

# EU-Ukraine Relations Before the 2014 Maidan Revolution

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#### *The evolution of a Difficult Relationship*

In November 2013, the people of Ukraine rose up in protest against the government of President Viktor Yanukovich. This in turn led to social upheaval, a political and economic crisis in Ukraine, Russia's annexation of Crimea and the current crisis in the Donbass Region. The catalyst for these events was Viktor Yanukovich's failure to sign an association agreement with the European Union. Much has been said about Russia's involvement in the weeks before the agreement was supposed to be signed and its desire to steer Ukraine towards the Eurasian Customs Union. However, much less has been said about Ukraine's general inability to separate itself from its former Soviet ties, which may in fact have been the country's main obstacle on the path to a prosperous future. Since independence in 1991, Ukraine remained very much integrated in the former Soviet infrastructure, with little reform. While the country was no longer the Ukrainian SSR, much remained unchanged, such as trading, military, security and governmental frameworks. What is more, many negative attitudes towards the government and Europe remained largely the same.[1] Ukraine's unwillingness and inability to disentangle itself from its past ties sent certain signals to the EU, indicating hesitancy, reluctance and suspicion in attitude towards Europe.

If one looks closely at Ukraine's twenty year relationship with the EU, a complex picture emerges. Over the years there has not been as much trust between Ukraine and the EU, as could have been hoped for, and at times almost no desire to move towards integration. In many ways all previous attempts to bring the EU closer to Ukraine have been rather artificially organized. These attempts made for good official speeches but offered little in substance. There was less natural sympathy between the Ukraine and the EU than there was for example between the Baltic States or the Visegrad countries and the EU.

Yanukovich's move away from the EU agreement was seen by many as a permanent step back for Ukraine from a "European future" and a final alliance with Russia, and Russia's Customs Union. This was a very serious move for a country that for over twenty years had been unable to firmly establish a stance both on a domestic and an international level as to where it belonged economically politically and culturally. Having been unable to agree on an identity, Ukraine stagnated economically and socially as most of its neighbours began to prosper, reform politically and even enter the EU and NATO.

While European officials expressed outrage and disappointment in November 2013 after Yanukovich failed to sign the agreement in Vilnius, the fact is, it was not a very surprising outcome.[2] Compared to the bailout package that Russia was offering, the EU Association Agreement was not very lucrative.[3] Furthermore, if one looked at the EU's overall attitude towards Ukraine, it did not give one much confidence. Over the years Ukraine had failed to make any marked improvement in its economy, social policy, or political system. The EU had every interest in keeping the country stable, but little thought of integrating Ukraine into the EU. Unlike the Baltic States which although they were part of the Soviet Union signaled their desire to integrate right away, Ukraine sent no such message.[4] After the collapse of the USSR the Baltics emphasized a "clear cultural contrast with Russian, Eastern culture." [5] When it

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came to Ukraine this contrast did not exist especially in the Russian speaking East which strongly embraced a Russian identity. This strong Russian identity was not directly connected to any Russian governmental intervention but was rather the result of many years of Soviet policies.

The settlement of large numbers of Russians into the east of the country in the early 20<sup>th</sup> century as well as the annexation of westward provinces formerly belonging to Poland, Hungary and the Czech Republic after the Second World War created a country with completely different and irreconcilable identities and attitudes.[6] In fact, Ukraine with its current borders, (or rather before the Crimean takeover and Donbass unrest), did not exist until 1991.[7] It is unsurprising that years of Soviet policy now cause problems in the independent Ukraine, "Soviet policies toward Ukraine deliberately played Eastern Ukraine against their western Ukrainian 'bourgeois nationalist' counterparts. What differentiated inhabitants of the two regions was their attitude towards Soviet power. Eastern Ukrainians did not see Soviet power as imported and alien since they had lived with it since 1921 ...Western Ukraine on the other hand saw Soviet power as...imported, foreign and 'Russian.'"[8] This very issue would come up again and again in the twenty years of Ukrainian independence with the West of the country yearning for cooperation with the EU and eventual membership and the East wanting none of it. These tensions eventually boiled over in November of 2013.

The phases of Ukraine's development as an independent country as well as its relationship with the EU can be broken down into four periods matching roughly with the four presidents that preceded Petro Poroshenko. These periods are: the time right after the fall of the Soviet Union, corresponding with Leonid Kravchuk's presidency (1991-1994). The next period is the Leonid Kuchma era (1994-2005), the third, the post Orange Revolution Viktor Yushenko years (2005-2010), and Finally Viktor Yanukovich's years in power (2010-2014). Steven Pifer, former U.S. Ambassador to Ukraine described the executives in the country:

"Ukrainian presidents over the past 20 years have structured [a] balance with the purpose of fixing Ukraine's identity on the European map, ensuring that Ukraine does not end up as a borderland between enlarging Europe and recalcitrant Russia, and gain greater freedom of maneuver vis-à-vis Moscow."[9]

While before Yanukovich there was no bloodshed or war, no president had been successful in making any marked improvement in the country. This "maneuvering" between Russia and Europe accomplished little, as the country continued to decline on the domestic front. The organs of government had been and remained so corrupted and the infrastructure so fundamentally backward that even given a good amount of political will any improvement proved impossible.

The way in which the USSR collapsed created opportunities for individuals who were at the top of the ruling ladder to remain in power and make an exorbitant amount of money from selling off state enterprises: "Both economic and political reforms were initiated simultaneously, and before financial and regulatory institutions had a chance to develop. Consequently, the privatization process...was hijacked by a criminal-political coalition."[10] Little was done to "cleanse" the country of the former party elite. Both Kravchuk and Kutchma, as well as many representatives in the Rada (Ukrainian parliament) were former members of the Communist elite. The failure to implement any sort of Lustration laws as had been done in Czechoslovakia, Poland, Hungary and other states in Eastern Europe left Ukraine very vulnerable to a return to "business as had been done in the USSR". [11]

The issues in Ukraine's relations with the EU, and the crisis that ensued after November 2013 can be traced to many years earlier. Until 2014, (with the exception of the 2004 protests), Ukrainian society was largely removed from many of the processes happening in the Government. This had to do among a multitude of reasons with the lack of participation of ordinary citizens in government:

The population or the elite are the domestic forces that drive a bottom-up institutional convergence [for successful European Neighbourhood Policy implementation]. The population may participate in 'intermediary' non-state organizations, such as professional associations, religious groups, labour unions, and citizens advocacy organizations, to articulate preferences for better institutions and push democratic governments for institutional convergence...Theoretically, civil society is assumed to be more important than the elite for a bottom-up convergence...Civil society, however, has not been the main bottom-up force in Ukraine. Public choice was neither a

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driving nor constant force for institution building during the early transition years...CIS [Commonwealth of Independent States] countries had the least participatory civil societies in the world...their civil societies were regarded as weak and passive (This was also true for Ukraine).[12]

Whether or not this passivity was caused by the years of Soviet upbringing or years of economic turmoil before the final collapse of the USSR, the lack of civil participation very much hurt the country. All the power was held by a small number of individuals at the top. Despite having some very strong nationalist sentiments in the West, Ukraine did not have a *Solidarity* Movement like Poland, or the *Velvet Revolution* like Czechoslovakia, or even mass protests like the Baltic States in 1991. There was no popular opinion, protests or consensus on anything. It was as if people were removed from the very things happening right around them. Citizens went to sleep in the USSR, and after Leonid Kravchuk signed the *Belavezha Accords*, woke up in Ukraine.[13] For many there was little understanding of the democratic process or the economic reforms that occurred. Since then, and until 2014, the people have had little control over the government which had been hijacked by former Communist elites and criminal personalities.

The lack of any reform policies, or active mass social movements lead to the rise of a New Class of Oligarchs: “a ‘New Oligarchy’ was born out of the network of government nomenclature, organized criminals, and the KGB’s successors who cemented their ties in a massive effort to transfer state resources to themselves and their private interests (and ensure their control over them as the soviet Union crumbled.)”[14] Corruption and Organized Crime gripped the country completely and this situation did not improve as the 1990s came to an end and Ukraine entered the new Millennium. At this time, many scholars see the Oligarch class as the only people in control of anything in the country, “The elite [were] thus the only domestic forces capable of building institutions in Ukraine. Among the various elite groups, the oligarchic clans [were] the most powerful bottom-up forces ‘capturing’ the state authorities and controlling law enforcement and implementation of institutional reforms.” Most important was the Oligarchs’ impact on a possible European future for Ukraine, “during the early stages of transition, the oligarchic clans were responsible for the gridlock in institutional convergence with the EU.”[15] Establishment of EU type institutions in Ukraine would have been extremely dangerous for the Oligarchic ruling class because it would have required them to comply with the rule of law. This type of arrangement was clearly unacceptable to organized criminals and corrupt government officials.

When it came to international stances during the Kuchma era, Ukraine sent out very mixed messages from the mid-1990s onward:

“The government traditionally [specialized] in wearing a Europe-friendly face, while the people exhibit an aloof, largely disinterested, skeptical or, at best, marginally pro-Western countenance...polls [demonstrated] that European identity remained alien or, at best peripheral to the majority of the population.”[16]

These results differ markedly from those in other Eastern European states which embraced their freedom from Russia and the former Soviet bloc after 1989 and took what they felt was their rightful and historic place in Europe. The rhetoric in Central Europe differed substantially from the one in Ukraine both domestically and internationally, “Central European leaders used a strategy of rhetorical entrapment, arguing that accession to the EU would be a return to the European community of democratic states for their countries. For EU leaders to refuse to accept them would be equal to changing their commitment to democracy.”[17] When it came to Ukraine, there was no sense that it must “return to Europe” at least for a large part of the population in the East. Europe was a very vague idea and for many there was no identification with European values, or rather what they perceived European values to be. Geographic location in Europe did not overshadow the fact that many still clung to their Soviet identities. This was a huge contrast with Central Europe for whom the Communist identities were foreign and imposed.

The Kuchma presidency, while it kept the country stable failed completely in replacing the systems left over from the Soviet Union. Many government sectors such as the Military and security services remained just as integrated with Russia, as they were during the USSR. By the year 2000, there were virtually no changes in these structures, and many issues arose from them. Sources in 1999 reported that, “The Ukrainian intelligence organization was new in form but not in substance; many KGB professionals remained.”[18] What is worse, the police and security forces were deeply linked to Organized crime groups:

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“As in Russia, ties between former KGB officers, OC [organized crime] and the nomenklatura have been cemented in Ukraine...that organized criminals work closely with former KGB officials, corrupted government officials, and bankers in schemes to enrich themselves is widely known...such groups have highly-developed networks, as do intelligence services. A March 1996 report noted 400 large crime gangs were operating in Ukraine, most of them connected with Russian crime groups.”[19]

The overwhelming presence of organized crime led to other issues such as illegal arms trading, human trafficking and drug trade.[20] These were all steps backwards from the kinds of progress a country should have been making if it wanted a future in the European Union.

As organized crime and corruption overtook the country in the Kuchma years, standard of living plummeted. People were worse off economically than during the Soviet era. Figures show that from 1989-1999 Ukraine experienced ten years of steady economic decline. It had the greatest drop in GDP out of any former Socialist country in Eastern Europe, a total growth of -8.1 percent.[21] During the same period it also had the lowest overall level of per capita direct foreign investment in Eastern Europe, of just \$55, compared to \$1446, \$1764, and \$518 in the Czech Republic, Hungary and Poland.[22] By 1999 Ukraine also had the lowest GDP per capita in Eastern Europe, just \$619, compared to \$5189, \$4853, and \$3987 in the Czech Republic, Hungary and Poland.[23] While other countries were making progress Ukraine was stuck in place.

In 2004 Leonid Kuchma expressed frustration with “the EU’s unwillingness to extend an associate membership to Ukraine, in spite the country’s repeated requests to do so...‘Not one of the EU officials has ever stated that he wants to see Ukraine in the EU,’ noted the President, citing EU concerns over potential Russian reaction as the key obstacle to Ukraine’s European integration.”[24] It is difficult to say if the Russian position was the main deterrent from extending associate membership, considering that such “obstacles” did not seem like an issue in 2013. However, it may be true that Russia’s influence over Ukraine in combination with the country’s lack of development made up the mind of EU officials. The issues surrounding Ukraine’s involvement with the EU in the late 1990s and early 2000s can be seen here:

Notwithstanding Ukraine’s high-level ambitions and far-reaching legal and economic integration with the EU, expressed in the 1998 Strategy of Integration of Ukraine into the EU and the 1999 Concept of Adaptations of Ukrainian Laws to the legislation of the EU, weak government institutions, a highly deficient judicial system, poorly developed regulatory authorities, low administrative competence and an unstable political climate have all inhibited the successful implementation of the legal-reform program in Ukraine. The EU’s policy of stressing the importance of legislative approximation as one of the key elements for intensified relations between Ukraine and the EU and, as the best way to use the opportunities of enlargement, did not prove sufficient to bring about significant result.[25]

The backwardness of Ukraine’s infrastructure and government left the EU sceptical and distrustful. Ukraine’s commitments to European standards were in reality non-existent, no matter what Kuchma said, and the Europeans acted accordingly.

After the 2004 Orange Revolution, when Ukrainians rose up in Kiev against fraudulent elections, the world and the European Union took notice.[26] This was the first time when Civil Society, whose participation was so sorely absent before truly expressed their discontent with the government.[27] This explosion of dissatisfaction may have led other sentiments to germinate and finally explode in 2014. It was also during the 2004 presidential election that one could clearly see the very strong East-West, Pro EU/Pro Russia divisions in the country. This had been an issue before, but under Kuchma the divisions were not as marked as they became during and after the Orange Revolution.

The Orange Revolution itself was perhaps the first real indicator to Europe that people in Ukraine, or at least some people wanted change and wanted a European and a democratic government. The fact that the people stood up against injustice and corruption showed a desire towards a European-like system. After the Orange Revolution when the supposed winner Yanukovich was replaced by the newly elected Yushenko, it was clear that the new administration was planning to take the country in a pro-European direction. [28] In 2004,

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“Yushenko actively lobbied EU governments during his inauguration ceremony and several trips abroad. At the Council of Europe on 25 January 2005, Yushenko called for support of his EU accession plan and for amending the AP (Ukrainian Mission in the European Union, 2005a)...he added that Ukraine might apply for EU membership in a matter of weeks and held numerous meetings with Western leaders during a visit to Poland.”[29]

Such a serious change of heart on the part of Ukraine's government was very sudden, especially considering the non-existent improvement in the country's economic situation.

However, EU officials were less than thrilled about Ukraine's enthusiasm to be part of the EU community. Having accepted just about all of Central Europe into the EU in 2004, the EU was keen to take break. While some leaders such as the Lithuanian and Hungarian officials, as well as leaders from other Central and Eastern European nations looked at Yushenko's pleas favourably, other leaders remained sceptical and reluctant, “the Czech ambassador to Ukraine pointed out that Kiev rarely implemented its past declarations about European choice and stressed that any progress would depend on the ability of the Ukrainian elites to keep their promises.”[30] This reluctance on the part of the EU is understandable, but they chose not to embrace Ukraine's sudden pro-European impulse:

The role of publicly discouraging Kiev's ambitions was mainly left to the Commission. External Relations Commissioner Ferrero-Waldner (2004) early on rejected any demands for revising or renegotiating the AP. While she ruled out membership discussions, the Commission also continued the EU's policy of deliberate ambiguity by stating that ‘it is clear we are not closing any doors.’ High representative Solana underlined that it is not the right time for discussing membership but emphasized the prospect of concluding a new type of agreement in early 2008.[31]

While discussions did continue at a later date, this shows that the EU has not always been so enthusiastic about bringing Ukraine into its immediate sphere. This is strange considering that the fact that the political atmosphere in 2013, and Ukraine's government were much less favourable towards the EU than in 2004.

The concerns of the EU about enlargement and Ukraine's potential membership did not only stem from Ukraine's internal issues such as corruption, lack of democratic principles and bad infrastructures, but from the situation within the EU itself. Perhaps in 2004 when Yushenko made his plea to European leaders, he chose bad timing. It is likely it was precisely at this time when the EU was feeling the greatest strain of “enlargement fatigue.” Old members felt squeezed by the flood of new States into the Union:

“The lack of financial support for the 2004 new members bodes ill for further enlargement. Spain...which receives some 63% of the EU's structural and cohesion funds [had] been reluctant to reduce its share to benefit the new members. Neither was the UK willing to give up its special rebate ‘Why should we contribute to the construction of the Warsaw Metro, when the London one is in urgent need of repair’...much opposition [existed] to further enlargement in crucial institutions.”[32]

On top of the not particularly wealthy Eastern European states accepted in 2004 Ukraine with its terrible infrastructure must have seemed like a nightmare to EU officials. It unclear what exactly made them change their minds in the upcoming years in regards to neighbourhood policy and even potential membership, but in the years 2004-2005 a Ukraine “in Europe” was certainly out of the question.

During the rest of Yushenko's presidency, despite a slow start with the EU, and few improvements in the economy or the standard of living, the country's relationship with the EU became stronger. Yushenko continued to market himself as a Pro-EU, Pro-Western candidate, finding his voter base mostly in the Western regions of the country. During Yushenko's term in office, in spite of uncertainty as to Ukraine's status, the EU became Ukraine's largest trading partner surpassing Russia. The EU was also the largest foreign investor in the country accounting for 71.7% of the total investment in 2005.[33] In 2008, the EU supported Ukraine's efforts to join the WTO.[34] It was also during this time when the EU developed its neighbourhood policy with Ukraine.[35] The EU also made a commitment to grant financial assistance to Ukraine. In 2007 the EU allocated 144 million Euros intended to support government reforms.[36] However, the people in Ukraine were not well aware of these assistance programs. A poll conducted in Ukraine in 2010 indicated that “Less 46 percent of respondents were aware that the EU provides Ukraine with

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financial support for development Programs. Twenty percent of respondents do not believe that the EU provides such support 34 percent said they do not know whether such support exists.”[37] This shows a serious lack of discourse on EU issues in Ukraine at the time, and indicates that perhaps EU integration and eventual membership were regarded as secondary issues.

The Orange Revolution much to the disappointment of many did not bring prosperity and stability to the country, “Since 2004, Ukrainian politics has been dominated by turbulence, chaos, and constitutional disarray. Struggles between competing economic elites or ‘oligarchs’ have smothered a politics based on grand visions such as return to Europe.”[38] This type of corruption and business as usual made many average citizens indifferent to the pro-Western cause, and perhaps may explain the win of Viktor Yanukovich in the 2010 elections. It became clear that:

“the pro-EU emphasis was insufficient to even sustain the unity of the ‘Orange’ political movement let alone maintain the decisive support of the electorate...EU integration [was not] a core issue in Ukrainian politics—in fact, the EU barely featured as a [2010] campaign issue.”[39]

If the Yushenko administration was more successful perhaps the outcome of the 2010 election would have been different, as it was, the country seemed to be regressing back towards Russia.

Despite the failures of Yushenko’s administration, there was no doubt that his rule brought greater political freedom to the country. Even though economic performance did not improve and corruption was still rampant, Ukraine had at least shown steps in the right direction. The fair election in 2010 of Viktor Yanukovich must have been a shock to the EU. It seems absurd, unthinkable and on every level strange that a country would elect the very man whom they deposed with massive protests just six years before, a man who served out a prison sentence and had numerous links to criminal organizations.[40] This can of course be easily explained by Ukraine’s deep regional divide, but from outside this must have seemed like a massive step backwards. It is these kinds of steps back and forth that likely made the EU unsure about Ukraine’s commitment to European goals and values.

The change of scene came very quickly once Yanukovich took office:

“Yanukovich’s narrow victory over Timoshenko in the 2010 presidential election stemmed largely from voter unhappiness with the economy and the chaotic management style of the “Orange” government. Once in office, Yanukovich indicated that his first foreign policy priority would be to repair the tattered relationship with Moscow. He halted Ukrainian language and Holodomor [1933 genocide of Ukrainians by Stalin] campaigns and dropped the goal of NATO membership.”[41]

For EU supporters in Ukraine this must have been a massive disappointment.

The Yanukovich government along with the enlargement fatigue the EU experienced post 2007, made the EU cautious about any closer ties to Ukraine.[42] However perhaps the most alarming signs were not those of EU fatigue but of Ukraine’s steps back in terms of institutions and civil reforms:

“the presidential election of 2010 led to further enhancement of the power of the oligarchs [such as Firtash and Akhmetov] especially those linked to the Party of Regions (*Partiya Regionov*) and to even less interest in convergence with the EU rules. The general context of...deterioration of democratic institutions and increased of pro-Russian orientation makes a re-examining of the case of Ukraine and its convergence with the EU.”[43]

This return to even more rampant corruption and consolidation of power were very disturbing to outside observers, who had seen some improvements in the country under Yushenko.[44]

Yanukovich himself must have had an impact of EU’s perceptions of Ukraine, but he did not abruptly end ties with the EU, “after his election in February 2010, Viktor Yanukovich announced his intentions to establish stable and strong relations with both Western and Russian partners in Ukraine.”[45] This however, was empty talk. Those acquainted with Yanukovich’s background and backing knew that he would align closer with Russia. This was a

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return to the Kuchma years with a vengeance. All of his actions indicated this, “during the first months of his tenure, dialogue and cooperation with Moscow were privileged and quickly grew in intensity. On April 21, 2010, Yanukovich signed the Kharkiv Agreement...whereby Kiev clinched a 30% reduction in the price of gas for the next ten years in exchange for the 25-year extension, until 2042, of Russia’s rental of the Sevastopol Naval base.”[46] This was not the sort of deal that could have taken place if Yushenko or another pro EU or pro NATO leader was in power. The Kharkiv agreement may have been the most powerful signal both to Russia and to the EU as to Ukraine’s stance in 2010.

After some improvement during the Yushenko years, the state of corruption, democracy and the rule of law in Ukraine was seriously questioned by the European Parliament, “The European Parliament’s Resolutions on Ukraine of 27 October 2011 and 1 December 2011 stress that the...state of rule of law application is at ‘odds’ with the rule of law principle and remedying the current situation is a precondition and a prerequisite for moving forward with Ukraine’s European Integration. More strongly, Council Conclusion on Ukraine of 10 December state that ‘Ukraine’s Performance’...will determine the pace of engagement and there will be no signature of the Association Agreement if the progress is insufficient.”[47] Ukraine’s “performance” was in fact abysmal. In addition to already very high levels of corruption, the levels increased under Yanukovich.[48] Scholars found that:

“the actions of President Yanukovich since he came to power have aimed at strengthening the vertical separation of power and diminishing the role of institutions such as the judiciary. Key administrative posts are often taken by business representatives and their supporters.”[49]

Ukraine was at this point in danger of becoming a state ruled by one man and one party, much like Russia or Belarus. As Yanukovich, his family and the Party of Regions consolidated power, it seemed little could be done.[50]

In the denunciation of Yanukovich’s vertical power the EU sounded firm in its defence of European values, and reiterated that it would accept nothing less than the same values from future potential members. However, despite considerable consolidation of power and the very uncomfortable fact that Yanukovich’s opponent Yulia Tymoshenko was imprisoned following a Sham trial, the EU was after all ready to offer Ukraine the association agreement just a year later.[51] The fact that the EU was willing to compromise its values to this extent is rather surprising.

However, perhaps what is most interesting about the EU’s attitude towards Ukraine is not the fact that it was willing to compromise its values, but is its general lack of consensus on the country in recent years. Since EU’s massive 2004 enlargement it had become more and more difficult to come up with a common policy that suited all the states. When it came to Ukraine opinions differed: “the inadequacy of the EU approach reflected the divisions among the member states, whose attitudes ranged from the obsessive to the disinterested. A striking feature of the run-up to the Vilnius summit was that it was driven by those member states most invested in this relationship. Lithuania, holder of the EU presidency, was desperate to seal a deal while at the helm. So too was Poland, a country with particularly close ties to Ukraine.”[52] The impact that this encouragement on the part of the EU had on the pro Europe factions within Ukraine was profound: “they whipped up enthusiasm for a deal among pro-Western forces in Ukraine. In the face of the indifference or inattention of other members, strong EU pressure was brought to bear on Ukraine to sign a fundamentally limited deal. Kiev refused to sign, leading to deep disillusionment among pro-Western forces.”[53] This very discontent brought people into the streets in Kiev in November of 2013, despite the fact that the deal was only “limited” and would not have been enough to keep the country from economic crisis.

Another strange aspect of the association agreement and is the European lack of foresight into the possible negative reaction from the Russian Federation. The complete lack of apprehension that Russia may be unhappy is very surprising, since this has been a topic Europe had considered in years prior: “the Europeans were negligent in their failure to take seriously transparent and long-standing Russian positions on the shared neighbourhood. They ignored the signs of potential difficulty. They were hubristic in assuming that any neighbourhood government would leap at the chance to sign up for ‘more Europe.’”[54] In years before the 2013 Vilnius summit, Russia had made it very clear that it wanted Ukraine in its Eurasian Customs Union, and if that objective could not be achieved, it at least wanted to make sure Ukraine did not sign any close agreements with the EU.

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Europe ignored all obvious signals from Moscow when it came to the status of Ukraine, and Russia's clear intentions to protect what it saw as its interests. This trip shows some of Russia's intentions towards Ukraine a full two years before the Vilnius summit:

In April 2011—by no means a coincidence only one week after a critical round of negotiations on the EU-Ukraine DCFTA [Deep and Comprehensive Free Trade Area]—then-Russian Prime Minister Vladimir Putin visited Kiev, where he presented to the Ukrainian leadership the benefits of Ukrainian accession to the Belarus-Kazakh-Russian customs union. According to his figures, Ukraine's state revenue would increase by USD 6.5-9 billion annually, which would translate into a rise of GDP of 1.5-2% ...Russian officials also declared that Ukraine would be treated as a domestic consumer—implying a reduction of gas prices by USD 8 billion annually if it joined the customs union. Moreover, Putin warned against the possibility of additional customs barriers if Ukraine established a free-trade zone with the EU.[55]

The Eurasian Customs Union would have brought with it other possible difficulties to Ukraine, but even so, it is strange how much the European Union ignored the fact that the Customs Union could have been much more lucrative for Ukraine. Russia's lobbying on the matter was rather aggressive and it was visibly nervous about "losing" Ukraine to EU influences. But considering Ukraine's more friendly relations with Russia from 2010-2013 the EU's expectations that Ukraine would sign the EU Association Agreement were even more surprising. The EU also seemed somewhat inattentive to the fact that Russia had been putting pressure on Ukraine in the months before the Vilnius Summit. This negligence and it seems a general misunderstanding led to dashed hopes of many people in Ukraine in regards to the Association agreement and led to the mass protests. However, this unsigned Agreement in November 2013 was just one of many instances of the rather clumsy relationship between the EU and Ukraine.

History shows that the EU and Ukraine had not really been able to find the sort of harmony and balance which is needed for true integration. This is true in contrast to many other European countries which joined the EU after transitioning from Communism. It seems when Ukraine looked towards the EU, the EU felt that Ukraine was not ready to be a potential member. When the EU was more willing to associate and interested in bringing Ukraine toward Europe, Ukraine turned towards Russia. This all was also complicated by the fact that economically and structurally Ukraine was never ready for EU membership and likely will not be ready for many years to come.

Since the Maidan revolution in the winter of 2013-2014, the election of Petro Poroshenko, and the 2014 Rada elections, there seem to be much colder attitudes towards Russia, even in Eastern Ukraine with pro Europe parties taking most of the votes in the October 2014 elections.[56] This latest pro-EU wave of support in the country seems sincere and legitimate and will hopefully not die out like the enthusiasm behind the Orange Revolution. Much depends on the new Ukrainian government. Maybe the new attitudes in the country will finally resolve the East vs. West tensions, although the current conflict in the Donbass regions will make it difficult. But attitudes are changing and perhaps something as serious and as dire as the events of the last winter had to have happened to take the country out of its twenty year stupor.

In addition, when the new Ukrainian government came to power in the winter of 2014 there has been talk of mass Lustrations in the country.[57] Unfortunately in Ukraine these laws, along with other much needed reforms, are coming twenty years too late. It may be possible that at last the country can move past its Soviet legacy and live in the 21<sup>st</sup> century, and eventually find integration in the EU. While it seems that at last that there may be both enough popular support, government legitimacy and political will for reforms, it is hard to say if they will be effective in the long run. Ukraine has fallen so far behind its neighbours as far as developing as a functional state, and viable society, that it is hard to tell if the reforms, late as they are, will prove successful or if Ukraine will continue to decline towards the status of a 'failed state.'

### Works Cited

Anderson, Julie, and Joseph L. Albini. "Ukraine's SBU and the New Oligarchy." *International Journal of Intelligence and CounterIntelligence*, 1999.



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- Armandon, Emmanuelle. "Popular Assessments of Ukraine's Relations with Russia and the European Union under Yanukovych." *Demokratizatsiya: The Journal of Post-Soviet Democratization* 21, no. 2 (2013).
- Bidder, Benjamin. "Profiting from Power? The Dubious Business of the Yanukovych Clan." *Spiegel Online International*, May 16, 2012. <http://www.spiegel.de/international/world/the-dubious-business-of-ukraine-president-yanukovych-and-his-clan-a-833127.html>.
- Burlyuk, Olga. "An Ambitious Failure: Conceptualising the EU Approach to Rule of Law Promotion (in Ukraine)." *Hague Journal on the Rule of Law* 6, no. 1 (2014): 26-46.
- Byrne, Peter. "From Prison To President." *Kyiv Post*, February 11, 2010. <http://www.kyivpost.com/content/ukraine/from-prison-to-president-59338.html>.
- Dangerfield, Martin. "Belarus, Moldova and Ukraine: In or out of European Regional International Society." *Journal of European Integration* 33, no. 2 (2011): 215-33.
- Dimitrova, Antoaneta, and Rilka Dragneva. "Shaping Convergence with the EU in Foreign Policy and State Aid in Post-Orange Revolution Ukraine: Weak External Incentives, Powerful Veto Players." *Europe-Asia Studies* 65, no. 4 (2013): 658-81.
- Ellis, Mark S. "Purging the Past: The Current State of Lustration Laws in the Former Communist Bloc." *Law and Contemporary Problems* 59, no. 4 (1996): 181-96.
- Ekiert, Grzegorz. "Patterns of Postcommunist Transformation in Central and Eastern Europe." In *Capitalism and Democracy in Central and Eastern Europe*, 89-120. 1st ed. Cambridge, UK: Cambridge University Press, 2003.
- Fotea, Alexandru Cristian, and Teodor Lucian Moga. "Enhancing Regional Integration through Commercial Ties in the Eastern Neighborhood of the EU." *CES Working Papers*, 2012, 76-87.
- Freedom House. Freedom House, 2013. s.v. "FREEDOM IN THE WORLD 2013 Ukraine." <http://www.freedomhouse.org/report/freedom-world/2013/ukraine>
- Gromadzki, Grzegorz, Oleksandr Sushko, Marius Vahl, Kataryna Wolczuk, and Roman Wolczuk. "Ukraine and the EU after the Orange Revolution." *CEPS Policy Brief*, no. 60 (2004).
- Karatnycky, Adrian. "Ukraine's Orange Revolution." *Foreign Affairs*, 2005. Accessed January 1, 2014. <http://www.foreignaffairs.com/articles/60620/adrian-karatnycky/ukraines-orange-revolution>.
- Kuzio, Taras. "Ukraine: Muddling Along." In *Central and East European Politics, from Communism to Democracy*, 339-371. Plymouth, UK: Rowman & Littlefield Publishers, 2008.
- Lane, David. "In or Out of Europe? What Prospects for Ukraine." *Perspectives on European Politics and Society* 8, no. 4 (2007): 495-504.
- Linkevicius, Linas. "The European Union Neighbourhood Policy towards Ukraine." *Lithuanian Foreign Policy Review*, no. 21 (2008): 62-85.
- MacFarlane, Neil, and Anand Menon. "The EU and Ukraine." *Survival: Global Politics and Strategy* 56, no. 3 (2014): 95-101.
- Melnykovska, Inna, and Rainer Schweickert. "Bottom-up or Top-down: What Drives Convergence of Ukraine's Institutions toward European Standards?" *Southeast European and Black Sea Studies* 8, no. 4 (2008): 445-68.

# EU-Ukraine Relations Before the 2014 Maidan Revolution

Written by Julia Sinitsky

Molchanov, Mikhail A. "Ukraine and the European Union: A Perennial Neighbour?" *Journal of European Integration* 26, no. 4 (2004): 451-73.

Neuman, Scott. "Pro-Western Parties Sweep Ukraine's Parliamentary Elections." *Npr.org*, October 27, 2014. <http://www.npr.org/blogs/thetwo-way/2014/10/27/359280290/pro-western-parties-sweep-ukraines-parliamentary-elections>.

Pifer, Steven. "Ukraine's Perilous Balancing Act." *Current History* 111 (2012).

Podolyan, Olena. "The Role of the Identity Factor in the EU's Relations with Ukraine and the Baltic States." *Europolis, Journal of Political Science and Theory* 4, no. 1 (2010): 35-72.

Popova, Maria, and Vincent Post. "What Is Lustration and Is It a Good Idea for Ukraine to Adopt It?" *The Washington Post*, April 9, 2014. <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/04/09/what-is-lustration-and-is-it-a-good-idea-for-ukraine-to-adopt-it>.

Roth, Mathias. "EU-Ukraine Relations After the Orange Revolution: The Role of the New Member States." *Perspectives on European Politics and Society* 8, no. 4 (2007): 505-27.

"Soviet Leaders Recall 'Inevitable' Breakup Of Soviet Union." *Radio Free Europe Radio Liberty*, December 8, 2006. <http://www.rferl.org/content/article/1073305.html>.

"Times Topics Yulia Tymoshenko." *The New York Times*, January 1, 2014. [http://topics.nytimes.com/top/reference/timestopics/people/t/yulia\\_v\\_tymoshenko/index.html](http://topics.nytimes.com/top/reference/timestopics/people/t/yulia_v_tymoshenko/index.html)

*Transparency International*. Transparency.org, s.v. "CORRUPTION MEASUREMENT TOOLS: Ukraine." <http://www.transparency.org/country#UKR>

Traynor, Ian, and Oksana Grytsenko. "Ukraine Aligns with Moscow as EU Summit Fails." *The Guardian*, November 28, 2013. <http://www.theguardian.com/world/2013/nov/29/ukraine-yanukovych-moscow-eu-summit>.

Van Der Loo, Guillaume, and Peter Van Elsuwege. "Competing Paths of Regional Economic Integration in the Post-Soviet Space: Legal and Political Dilemmas for Ukraine." *Review of Central and Eastern European Law* 37 (2012): 421-47.

Walker, Shaun. "Vladimir Putin Offers Ukraine Financial Incentives to Stick with Russia." *The Guardian*, December 18, 2013. <http://www.theguardian.com/world/2013/dec/17/ukraine-russia-leaders-talks-kremlin-loan-deal>.

## Footnotes

[1] Mikhail A. Molchanov. "Ukraine and the European Union: A Perennial Neighbour?" *Journal of European Integration* 26, no. 4 (2004): 465.

[2] Ian Traynor, and Oksana Grytsenko. "Ukraine Aligns with Moscow as EU Summit Fails." *The Guardian*, November 28, 2013. <http://www.theguardian.com/world/2013/nov/29/ukraine-yanukovych-moscow-eu-summit>.

[3] Shaun Walker. "Vladimir Putin Offers Ukraine Financial Incentives to Stick with Russia." *The Guardian*, December 18, 2013. <http://www.theguardian.com/world/2013/dec/17/ukraine-russia-leaders-talks-kremlin-loan-deal>.

[4] Olena Podolyan. "The Role of the Identity Factor in the EU's Relations with Ukraine and the Baltic States." *Europolis, Journal of Political Science and Theory* 4, no. 1 (2010): 44.

[5] *Ibid.*, 44.

## EU-Ukraine Relations Before the 2014 Maidan Revolution

Written by Julia Sinitsky

- [6] Taras Kuzio. "Ukraine: Muddling Along." In *Central and East European Politics, from Communism to Democracy*, 339-371. Plymouth, UK: Rowman & Littlefield Publishers, 2008. 340.
- [7] Emmanuelle Armandon, "Popular Assessments of Ukraine's Relations with Russia and the European Union under Yanukovych." *Demokratizatsiya: The Journal of Post-Soviet Democratization* 21, no. 2 (2013). 302.
- [8] Kuzio. "Ukraine: Muddling Along." In *Central and East European Politics, from Communism to Democracy*, 342.
- [9] Steven Pifer. "Ukraine's Perilous Balancing Act." *Current History* 111 (2012). 106
- [10] Julie Anderson and Joseph L. Albin. "Ukraine's SBU and the New Oligarchy." *International Journal of Intelligence and CounterIntelligence*, 1999. 309.
- [11] Mark S. Ellis. "Purging the Past: The Current State of Lustration Laws in the Former Communist Bloc." *Law and Contemporary Problems* 59, no. 4 (1996): 181-96.
- [12] Inna Melnykovska, and Rainer Schweickert. "Bottom-up or Top-down: What Drives Convergence of Ukraine's Institutions toward European Standards?" *Southeast European and Black Sea Studies* 8, no. 4 (2008): 447.
- [13] "Soviet Leaders Recall 'Inevitable' Breakup Of Soviet Union." *Radio Free Europe Radio Liberty*, December 8, 2006. <http://www.rferl.org/content/article/1073305.html>.
- [14] Anderson and Joseph L. Albin. "Ukraine's SBU and the New Oligarchy." 282.
- [15] Melnykovska and Rainer Schweickert. "Bottom-up or Top-down: What Drives Convergence of Ukraine's Institutions toward European Standards?" 448.
- [16] Molchanov, "Ukraine and the European Union: A Perennial Neighbour?" 460.
- [17] Antoaneta Dimitrova, and Rilka Dragneva. "Shaping Convergence with the EU in Foreign Policy and State Aid in Post-Orange Revolution Ukraine: Weak External Incentives, Powerful Veto Players." *Europe-Asia Studies* 65, no. 4 (2013): 661.
- [18] Anderson, and Joseph L. Albin. "Ukraine's SBU and the New Oligarchy." 283.
- [19] Ibid., 287.
- [20] Ibid., 289.
- [21] Grzegorz Ekiert. "Patterns of Postcommunist Transformation in Central and Eastern Europe." In *Capitalism and Democracy in Central and Eastern Europe*, 89-120. 1st ed. Cambridge, UK: Cambridge University Press, 2003. 102.
- [22] Ibid., 103.
- [23] Ibid., 102.
- [24] Molchanov. "Ukraine and the European Union: A Perennial Neighbour?" 453.
- [25] Guillaume Van Der Loo, and Peter Van Elsuwege. "Competing Paths of Regional Economic Integration in the Post-Soviet Space: Legal and Political Dilemmas for Ukraine." *Review of Central and Eastern European Law* 37 (2012): 426.
- [26] Adrian Karatnycky. "Ukraine's Orange Revolution." *Foreign Affairs*, 2005. Accessed January 1, 2014.

## EU-Ukraine Relations Before the 2014 Maidan Revolution

Written by Julia Sinitsky

<http://www.foreignaffairs.com/articles/60620/adrian-karatnycky/ukraines-orange-revolution>.

[27] Melnykovska, and Rainer Schweickert. "Bottom-up or Top-down: What Drives Convergence of Ukraine's Institutions toward European Standards?" 447.

[28] Grzegorz Gromadzki, Oleksandr Sushko, Marius Vahl, Kataryna Wolczuk, and Roman Wolczuk. "Ukraine and the EU after the Orange Revolution." *CEPS Policy Brief*, no. 60 (2004).

[29] Mathias Roth. "EU-Ukraine Relations After the Orange Revolution: The Role of the New Member States." *Perspectives on European Politics and Society* 8, no. 4 (2007): 509.

[30] *Ibid.*, 511.

[31] *Ibid.*

[32] David Lane. "In or Out of Europe? What Prospects for Ukraine." *Perspectives on European Politics and Society* 8, no. 4 (2007): 499.

[33] Linas Linkevicius. "The European Union Neighbourhood Policy towards Ukraine." *Lithuanian Foreign Policy Review*, no. 21 (2008): 67.

[34] Alexandru Cristian Fotea, and Teodor Lucian Moga. "Enhancing Regional Integration through Commercial Ties in the Eastern Neighborhood of the EU." *CES Working Papers*, 2012, 82.

[35] Linkevicius. "The European Union Neighbourhood Policy towards Ukraine." 69.

[36] *Ibid.*, 69.

[37] Armandon, "Popular Assessments of Ukraine's Relations with Russia and the European Union under Yanukovich." 306.

[38] Martin Dangerfield. "Belarus, Moldova and Ukraine: In or out of European Regional International Society." *Journal of European Integration* 33, no. 2 (2011): 226.

[39] *Ibid.*, 226.

[40] Peter Byrne. "From Prison To President." *Kyiv Post*, February 11, 2010. <http://www.kyivpost.com/content/ukraine/from-prison-to-president-59338.html>.

[41] Pifer, "Ukraine's Perilous Balancing Act." 108.

[42] Dimitrova, and Rilka Dragneva. "Shaping Convergence with the EU in Foreign Policy and State Aid in Post-Orange Revolution Ukraine: Weak External Incentives, Powerful Veto Players." 659.

[43] *Ibid.*, 660.

[44] Freedom House, 2013. s.v. "FREEDOM IN THE WORLD 2013 Ukraine." <http://www.freedomhouse.org/report/freedom-world/2013/ukraine>

[45] Armandon, "Popular Assessments of Ukraine's Relations with Russia and the European Union under Yanukovich." 291.

[46] *Ibid.*

## EU-Ukraine Relations Before the 2014 Maidan Revolution

Written by Julia Sinitsky

[47] Olga Burlyuk. "An Ambitious Failure: Conceptualising the EU Approach to Rule of Law Promotion (in Ukraine)." *Hague Journal on the Rule of Law* 6, no. 1 (2014): 35.

[48] *Transparency International*. Transparency.org, s.v. "CORRUPTION MEASUREMENT TOOLS: Ukraine." <http://www.transparency.org/country#UKR>

[49] Dimitrova, and Rilka Dragneva. "Shaping Convergence with the EU in Foreign Policy and State Aid in Post-Orange Revolution Ukraine: Weak External Incentives, Powerful Veto Players." 662.

[50] Benjamin Bidder. "Profiting from Power? The Dubious Business of the Yanukovich Clan." *Spiegel Online International*, May 16, 2012. <http://www.spiegel.de/international/world/the-dubious-business-of-ukraine-president-yanukovich-and-his-clan-a-833127.html>.

[51] "Times Topics Yulia Tymoshenko." *The New York Times*, January 1, 2014. [http://topics.nytimes.com/top/reference/timestopics/people/t/yulia\\_v\\_tymoshenko/index.html](http://topics.nytimes.com/top/reference/timestopics/people/t/yulia_v_tymoshenko/index.html)

[52] Neil MacFarlane and Anand Menon. "The EU and Ukraine." *Survival: Global Politics and Strategy* 56, no. 3 (2014): 99.

[53] *Ibid.*, 99.

[54] *Ibid.*, 100.

[55] Van Der Loo, and Peter Van Elsuwege. "Competing Paths of Regional Economic Integration in the Post-Soviet Space: Legal and Political Dilemmas for Ukraine." 437.

[56] Scott Neuman. "Pro-Western Parties Sweep Ukraine's Parliamentary Elections." *Npr.org*, October 27, 2014. <http://www.npr.org/blogs/thetwo-way/2014/10/27/359280290/pro-western-parties-sweep-ukraines-parliamentary-elections>.

[57] Maria Popova and Vincent Post. "What Is Lustration and Is It a Good Idea for Ukraine to Adopt It?" *The Washington Post*, April 9, 2014. <http://www.washingtonpost.com/blogs/monkey-cage/wp/2014/04/09/what-is-lustration-and-is-it-a-good-idea-for-ukraine-to-adopt-it>.

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