not clear whether the EU sees the CIS as part of Europe or of Eurasia. This is the same conundrum that bedevilled it for so many years vis-a-vis Turkey.

Another factor working against Ukraine is its record on political and economic reform. Oligarchic centrist political forces, who control the government and parliamentary leadership and are allied to the executive, espouse the rhetoric of reform and integration into Europe, but are not willing to undertake the domestic reforms prerequisite to membership. No association agreement has ever been in near enough view that the EU has made such demands in so many words with any specific deadline. A March report by the Polish Stefan Batory Foundation concluded that after Kuchma was re-elected in 1999 none of the measures adopted immediately or soon afterward "indicated that the European option for Ukraine was treated by Kyiv as any tangible political priority. [Furthermore,] the proclaimed declarations were not substantiated by any readiness for tangible action."

As the newspaper 'Ukraina moloda' (April 10) pointed out, "Double standards, of which Ukraine often accuses the West, are most often actively used by Ukraine itself. They lie in the striking difference between the authorities' words and deeds. Their words are intended to be used abroad and their deeds are to be used at home."

Ukraine's leaders have repeatedly claimed that its foreign policy is neither pro-Western or pro-Russian, but pro-Ukrainian. Given that Ukraine's foreign policy is best understood as Kuchma's foreign policy, this claim holds little weight. It is difficult for Ukraine to have a foreign policy while the current president is in power because it is de facto already semi-isolated in the West. Kuchma's last invitation to visit a Western country came from Germany in January 2001. It had been sent before the Kuchmagate scandal that broke in November 2000.

Kuchma has expressed a strong interest in visiting the United States to meet President George W. Bush. Washington has conditioned such a visit, however, on two issues: free and fair elections in Ukraine, and resolving the September 2000 murder of opposition journalist Grigory Gongadze.

The March 31 elections of this year were only partially free and fair. Kuchma's conduct since then--forcing businessmen to join his United Ukraine faction to make it the largest as a way to have the head of the presidential administration elected parliamentary speaker--have only served to confirm the

view that Kuchma's domestic policies are at odds with his pro-EU rhetoric. As the French newspaper *Le Monde* (April 2) pointed out, "It is constantly repeating its desire to draw closer to Europe, but is not taking the measures to implement the reforms such a partnership requires." Other issues besides the dubious March elections are in play--high levels of corruption, arms trafficking, charges against Kuchma found on the Kuchmagate tapes and one of the worst records in Europe of attacks on the media.

Ukraine is the only CIS state that has consistently lobbied the EU for an association agreement. It has rightly argued that some of those with aspirant status are in no better economic shape than Ukraine (Romania and Macedonia, for example). Ukraine has also argued that high public support of EU membership should stand in its favor. A May poll by the Ukrainian Centre for Economic and Political Studies found that 57.6 percent of Ukrainians supported this goal. Nevertheless, few Ukrainians really understand what the EU is and merely associate it in a positive way with higher living standards.

Ukraine's de facto isolation in the West is not likely to be resolved until after Kuchma retires from office in October 2004. The newspaper *Ukraina Moloda* (April 10) rightly sees the victory of center-right former Prime Minister Viktor Yushchenko as Ukraine's best hope for nearer-term integration into Trans-Atlantic and European structures: "He is about the only Ukrainian politician the civilized world fully trusts."

EU-UKRAINIAN RELATIONS IN CRISIS?

The EU-Ukrainian relationship is in dire need of an overhaul. Brussels has still to recognize Kyiv's desire for EU membership. Foreign Minister Anatoly Zlenko complained in April that "The EU is thinking about how to support Ukraine's reforms, but at the same time giving no promises that it will become a member of the EU."

The Partnership and Cooperation Agreement (PCA) signed in 1994 and ratified four years later and the 1999 EU Common Strategy on Ukraine are both inadequate. Much is vague on both sides. Clarity seems a long shot unless a pro-Western figure, such as Yushchenko, is elected president in 2004. If that were to happen, the EU might then begin to act seriously on Ukrainian aspirations. Until then, neither side is taking the other seriously.

Four areas need urgent attention. First, Ukraine should resolve all problems related to joining the WTO by 2002-2003. Second, a free trade regime and customs union should be negotiated between Ukraine and the EU between 2004-2007. Third, Ukraine should complete the demarcation of its border with Russia. Fourth, Ukraine should be offered an association agreement on condition that it pursues the radical reform criteria laid out by the EU for aspirant members--including a serious battle against corruption, legislation brought into line with EU standards, and transparency in its economy and budget.

If such a strategy is developed, and Ukraine's next president is committed to reform rather than rhetoric, Ukraine could achieve membership by 2011. The alternative is another decade of drift.

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