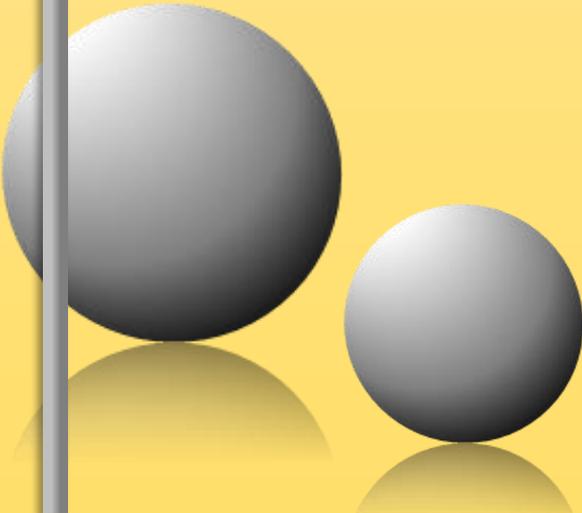
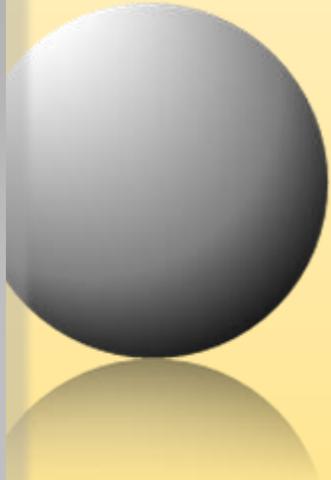




To what extent
does the EU's
engagement in
Ukraine serve
for the
achieving of the
three European
Neighborhood
Policy goals?

Chantal Zengaffinen



MSc European Governance

Master Thesis

Student:

Chantal Zengaffinen

Utrecht student ID: 5927080

Dublin student ID: 16202320

chantal.zengaffinen@gampel.ch

Supervisor 1:

Dr. Ekaterina R. Rashkova

Utrecht School of Governance

Utrecht University

Supervisor 2:

Dr. Ben Tonra

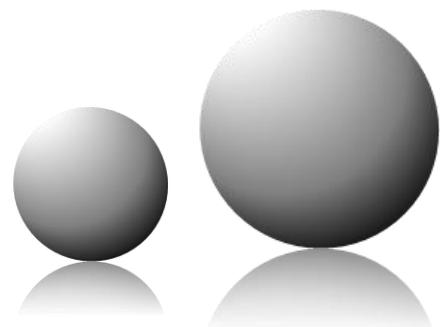
UCD School of Politics and International Relations

Jean Monnet Professor of European Foreign, Security and
Defence Policy

University College Dublin

Date of submission:

04.07.2018



Index of contents

- List of Abbreviations..... 4
- 1 Introduction..... 6
 - 1.1 Research question 7
 - 1.2 Why this research is worthwhile 9
 - 1.3 Reader’s guide 11
- 2 Background..... 12
 - 2.1 The European Neighborhood Policy (ENP) and its adaptation by Ukraine (2004 – 2011).... 13
 - 2.2 Critics of the ENP’s implementation in Ukraine (2004-2011) 16
 - 2.3 The European Neighborhood Policy (ENP) after 2011 23
 - 2.3.1 The first ENP review (2011)..... 23
 - 2.3.2 The second ENP review (2015)..... 26
- 3 Theoretical Framework 27
 - 3.1 Theorizing the obstacles that limit the extent to which the EU’s engagement in Ukraine serves for the achieving of the three ENP goals..... 30
 - 3.1.1 The ENP’s cornerstone – ensure stability, prosperity, safety 30
 - 3.1.2 The EU’s engagement in Ukraine: the implementation of the ENP 32
- 4 Methodology 38
 - 4.1 Document content analysis..... 40
 - 4.1.1 The EU-Ukraine Summits of 2015 and of 2016 41
 - 4.1.2 The Eastern Partnership (EaP) Summits of 2015 and of 2017 42
 - 4.1.3 The support group for Ukraine’s 18 months report (2016) 42
 - 4.1.4 The Commission reports of 2017 43
 - 4.1.5 The fact sheet of the EEAS (2017) 43
 - 4.1.6 Report on implementation of the Association Agreement between Ukraine and the European Union in 2017 (2018) 44
 - 4.2 Conferences content analysis..... 44
 - 4.2.1 “UkraineLab 2018” of 27th February 2018..... 45
 - 4.2.2 “Ukraine’s future path” of 24th April 2018 46
 - 4.3 Interviews 47

5	Analysis.....	48
5.1	Findings.....	50
5.1.1	Progresses and obstacles	51
5.1.2	Future goals.....	72
5.1.3	Overview of the findings	76
5.2	Evaluation of the findings.....	81
5.2.1	Governance/Politics	82
5.2.2	Safety.....	85
5.2.3	Economics/Finance.....	86
5.3	Conclusion	87
5.4	Discussion	89
6	References.....	93

List of Abbreviations

AA	Association Agreement
ACAA	Acceptance on Conformity Assessment and Acceptance of industrial products
AMCU	Antimonopoly Committee of Ukraine
AP	Action Plan
ARMA	Asset Recovery and Management Agency for finding, tracing and managing assets derived from corruption or other crimes
ATC	Amalgamated territorial communities
DCFTA	Deep and Comprehensive Free Trade Area
CEN	European Committee for standardization
CENELEC	European Committee for electro technical standardization
CFSP	Common Foreign and Security Policy
CISFTA	Commonwealth of Independent States Free Trade Area
EaP	Eastern Partnership
EBRD	European Bank for Reconstruction and Development
ECHR	European Charter of Human Rights
EEA	European Economic Area
EEAS	European External Action Service
EFI	European Financial Institution
EIB	European Investment Bank
ENI	European Neighborhood Instrument
ENP	European Neighborhood Policy
ENPI	European Neighborhood and Partnership Instrument
EU	European Union
EUAM	European Union Advisory Mission
EUBAM	European Union Border Assistance Mission
EUNAVFOR	European Naval Force
EUUAP	EU-Ukraine Action Plan
E5P	Eastern Europe Energy Efficiency and Environment Partnership

GRECO	Group of States against Corruption
IFI	International Financial Institution
IMF	International Monetary Fund
JHA	Justice and Home Affairs
LAS	League of Arab States
MEDA	Measures Accompanying the Euro-Mediterranean Partnership
MEP	Member European Parliament
MFA	Macro-financial Assistance
MoU	Memorandum of Understanding
NAPC	National Agency for Prevention of Corruption
NCTS	New Customs Transit System
NIF	Neighborhood Investment Facility
NIS	Newly independent States
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe
PCA	Partnership and Cooperation Agreement
SatCen	EU Satellite Center
SIGMA	Support for Improvement in Governance and Management
SME	Small and medium-size enterprise
TACIS	Technical Aid to the Commonwealth of Independent States
UNDP	United Nations Development Programme

1 Introduction

Since 2004, The European Union (EU) implements its European Neighborhood Policy (ENP) to ensure safety, stability and prosperity in sixteen¹ of its neighbor countries in order to guarantee these three principles also within the EU. Despite the policy's successful start, its implementation has been criticized due to the slow progress of the reforms in the neighborhood countries. Critical voices blame the EU for this, because the Union is told to prioritize personal interests without touching upon the countries' needs for the successful implementation of the reforms (Garwich, Melnykovska, & Schweickert, 2010; Pristas, 2013; Smith, 2005; Tonra, 2010). According to Garwich, Melnykovska, & Schweickert (2010) and Buscaneanu (2015), similar development of events has taken place in Ukraine. The authors criticize the EU for causing the obstacles that limit the extent to which its engagement in Ukraine serves for the achieving of the three ENP goals – safety, stability and prosperity. The reason for their argument is that the involved Ukrainian actors follow the policy's instructions and cooperate with the EU's provided personnel for implementing the reforms in the country. However, despite taking measures as foreseen by the European Neighborhood Policy (ENP), Ukraine struggles to achieve the full implementation of many reforms – embracing the improvement and development in areas like governance, politics, economics, finance and safety. By trying to find out why this implementation is unsuccessful, the authors come to the result that the problem lies in the EU itself. They conclude that the way the policy is elaborated and executed is based on EU interests and therefore leads to the emergence of obstacles that limit the extent to which the EU's engagement serves for the achieving of the three ENP goals.

Nevertheless, it is questionable whether all the obstacles that hinder the ENP's goals' achievement are caused by the EU. In order to evaluate to what extent the EU's engagement in Ukraine serves for achieving the three ENP goals, the thesis aims at revealing all obstacles that limit this engagement to be successful, and

¹ Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Syria, Palestine, Tunisia, Ukraine

defining why these obstacles are caused. What would it mean for the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals if there are obstacles not caused by the EU?

1.1 Research question

To what extent does the EU's engagement in Ukraine serve for the achieving of the three European Neighborhood Policy's goals?

According to the literature review that is illustrated in the background part, the ENP is a successful policy of the EU. The policy is implemented through Action Plans (AP) that address all reforms Ukraine has to implement. The reforms cover all sectors regarding, amongst others, governance, economics, finances, and safety. However, the reform implementation is only slowly progressing. Experts' and researchers' criticism towards the EU's policy attract the public's interest on how worthwhile the ENP's implementation in Ukraine actually is, given that there is a very widespread and common consent amongst experts and researchers that it is the EU who causes the obstacles that hinder the successful implementation of the reforms. According to – amongst others – Biscop (2010), Garwich, Melnykovska, & Schweickert (2010), Manners (2010) and Whitman & Wolff (2010), as seen in the literature review, the EU causes them, because the Union implements the ENP reforms in Ukraine on a basis of self-interest and on the principle to maximize its own welfare, without considering Ukraine's opinions and needs. Examples are, amongst others, the policy's one-size-fits-all approach, which defines that the policy does not touch upon each neighborhood country's specific needs. The top-down implementation is likewise perceived as critical. It indicates that the policy is implemented from a central and elite level instead of local levels. Equally, the lack of leverage for Ukrainian authorities and citizens to continue the implementation of the reforms poses difficulties for the implementation of the policy. Consequently, the authors argue that the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is limited because of the EU itself. The thesis, however, aims at examining

all the obstacles that limit the EU's successful implementation of the policy and analyses whether they are all caused by the EU or not.

Stemming from the theoretical framework, the thesis argues that the obstacles of the ENP's implementation in Ukraine are caused by the EU's rationalist behavior, following the rational choice institutionalism theory. In other words, the thesis states that if the EU does apply the policy in Ukraine without addressing the needs of the country and its citizens, thus it is due to the Union itself that the extent to which its engagement serves for achieving the guaranteeing of safety, stability and prosperity in Ukraine and within the EU is limited. In sum, the thesis argues that the actions that are executed on a rationalist basis are those causing obstacles that lead to the slowdown of the progress of Ukraine's reform implementations. Therefore, the EU's engagement serves for the achieving of the ENP's three goals to a high extent only if the Union does not act on a rational choice institutionalism basis. On the contrary, if the EU does engage in a way that reflects uniquely its own interests, it adds to the causing of hurdles that hinder the guarantee to have stability, safety and prosperity in Ukraine and within the EU. Thus, it is assumed that if the EU would change the way of implementation it pursues and resolve the issues it is criticized for – such as its top-down and one-size-fits-all approaches – no hurdles would emerge and the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals could increase.

The analysis examines the development that has been reported over the last four years, from 2014 to beginning of 2018, regarding the ENP's implementation in Ukraine. This analytical approach is executed through a qualitative systematic review that is composed of a content analysis of official documents and of conference contents. This method allows for the identification of progresses and obstacles of the ENP's implementation in Ukraine. However, the extent to which the EU's engagement in Ukraine serves for achieving the three ENP's goals does not depend on the progresses, but on the hurdles. They are the ones limiting any progress and therefore also the achieving of the three ENP goals in Ukraine. For this reason, it is crucial to focus on the obstacles and analyze them in order to find out what causes them. In this way, the extent to which the EU's engagement in Ukraine serves for achieving the ENP goals can be identified and further

discussed. I argue in the theory section of this thesis that the EU's engagement in Ukraine not only serves for approaching the achievement of the ENP's goals, but it likewise creates obstacles that hinder this achievement. By applying the critics that are attributed to the EU's way of implementing the ENP in Ukraine, the thesis states that all obstacles that limit the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals are caused due to the EU's rational choice behavior.

Do the findings of the analysis confirm this? In sum, in order to answer the research question, the two following sub-questions have to be answered first:

- 1) What are the obstacles that limit the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals?
- 2) Does the EU's engagement itself cause obstacles that impede the achieving of the three ENP's goals, as is argued by the criticism of the background or is the extent to which the EU's engagement can be successful limited by other obstacles that are not related to the EU's behavior?

Lastly, the research's outcomes and its answering of the two sub-questions leads to the question "what is the findings' conclusion regarding the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals?", and answers therefore the research question.

1.2 Why this research is worthwhile

Every policy has an aim to be achieved. The European Neighborhood Policy's (ENP) aim is to guarantee its three goals, which are safety, security and prosperity in Ukraine and within the EU. Considering the critics on the policy, however, it is important to examine whether the policy's goals can be achieved or not. The literature that reveals critics on the EU's ENP implementation in Ukraine addresses mainly the issue of the EU's rationalist way of implementing the ENP. In order to draw a conclusion on whether the EU's policy has the potential to achieve its three goals or not, all obstacles that hinder this achievement have to be taken into consideration. This is what this thesis aims to

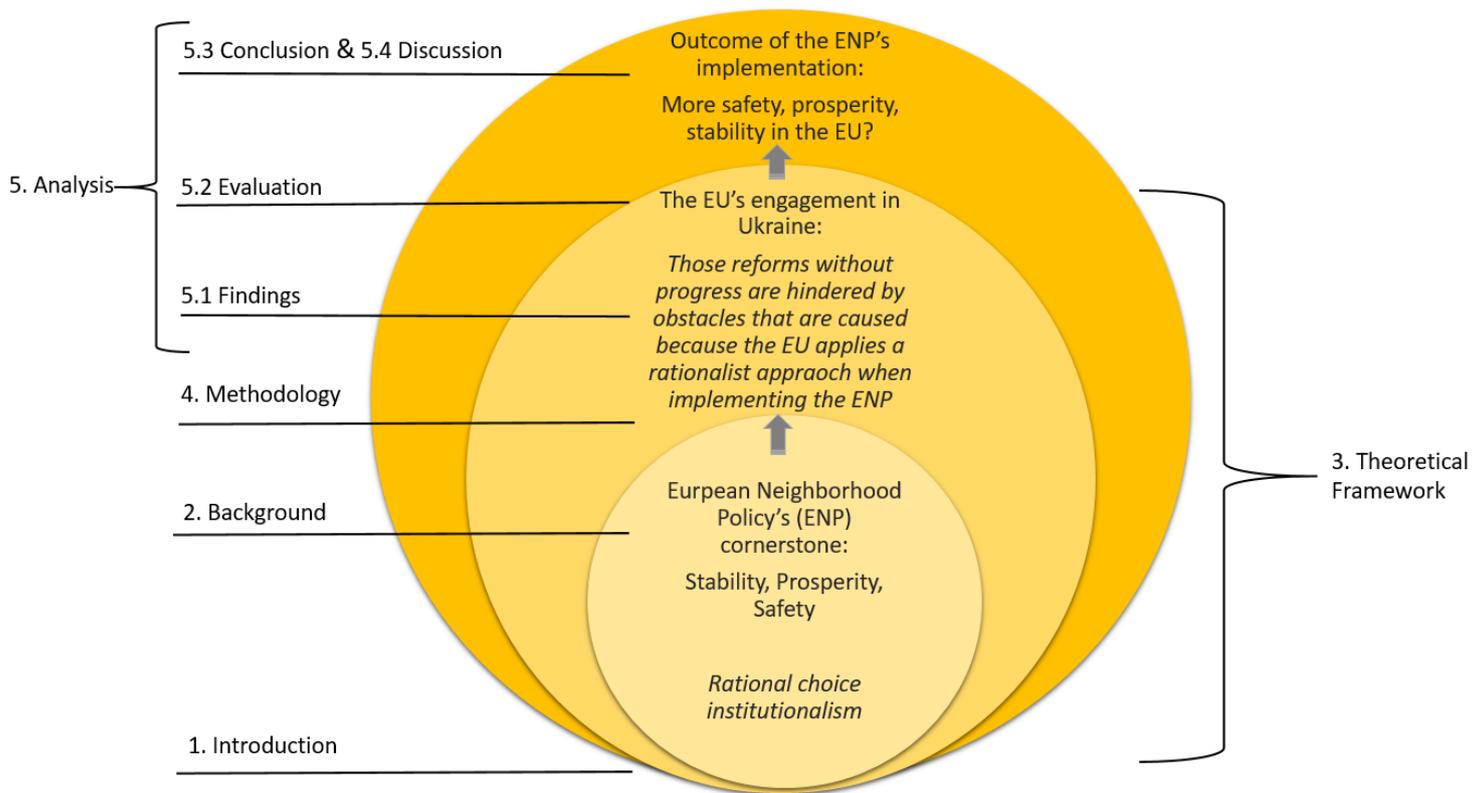
do. Only when involving all elements, a solid evaluation about the EU's engagement and its consequences can be executed.

Amongst the most important are the EU's top-down and one-size-fits-all approach if their way of implementing the ENP in Ukraine. Furthermore, also other obstacles that are not necessarily triggered by the EU hinder the EU's successful implementation of the ENP's reforms in Ukraine, namely the corruption in Ukraine and the conflict with the Russian Federation. The thesis' aim is to examine the weight the different obstacles have in relation to the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals. In order to find this out, the thesis suggests examining the obstacles that limit this extent. If the EU causes these obstacles, the extent can be changed by altering the EU's way of engagement. This would decrease or eliminate the obstacles that are caused by the Union, and therefore lead to a higher probability to achieve the guaranteeing of safety, stability and prosperity in Ukraine, and in a further way within the EU. However, if the obstacles are not caused by the EU itself, the extent to which the EU's engagement serves for achieving the three ENP goals is limited and cannot – or can only hardly – be changed by the Union, because the EU has no influence on them and their cause. This reflects the interest of this topic, which aims at finding out whether the EU's engagement is efficient or not in Ukraine by evaluating the extent to which it serves and the extent to which it is limited to serve the achieving of the three ENP goals. The fact that the ENP's implementation in Ukraine is practically always analyzed and criticized from one side makes it difficult to understand what obstacles are limiting the EU's engagement to be successful and why these obstacles are caused. Therefore, there is a need to examine all obstacles and all their causes. Only in this way the findings are valid and worthwhile to be evaluated.

1.3 Reader's guide

The thesis is organized in four parts (see *Graph 1*). The first part introduces the background of the issue, presenting the European Neighborhood Policy's development, its implementation in Ukraine, and its critical aspects. This part forms the basis for the further development of the research. Based on the critical aspects that reveal the obstacles that limit the extent to which the EU's engagement in Ukraine serves for the achieving of the ENP's three goals – safety, stability and prosperity – a theory is elaborated. The theory is developed in the theoretical framework, which is the second part of the thesis. According to the background's revealed critics, the theory argues that the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is limited by the EU itself, relating the EU's way of implementing the policy to the rational choice institutionalism theory. Only by examining why the different obstacles are caused, the research question can be answered. The methods that are applied for the analysis are illustrated in the third part. Based on the qualitative systematic review research design, a specific content analysis and interviews are conducted. However, while the content analysis provides for findings that can be extracted from the different documents'- and conferences' content, the interviews uniquely serve for a backup prove of the evaluation of the findings. Finally, the focus is on the revealed obstacles that limit the EU's engagement in Ukraine to serve for achieving the three ENP goals. After examining their cause, the evaluation tests whether the theory can be confirmed or not. Accordingly, the research question can be answered in the end. After the illustration of the key findings in the conclusion, a short discussion touches upon their impact for future perspectives of the EU's engagement in Ukraine.

Graph 1: Overview of the organization and the proceeding of the thesis



Source: my own elaboration

2 Background

In order to answer the research question, the ENP's principles and critics have to be examined. It is crucial to know what the ENP stands for and how the policy is implemented in the country, because these elements give first insights into what the EU's engagement through the implementing of the ENP in Ukraine has achieved and what it is criticized for. Consequently, this part lays down the basics for the further parts of the thesis. After the elaboration of this part, its content is linked to the theoretical framework in order to establish a theory that delineates a rationale for associating the EU's engagement with the elements that hinder the successful achieving of the ENP's goals.

2.1 The European Neighborhood Policy (ENP) and its adaptation by Ukraine (2004 – 2011)

The European Neighborhood Policy (ENP) is a policy of the European Union (EU) and has been established with the aim to support the EU's neighborhood countries to become stable, secure and prosperous. Only if these criteria are met, the EU can be guaranteed to benefit from the same principles within the Union (EurLex, 2010; Petrakos, Tsiapa & Kallioras, 2016). Under the ENP, Ukraine became the EU's most important and most promising Eastern neighbor in 2004 (Buscaneanu, 2015; Haukkala, 2010). The following part illustrates the countries' relation to the policy.

The ENP was launched in 2004, the year of the accession of ten new Member States to the EU (Commission, 2015). Acknowledging that these new Member States were post-soviet countries and therefore faced several difficulties related to, amongst others low living standards, corruption, and organized crime within their countries, the EU was aware that there would be some effort needed to overcome these problems in these new Member States. However, the Union's new Member States were not the only target to focus on. The EU's expansion of Member States also implied an expansion of its borders. Consequently, besides preparing the successful integration of the ten new Member States, the EU had to focus on those countries that would become the new neighboring countries of the enlarged EU. As a result, the European Neighborhood Policy (ENP) was established, aiming at creating a "ring of friends" (Buscaneanu, 2015; Manners, 2010; Petrakos, Tsiapa & Kallioras, 2016; Smith, 2005; Whitman & Wolff, 2010). The policy addresses sixteen bordering countries, which have no mid-term perspective for an accession to the EU (EEAS, 2016; Gebhard, 2010). These include countries that are part of the Eastern and Southern Mediterranean, the Caucasus and the Western newly independent States (NIS). Ukraine, which is one of these countries, was immediately involved with the policy. Notably, the aim of the ENP was to establish a policy that was similar to the system of the European Economic Area (EEA), embracing the economic integration and the political association of the concerned countries (Manners, 2010; EEAS, 2016). The policy is based on the EU's security strategy and on the EU's three pillars,

and illustrates the concept of a differentiated bilateralism (Tonra, 2010; Whitman & Wolff, 2010). Consequently, its structure allows every country to choose amongst different levels of cooperation with the EU, independently of what kind of cooperation the other countries select. This cooperation is signed in an ENP Action Plan (AP). An AP lasts between three and five years, and comprises various requirements that both parties the concerned country and the EU have to respect (EEAS, 2016; Manners, 2010; Whitman & Wolff, 2010). The EU-Ukraine Action Plan (EUUAP) 2005-2008 was the first one to be adapted under the ENP. It was based on the rule of law and democracy, and was put by Yulia Tymoshenko – prime Minister in 2005 and politician – into a ‘road map’ of implementation, indicating a successful start (Sasse, 2010). However, even if some countries sign an advanced agreement and others do not, the basic objectives of the ENP remain the same. As presented by Whitman & Wolff (2010) and Missiroli (2010), they include the reduction of poverty, the creation of areas of shared prosperity and values, as well as the establishing of stability, security and prosperity in the fields of human rights, rule of law, good governance, minority rights, good neighborhood relations, market economy, sustainable development and the fighting a feeling of exclusion within the neighbors. The ENP aims at supporting the countries to progress in their political and economic reforms through the differentiated framework. All action plans’ interest fields are listed in the “Commission Strategy Paper” of the 2004 EU enlargement. They imply the commitment of shared values, a more effective political dialogue, economic and social development policy, trade and internal market, justice and home affairs, connecting the neighborhood (energy, transport, environment, information society, research and innovation), and lastly, the area of people-to-people, programs and agencies (Commission, 2004).

After four years of the ENP’s launch, Poland and Sweden proposed the establishment of the Eastern Partnership (EaP) in 2008. This partnership would represent a further dimension of the ENP and includes six of the policy’s neighborhood countries – Ukraine, Moldova, Azerbaijan, Armenia, Georgia and Belarus. The proposal was accepted and led to the launch of the EaP in 2009 (EEAS, 2016a; Haukkala, 2010). Equally to the ENP, the EaP aims at creating bilateral cooperation agreements between the EU and the concerned country. At

the same time, the policy offers a multilateral framework that includes four policy platforms, which encircle 1) *democracy, good governance, stability*; 2) *economic integration and convergence with EU policies*; 3) *energy security*; 4) *contact between people* (EEAS, 2016a). These were planned to be achieved through financial aid, relaxing visa regimes, and the access to the EU internal market, yet without the possibility for these countries to access to the EU (Barakhvostov & Rusakovich, 2017). Under the EaP, Ukraine – as well as Moldova and Georgia – have agreed on an Association Agreements (AA) and on individual deep and comprehensive free trade areas (DCFTA) in 2014, deepening their relations with the EU (EEAS, 2016a). The AA seeks for a political association, promoting consistency and efficiency in the foreign and security policy sectors, providing for international stability, treating international security and crisis management, ensuring that democratic principles, the rule of law, good governance, human rights, fundamental freedoms and the rights of national minorities are respected, and supporting the stabilization and consolidation of political reforms within a country. The concerned countries agree on promoting peace and internal justice, implementing the Rome Statute of the International Criminal Court (Spiliotoulos, 2014). The DCFTA, being part of the AA, addresses the economic integration. It aims at integrating a country into the EU internal market and has the potential to become a neighborhood economic community if all the DCFTAs of all partners are interconnected (EEAS, 2016a; Spiliotoulos, 2014). Besides the DCFTA, mobility and security agreements and the visa liberalization prospect have been created to facilitate the cross-borders (Whitman & Wolff, 2010). Furthermore, the so-called 20 deliverables for 2020 were agreed in the 2015 EaP Riga Summit. They are to be achieved within the priority areas that were agreed on in the summit: *economic development and market opportunities; strengthening institutions and good governance; connectivity, energy efficiency, environment and climate change; mobility and people-to-people contacts* (Council, 2017).

Finally, between 2004 and 2006 the ENP was financed with external assistance instruments, amongst which Measures Accompanying the Euro-Mediterranean Partnership (MEDA) and Technical Aid to the Commonwealth of Independent States (TACIS) were the main contributors (Commission, 2004). These were subsumed in 2007 by the new financial mechanism – the European

Neighborhood and Partnership Instrument (ENPI). From 2014 on, the European Neighborhood Instrument (ENI) was implemented and is still running as financial support for the partner countries until 2020 (Bicchi, 2014; Gebhard, 2010). Besides, there are other financial sources, such as the Neighborhood Investment Facility (NIF) (Commission, 2015). The funding of the EaP runs under the ENPI and the Neighborhood Investment Facility (NIF) (EEAS, 2016a; Manners, 2010; Whitman & Wolff, 2010).

In sum, the ENP's cornerstone and its cooperation agreements with Ukraine seemed to be a successful start for a flourishing future. The policy's structure and functioning promised to achieve its objectives in the years that followed its implementation. The EU expected that its engagement in Ukraine through the effective execution of the ENP's principles in Ukraine would guarantee the achieving of those principles in the EU too. In other words, while the adaptation of the ENP's action plans would lead to a stable, safe and prosperous neighborhood of the EU, the EU itself would be confronted with less danger and instability on its borders, leading to the necessary conditions for future developments within the EU itself. However, reality proved to be different to what had been expected from the policy's implementation in Ukraine – as will be illustrated next.

2.2 Critics of the ENP's implementation in Ukraine (2004-2011)

Despite the EUUAP's successful launch, its progress was disrupted in 2007 due to ongoing political instability in Ukraine (Buscaneanu, 2015). The public opinion in Ukraine had increasingly become critical towards the ENP over the years, because the citizens and Ukraine's government representatives developed the perception that the ENP prioritized the EU's interests, while not touching upon Ukraine's demands. Instead of offering an EU accession, the action plan only promised a future WTO membership, as well as energy and transport agreements (Garwich, Melnykovska, & Schweickert, 2010; Vanderhill, 2008). Even after the 'Orange Revolution' in 2004, which proved the wish of Ukraine to join the EU, the latter did not derive from its initial agreement. Instead, in 2005 the Union only

added a 'ten-point plan' – also called a 'list of Additional Measures' – to the existing AP, offering Ukraine easier visa access, improved trade cooperation, more aid, and a closer collaboration within areas such as security (Haukkala, 2010; Wolczuk, 2005; Wolczuk, 2009). The EU refused to give Ukraine a membership perspective because there was disagreement amongst the EU Member States regarding this matter (Vanderhill, 2008; Zagorski, 2004). This was mainly because of Ukraine's ongoing political instability, its poor procedural structure in the law making and the lack of political accountability (Wolczuk, 2009). After 2014, an accession to the EU was made even more improbable due to the additional issue of the conflict with the Russian Federation (Poshedin & Chulaievskaya, 2017). However, already before the latter issue came up in 2014, Ukraine's politicians and citizens increasingly criticized the EU's ENP AP to be based on EU interests, without reflecting Ukraine's demands. As Wolczuk (2009) argues, the main arguments were the weak policy framework that is based on soft-law, and the fact that the policy was led by personalities of ministries without involving the local levels and the civil society – known as the top-down approach. The author further argues that the EU decided on its own what type and timing of reward Ukraine would be provided if the country implements the reforms. Moreover, the Union alone established the setting of the domestic reform agenda, despite its announcement that the ENP's AP is based on the joint ownership. Lastly, there was no incentive or leverage to implement the reforms (Vanderhill, 2008). In short, the EU's engagement was not efficient to defeat the political barriers in Ukraine and the ENP was perceived as being based on self-interests and on a rational and cost-benefit approach by the EU, failing to be implemented because Ukraine needed sustained reforms (Vanderhill, 2008; Wolczuk, 2009). Other examples, illustrated by Garwich, Melnykovska, & Schweickert (2010), show that the ENP is a one-sided policy. First, Ukraine's 'stake' in the single market risks to exclude the country's major export items. Second, the transport and energy union that would guarantee the EU a secure gas transit from Russia, but which would counter Ukraine's objective to become independent of Russia. Third, the EU's plan to integrate the Black Sea and Caspian Sea – including Ukraine – into the EU energy market, without considering it as necessary to support Ukraine to create the 'white stream pipeline' until the year Russia stopped

supplying gas. Lastly, the EU pushed to introduce new customer rules along the Transnistria stretch of Ukraine's border with Moldova in 2006, which imposed a ban on exports from Tiraspol to Russia – Ukraine's main trade partner (Garwich, Melnykovska, & Schweickert, 2010). All these elements led to a slowdown of Ukraine's progress of reforms – that embrace the political and governance, the economic and the civil society sectors. Indeed, the country even made backward movements in 2010. While the Commission report in 2007 announced an improvement in democratic concerns, the 2010 elections proved this development unsuccessful. After Ukraine joined the Group of States against Corruption (GRECO), it adapted in 2006 the anti-corruption strategy and established in 2008 a post in the government for the anti-corruption policy. However, corruption was then proved to be more difficult to tackle than expected (Buscaneanu, 2015). The same was observed in the Human Rights area. In 2006, the EU noticed improvements thanks to law adaptations of the European Charter of Human Rights (ECHR) judgments and thanks to trainings that were taking place on behalf of Human Right issues and gender equality matters. However, this development of a new approach to deal with issues in the country was blocked mainly due to the reduced media freedom that was implemented again in 2010 (Buscaneanu, 2015).

In sum, the 'one size fits all' approach, the inconsistent top-down proceeding, and the lack of incentives – like having the opportunity to establish a unified economic border – made Ukrainians increasingly perceive the ENP as a policy that is uniquely beneficial for the EU itself. The EU seemed to make sure there is security and control at its borders, while not considering further needs of its partner countries (Garwich, Melnykovska, & Schweickert, 2010).

However, this impression was not uniquely coming from Ukraine. The ENP was criticized for the same reasons in several neighborhood countries. They can be summarized as follows:

The ENP has a lack of substantial incentives and its soft conditionality is not effective (Manners, 2010; Smith, 2005; Tonra, 2010; Whitman & Wolff, 2010). This reflects the policy's short-term benefits objectives, such as financial assistance and visa facilitation. Furthermore, the ENP is criticized for its budget

constraints (Gebhard, 2010). These elements do not lead the interested countries to implement reforms, because they have no motivation to spend money and energy on reforms that do not provide them benefits. This relates to the fact that the ENP excludes those reforms that would be the most incentivizing ones for the countries – such as the European agricultural market or the implementing a system for legal economic migration (Biscop, 2010; Kelley, 2006). Furthermore, the EU only wants to consider deeper relations with each country after some reforms have been achieved. This is paradox and reflects the argument of lacking leverage and credibility (Manners, 2010; Whitman & Wolff, 2010). A suitable example for this is that the ENP countries were promised an economic cooperation in exchange for political reforms (Pristas, 2013).

Likewise, the ENP's Action Plans are claimed to be biased towards the EU's interest, despite the initial announcement that the Action Plans have a joint ownership. This is called an asymmetrical egalitarianism, defining a relationship in which – instead of being built upon shared interests – one party's interests prevail (Manners, 2010; Tonra, 2010; Whitman & Wolff, 2010). It is a positive conditionality the EU exercises over its partners – being critical while maintaining the partnership (Biscop, 2010). The EU's interests imply foremost the economic cooperation, the promotion of democracy, and the Justice and Home Affairs (JHA). In other words, these cover the three main principles of the ENP in terms of prosperity, stability and safety (Pristas, 2013).

Besides focusing on the unauthorized migration, the trans-border crime, and terrorism, the Union is criticized for only telling its neighbors *when*, but not *how* to implement the reforms (Haukkala, 2010; Tonra, 2010). In addition, in those cases the ENP does actually provide for support on *how* to implement a reform, it rather takes a top-down approach instead of a bottom-up approach. However, this is not the way sectors such as the education system, the media and the civil society will be successfully improved (Pristas, 2013).

Furthermore, the ENP is criticized for being a 'catch all' policy that contains states that are very different amongst each other. Even after the creation of the EaP, homogeneity amongst the members is not achieved yet (Whitman & Wolff, 2010; Manners, 2010). On the contrary, the ENP's single framework addresses too

many structurally disparate countries (Gebhard, 2010). The countries do not share neither their level of development, nor their objectives with respect to the EU (Haukkala, 2010). At the same time, also the EU itself is not composed of homogeneous countries. Its Member States often have different policies and are egoistic in what they want to achieve. This undermines the EU's credibility, as well as the power to convince other countries to adapt the Union's norms (Tonra, 2010).

All countries that have entered a partnership with the ENP and the EaP are still confronted with corruption, volatile political systems, low living standards, violent domestic conflicts, organized crime, etc. Hence, we could argue whether the ENP really did make anything become better in these countries (Buscaneanu, 2015, Christou, 2010; Manners, 2010; Whitman & Wolff, 2010). The ENP's objectives to transform its neighborhood countries into democratic and stable states has not been achieved yet, mainly due to a lack of the EU's performative power in conflict resolution, as well as the weak power to influence autocratic regimes (Gebhard, 2010).

The last criticism of the ENP is related to Russia. According to experts, politicians and researchers, the ENP's implementation in Ukraine is connected to the tensions that have emerged between the Russian Federation and Ukraine – and between the former and the EU – over the last decade. As Gretskiy, Treshchenkov, & Golubev (2014), and Delcour (2018) criticize in their research papers, Russia's opinion on the ENP was not considered as important as the one of the EU when the Union established the ENP. After the collapse of the Soviet Union, Russia's policy towards its former soviet republics remained since ever deeply interconnected with the fate of these countries. On the one hand, while the Russian government formally recognized these countries' sovereignty, it still saw them as having some special status and reserved a right to play a special bilateral role (Delcour, 2018; Gretskiy, Treshchenkov & Golubev, 2014). This explains why Russia's reactions to the Western approach towards these countries is rather skeptical. Not only is it stated that Russia got encircled by another power, but the EU is criticized for having indirectly imposed its norms and values to Russia since the Soviet Union's collapse in 1991 (Browning, 2003; Diesen, 2017; Williams and Neumann, 2000). This relates to the Article 55 of the

EU-Russia Partnership and Cooperation Agreement (PCA) that states that *Russia should endeavor to ensure that its legislation will be gradually made compatible with that of the community* (Haukkala, 2010). Consequently, Russia did not accept to become part of the ENP, asking for being treated as a strategic partner of the EU, where equality between the two powers is guaranteed and Russia would not have to adapt the EU standards (Delcour, 2018; Haukkala, 2010). The EU agreed on establishing the so-called four common spaces with Russia in the 2003 St. Petersburg summit. These spaces involve freedom, security and justice, external security, and research and education (Manners, 2010; Tonra, 2010; Whitman & Wolff, 2010). However, as Haukkala (2010) states, this was interpreted by Russian leaders as *attempts at operationalizing the abstract and monolithic obligation for Russia to harmonize its trade-related laws and rules with those of the EU acquis*. Likewise, after the adaptation of the ENP roadmap of the common space on external security in 2005 in Moscow, Russia did not take this seriously due to the policy's vagueness and the lack of specificity. Consequently, it was argued that Russia's inactiveness led the country to become always further distanced from the EU (Delcour, 2018; Gretskiy, Treshchenkov, & Golubev, 2014). This was intensified as the EaP entered into force in 2009, when Russia blamed the Western for its legal boundary expansion. As a result, Russia did not recognize the EaP's rewards – which would be in form of Association Agreements (AA), DCFTAs, visa liberalization and increasing sectoral cooperation (like energy amongst others) – that were predestinated for those partners that will have adapted the EU legal framework with 90% of the acquis (Delcour, 2018; Gehring, Urbanski & Oberthur, 2017). Mainly the EU's AA in Ukraine was perceived by Russian experts as destroying Russia's economic relation with the country, and causing tensions between Russia and Ukraine (Mearsheimer, 2014). Likewise, the country did not accept the EU's offer to associate the EaP as a partnership with the existing EU-Russia partnership (Delcour, 2018). However, the EU constantly highlighted that its principles not only would lead the EU itself to economic growth and development of the different interest areas, but that it would likewise lead to the same effects in Russia if these principles were adapted (Haukkala, 2010). These elements rise a debate regarding the critics of experts – amongst which Browning

and Christou (2010) and Garwich, Melnykovska, and Schweickert (2010) – that blame the ENP to have created the concept of ‘otherness’. Being based on a very centric and one-sided elaboration of the basic principles of the ENP, the policy risks indeed to create borders between the ‘inside’ and ‘outside’ group, between the ‘becoming like us’ and ‘remaining different’. However, this perception not only reflects to Russia, but the feeling of being an ‘outsider’ is also perceived by some ENP members – like Ukraine – that know that they have no EU accession perspective (Browning & Christou, 2010; Garwich, Melnykovska, & Schweickert, 2010).

In sum, these critical aspects prove that the ENP’s implementation – specifically in Ukraine – did not necessarily lead to those effects it was aiming at in its basics. The critics reveal elements that hinder the ENP’s goal to be achieved, and therefore limit the EU’s engagement in Ukraine to be fully successful in achieving these goals. Overall, the critics are based on the argument that all these obstacles are caused by the EU’s rationalist way of implementing its policy. Consequently, it is unclear to what extent the EU’s engagement in Ukraine has served for the achieving of the ENP’s goal to guarantee Ukraine – and mainly the EU – to be safe, stable and prosperous. However, after the 2011 Arab uprising, changing circumstances in the EU’s neighborhood caused the executing of the first review of the ENP (EEAS, 2016). This review was followed by a further review in 2015. Keeping the ENP’s basic principles, the first policy revision brought along the concept of “more for more”, and the second one highlighted the importance of four focus areas of the ENP, which are *good governance, democracy, rule of law and human rights; economic development and financial stabilization; security; migration and mobility* (EEAS, 2015). The policy’s main components after the second review were dialogue on migration and on security, enhanced role for the ENP countries in EU programs, the review of the EaP’s multilateral architecture and the EU League of Arab States (LAS) relations (EEAS, 2016). Nevertheless, did the revisions touch upon the critics that had been made? Did they diminish or even resolve those elements that have been revealed as being obstacles to the EU’s engagement in Ukraine, hindering the achieving of the policy’s objectives? In order to answer these questions, the two policy revisions of 2011 and 2015 are illustrated in detail in the following part.

2.3 The European Neighborhood Policy (ENP) after 2011

2.3.1 The first ENP review (2011)

Following the Arab uprising in 2011, the ENP was revised. After the Lisbon Treaty had entered into force in 2009, its European External Action Service (EEAS) was launched in 2011 (EEAS, 2016b). While the Commission kept the responsibility for the External Economic Relations and all financial instruments related to the EU's foreign affairs, the EEAS' task is to manage the Common Foreign and Security Policy (Bicchi, 2014). These changes of the Lisbon Treaty and the subsequent Arab Spring led to a need of altering the ENP in order to adapt it to the new challenges the EU and its neighbors were about to face (Bouris & Schumann, 2017). Most delicate was the EU's dilemma between the stability and democratization goals, which had to be addressed in the ENP review. The dilemma's rationale is that if there is stability in one of the countries, no democracy is needed. However, if only some amongst all countries have this kind of regime, there is still the risk of fragility. For this reason, democracy becomes necessary in all of the countries in order to ensure stability and democracy (Bauer, 2011; Biscop, 2010). The EU's aim was to ensure that its individual and regional relationships with its neighborhood countries is solid. In order to achieve this goal, the EU established an approach it called "more for more" (Commission, 2011). More specifically, this new concept foresaw "more funds for more reforms". The EU was ready to increase its funds for those countries that prove willingness and progress in the implementation of the planned reforms. In this way, the mutual accountability was ensured. The financial support was backed up by the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) (Commission, 2011).

In sum, due to a process of democratic change throughout the EU's neighbors, the EU was aware that it has to be prepared for the challenges that risk to arise in the fast-changing neighborhood. The revised ENP put therefore accent on differentiation. This allowed each partner country to cooperate on a level that is appropriate to its capacities and circumstances. Considering these aspects, the EU's revised ENP's "more for more" approach seemed to be an appropriate way

for further collaboration with its partner countries (Commission, 2011). However, did the new approach react to the so far revealed criticism of the ENP?

According to the mentioned criticisms, evidence proves that the new version of the ENP only touched upon some of the critics. On the one hand, the new ENP has focused on the resolving of the “one-size-fits-all” approach, the too unilateral presence of interests, and the unchanging situation in the neighborhood countries (Buscaneanu, 2015; Christou, 2010). On the other hand, the policy has less directly involved other critical aspects that are related to the EU accession perspective, the lack of leverage and the consistency with the ENP’s different action plans, and Russia and the concept of otherness (Buscaneanu, 2015; Christou, 2010).

First, the EU addressed the “one-size-fits-all” criticism. Due to the possibility of having more freedom in choosing the level of cooperation with the EU, the neighborhood countries were no more squeezed in a “one-size-fits-all” policy. The differentiation approach made it easier for the EU and its partner countries to touch upon those areas that were of interest for the specific country (Commission, 2011).

Likewise, the EU focused on resolving the issue of the ongoing difficulties to achieve stability, prosperity and safety within the EU’s neighborhood countries (Buscaneanu, 2015, Christou, 2010). Through differentiation, the ENP’s revised version clearly demonstrated the EU’s will to be supportive in a more efficient way, in order to help those countries achieve their reforms faster. Likewise, it highlighted the importance of a policy that is based on mutual interests, which are respected and agreed on amongst the different stakeholders. This improved equality between the interested parties were a clear positive reaction towards the critics that blamed the EU to have established a policy that is too much focused on the EU’s interests (Commission, 2011).

However, despite the EU’s improved neighborhood policy, the ENP’s new version did not confront the lack of substantial incentives and the soft conditionality, which are related to the short term benefit goals and to Ukraine’s unsuccessful attempts to reach a consent with the EU to agree upon a possible EU accession in future (Buscaneanu, 2015; Kelley, 2006; Smith, 2005). Even if the new ENP’s concept

promised additional funds for those who do put more efforts to achieve their reforms, the incentives remained limited as well as rather short-term focused. The soft conditionality also remained the same. Likewise, the EU did not consider any country's future accession to the EU. Lastly, the issue of 'otherness', which is related to Russia's situation, was not addressed and remained on hold.

In sum, the critics of the ENP remained largely the same as before the policy's revision. Consequently, the same also applies to the ENP's implementation in Ukraine. This implies that the impacts the ENP's implementation in the country have on the EU would not be more promising as before the revision. Finally, neither the EU's neighborhood nor the EU would become more stable, safe and prosperous.

On the other hand, despite the observation of a largely unchanged policy with remaining critical aspects, there were some developments that the ENP and its EaP have achieved in Ukraine. In 2012, the texts on the Association Agreement (AA) and its trade component Deep and Comprehensive Free Trade Area (DCFTA) were prepared. Then, they were signed in 2014 after the Euromaidan (Poshedin & Chulaievskia, 2017; Spiliotoulos, 2014). The AA between the EU and Ukraine is applied since November 2014 involved the free access to the European market, the visa liberalization and it implied financial aid. These different possible cooperation areas and instruments are all considered within an economic and political perspective (Barakhvostov & Rusakovich, 2017). The DCFTA is applied since January 2016 and addresses the trade rules to ensure the successful mutual opening of the markets for goods and services. The aim is to incentivize businesses, consumers, investors and other actors to participate in this newly open market. Furthermore, product standards and consumer and environmental protection will be adapted to the EU legislation. This economic collaboration aims at leading to stable and prosperous circumstances within Ukraine (Commission, 2015a). Therefore, even if very limited, Ukraine has known some progress besides the critical issues that remained problematic. However, the question whether the impacts the policy's implementation in Ukraine has on the EU are rather positive or negative still persists.

2.3.2 The second ENP review (2015)

After a first review of the ENP, a second followed in 2015. This review highlighted the new focal points, which imply mutual interests, differentiation, shared ownership, and implementation flexibility (Commission, 2017; Commission, 2017a).

By improving these capacities, the EU is meant to be more efficient in its support and cooperation with its neighbors in the future. The revised policy is aimed at achieving the planned reforms in a more adapted way than the previous ENP was able to do (Commission, 2017). It involves the social and economic development, the closer cooperation in security issues that are related to conflict-prevention, anti-radicalization policies and counter-terrorism, and lastly the legal mobility and matters on smuggling, human trafficking and irregular migration. Likewise, it embraces the areas of energy security and climate issues (Commission, 2015). Foremost the increasing security challenges that are related to the refugee crisis and the irregular migration issues have been taken into consideration and were a main element in the improving of the ENP (Commission, 2017, Commission, 2017a).

However, the main points of the revised ENP turned out to be almost indifferent to those of the 2011 ENP review. Just as in 2011, the Commission and the EEAS announced that their focal points would be mutual interests and differentiation. Concerning the shared ownership and flexibility of implementation, it can be questioned whether these are really new principles – bearing in mind that shared ownership is related to mutual interests, such as the flexibility of implementation is associated with differentiation. Consequently, it is still a puzzle to what extent the EU's engagement in Ukraine has served for the achieving of the ENP's goals.

Bearing in mind what has been illustrated so far, it can be stated that despite the remaining critical aspects concerning the ENP's implementation in Ukraine, the country is pursuing the realization of its reforms, even if some of the areas are not progressing as it was expected from the EU (Spiliotoulos, 2014). However, considering the last four years in which the Euromaidan and the Crimea annexation by Russia took place, the case of Ukraine and its implementation of

the ENP has become more critical than ever before. This not only relates to Ukraine itself, but also to the EU, whose ENP might be at risk of not achieving its objectives – which are to ensure safety, stability and prosperity in Ukraine, as well as within the EU. Before the increase of tensions between Russia and Ukraine, the EU had foremost to consider whether stability and prosperity is improving in Ukraine. Nevertheless, since these tensions intensified, the safety principle has gained on importance. Some examples of such tensions are Russia's suspension of the Commonwealth of Independent States free trade area (CISFTA) agreement with Ukraine one year before the Euromaidan, or Ukraine's following cancellation of its military cooperation agreement with Russia and the interdiction of some Russian citizens to enter the Ukrainian territory (Barakhvostov & Rusakovich, 2017). While stability and prosperity remain a highly critical issue, the safety factor is currently the most fatal element in Ukraine. Consequently, to what extent the EU's engagement in Ukraine serves for the achieving of the three ENP's goals? Considering the stability, prosperity and safety challenges in Ukraine, what are the elements that hinder the EU to implement the policy in a successful way in Ukraine? Finally, are these elements all caused by the EU itself, as the critics by – amongst others – Biscop (2010), Pristas (2013), and Smith (2005) state?

3 Theoretical Framework

To analyze to what extent the EU's engagement in Ukraine serves for the achieving of the three goals of the European Neighborhood Policy, this thesis' theoretical approach is based on the rational choice institutionalism (Moravcsik & Vachudova, 2003; Schimmelfennig & Sedelmeier, 2002). According to what has been revealed in the background part, the EU's engagement in Ukraine has served to approach the ENP's three goals, which are to ensure safety, stability and prosperity in Ukraine in order to guarantee these three goals also within the EU. However, the EU's engagement has also been criticized for being the reason why several reforms in Ukraine cannot be achieved (Biscop, 2010; Buscaneanu

2015; Garwich, Melnykovska, & Schweickert, 2010; Manners, 2010; Whitman & Wolff, 2010). It is therefore assumed that the EU's engagement in Ukraine has not only served for the achieving of the three ENP goals, but the engagement is criticized to have likewise led to the creation of the hurdles. Taking this assumption as initial point, the theory aims at examining whether the revealed obstacles that limit the extent to which the EU's engagement achieves the three ENP goals are really all caused by the EU itself or whether these hurdles are not related to the EU's engagement and are therefore an external issue the EU has no influence on.

According to what has been revealed in the literature by – amongst others - Biscop (2010), Pristas (2013), Smith (2005), Vanderhill (2008), and Wolczuk (2009) – Ukraine's reforms are not being implemented as expected because the EU does not adapt its ENP in an appropriate way. Instead of implementing the policy on a bottom-up approach and on country-tailored measures, the Union follows a rationalist approach to implement the ENP in Ukraine (Garwich, Melnykovska, & Schweickert; 2010). Furthermore, the EU does not offer any leverage to Ukraine, leading to discontent amongst the citizens and policy actors (Manners, 2010; Whitman & Wolff, 2010). Consequently, due to this way of engagement in Ukraine, the EU creates obstacles that hinder the successful implementing of the reforms and therefore limits the extent to which this engagement serves for the achieving of the three ENP goals. This observation is related to the rational choice institutionalism theory, which examines institutions as systems of rules and incentives and argues that actors build institutions in order to maximize their own welfare (Boudon, 2003; Schimmelfennig, 2000). Thus, this thesis' argument is that those obstacles that can be identified as limiting the extent to which the EU's engagement serves for achieving the three ENP goals are caused because the EU prevalingly has pushed for its own interests, without touching upon the demands of Ukraine to successfully implement the reforms. As a result, the theory argues that if the EU's engagement is based on the rational choice institutionalism, the Union causes obstacles that limit the extent to which the Union serves for achieving the three ENP goals. However, are all the obstacles caused by the EU, as stated by – amongst others

– Biscop (2010), Garwich, Melnykovska, & Schweickert; 2010; Manners (2010), Pristas (2013), Smith (2005) and Vanderhill (2008)?

In order to answer the research question, the obstacles' cause has to be determined. Only if their cause is examined, the thesis is able to conclude whether the EU's engagement is rightfully criticized for its way of implementing the ENP in Ukraine, or whether the Union has no influence on the obstacles that limit the extent to which its engagement serves for achieving the three ENP goals. Consequently, the findings can determine this extent and evaluate the policy's relevance in Ukraine.

There are undoubtedly alternative variables highlighted by other theories one can explore to explain the success or failure of the ENP in Ukraine. One of them would be the social constructivism theory, which considers shared values and norms, as well as internal factors such as normative commitment and continuous dialogue amongst all actors – in this case the EU and Ukraine – creating common grounds as crucial elements for institutional change and for a balanced policy-making. The ENP could therefore be stated to be the result of common interests and the failure of the policy would be argued to be originated by external issues the EU is not related to (Jupille, Caporaso and Checkel, 2003; Schimmelfennig and Sedelmeier, 2002). However, the thesis will take the point of view of the EU and its policy's critical aspects, as revealed by the literature. The reason for the choice of this specific theoretical framework is based on the ENP's initial rationale to be elaborated and to be implemented in Ukraine. From the EU's point of view, Ukraine alone has not the needed means and expertise for implementing the reforms on their own. This is why the EU elaborated the ENP – and in further years the Eastern Partnership (EaP) and the Association Agreement (AA). The policy is implemented through the EU, which helps and instructs Ukrainians how to implement the reforms and which tries to make Ukraine become assimilated to the EU's system of governance. Thanks to its expertise and experience, the EU's personnel and experts have the lead for all actions that are executed in Ukraine. For this reason, the thesis bases the theoretical framework on how the EU engages and starts therefore from the argument that the EU's engagement in Ukraine leads to positive but probably also to negative elements. Nevertheless, this does not exclude that internal issues within Ukraine are not mentioned. On

the contrary, given that the thesis' aim is to reveal *all* obstacles that limit the extent of the EU's successful engagement in Ukraine, also internal issues within Ukraine, as well as other EU-external issues will be exposed if they exist.

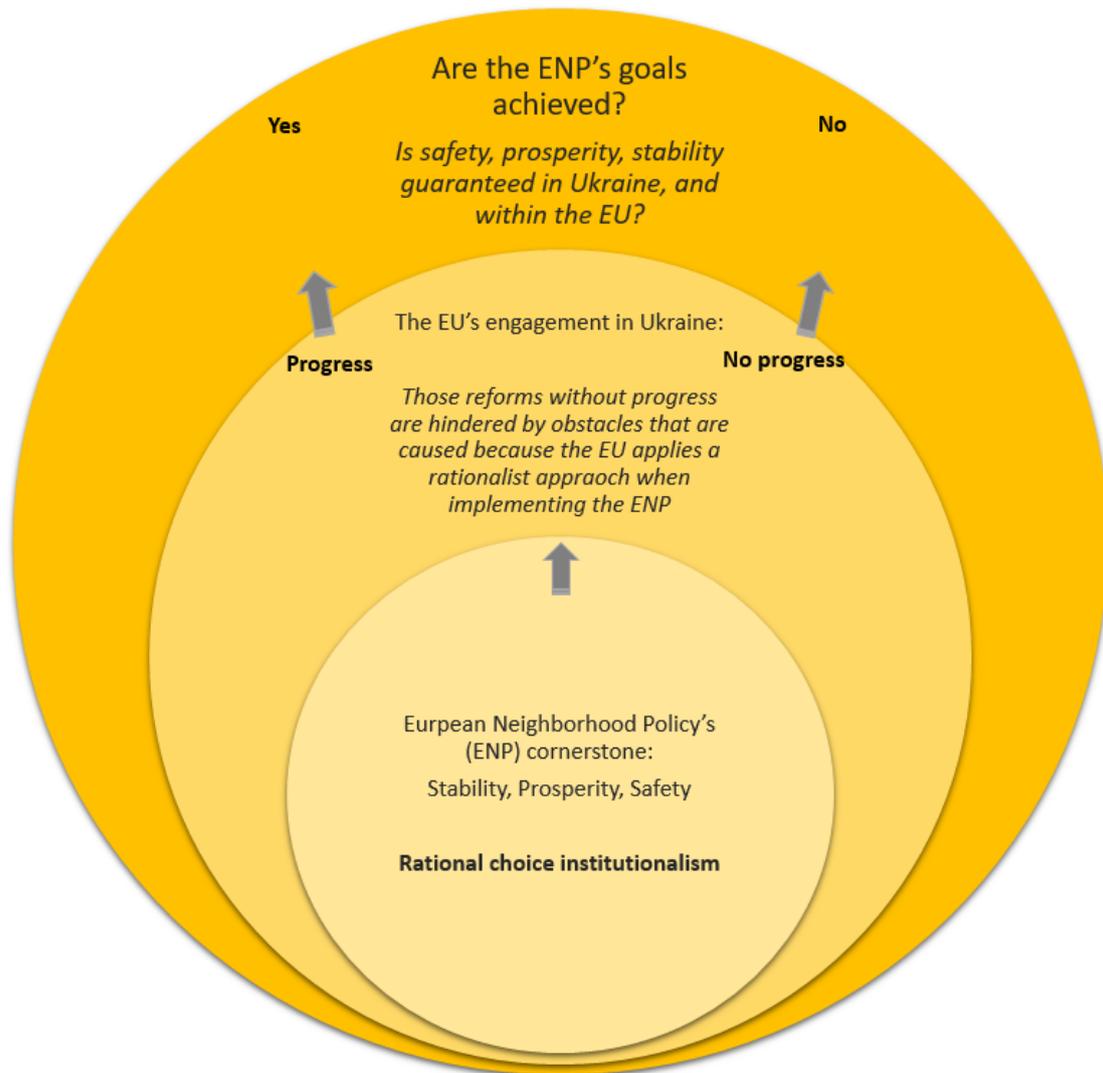
3.1 Theorizing the obstacles that limit the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals

3.1.1 The ENP's cornerstone – ensure stability, prosperity, safety

According to *Graph 2*, and bearing in mind what has been mentioned in the background part, the theory argues that the ENP's reason of creation is based on the rational choice institutionalism theory. The EU's aim is to ensure stability, prosperity and safety in Ukraine in order to ensure these three principles also within the EU. This follows the EU's rationale that states that only if the EU's neighborhood countries – in this case Ukraine – guarantee these three principles, they can be guaranteed within the EU. As a result, the theory addresses the ENP's goals, which are perceived as the cornerstone of the policy. The pursuit of these three goals is defined as being led by a rationalist behavior, because the EU seeks to achieve safety, stability and prosperity within the EU. Only for this reason, the Union established a policy that addresses its neighbors and provides for support that should lead them to become safe, stable and prosperous. A neighborhood that reflects these three principles renders the EU itself a more safe, stable and prosperous Union. Thus, the ENP is based on the idea to fulfill the EU's interest to maximize its welfare. This relates to Balsan and Maha's (2013) article, in which they refer to Shaples' approach of what rational choice institutionalism means. In his work, Shaple states that the rational institutionalism theory's keystone is based on individual and material interests, which are shaped within institutions in a way that the best choices of the actors are represented, serving as collective goods for all. Furthermore, he argues that these institutions do not emerge naturally. Instead, they are established artificially, being the center of interaction through which objectives can be achieved in a more efficient way. Applying this explanation to the EU's European Neighborhood Policy, it can be stated that the EU pursues its own well-being through implementing a policy in

Ukraine, which should make this country become stable, safe and prosperous in order to have the same effect on the EU itself in the end.

Graph 2: Theorizing the obstacles that hinder the EU's engagement in Ukraine to be successful in the achieving of the three ENP goals



Source: my own elaboration

According to what has been argued in the literature of the background part, the EU has always been promoting the ENP and the three principles as a policy that aims at supporting and stabilizing the Union's neighborhood. In other words, the EU wants to do something good for its neighbors. Likewise, the EU's readiness

to revise the ENP in 2011 and 2015 demonstrates that the Union is in favor of improving those obstacles that are criticized by the neighborhood countries and the Member States. This proves that the EU has always been open for changes that will help better achieving the ENP's goals. Indeed, the EU's engagement to improve the ENP's implementation in Ukraine has led to create the Action Plans and the Eastern Partnership (EaP), the Association Agreement (AA) and the Deep and Comprehensive Free Trade Area (DCFTA). These are examples of promising cooperation settlements between the EU and Ukraine. However, despite the success of the ENP's implementation in Ukraine and the EU's engagement that has served to approach the achievement of the three ENP goals, there have always been obstacles that limit the EU's engagement to be successful. The cause of the obstacles has to be unveiled in order to be able to answer the research question.

3.1.2 The EU's engagement in Ukraine: the implementation of the ENP

After the establishment of the ENP and the defining of its principles, the EU started with the implementing of the policy in Ukraine. While the literature of the background part proved that this implementation process has been successful for some reforms, other reforms have not been as successful as expected due to several obstacles that came along with the EU's engagement in Ukraine. A first key statement of the theory is that several amongst the reform areas' implementation is marked by rationalist ideologies. The ENP has been presented in 2004 as a policy that is based, amongst others, on shared values (Schimmelfennig & Sedelmeier, 2002; Sjursen, 2002). However, the critics that followed the first years of the policy's practical implementation proved that the policy was partly based on rationalist ideologies (Biscop, 2010; Smith, 2005; Garwich, Melnykovska, & Schweickert, 2010). Referring to Ukraine, besides some improvements, there are still reform areas the country is struggling with. Even after the two ENP reviews of 2011 and 2015, only some amongst the criticized areas have improved. Both reviews' focus was on differentiation and mutual interests. However, considering that both of these new focal points of the reviews had already been mentioned before the year 2011 in the ENP's initial

version proves that the EU's engagement in Ukraine did not change its way of implementing the ENP; neither after the 2011- nor after the 2015 review. As a result, the critical aspects that had been revealed before 2011 and before 2015 were not resolved (*for an overview, see Table 1*).

Consequently, there is evidence that even if both reviews' new outcome statements were announced to be based on shared values, their practical implementation proved to be the contrary. For this reason, the criticism's basic argument on the rationalist prevalence of the way the EU proceeded its engagement in Ukraine seemed to be confirmed.

Accordingly, the theory argues that the EU's engagement in Ukraine has not only served for approaching, but also for hindering the achievement of the ENP's three goals, because it pursues a rationalist approach regarding the implementation of the ENP. This prevailing of the own interests to maximize the own welfare creates several hurdles that impede the reforms' progress and therefore limits the EU's engagement in Ukraine to serve for the achieving of safety, stability and prosperity in Ukraine and within the EU. Amongst the obstacles, the EU's top-down approach, the one-size-fits-all approach, and the lack of leverage for Ukrainians to implement the reforms are the most popular. As a result, neither safety, nor stability and prosperity are guaranteed within Ukraine. Finally, the EU cannot achieve the three principles either. Schimmelfennig and Sedelmeier (2002) argue that it is the material or circumstantial interests that trigger every action of institutions, and not reasons. Consequently, since institutions follow their interests, they do not modify their identity or interests, but instead they adapt their cost-benefit calculation according to what they aim for, and provide thus constraints and incentives for actors.

Table 1: The ENP's implementation's critical aspects in general and in Ukraine

ENP (period 2004-2011)		ENP's 2011 review		ENP's 2015 review		ENP implementation in the Ukraine				
		Issues addressed	Issues not addressed	Issues addressed	Issues not addressed	Positive aspects in the beginning	Critics (before 2014)	Consequence of the critical aspects	Since 2014	
Principles	Critics	One-size-fits-all approach (now Differentiation)	Soft conditionality	EU's interests prevail (again, mutual interests; new shared ownership)	Soft conditionality	Improvement of the corruption issue	EU's interests prevail	The issue in the Ukraine is corruption and this is still the main issue	Positive	Negative
		EU's interests prevail (now mutual interests)	Lack of leverage	One-size-fits-all approach (again, Differentiation; new implementation flexibility)	Lack of leverage	Improved Democracy	Lack of leverage	The country made a backward movement	The AA and DCFTA were a new chapter for a fruitful future	The Euromaidan marked the beginning of a conflict situation, including the presence of Russia (and the EU)
		Internal issues of the neighbors (now Differentiation)	Russia as the outsider		Russia as the outsider	Improved Human Rights sector	One-size-fits-all approach			
			Heterogeneity within the EU, within the neighbors		Heterogeneity within the EU, within the neighbors	Incentive for future cooperation in a big variety of areas	Top-down approach			
		Soft conditionality	Top-down approach		Top-down approach					
		Top-down approach								
		One-size-fits-all approach								
		Heterogeneity within EU, within the neighbors								
		Internal issues of the neighbors are still present								
		Russia as the outsider								

Source: my own elaboration

The authors argue that rationalists use institutions as a mean to reach a predestinated objective in a more efficient way. This is achieved through centralization and independence, being two characteristics leading to reduce transaction costs. In other words, the collective action is efficiently organized, and members control and constrain one another, creating one body that contains instrumental, regulatory and efficiency-enhancing functions. Finally, rationalists only cooperate if the marginal benefits outweigh the marginal costs. Likewise, Moravcsik and Vachudova (2003) study the EU as a rational actor in its enlargement policies with its neighbors. The candidates that want to join the EU have to comply with the EU's standards. However, these countries' situation often does not allow for the adaptation of such requirements, because it is costly, not favorable to them and asks them to make disproportionate concessions. Moravicsik and Vachudova (2003) criticize this because of the fact that the EU's requests are non-negotiable, massively, uniformly applied and closely enforced. To demonstrate the EU's rationalist thinking, the authors use the example of the EU's attention on the economic regulation. While the economy is what the EU is focusing on in the candidate countries, this adaptation is difficult to achieve for those countries. Only by improving and adapting all other sectors within the country, the entry into the EU economy is possible. However, this transformation costs these vulnerable countries a lot – economically and politically. The authors mention some examples to prove the EU's rationalist thinking. They reveal that the EU-15's gain from the enlargement would amount to 10 billion euros, which is much more than what would have to be taken from the EU's budget for integrating the new Member States. Additionally, they argue that the EU's aim to enlarge its Union is also triggered from a geostrategic reason. Having the control over new and vulnerable countries that increasingly adapt the Union's *acquis*, the latter can manage issues like illegal migration and organized crime in these countries and in the new neighborhood countries. This reflects Schimmelfennig and Sedelmeier's (2002) statement about the cost-benefit calculation. Another study that can be associated to the rationalist perspective of the ENP's implementation in Ukraine is published by Schimmelfennig (2001). He illustrates the Member States' prioritizing of their own interests, their choice of a specific behavioral option, which maximizes their own welfare and satisfies their goals.

According to the author, this proves that the EU accession is a one-sided, asymmetrical process being based on the EU's decision upon who can join, and at what conditions. He further argues that the EU enlargement process is executed in a mode that reminds of the process to join a club membership, which has little to do with solidarity. All these revealed elements of the different authors can be associated with the criticism of the way the EU's engagement is executed in Ukraine. In sum, the theory argues that those reform areas that were implemented in Ukraine with a rationalist character are those areas that have not led to any progress in the implementation of the reforms in Ukraine.

Considering the assumption that the EU's way of engaging in Ukraine is based on the prevalence of the EU's interests, Garwich, Melnykovska, and Schweickert's (2010) statement that Ukraine's citizens and its government representatives have increasingly perceived that the EU's way of implementing the ENP in their country is based on a rationalist approach results to be coherent. The obstacles that limit the extent to which the EU serves for the achieving of the three ENP goals are therefore argued to be triggered by the EU and its rationalist behavior when implementing the ENP in Ukraine. In other words, the EU's one-size-fits-all approach, the top-down implementation, the overlooking other actors' interests, and the lack of leverage for Ukrainians to continue the implementation of the reforms are the reason why obstacles that limit the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals are caused. Consequently, this implies the statement of the following hypothesis:

Hypothesis: The extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals depends on the EU itself, because the Union applies a rationalist approach when implementing the ENP in Ukraine and causes therefore itself the obstacles that limit this extent.

In sum, if the ENP reform areas' implementation is based on one-sided, EU-based interests, without touching upon Ukraine's needs to successfully implement the ENP, the EU causes hurdles that limit the extent to which the EU's engagement in Ukraine is successful in the achieving of the three ENP goals. Furthermore, tensions amongst other actors – like the Russian Federation – can be caused by a rationalist approach. This is argued in the literature of the

background and has to be examined too. As Browning (2003), Delcour (2018), Diesen (2017), and Gretskiy, Treshchenkov & Golubev (2014) argue, the EU's engagement through the ENP in Ukraine is based on interests that differ from those of the Russian Federation. By pursuing its plan, the EU's ENP implementation in Ukraine has led to discontentment and tensions. Overall, the EU's engagement in Ukraine is argued to serve to a limited extent for the achieving of the three ENP's goals, because of the EU's rationalist approach of implementing the policy in Ukraine. However, this is only a hypothesis. Therefore, it is only an assumption, which is based on literature and which has to be tested of its validity. Probably there are other obstacles that are not caused by the EU's way of engaging in Ukraine, as stated by the critical aspects of the literature.

The testing of whether the hypothesis can be confirmed or not is a crucial element necessary for the evaluation of the research question. If the hypothesis can be confirmed, it means that the extent to which the EU's engagement in Ukraine serves for achieving the three ENP's goals is limited due to obstacles that are caused by the EU itself, by implementing the ENP in Ukraine in a way that is based on the rational choice institutionalism theory. On the other hand, the disapproval of the hypothesis would mean that the obstacles that limit the EU's engagement in Ukraine to serve for achieving the three ENP's goals are not caused by the EU's rationalist behavior, but by external causes the EU has no influence on. These might be caused by internal issues in Ukraine, or EU-external issues related to Ukraine.

As a result, if the EU's engagement turns out to cause the obstacles that impede the successful achieving of the ENP goals, the extent to which the engagement serves for this achievement could be altered, depending on the EU's readiness to make changes. However, if the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals would be limited by obstacles the EU has no influence on – because they are caused by internal issues of Ukraine or EU-external issues related to Ukraine – the EU cannot – or can hardly – change this extent.

In sum, the application of the theory answers the following questions: Are the obstacles that limit the extent to which the EU's engagement serves for the

achieving of the three ENP goals caused by the EU's rationalist behavior or are there other obstacles that are not caused by the EU? What do the findings say about the extent to which the EU's engagement serves for the achieving of the three ENP goals?

4 Methodology

In order to find out to what extent the EU's engagement in Ukraine serves for achieving the three ENP goals, a qualitative systematic review is executed. This research design is composed of a specific research question that is aimed to be answered through conducting a research on the chosen topic, to systematically collect the evidence needed for the research and to draw and then analyze the findings (Seers, 2015). The design implies the examining of specific document sets and their review on relevant themes and topics. Through a quality-focused and protocol-driven approach all the relevant elements that are needed to answer the research question are provided. Thus, the systematic review implies an explicit and reproducible methodology, a validity assessment of the outcomes and concludes with the synthesizing all characteristics and findings of the involved documents and studies (Bearman et al, 2012; Liverani et al, 2013). The methods that are used to conduct the analysis and to answer the research question are a content analysis and interviews. The content analysis is a method that analyzes written and verbal communication messages (Elo, 2008). These messages are, in this thesis, delivered by official documents and reports of the EU institutions and by conferences that were organized by think tanks and foundations in Brussels. Thus, the method unveils different data sources' themes, which the researcher codifies according to their relevance or occurrence and which he uses to elaborate a meaning and the significance of the context they appear (Elliot et al, 2016). The type of content analysis that is used in the thesis is the conceptual analysis, which indicates that the content is coded for certain themes, concepts or words (Berdinelli et al, 2014; Elo & Kyngäs, 2008). The analysis is executed manually. The reason for not using a software is that by elaborating all contents

on a manual basis, the way of examining the documents and the conferences' content is more detailed and I could be sure of understanding every single element within the context. First, I wanted to use a sentiment analysis, which is a software that reveals whether a content is positive or negative. However, this would have been too risky in this thesis' topic, because when talking about corruption, for example, the content often refers to progress in this area and other times to the issue of corruption. In order to avoid any software error, I decided to make the whole content analysis manually. The thesis applies what Elo and Kyngäs (2008) calls the deductive content analysis. This means that the structure of the analysis that will be executed is made on the basis of earlier studies' findings and that the intention of the thesis is to test a theory (Elo, 2008).

Semi-structured interviews can also be defined as a qualitative method. The structure of how to conduct this type of interview is reflected in Bryman's (2012) and Thomas' (2009) studies. However, unlike the content analysis that is used for the testing of the theory, the interviewees' statements serve as an additional resource that backs up the findings' evaluation.

The chosen qualitative measures are used to answer the research question in order to find out to what extent the EU's engagement in Ukraine serves for the achieving of the three ENP goals – which are safety, stability and prosperity. The methodological approach that is chosen for this thesis' analysis enables to reveal progresses and obstacles that either stimulate or limit the EU's engagement to serve for achieving the three ENP goals. Given that the obstacles are the elements that limit the extent to which the EU's engagement serves for the achieving the ENP goals, the interest of the analysis is to reveal these obstacles and to examine – by applying the thesis' theory – whether they are caused by the EU's engagement itself or whether the EU has no influence on them, because they are caused by internal issues of Ukraine or external issues related to Ukraine. Only by analyzing the different official documents coming from the EU institutions and their sub-divisions' personnel in Ukraine, concrete and reliable progresses and obstacles can be revealed. The same counts for the conferences' content analysis, which is composed of positive and negative aspects that are related to the ENP's implementation in Ukraine. Despite this simplistic approach of extracting the needed information, these two qualitative measures turn out to

be the most reasonable and reliable. The interviews are another way of obtaining useful and relevant information about certain issues. However, due to limitations (that will be explained below) the interviewees' answers are not used for the analysis but for the evaluation of the analysis' outcome. Consequently, their role is to comment on what has been revealed. Even if this does not reflect the initial aim of the interviews, the interviewees' comments and reasoning serve as an external confirmation of the findings.

4.1 Document content analysis

A first methodology is the use of official documents that do all report on the ENP's implementation. While some of the documents focus uniquely on Ukraine, there are others embracing several partner countries in their report, as will be showed later.

The documents used in this thesis are published by the EU institutions like the European Commission, the Council or the European External Action Service (EEAS). This gives a certitude that the information they share is coherent, given that these EU institutional bodies cannot provide for wrong information. This would be immediately noticed by other stakeholders. Those reports not being published directly by the EU institutions are, however, all supported by the EU institutions. As a result, these reports' content is used as a reliable and coherent information source that provides for information that is based on real facts.

The thesis' analysis will focus on several amongst all official documents that exist on the issue. These include two EU-Ukraine Summits, two Eastern Partnership Summits, the support group for Ukraine's 18 months report on the ENP's implementation, two reports of the Commission, the progress report by the Government Office for European and Euro-Atlantic Integration with the support of the EU Delegation to Ukraine and Association4U Project funded by the EU, and finally a fact sheet of the European External Action Service (EEAS). The document analysis embraces the years 2014 until the end of 2017. It has to be noted that the content of the documents refers to the year before the report's publication year.

4.1.1 The EU-Ukraine Summits of 2015 and of 2016

The EU-Ukraine Summits are held on a yearly basis since 1998. They are held on a presidential level, having been represented both times by the president of the EU Council, Donald Tusk, the president of the EU Commission, Jean-Claude Juncker, and the president of Ukraine, Petro Poroshenko. These summits are aimed at presenting the different progresses and obstacles from the previous year, and common agreements that were taken to strengthen the relationship between the EU and Ukraine (EU Council 2015a & 2016). In sum, they focus on how the EU's engagement in Ukraine is adding to progress, showing how Ukraine is developing, and addressing future achievements that have to be achieved. As a result, this information that is communicated in these summits is of crucial importance, because the main progresses and the main obstacles are discussed. If we want to find out to what extent the EU's engagement in Ukraine serves for the achieving of the three ENP goals, the summits' reports on the EU-Ukraine relationship and their cooperation in progressing in development and facing challenges are an important source, because it gives insight into what has been achieved and what has to be tackled in future. With this information, the analysis can reveal which engagement of the EU has led to approach the achieving of the three ENP goals and which obstacles limit this process. Furthermore, the obstacles that are mentioned can be classified in whether they are caused by the EU, or whether the EU has no influence on them. In this thesis, two EU-Ukraine Summits are used. One is the 17th EU-Ukraine Summit, which took place in Kyiv on 27th April 2015, while the other one is the 18th EU-Ukraine Summit of 24th November 2016. Therefore, they cover the years 2014 and 2015. The reason why the 19th and 20th EU-Ukraine Summits are not used for the analysis is that there are other documents that report on the years 2016 and 2017, whose content is more detailed than the Summits due to their more specific focus on the ENP's implementation.

4.1.2 The Eastern Partnership (EaP) Summits of 2015 and of 2017

The Joint Declaration of the Eastern Partnership Summits is published by the EU Council (2015 & 2017). They have the same relevance as the EU-Ukraine summits for this analysis, reporting, amongst others, on Ukraine's progress in the context of the EaP. The first joint declaration of the EaP summit took place in May 2009 (EU Council, 2018). These summits are held every second year and are headed by the European Council. The concept of these joint declarations on the EaP summits is the same as the one of the EU-Ukraine summits, announcing the areas that have seen progress, as well as those in which more work has to be done in future. The only difference is that these reports cover all six partner countries. As a result, not only Ukraine is focused on. This, however, does not change on the country's published report. Progresses and likewise obstacles that hinder the EaP's implementation are discussed. As a result, their content is important for the thesis' analysis to find out how much the EU's engagement in Ukraine serves for the achieving of the ENP's three goals, and in which areas this engagement is hindered by obstacles. Given that the aim is to cover the years 2014 until beginning of 2018, the fourth and the fifth Joint Declarations of the Eastern Partnership Summits are taken for the analysis. While the fourth joint declaration took place on May 2015, the fifth was held in November 2017. As a result, the fourth reports on the year 2014 and the fifth on the year 2016.

4.1.3 The support group for Ukraine's 18 months report (2016)

The support group for Ukraine was established in 2014 by the European Commission. The aim of this group is to be active on place, to help and support Ukraine in its different reform implementations. This support group's report includes all activities executed from September 2014 until mid-2016 in Ukraine. As a result, this report illustrates what has been done in the country, coming from people engaged by the Commission and that were working and living in Ukraine over this time period. The reason why this report is chosen for the analysis is that it has another dynamic compared to the Summits and the Joint Declarations of the EaP Summits, being established by people that work there on a daily basis.

As a result, several elements might be explained in a more detailed way compared to the information that is given by the Summits.

4.1.4 The Commission reports of 2017

Two reports of the Commission (Commission, 2017b & 2017c) are selected for the analysis. One is a joint report to the European Parliament, the Council, the European economic and social committee and the Committee of the regions on the implementation of the European Neighborhood Policy Review. The other one is a report from the Commission to the European Parliament and the Council on the implementation of macro-financial assistance to third countries in 2016. Both of them were published in mid-2017. These two documents are chosen, because they report on the year 2016. Given that both selected EU-Ukraine Summits, one of the Joint Declarations on the EaP Summit and the support group for Ukraine all describe the progress in Ukraine between 2014 and 2016, these two reports back up the information revealed by the Joint Declaration on the EaP Summit that reports on the year 2016 too. In this way, every year that is used for the analysis is covered by two different sources of progress reports.

4.1.5 The fact sheet of the EEAS (2017)

The fact sheet of the EEAS was published in November 2017 and serves as an overview of the most important progresses that have been achieved in Ukraine over the last years. The fact sheet's focus is therefore the EU-Ukraine relationship and highlights the most important progresses and obstacles of Ukraine's reform implementation. This fact sheet was chosen for the simple reason to have a document that gives an overview of what has been crucial regarding Ukraine's development over the last years. Furthermore, it backs up the information that has been revealed by the other documents.

4.1.6 Report on implementation of the Association Agreement between Ukraine and the European Union in 2017 (2018)

The progress report by the Government Office for European and Euro-Atlantic Integration (2018) was established in cooperation with the support of the EU Delegation to Ukraine and Association4U Project funded by the EU. It currently only exists on printed version. The reason for the choice of this report is that it specifically reports on the implementation of the Association Agreement between Ukraine and the European Union in the year 2017. As a result, this report is very detailed and addresses uniquely Ukraine, providing therefore for the needed information to find out to what extent the EU's engagement in Ukraine serves for achieving the ENP's three goals. At the same time this report also reveals obstacles that hinder this achievement. Furthermore, its publication date is from February 2018, giving the insight of what has been done over the year 2017. However, in order to make sure the sources that are used are coherent, this report is backed up by two conferences that were held in 2018 and whose content was based on Ukraine's progress from last year until the current time period.

4.2 Conferences content analysis

Besides the document analysis, the thesis contains likewise two conferences' content that was discussed amongst several panel speakers. The reason for involving conferences into the analysis is that the nine conferences I have attended over the months from February until May added a new dynamic to the document analysis. While the latter is to be read online, the conferences have this direct observation/contact aspect, which gives the audience an even better image of how important several addressed issues are for the EU and other for Ukraine. This is made possible through the observing the discussions amongst the panel speakers, that are usually not sharing all points of view. As a result, these speakers often have opposing or not fully matching positions towards a certain issue in Ukraine and the EU's engagement through the ENP's implementation in the country. Therefore, it turns out that conferences do have a big potential to deliver information that is based on what the speakers have to

deal with on a daily basis. But most interesting is that this information is perceived slightly different amongst them regarding certain topics. This renders the sources even more appropriate for this thesis, because I could disclose two main issues that were mentioned in all conferences and about which all the panel speakers shared the same position. This is relevant for the part in which the theory will be applied to examine whether it is due to the EU itself that there are obstacles that limit its engagement in Ukraine to be successful in achieving the three ENP goals. The reason why only two conferences' content is used in the analysis is that after having analyzed all conferences' main outcomes, the main messages remained always the same. Therefore, two are enough to provide the needed information for finding out to what extent the EU's engagement in Ukraine serves for the achieving of the ENP's three goals.

4.2.1 "UkraineLab 2018" of 27th February 2018

The UkraineLab 2018 of 27th February was organized by the Ukrainian Think Tanks Liaison Office in Brussels. The Office is associated with European and Ukrainian Think Tanks that aim to stimulate joint actions at the EU level in order to progress in Ukraine's reforms and its European integration. The Office embraces 20 think tanks, whose focus is based on EU-Ukraine issues. The UkraineLab is the flagship activity of the Office, aiming at exchanging ideas on policy-related and research projects on Ukraine (Ukrainian Think Tanks Liaison Office in Brussels, 2018a). The UkraineLab 2018 was the third of its kind and was held in the European Parliament. The panel speakers were Dariusz Rosati (*Chair of the Delegation to the EU-Ukraine Parliamentary Association Committee of the European Parliament*), Olena Prystayko (*Executive Director of the Ukrainian Think Tank Liaison Office in Brussels*), Igor Burakovskiy (*Head of Board of the Institute for Economic Research and Policy Consulting*), H.E. Ivanna Klympush-Tsintsadze (*Vice Prime Minister of Ukraine for European and Euro-Atlantic Integration*), Dirk Schuebel (*Head of Division, Eastern Partnership Bilateral, European External Action Service*), Mariya Iovona (*Deputy Chairwoman of the Committee of European Integration of Ukraine in the Verkhovna Rada*), Baraz Jarabik (*Non-Resident Scholar at Carnegie Europe*), Katarina Mathernova

(*Deputy Director-General for Neighborhood Policy and Enlargement Negotiations, DG Near of the European Commission*), H.E. Roman Waschuk (*Ambassador of Canada to Ukraine*), Jorgan Andrews (*Director of the Office of Eastern European Affairs of the U.S. State Department*), and Mark Demesmaeker (*Member of the Delegation to the EU-Ukraine Parliamentary Association Committee*) (Ukrainian Think Tanks Liaison Office in Brussels (2018b)).

The focus was on the future for EU-Ukraine relations. Therefore, current obstacles were mainly discussed amongst the panel speakers, in order to enable future progress plans. Notably corruption in Ukraine and the conflict with the Russian Federation were central to the discussion.

4.2.2 “Ukraine’s future path” of 24th April 2018

The conference on Ukraine’s future path was held on 24th April and was organized by the Hanns-Seidel Foundation. The panel speakers of this conference were Markus Ferber (*MEP, First Vice-Chair of the Committee on Economic and Monetary Affairs, Vice-Chairman of the Hanns-Seidel Foundation*), Amanda Paul (*Senior Policy Analyst, European Policy Centre (EPC)*), Oksana Syroid (*Vice Speaker of “Verkhovna Rada”*), Oleh Berezyuk (*Member of the Parliament, Chair of Samopomich Union political group*), and MEP Dariusz Rosati (*Chair to the EU-Ukraine Parliamentary Association Committee*).

The reason for having chosen this conferences’ content for the analysis of the thesis is because the discussion focused on two specific obstacles, which are corruption and the conflict with the Russian Federation. All conferences I attended reached a moment in which the focus switched to these two issues Ukraine and the EU are facing. However, as a matter of time and due to the conferences’ unchanging content, this conference was one of the nine chosen to be used for the analysis.

4.3 Interviews

Due to limitations regarding the finding of appropriate interviewees, I decided not to make interviews after several attempts to contact experts of my thesis topic. However, one week after I had executed the content analysis, a Ukrainian expert who deals on a daily basis with the ENP's implementation in Ukraine contacted me and agreed on meeting me. Since the findings were elaborated, I decided to ask specific questions on them. At the same time, I contacted an expert that deals with this topic from an EU perspective and from which I knew he was available to meet me.

Since my findings revealed the issue of the conflict with the Russian Federation, I also tried to contact an expert of the Russian Federation. However, all the eight contacts I had did not agree on answering questions on this topic.

The interviewees did not want to be mentioned by name, nor by institution. The interviews took form of semi-structured interviews, because both experts I met did not want to answer all my prepared questions. Instead of asking specific questions, I only asked them out about the different progresses the EU's engagement in Ukraine has achieved so far, and whether the obstacles the findings have indicated are caused by the EU or not. In sum, the two interviews were held in form of dialogues with the experts explaining me what the EU's, Russia's and Ukraine's role is in the ENP's implementation, why the obstacles that hinder the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals are caused, and how the obstacles are tackled or tried to be resolved by the different actors.

Finally, the challenges I had with interviews confirms Beyers et al (2014) observation that it can be difficult to conduct an interview with elites. However, even their suggestion of conducting semi-structured interviews with elites turned out to be difficult. Despite the room for manoeuvre in this type of interview, the delicacy of my topic was still too critical for the two experts that agreed on meeting me.

Consequently, despite the fact that I could not use the two conversations I had with these two experts as interviews for the analysis, it turned out that their

information was very useful for the evaluation of the analysis' outcome about the two main obstacles that limit the extent to which the EU's engagement serves for achieving the three ENP's goals.

5 Analysis

The following part examines to what extent the EU's engagement in Ukraine serves for the achieving of the three ENP's goals. Through the analysis of different official documents and conferences that hosted important actors that deal on a daily basis with the ENP's implementation in Ukraine, the various reforms that have seen progress can be revealed. Likewise, this analysis enables to reveal those reforms that have not made any progress. Consequently, the reason for this slow progress is to be unveiled. Considering the criticism suggested in the background part, the obstacles that lead to this unsuccessful implementation are caused by the EU itself, because the Union's actions are based on self-interests and do not touch upon Ukraine's needs. This causes obstacles that limit the extent to which the Union's engagement serves for the achieving the three ENP's goals – safety, stability and prosperity. In other words, the EU's engagement serves not only for the achieving of the ENP's three goals, but it likewise does impede this achievement. The analysis is organized in four parts; findings, evaluation, conclusion, and discussion. First, the different key progresses and obstacles of the documents' and conferences' content analysis are reported, presenting what has been achieved and what is still being discussed regarding the ENP's implementation in Ukraine. The different findings are regrouped in one of three defined areas. These are governance/politics, economics/finances and safety. The rationale behind this is to relate these three areas to the three goals of the ENP, namely stability, prosperity and safety. Thus, governance/politics stands for stability, economics/finances stands for prosperity and safety remains the same. This procedure facilitates the evaluation of the findings, having safety, stability and prosperity separately listed. In this way, the research question can be answered in a more detailed way, because the

regrouping offers the possibility to see whether there are some amongst these three ENP goals that tend to be achieved sooner than others, depending on the revealed obstacles.

The most important is to reveal the different obstacles that hinder the EU's engagement to be successful to reach the three ENP's goals. Then, the theory is applied, testing whether these obstacles are caused by a rationalist behavior of the EU when implementing the ENP in Ukraine or not. The rationale behind this proceeding is that once the causes of the obstacles that hinder the EU's engagement in Ukraine to serve for achieving the three ENP's goals are identified, the extent to which the EU's engagement in Ukraine serves for the achieving of the ENP's goals can be evaluated. If the background critics can be confirmed, proving that the EU's engagement in Ukraine is based on a rationalist approach when implementing the ENP in the country, the extent to which the Union's engagement serves for the achieving of the three ENP goals is supposed to be likely to be altered. However, if the background's revealed critics on the EU's way of engagement in Ukraine cannot be confirmed, the obstacles that limit this engagement's success for achieving the three ENP goals are proved to be not caused by the EU. This, in turn, would mean that the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is limited and cannot – or can hardly – be changed because the EU has no influence on the obstacles.

In sum, the analysis aims at answering the following questions:

- 3) What are the obstacles that limit the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals?
- 4) Does the EU's engagement itself cause obstacles that impede the achieving of the three ENP's goals, as is argued by the criticism of the background or is the extent to which the EU's engagement can be successful limited by other obstacles that are not related to the EU's behavior?
- 5) What is the findings' conclusion regarding the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals?

5.1 Findings

The following section reveals the document and conference analysis' outcome. It has to be noted that there is a very wide number of official documents that report on the ENP's implementation in Ukraine. However, given that the content of the different documents does not change – being all reports on the development on the ENP's implementation progress – the analysis is composed of nine documents. Since the focus is on the years 2014 until beginning of 2018, I decided to analyze two documents per each of the years. Amongst the Eastern Partnership Summits, the two that took place in 2015 and 2017 were chosen, revealing therefore progresses and obstacles of the year 2014 and 2016. The support group for Ukraine's 18 months report on the ENP's implementation covers the time period from September 2014 until mid-June 2016. The EU-Ukraine Summits that were used for the analysis are from 2015 and 2016, reporting therefore on the years 2014 and 2015. Then, the Commission reports of 2017 were chosen for having further information about progresses and obstacles of the year 2016. Moreover, the progress report by the Government Office for European and Euro-Atlantic Integration with the support of the EU Delegation to Ukraine and Association4U Project funded by the EU was chosen as the source for the year 2017 (because this book was published in start of 2018). Finally, fact sheet of the European External Action Service (EEAS) was added, serving as general information about the key progresses that have been achieved so far since the last years. In sum, these are two (and a half with the support group for Ukraine's report) content analyses focusing on the year 2014, two on the year 2015, three (and a half) on the year 2016, and one on the year 2017. The reason why no more document was used for the year 2017 is that for this year and the start of 2018, the content of the different conferences is analyzed. The reason for this change is that the conferences' content is based on the most actual occurrences and is very reliable due to the high diversity of important experts. The specific time period was chosen because after the annexation of the Crimea in 2014, the ENP's implementation in Ukraine became more critical, having an additional issue to deal with, i.e. the conflict with the Russian Federation. By providing reports from the years 2015, 2016, 2017 and

2018, the analysis can show the development that has been done. Likewise, by using document reports from several years, certain topics might turn out to be mentioned every year – either for mentioning further progress or for calling for action in the future because there has no progress been achieved. That helps underlying the importance of some specific issues.

The findings are organized in two sub-parts. The first part lists the outcomes of the progresses and hurdles that have been reported over the last years, while the second part evinces the main obstacles the EU and Ukraine still have to overcome in future. As mentioned above, the progresses and obstacles are regrouped into three different main areas, i.e. governance/politics, economics/finances, and safety. The structure of the analysis is organized in a way that the main findings of the document analysis are evinced in tables, followed each time by an explanation to understand the different developments.

5.1.1 Progresses and obstacles

5.1.1.1 Governance/Politics

Table 1.1: EU-Ukraine Summit, 2015
Constitutional reform
Decentralization
Fight against corruption
Reform of the justice sector
Re-constructing the energy sector
Improvement of the business climate

Table 1.1: The EU-Ukraine Summit of 2015 presented several reform progresses in the area of governance and politics that were achieved in 2014. First, the launch of the constitutional commission enabled the decentralization to advance in its reform and led to achievements in the adopting of laws on voluntary merger and on cooperation. Likewise, the anti-corruption package that contains the

national strategy 2014-2017 and the laws on the public prosecutor's office on the judiciary and on the judges' status was adopted. Furthermore, the Head of the National Anti-Corruption Bureau was appointed. The reform of the justice sector progressed in the submitting of the laws on civil service to the Parliament and to local self-government bodies, and in adopting the law on the Accounting Chamber of Ukraine and the state aid framework. Likewise, amendments were made to the public procurement law and an increased transparency in the managing of the state-owned companies was achieved. The energy sector saw progress in the reform of the energy price and tariff reform. The new gas market law that is in line with the Energy Community Treaty commitments was adopted, as well as the law on the gas and electricity regulatory authorities was submitted to the Parliament. Lastly, the business climate sector was improved thanks to the reduced regulatory and licensing requirements that lead to facilitate business.

Table 1.2: Support group for Ukraine, 2016
Public administration reform
Anti-corruption
Reform of the justice sector
Governance bodies
Constitutional, electoral and other political reforms
State-owned enterprises

Table 1.2: The support group for Ukraine published in the end of 2016 a report on the ENP's implementation in Ukraine and the policy's progress over an 18 months' period, starting in September 2014 and ending around June 2016. In the public administration reform sector, the draft law on civil service entered into force in May 2016. The comprehensive strategy for Public Administration Reform and its implementation plan, which was adopted in June 2016, was another reform that had to comply the Support for Improvement in Governance and Management (SIGMA) principles of public administration. Furthermore, progress was made in the corruption reform. Within the reported 18 months, three anti-corruption institutions were implemented. These are the national anti-corruption bureau of

Ukraine, the national agency for the prevention of corruption and the specialized anti-corruption prosecutor. Additional anti-corruption measures were to be elaborated and supported financially by the Commission. Besides the corruption, the rule of law in the justice sector reform was another focus. Through the EU Delegation's support and the financial assistance of the EU, the general prosecutor office's reform department was supported to renew the prosecutorial corps and to cut staff. The justice sector contains now a testing process through which all prosecutors have to go through in order to be evaluated in terms of their professionalism and integrity, leading to an open competition of job finding. However, even if progress was achieved, this procedure only led to an overall reduction of the existing staff by 20%. The vetting of judges and the ensuring of the compliance with the Venice Commission requirements progressed by the adoption of a law that foresees a major reorganization of the judiciary, the creation of a Supreme Court, and the enforcement of judgements. Another sector consists of Ukraine's government bodies. In order to meet the concerns of the international community, a National Reform Council was suggested to be introduced. Similarly, Ukraine's unicameral Parliament, Verkhovna Rada, cooperated in an ongoing way with the European Parliament and worked with the EU Delegation to define technical assistance projects for the Rada. The involvement of civil society helped improving the constitutional reform, changing the electoral legislation and ensuring the legislative and regional elections and constitutional guarantees for human rights work. Accordingly, the decentralization process was planned to be implemented from 2016. A last progress was made in the reform of the state-owned enterprises sector. This involved the improvement of the corporate governance, amongst which the energy sector was mainly addressed. A framework was established, aiming at the future privatization of state-owned enterprises and being based on transparency and fairness in line with the best international practice. The law enabling this way towards transparent privatization was passed.

Table 1.3: Joint report of the EU Commission, 2017
Good governance
Democracy
Rule of law
Human rights

Table 1.3: The European Commission’s joint report to the European Parliament, the Council, the European economic and social committee and the committee of the regions of May 2017 reported on the implementation of the ENP’s review. There were several progresses announced. The joint report of the Commission also announced several progresses of the ENP’s implementation in Ukraine that had been made over the year 2016. First, the good governance and the democracy sectors made progress in their reforms of decentralization, in the public administration, and the fight against corruption. Other progresses were made in the reform on the rule of law and human rights. All progresses were achieved through the help of the support group for Ukraine and the EU advisory mission for civilian security sector reform, as well as through the additional funds that were allocated to these different reform sectors. Mainly the human rights sector, whose situation had deteriorated since Russia’s illegal annexation of Crimea and Sevastopol in 2014, could benefit from the support.

Table 1.4: Report from the EU Commission, 2017
Banking sector reform
Anti-corruption
Public administration reform
Reform of the justice sector
Budgetary sector

Table 1.4: A further report was elaborated from the Commission to the European Parliament and the Council, being addressed to the implementation of macro-financial assistance to third countries in 2016, addressing also the ENP’s

implementation in Ukraine. In February 2016, the state-owned banks were approved to be reformed, in order to render them more efficient and to attract investors to buy at least 20% stakes in the lenders by 2018. The aim was to improve the banking management through reducing the political influence. The latter was enabled by strengthening the corporate governance and by executing a privatization process. Despite the increase of confidence to investors and a high liquidity of the banking system, the credit activity remained weak, because of debt overhang and remaining legal impediments for the resolution of non-performing loans. Furthermore, three anti-corruption institutions entered into force in 2016. While the National anti-corruption Bureau investigated more than 200 cases and forwarded more than 30 indictments to the courts, the national agency for prevention of corruption (NAPC) launched an electronic asset declaration system with which the transparency improved and curbed therefore corruption, having submitted 100'000 declarations. Moreover, mechanisms for identifying, tracing and recovering assets that derived from corruption and other crime were implemented. Further progress was achieved in the public administration reform, having adopted a new civil service law that complies with the OECD principles of public administration and which led to several hundred competitive selection procedures to various civil service positions. In the justice sector, constitutional amendments and a legislation on the judiciary were adopted, strengthening the judicial independence. The reform's aim is to reorganize the whole court system in Ukraine. This requires not only a reduction of the number of the layers of the courts, but needs also judges who take examinations and provide mandatory electronic asset declarations. Moreover, the reform provides a new supreme court. Nevertheless, the selection process for the judges is still in development. The budgetary reform concerned mainly the tax administration. This embraced the introduction of the electronic VAT administration and of the e-services for taxpayers. Likewise, the state fiscal services reform was initiated. Moreover, the Prozorro, an e-procurement system, entered into force in 2016, just as the reform strategy to harmonize Ukrainian public procurement legislation with the EU body of law was adopted.

Table 1.5: Ukraine progress report, 2018
Political dialogue (decentralization, public admin.etc)
Justice, freedom, security and human rights
Fight against corruption
Entrepreneurship
Public procurement

Table 1.5: Under the Association Agreement, the ENP's implementation in Ukraine made some progress in 2017. First, decentralization laws were adopted. These include the status of headpersons, the scope of their powers and the grounds and procedure for the early termination of their powers, the procedure for the voluntary accession of territorial communities to already existing merged territorial communities, and the specific rules applicable to the amalgamation of territorial communities located in adjoining regions. In 2017, the number of amalgamated territorial communities (ATCs) increased from 366 to 699 communities, and the financial decentralization progressed. However, the decentralization reform still has to be progressed further. The new laws on the political division of Ukraine, the prefects, and the service at municipal government authorities have to be adopted. Moreover, in November 2017 the electoral code was adopted to establish the legal framework for preparing and holding elections in an open list proportional representation system, and the implementation of the public administration reform took place thanks to the EU's financial and expert support, addressing the establishing of a public administration system. Furthermore, the concept about the optimizing of the system of central executive authorities was drafted and approved, enabling a competitive recruitment of reform specialists for the newly created directorates. 320 vacancies were filled after these first competitions. Equally, the special focus on human rights was determined, aiming at reaching agreements with Europol and Eurojust, and approving and implementing the ministry of internal affairs system development strategy 2020. Furthermore, the comprehensive anti-corruption reforms that ensure the implementation of the anti-corruption laws were adopted over the previous years. However, further improvement of the system for logical and arithmetical control of declarations and the implementation of legal acts that

ensure the national agency for prevention of corruption's (NAPC) proper access to information necessary for exercising its powers have to be progressed. Likewise, the software and hardware of the single state register of declarations of persons that are certified to execute municipal government functions has to be upgraded, even if the register has contained over 1.5 million declarations by the end of 2017. Moreover, the Asset recovery and Management Agency for finding, tracing and managing assets derived from corruption and other crimes (ARMA) was completed and carried out 154 immovable properties in its first confiscation. Likewise, the anti-money laundering and terrorism financing areas improved. Related to this, Ukraine and the EU both promote the increasing effectiveness of the judiciary and aim at safeguarding its independence and impartiality. Moreover, the law on the constitutional court of Ukraine was adopted, enabling individuals and legal entities to appeal to the constitutional court if they perceive the applied law in the final judgment not to comply with the constitution of Ukraine. The Supreme Court of Ukraine was completely reset over the year 2017, leading to the appointing of 120 judges of the new Supreme Court through an open competitive recruitment process. Likewise, the e-Court system was introduced to simplify the communication with the court and with the aim to reduce the maintenance of the budget of the judiciary. Furthermore, a public prosecutors' self-governance body – the Council for prosecutors of Ukraine and the qualification and disciplinary commission of public prosecutors – was established. Further progress was made in the compliance with the EU law, as well as the public procurement reform was implemented successfully. The latter's full implementation will continue until end of 2018 and focuses on amending the legislation with respect to the terminology and standard procedures and makes Ukrainian legislation conceptually compliant with the requirements of the EU directives in the area of public procurement.

Table 1.6: UkraineLab Conference, February 2018
Anti-corruption
Privatization law

Table 1.6: The UkraineLab 2018 had a special focus on the anti-corruption and the privatization law reforms. Generally, the Association Agreement and the Visa liberalization were said to have led to further progress in the ENP's implementation of the reforms in Ukraine. Despite the EU's often criticized slow progresses, the panel speakers announced progresses in the fight against corruption, and in the privatization law, which provides for selling large state-owned companies and smaller companies. While the former can be executed through auctions involving acclaimed advisers, the latter is done through the Prozorro e-procurement system.

5.1.1.2 Economics/Finances

Table 1.7: EaP Summit, 2015
Institutional reform
Eastern Europe Energy Efficiency and Environment Partnership
DCFTA

Table 1.7: The EaP Summit of 2015 reported mainly three reform areas. First, the EU supported Ukraine in its institutional reform. This included the successful agreement of macro-financial assistance conditions, which are related to Ukraine's sustained implementation of the International Monetary Fund (IMF) program, the extension of autonomous trade preferences, the development of grants to support state-building and the stabilizing of the economy, the humanitarian aid, the expert advice across areas of governance that are overseen by a specially created support group for Ukraine, and the deployment of the EU Advisory Mission (EUAM) to give advice on the civilian security sector reform. The signing of the Memorandum of Understanding (MoU) and the Loan

Agreement led to the approving of the macro-financial assistance program, which provided 1.8 billion euro. Concerning the energy sector, the market was expanded by involving Armenia, Georgia, and the Republic of Moldova to the Eastern Europe Energy Efficiency and Environment Partnership (E5P), expanding it to the existing partnership the EU has with Ukraine. Likewise, the infrastructure projects and the interconnectivity enhancements that had been realized in the EaP summit of 2014 led to the opening of the natural gas reverse flow capacities to Ukraine from Hungary, Poland and Slovakia. Furthermore, Ukraine progressed in the energy sector reform in line with the EU energy market legislation under the Energy Community. This interconnects with the gas sector, in which progress was visible in the trilateral talks between the EU, Ukraine and the Russian Federation. These talks improved the increase of the gas supply security for Ukraine and ensured the stable, sufficient, and uninterrupted gas transit to the EU.

Table 1.8: EU-Ukraine Summit, 2016
Financial assistance
Energy sector
Trade

Table 1.8: The EU-Ukraine summit of 2016 announced that the financial assistance improved in Ukraine through the implementing of various programs. One program focused on the supporting of the fostering of accountable and transparent governance, another on the fighting against corruption, the introducing of new anti-corruption bodies and the monitoring of anti-corruption efforts by the Verkhovna Rada and the civil society. The latter valued all together 15 million euro. This, however, only illustrated one amongst the whole program that involves 300 million euro. Other programs are the decentralization (97 million euro), the reform of the public administration (104 million euro), the rule of law (52.2 million euro), and the support package that covers community policing and the public order, offering training and equipment to police officers for community-oriented services (6 million euro). These programs were all designed by the

support group for Ukraine and the EU Delegation in Ukraine, in collaboration with the Ukrainian government and the EU Member States. The overall financial support the EU provides for Ukraine's reforms under the ENP amounts to 3.4 billion euro. Of this amount, 2.21 billion euro have been disbursed so far. The remaining 1.2 billion euro were said to be invested after the agreed reforms will have been implemented in Ukraine. However, the next disbursement was said to be expected soon, due to quite a good progress so far. Furthermore, the Organisation for Security and Co-operation in Europe (OSCE) Special Monitoring Mission (SMM) got a 25 million euro support by the EU, which was said to be extended by further 5 million euro. Likewise, the trade sector developed, with competition and public procurement reforms having successfully progressed within the year 2015. The trade between the EU and Ukraine has seen some increase foremost because of the DCFTA that improves further access to the EU market for industrial and agricultural products of Ukraine.

Table 1.9: Support group for Ukraine, 2016
Budget reform
External audit for public finances
Tax administration reform
Public financial management
Fiscal sector and financial cooperation
Energy sector
Trade in agriculture and policy-related issues

Table 1.9: The support group for Ukraine published a report, which focused on the ENP's implementation in Ukraine within 18 months. In order to tackle the issue of excessive amendments to the annual state budget, a law on the establishment of clear criteria for amendments that aims at strengthening the budget discipline and the predictability was adopted in December 2015. The fiscal decentralization is related to this law and would lead to the improvement of the interrelated fiscal, legal and procedural challenges. Moreover, a legislation on the external audit of public finances entered into force in August 2015, bringing

Ukraine more in line with international standards, such as the adapting of principles of transparency, of independence and of objectivity. Further progress was achieved in the tax administration reform, which embraces the facilitating of technical assistance in order to support extensive reforms envisaged by SFS that would help improve the tax compliance and reduce administrative burdens for businesses and individual taxpayers. Since March 2016, the IT systems the government makes use of are about being improved, because of lacking capacity and protection. It is likewise a crucial condition for the EU macro-financial assistance and budget support programs in Ukraine to progress in the sound public financial management. Progress was achieved in the fiscal sector in which the comprehensive program for the financial sector development was adopted in June 2015. This framework aims at adjusting Ukraine's law with the EU regulatory standards over the upcoming years as foreseen by the Association Agreement (AA). Furthermore, after the entry into force of the law on gas in October 2015, the Naftogaz monopoly on gas trades was abolished, leading to compatibility with the EU energy market rules. The EU ensured that the agreements between Ukraine and Russia would prevent any repetition of the winter gas shortages in Ukraine. The support group for Ukraine and the EU Delegation made sure that 120'000 families could benefit from the budget of the Commission, by having implemented correctly the European Bank for Reconstruction and Development (EBRD) program on the energy efficient renovation of residential buildings. In the trade sector, a single and comprehensive strategy for agriculture and rural development for Ukraine 2015-2020 was developed. This strategy's aim is to cover agriculture and policy-related issues and is the basis for the institutional reform, which is necessary for a successful follow-up and implementation. Lastly, the EU supported Ukraine in political and economic stabilization, providing an amount of financial support that was the highest that had ever been disbursed to a third country within such a small period. A 12.8 billion euro package for Ukraine was announced to be ready for the upcoming years. From this amount, the EU and the European Financial Institutions (EFIs) have mobilized so far more than 7 billion euro in grants and loans to support Ukraine in its reform program.

Table 1.10: Joint report of the Commission, 2017
DCFTA
Trade in agriculture and manufacturing sectors
Banking agreements
Financial assistance

Table 1.10: The European Commission’s joint report to the European Parliament, the council, the European economic and social committee and the committee of the regions of May 2017 announced a first progress in the trade between the EU and Ukraine, which had increased through the implementation of the DCFTA, reaching a total trade volume of 41%. Furthermore, various programs for small and medium-sized enterprises (SMEs) were elaborated, in order to meet technical preparedness, competitiveness and value chain integration challenges of closer trade cooperation. Likewise, the development of the digital sector was made possible through the establishment of the regional EaP networks and the action plans for 2017-2020. These two agreements are worth 50 million euro each and were signed by banks and the EIB InnovFin program, providing loan guarantees for innovation companies. Other programs Ukraine was accepted in are Erasmus+, CreativeEurope, COSME, and Horizon2020, all of which support the progress for business, universities, cultural and audio-visual operators, as well as for professionals, young people, students and researchers. This progress is promising for future innovation-driven economic development in Ukraine. Furthermore, through the macro-financial assistance (MFA) instrument, the commission disbursed 600 million euro to Ukraine in April 2017. The joint programming is a tool to enhance the EU coordination at the country and the sector level. It also helps identifying and developing common priorities, reinforcing policy dialogue, the joint analysis, the info sharing, the joint implementation initiatives, the joint monitoring and the joint evaluation. This annual programming was replaced by the adoption of a series of special measures due to the crisis. The cooperation with the European Financial Institutions (EFIs) and the International Financial Institutions (IFIs) also helped boosting the growth, advancing economic transition, promoting sustainable socio-economic development and fostering political stability. Through the

DCFTA, a DCFTA facility for SMEs was established aiming at increasing their competitiveness, facilitating the access to finance, helping them so seize new trade opportunities, and complying with EU food safety, technical and quality standards and with environmental protection measures that are necessary under the DCFTA implementation. Besides the EU donors, non-EU donors such as the support group for Ukraine support the Ukraine's reform implementation.

Table 1.11: EU-Ukraine relation fact sheet, 2017	
	Trade
	Energy

Table 1.11: The fact sheet on EU-Ukraine relations was published in November 2017 by the European External Action Service (EEAS). A first progress the EEAS reported was the trading sector, whose progress of the ENP implementation in Ukraine within the last year was rather positive. The DCFTA entered into force in September 2016, offering new opportunities for the EU and Ukraine. While Ukraine's businesses could reach a stable and predictable access to the EU market, the EU could benefit from the easier access to the Ukrainian market, building up new relationships with the country's partners and suppliers. In the first 8 months of 2017, the overall imports from Ukraine to the EU and the imports from the EU to Ukraine both increased by approximately 27% compared to 2016. The DCFTA aims at improving the business climate, because it increases the investors' confidence. Furthermore, new technologies and management methods are expected to be executed by EU investors and businesses in Ukraine, leading to improving the efficiency and quality of Ukrainian production and business governance. In October 2017, the Autonomous Trade Measures for Ukraine entered into force, eliminating the duties for several industrial products to counterbalance the effects of Russia's restrictive measures against Ukraine. Another progress is the energy sector reform. After the signing of the Memorandum of Understanding (MoU) on a strategic energy partnership between the EU and Ukraine in November 2016, Ukraine has to implement the energy sector reforms in line with Ukraine's Energy Community and Association

Agreement commitments. Moreover, an Energy Efficiency Fund was created, to which the EU also contributes. The Commission, the EIB, the EBRD, and the World Bank support the modernization of Ukraine’s gas transportation system in line with the joint declaration that was made in March 2009. In December 2014, the EIB and the EBRD handed out loans for the reconstruction parts of the East-West transit pipelines.

Table 1.12: Report from the Commission, 2017
Fiscal sector
Trade
Financial assistance
Energy sector

Table 1.12: The Commission’s report to the European Parliament and the Council on the implementation of macro-financial assistance to third countries in 2016 announced an increase of Ukraine’s GDP by 2.3% for the first time since 4 years, benefitting from a rising household demand and from a rebound in investment activity. This led to a decrease of the country’s inflation rate, reaching 12.4% by the end 2016 after having been at 43.4% by the end 2015. Likewise, this decrease reduced the volatility on the foreign exchange market. Therefore, the fiscal policy led to a consolidated general government deficit of 2.3% of GDP in 2016, not as the 3.7% initial target. It is to be noted that this progress was achieved despite of the costs associated with the nationalization of the PrivatBank, which is the biggest commercial lender. In 2016, the investment activity grew and led to the widening the current account deficit to 4.1% of GDP. However, Ukraine’s export performance was weak because of the low commodity prices and to additional impediments to trade imposed by Russia in form of ban on transit exports to Central Asia in 2016. While the international financial assistance was below the expectations in 2016, it continued supporting international reserves, which rose to USD 15.5 billion by the end 2016 – or 3.5 months of next year's projected imports. Authorities continued implementing measures coordinated with the IMF to strengthen the confidence in the system.

Supervision was improved, recapitalization of commercial banks was ensured, the related-party lending was resolved. In December 2016, the stability in the financial system was about to be improved through the nationalizing the PrivatBank. However, the recovery of the PrivatBank's assets and the ensuring of a viable business model for the bank will be a major challenge for the authorities. Lastly, the law on the energy regulator entered into force in December 2016. The government approved an unbundling plan for the state-owned oil and gas company Naftogaz, which would separate its transmission and gas storage activities in line with the requirements of the third energy package. Tariffs were brought to market levels one year ahead of the plan agreed with IMF, which contributed to reducing the gas consumption and supported competitiveness. At the same time, several key energy acts, such as the new electricity market law, the law on heat metering and billing, and the law on energy performance in buildings, remain to be approved.

Table 1.13: Ukraine progress report, 2018
Trade
DCFTA
Financial cooperation and antifraud
Financial sector

Table 1.13. The Ukraine progress report illustrates the economic and financial situation of Ukraine after the AA's implementation in 2017. Ukraine has to further harmonize its horizontal legislation to align it with EU standards, and the Acceptance on Conformity Assessment and Acceptance of industrial products (ACAA) will ensure the mutual recognition of certificates of conformity by Ukraine and the EU in specified industrial sectors. Due to changes in the EU law, Ukraine is forced to revise its technical regulations in order to render them compliant with EU directives and regulations. Over the year 2017 alone, 1'439 national standards were adopted. 1'358 of these were international and European standards. Furthermore, progress was achieved by creating a new military standardization system that aims to be part of the framework of which Ukraine

will adopt NATO standards and standards in the defense field of NATO Members. The developed draft law has yet to be submitted. Due to Ukraine's poor progress on customs matters in 2017, a number of regulations that aimed at achieving a set of legal, organizational and information technology objectives for the purposes of appropriate communication with the EU's New Customs Transit System (NCTS) and the introduction of single administrative document were applied. Ukraine also started to use the single window automated system in checkpoints and customs clearance offices, which is intended to significantly simplify customs procedures and reduce the time for completing them. Likewise, anti-corruption measures related to customs operations were taken, facilitating business activities of properly operating business entities. From a financial perspective, the law on accounting and financial reporting in Ukraine and the law on audit of financial statements and auditing which sets financial reporting principles in accordance with the EU law both passed in 2017. In the competition sector, the Antimonopoly committee of Ukraine (AMCU) does currently publish its decisions on official website. Furthermore, the Association Agreement's implementation led to the activation of the law on state aid to business entities. Moreover, in the industry and entrepreneurship sectors, the AA's provision is to enable cooperation between the EU and Ukraine and to develop therefore small and medium business and industry. Likewise, the strategy for developing small and medium business in Ukraine 2020 was approved in 2017 and enables the coordination of activities of other government authorities to implement sound and comprehensive enterprise policy considering current needs. The Deep and Comprehensive Free Trade Area (DCFTA), which entered into force 1 January 2016, led to a rapid trade growth between the EU and Ukraine in terms of exports and imports. The report evinces that the exports of goods to the EU increased by 30.4%, while the imports of goods from the EU saw an increase of 22.8% between January and November 2017. Likewise, the trade in services between Ukraine and the EU increased in 2017. In particular, exports of services from Ukraine to the EU increased by 10.8%. The EU introduced additional three-year duty-free quotas for agricultural and food products in October 2017, and cancelled all import duties for certain products. Within the financial sector, besides the imposition of sanctions for non-compliance with the rules on providing

payer and payee information in relation to money transfers, the terms of the anti-money laundering legislation to reflect changes in EU legal acts were updated. Likewise, the national bank of Ukraine continued improving the legal framework on banking regulation and supervision, taking into account the Basel committee's core principles for effective banking supervision. The bank also continued to relax temporary foreign exchange restrictions besides its ongoing gradual liberalization of the foreign exchange legislation.

Table 1.14: UkraineLab Conference, February 2018
Macro-economic situation
Financial assistance

Table 1.14: The panel speakers of the UkraineLab 2018 announced progress in the stabilization of the macro-economy sector. The privatization law was said to be an additional factor, which will help boost the economic and financial sectors in the upcoming years. However, financial assistance provided by the EU would have to be more in order to be able to make the reforms implement fully and more efficiently.

5.1.1.3 Safety

Table 1.15: EU-Ukraine Summit, 2015
Russia
foreign security

Table 1.15: In the EU-Ukraine Summit in 2015, the EU announced the implementation of a non-recognition policy that comes with restrictive measures. The reason for this decision was due to Russia's non-compliance with the OSCE Helsinki Act and the UN Charter. Russia did not respect Ukraine's sovereignty and its territorial integrity as was foreseen by the Budapest Memorandum of 1994, as well as it did not follow what was agreed in the Bilateral Treaty on

friendship, cooperation and partnership in 1997. Russia's non-compliance with the Minsk Agreements was not accepted by the EU, mentioning the deteriorated human rights conditions in the Crimea Peninsula and the Crimean Tatars. As a result, the EU announced the 5+2 settlement to be renewed and the mandate of the European Commission's Border Mission to Moldova and Ukraine that provides for border management development and border and custom services reforming in Ukraine to be extended by another two years until the end of 2017. Furthermore, the EU announced Ukraine's progress in the aligning with the EU Common Foreign and Security Policy (CFSP) declarations and the country's successful participation in the EU-led Naval Military Operation European Naval Force (EUNAVFOR) of the negotiations on the administrative arrangement between the European Defence Agency and the Ministry of Defence in Ukraine.

Table 1.16: EaP Summit, 2015
Humanitarian situation
Military cooperation
Russia

Table 1.16: The EaP Summit in 2015 announced the EU's support of the humanitarian crisis through the provision of social assistance to the internally displaced persons, and by helping improve the coordination mechanism. Likewise, the Union addressed remaining legal and administrative obstacles to unhindered international humanitarian assistance. Furthermore, the border assistance mission (EUBAM) contributed to the border-related cooperation between the Republic of Moldova and Ukraine. This cooperation is planned to be continued. Concerning military matters, Ukraine contributed to the EUNAVFOR, as well as to the EU Battlegroup in 2014. This is related to the foreign safety Ukraine and the EU try to ensure, being visible through the CSDP missions in the EaP countries, where there was a deployment of the advisory mission in Ukraine. The talks between Russia and Ukraine are facilitated by the EU, who took the role of the intermediary, mainly in energy matters.

Table 1.17: Fact sheet on EU-Ukraine relationship, 2017

Russia

Table 1.17: Russia's annexation of the Crimea in March 2014 is not recognized by the EU. The latter adopted a non-recognition policy towards that action, imposing sanctions. The EU supports the improvement of the conflict in Eastern Ukraine by providing for restrictive measures, diplomatic efforts, continuing dialogue and trilateral contact group (OSCE, Ukraine, and Russia). The EU contributes to the OSCE Special Monitoring Mission in Ukraine, which monitors the implementation of the Minsk agreements). Furthermore, humanitarian aid in the area is provided with 260 million euro, of which 88 million euro comes from the EU.

Table 1.18: Joint report of the Commission, 2017

Conflict

Migration and mobility

Table 1.18: The joint report of 2017 published the progress that has been made in Ukraine in terms of safety reasons. In order to resolve the frozen conflicts in the East, several civilian CSDP missions and border assistance missions were deployed and financially supported by EU Member States or CSDP Trust Funds. In Ukraine, the EU has provided two thirds of both the budget and the monitors to the special monitoring mission in Ukraine, which includes individual contributions provided by EU Member States. In the joint declaration of 2016, the EU and NATO committed to step up their cooperation and coordination by taking measures seeking to support partners' capacity building efforts and their resilience. The EU provided the dialogue on the conflict to reach peaceful and sustainable solutions. Likewise, they worked on the situation of the Moldovan-Ukrainian border. The Integrated Border Management (IBM) was implemented and funded by the EUBAM, and in general the capacity-building of customs and border guard services improved a lot in 2016, also with EU's support in all ENP

countries in their use of the Interpol's Information Technology systems and database. EU satellite center (SatCen) also helped providing information (strategic information, organized crime, terrorism, irregular migration, piracy, etc.). Likewise, cyber security is in coordination with EU MS' bilateral efforts. Other concerns are the migration and mobility matter that have to be dealt with. This is related to the Mobility Partnerships that offer a framework for comprehensive cooperation with partner countries to address mobility issues. The EU has number of readmission agreements in place with the ENP countries to set out clear obligations and procedures for the authorities of the partner country and the EU MS as to when and how take back people in an irregular situation.

Table 1.19: Ukraine progress report, 2018
Russia
Migration, asylum and border management

Table 1.19: The Ukraine progress report also mentions the foreign policy, national security and defense sectors in its progress evaluation. The political dialogue between the EU and Ukraine remains high level and they coordinate their condemnations against Russia actions that pose threat to international peace and security. Likewise, the participation of NATO, USA, and EU experts led to the drafting of a law “on national security of Ukraine”, aiming at alienating Ukraine’s standards for security and defense with those of the EU. According to this draft, Ukraine aspires an EU and NATO membership, which should unconditionally guarantee security, sovereignty and territorial integrity of the state. Furthermore, Ukraine deepened the cooperation with the European Defense Agency within the Single European Sky, participated in the meetings of the Military Aviation Council at a political level, and was present in the annual conference on that subject in 2017. Ukrainian experts joined the work of the expert groups’ material standardization, the single European sky, the European air transport fleet with framework of the European Defense Agency. In November 2017, the Council of the EU extended the mandate of the EU Advisory Mission (EUAM) to Ukraine

until May 2019 and approved its budget for the next 18 months, which amounts to 32 million euro.

Another focus was on the migration, asylum and border management issues in Ukraine. In 2017, the public migration policy strategy 2025 that addresses labor migration, emigration and forced internal displacement was approved. Likewise, the organization of the national system of a biometric verification and identification of Ukrainian citizens, foreigners and stateless persons was completed and is currently in a test mode. A further progress was reported in the preparations of the single information and analytical system for managing migration processes, as well as the first stage of the renovated temporary accommodation center for refugees was commissioned. Lastly, the units of the state migration service issued approximately 4 million foreign passports, which was a big increase compared to the 1.5 million passports that were issued in 2016. Equally, the issued identity cards grew from 278 thousand in 2016 to 1.1 million exemplars in 2017.

Table 1.20: UkraineLab Conference, February 2018
Russia
Cyber-defence systems

Table 1.20: Regarding the safety area, the panel speakers of the UkraineLab 2018 announced the Russian Federation's behavior as the main obstacle of the slow progress of the ENP's reforms that have to be implemented in Ukraine. They blamed Russia's fake news campaigns as counterproductive actions to succeed in Ukraine's reforms.

Having in mind the so far analyzed documents and the conference's outcomes, the following part illustrates what the document of the Ukraine progress report of 2018 and the UkraineLab conference of February 2018 reveal to be the most important issues to deal with in future. Hereby, also another conference's outcomes are listed, since the conference's aim was the focus on Ukraine's future path.

5.1.2 Future goals

5.1.2.1 Governance/Politics

Table 2.1: Ukraine progress report, 2018
Cooperation with Eurojust and Europol
Strategy for the reforming the judicial system, the judicial procedure and related legal institutions for 2015-2020 and the according action plan

Table 2.1: The Ukraine progress report (2018) outlined several future goals of the AA's implementation in Ukraine. In the Governance and Political area, the main objectives of 2018 are the further legislative support for the reform on municipal government and territorial organization of power, the development and adoption of laws and regulations, and the completing of the reform of the pilot ministries. In the justice, democracy, freedom and human rights matters, the aims to be achieved in 2018 contain the combatting of organized crime, which is mainly critical in terms of cross-border and mutual challenges. There were agreements on these issues that had been ratified and entered into force in 2017, focusing on the cooperation between Ukraine and Europol, as well as Ukraine and Eurojust. They also provide for the fight against illicit drugs, the combatting prosecutors and psychotropic substances, which still have to be adopted properly. Regarding anti-corruption, the new anti-corruption strategy for 2018-2020 should be adopted. Likewise, the government program for its implementation has to be approved, just as the institutional capacity of the NAPC has to be enhanced for a proper functioning. The last focus for 2018 is on the justice sector, in which the implementing of the strategy for the reforming the judicial system, the judicial procedure and the related legal institutions for 2015-2020, as well as this system's relevant action plan is aimed to be completed.

Table 2.2: UkraineLab Conference, February 2018
Anti-corruption court

Table 2.2: The panel speakers of the UkraineLab 2018 agreed that the establishment of the anti-corruption court would help fight corruption and therefore, this is an objective to be realized as soon as possible.

Table 2.3: Ukraine’s future path Conference, April 2018
Decentralization finalization
Anti-corruption court
Compliance with EU standards
Transparency

Table 2.3: In the conference about “Ukraine’s future path”, the panel speakers talked about the need of finalizing the decentralization reform, establishing an anti-corruption court and complying with the EU standards. These three elements were mentioned as the ones that would lead to a boost of the economic sector. Likewise, transparency has to be improved in Ukraine. Only if the foreign investors and the EU see where their money goes, they will continue and even increase their financial support.

Table 2.4: Ukraine progress report, 2018
Reduction of non-tariff restrictions
Develop e-commerce
Enter into the EU digital market
Support SMEs in entering the EU market

Table 2.4: In the economics and finance sector, the government has to focus on the further implementing the reforms related to the DCFTA. By doing so, Ukrainian's goods and services will get more access to the EU market. Therefore, the aim is to reduce non-tariff restrictions, particularly those that have SPS measures and technical barriers to trade. Another aim is to develop the e-commerce with the EU and to integrate it into the EU digital market. A last objective is the supporting of SMEs in their entering the EU market. Regarding the financial cooperation and antifraud, the priorities of the AA's implementation in 2018 are to establish a mechanism and a timetable for regular consultation and the exchange of information. Likewise, Ukraine's focus will be on the working out the procedure for operational cooperation between the European Anti-Fraud Office (OLAF) and Ukrainian government authorities.

Table 2.5: UkraineLab Conference, February 2018
Digital and energy union
Compliance with EU standards

Table 2.5: The panel speakers of the UkraineLab 2018 are hopeful that Ukraine can soon participate in the EU's digital and energy union. Likewise, Ukraine should fully comply with all EU standards in order to open a full access to the EU market. This would equally open the country access to further world markets, such as to Canada.

Table 2.6: Ukraine's future path Conference, April 2018

Economic growth

Table 2.6: Even if the economic sector has seen some progress, without the reform implementations of the governance and political, as well as the safety areas, the economy in Ukraine will not boost further. This is what the panelists' conclusion in the conference about "Ukraine's future path" was.

5.1.2.3 Safety

Table 2.7: Ukraine progress report, 2018

Implement further the border management

Develop infrastructure to host and support refugees, foreigners and stateless persons being illegally in Ukraine
--

Approve the four-year public migration policy strategy 2025 implementation plan

Table 2.7: The objectives in the safety and security sector are mainly based on the migration, asylum and border management. In 2018, Ukraine aims at further implementing the integrated border management concept and the relevant cooperation with the EU. Second, the country aims at developing the infrastructure for hosting and supporting refugees, foreigners and stateless persons that are illegal in Ukraine. Lastly, Ukraine wants to approve the four-year public migration policy strategy 2025 implementation plan and start with this plan's implementation.

Table 2.8: UkraineLab Conference, February 2018
Safety cooperation

Table 2.8: The panel speakers of the UkraineLab 2018 also mentioned the need for an even closer cooperation in the safety and security area with the EU. The aim would be to access the Customs union and to become part of the Schengen agreement.

Table 2.9: Ukraine’s future path Conference, April 2018
Russia
Military

Table 2.9: “Ukraine’s future path” that was discussed in the conference mainly addressed the issue of Russia. The panel speakers used an aggressive vocabulary to describe the Russian Federation’s actions and plans they pursue in Ukraine and called upon the EU to support them more in their fight against their enemy. The military of Ukraine was also mentioned. The panel speakers agreed that Ukraine needs a stronger military, which comes with an augmentation of the budget for this sector. They announced that a bigger and stronger Ukrainian military would also be beneficial for the EU and NATO.

5.1.3 Overview of the findings

In sum, the document analysis and the direct observation reports from the conferences have revealed some progresses and obstacles related to the ENP’s implementation in Ukraine since 2014. All of the three ENP goals to be achieved turn out to contain reforms that were successfully progressing thanks to the EU’s engagement by implementing the ENP in Ukraine. *Tables 3.1, 3.2, 3.3* summarize the progressed reforms in the three different areas.

Tables 3.1, 3.2, 3.3: Reforms with progress in the different areas

Table 3.1: Governance/Politics
Constitutional, electoral and other political reforms
Decentralization
Fight against corruption
Justice sector (amongst which rule of law)
Public administration
Democracy
Human rights sector
Public procurement
Privatization law
Entrepreneurship
Re-structuring of the energy sector
Business climate
Governance bodies
State-owned enterprises
Banking sector
Budgetary sector

Table 3.2: Economics/finances
Institutional reform
Eastern Europe Energy Efficiency and Environment Partnership
Trade (amongst which DCFTA, agriculture, manufacturing and policy-related issues)
Financial assistance
Energy sector
Budgetary sector
External audit for public finances
Tax administration
Public financial management

Financial sector and financial cooperation
Banking agreements
Fiscal sector
Antifraud
Macro-economic situation

Table 3.3: Safety
Conflict with Russia
Foreign security
The humanitarian situation
Military cooperation
Migration and mobility
Asylum and border management
Cyber-defence systems

Besides the findings of the content analysis, the Ukraine progress report on the implementation of the Association Agreement between Ukraine and the EU in 2017 provides a useful overview of the different sectors and their progress in percentage (*Graph 3*).

Graph 3: overview of Ukraine's Progress in implementing the Association Agreement with the EU in 2017



Source: p.9 'Report on implementation of the Association Agreement between Ukraine and the European Union in 2017', Government Office for European and Euro-Atlantic Integration with the support of the EU Delegation to Ukraine and Association4U Project funded by the European Union, Kyiv 2018.

In sum, it can be stated that the EU's engagement in Ukraine has proved to pay out, serving for approaching the achievement of the three ENP goals. Thanks to the EU's ENP implementation in Ukraine, different improvements within the governance & politics, economics & finance and safety areas have been accomplished. Consequently, considering this outcome, the extent to which the EU's engagement in Ukraine has served for the achieving the three ENP goals can be stated to be very high. However, as the following *tables 4.1, 4.2, 4.3* show, several reforms have not yet been implemented successfully. Considering these remaining reforms, there is evidence that there are obstacles that limit the extent to which the EU's engagement can serve for the achieving of the three ENP goals.

What are the obstacles that have this negative impact on the EU's engagement and the achievement of the three goals? Can they be proved to be caused by the EU?

Tables 4.1, 4.2, 4.3: Future reforms or part of reforms to be achieved

Table 4.1: Governance/Politics
The finalization of the decentralization reform
Anti-corruption strategy 2018-2020 and anti-corruption court
Compliance with the EU standards
More transparency
Cooperation with Eurojust and Europol
Strategy for the reforming the judicial system, the judicial procedure and related legal institutions for 2015-2020 and the according action plan

Table 4.2: Economics/Finance
Digital and energy union
Compliance with the EU standards
Reduction of non-tariff restrictions
Develop e-commerce

Enter into the EU digital market
Support SMEs in entering the EU market
Economic growth in general

Table 4.3: Safety
Implement further the border management
Develop infrastructure to host and support refugees, foreigners and stateless persons being illegally in Ukraine
Approve the four-year public migration policy strategy 2025 implementation plan
Safety cooperation
Military
Russian Federation

5.2 Evaluation of the findings

In sum, these tables show that Ukraine has still some reforms to implement in order to achieve the guaranteeing of the three ENP goals. However, the question to answer is what the obstacles are that lead to the limiting of these reforms' successful implementation and therefore the achieving of the three ENP goals. Once the obstacles are defined, the cause of their emergence is addressed.

According to the critics of, amongst others, Biscop (2010), Buscaneanu (2015), Garwich, Melnykovska, & Schweickert (2010), Manners (2010), Whitman & Wolff (2010) revealed in the background part, the EU follows a rationalist approach by implementing the ENP in Ukraine. These critics proved the EU to follow its own interests, without touching upon the needs of Ukraine when implementing the ENP in the country. This was evinced by the two most critical elements, which are the Union's one-size-fits-all and a top-down approach in its implementation of the ENP in Ukraine. Furthermore, the lack of leverage is argued to be another critical aspect. The critics blamed these approaches to be the causation of the obstacles that limit the extent to which the EU's engagement in Ukraine serves

for the achieving of guaranteeing safety, stability and prosperity in Ukraine and within the EU. However, are all of them related to what the theory argues or is the EU's engagement in Ukraine only partly the cause for the slow progress of Ukraine's reforms?

5.2.1 Governance/Politics

In the Governance/Politics area, the revealed obstacles are the stagnation of implementing the decentralization reform, the unsuccessful improvement of the judicial sector, the slow progress in the adoption of EU standards, and the lack of transparency. The question is why – or by whom – they are caused.

The top-down approach defines a way of implementing the ENP by starting the implementation at the elite level of the society, which is a government level. The aim is to achieve changes, which will then have an automatic positive impact or spillover to the lower levels, reaching the most local level of the country. This approach is less costly, requires less personnel, and less preparation for the planning is needed – reflecting a rational choice institutionalist approach that is based on cost-benefit calculations and the aim to maximize the own welfare in the most efficient way (Schimmelfennig, 2001; Schimmelfennig & Sedelmeier, 2002). It takes less energy and resources for the EU to approach the ENP's implementation from this way. Yet, are the above-mentioned obstacles really caused by the EU? The findings reveal that there is one obstacle hindering the successful implementation of these reforms, i.e. corruption. This is an ongoing and deeply critical obstacle that limits the EU's engagement in Ukraine to be successful to achieve the three ENP goals. Nevertheless, according to the critics, this obstacle can be fought if the EU starts adapting a bottom-up approach and if it touches upon all the needs of Ukraine, such as specific measures that are tailored for the country to fight corruption. Thus, they argue that if the EU would adapt its policy in a less one-size-fits-all approach and a less top-down approach, corruption could be fought and through decentralization implement the remaining reforms – such as in the judicial sector, adoption of the EU standards and transparency, amongst others – that limit the EU's engagement in Ukraine to

serve for the achieving of the three ENP goals could be implemented successfully.

However, so far, the Union has been criticized for its top-down and one-size-fits-all approaches for over a decade – even after the two ENP reviews of 2011 and 2015, in which the EU stated to focus on these critical aspects. While the Association Agreement has led to a more country-tailored policy, the slow progress of the decentralization reform in Ukraine proves that the EU does still not apply the bottom-up approach. As a result, considering the critics against the Union's way of implementing the ENP, the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is proved to be limited by the EU itself, because the Union did not yet manage to alter its top-down approach that hinders the decentralizing of the power in Ukraine and to fight mainly corruption. Consequently, the judicial sector, the EU standard adoption and the transparency reform are impeded to be implemented too. Therefore, the obstacle of the EU's top-down approach reflects in the slow progress of the decentralization reform, without which Ukraine will not be able to ensure stability in the country. As a result, the hypothesis is confirmed, proving that *the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals depends on the EU itself, because the Union applies a rationalist approach when implementing the ENP in Ukraine and causes therefore itself the obstacles that limit this extent.*

However, the obstacle 'corruption' has to be examined further. According to what is revealed by the analysis, the fight against corruption has progressed over the last years. Thanks to several reforms executed in the justice sector, the public administration or the privatization law, the issue was tackled and it seemed that the corruption level in the country decreased. As a result, the EU's engagement has served for the approaching the achievement of the three ENP goals by addressing the corruption issue. Yet, it turns out that the achieved progresses are not leading to the elimination of the obstacle. Even if corruption can be related to the EU's criticized top-down implementation of its ENP in Ukraine, corruption itself is an obstacle that was not caused by the EU's engagement. It is not due to the EU's engagement that corruption emerged and started to limit this engagement for serving to achieve the three ENP goals. The EU has no influence

on corruption. Corruption existed in Ukraine already before the EU engaged for trying to achieve the three ENP goals, indicating that it is an internal issue of Ukraine. Consequently, the hypothesis is disapproved in this case. With corruption being a constant internal issue in Ukraine, the aims of the ENP will not be realistic to be achieved. The EU expert that was interviewed confirmed this statement, while the Ukrainian one still believed that additional and improved support of the EU might fight corruption in future. Yet, this position has to be acknowledged also from the fact that Ukraine's aim is to become a EU Member and therefore the country's experts and politicians rather try to let critical issues look like there is a solution. It is in the country's interest that an obstacle like that can be solved in order to be attractive to the EU. Nevertheless, the findings prove that corruption is not likely to be managed, mainly because the EU has no influence on this internal issue of Ukraine. As a result, stability within Ukraine is not guaranteed, and therefore also risks to have a negative spillover towards the EU.

In sum, there are obstacles limiting the extent to which EU's engagement in Ukraine serves for the achieving of the three ENP goals that can be proved to be caused by the EU itself. However, there is one amongst the obstacles that turns out to be more powerful than all the others, namely corruption. Corruption is not caused by the EU, and therefore cannot be easily tackled by the Union. Even if the EU would change the way it implements the ENP in Ukraine, by adapting a bottom-up approach and country-tailored policy measures, corruption would hinder the implementation of the current reforms that are to be implemented since years. Consequently, even if the EU does not follow a rationalist behavior in its implementation of the ENP in Ukraine, the extent to which its engagement serves for achieving the three ENP goals is limited by corruption – independent on what approach the EU adapts for the implementation. Thus, the hypothesis that states that *the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals depends on the EU itself, because the Union applies a rationalist approach when implementing the ENP in Ukraine and causes therefore itself the obstacles that limit this extent* cannot be approved for the obstacle of corruption. As a result, stability in Ukraine turns out to be unlikely to improve in the coming years.

5.2.2 Safety

Just as in the Governance/Politics area, the EU's way of implementing the ENP in Ukraine can be related to the rational choice institutionalism theory. The one-size-fits-all and the top-down approaches that the EU applies when engaging in Ukraine to improve the safety situation reflect the hypothesis. However, even if there is evidence that the EU is guilty for the causation of several obstacles that limit the extent to which its engagement in Ukraine serves for the achieving of the three ENP goals, there exists another obstacle in the safety area, which does not approve the hypothesis. This obstacle that can be revealed from the findings is the conflict with the Russian Federation. As has been revealed in the background, the conflict with the Russian Federation is until today debated. On the one hand, there are experts thinking that there is a conflict because the EU has acted on a rationalist basis when it decided to implement the ENP in Ukraine, while on the other hand there are experts that have arguments proving that the EU's behavior was not based on the rational choice institutionalism theory in this concern. Personally, after all the conferences and the people I have met during this research, I think there is not only one side that is right, but rather both have some elements that have to be considered as valid arguments. Both of the interviewees denied the arguments that state that the conflict has been partly caused by the EU's engagement in Ukraine. They clearly stated that the Russian Federation has no right to say in this affair. Without denying this statement, but by considering also other aspects of the issue, I will not go further into this debate. Instead, I focus on the one certainty that can be revealed from the documents' and conferences' content analysis, which is that the ENP's implementation in Ukraine has led to several tensions between Ukraine and the Russian Federation, as well as between the EU and the Russian Federation. As has been already illustrated in the background part, the perception of the Russian Federation' experts and politicians towards the ENP's implementation in Ukraine has ever since been critical. However, there is no prove that can affirm either one or the other side of argumentation to be more relevant. For this reason, the hypothesis' statement that *the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals depends on the EU itself, because the Union*

applies a rationalist approach when implementing the ENP in Ukraine and causes therefore itself the obstacles that limit this extent is neither approved, nor disapproved.

However, what can be evaluated is that according to what can be observed in the analysis, the situation has not changed since 2014 and is still ongoing today. This is a clear obstacle for the successful implementing of all reforms, independently on whether the obstacle has been (partly) caused or not by the EU's engagement. As a result, the conflict proves to limit the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals. Given that both the EU and Ukraine are being confronted with tensions with the Russian Federation, the safety area turns out to have deteriorated since the ENP's implementation in Ukraine. In conclusion, the EU's engagement in Ukraine is limited in its achieving of the ENP's goals, because the conflict impedes the peace building and the ensuring of safety in Ukraine, as well as within the EU.

5.2.3 Economics/Finance

Unlike the Governance/Politics and Safety areas, the Economics/Finances area has no obstacles that can be associated to the EU's rationalist behavior. The main elements revealed in the findings refer to reforms that are less considered as obstacles, but more as reforms that have to be further implemented in future. This area results in being the least critical amongst the three. However, prosperity in Ukraine is not guaranteed yet. Even if the Economics/Finances area itself might develop, the corruption and the conflict with the Russian Federation, which tend to have negative impacts on the economics and finances, shall remain present. As a result, prosperity in Ukraine depends on the country's stability and safety. As long as there is corruption and a conflict with the Russian Federation, neither both the economy and the trade can develop, nor can foreign investors be attracted.

In sum, the three main obstacles that limit the extent to which the EU's engagement in Ukraine serves for the achieving of stability, safety and prosperity turn out to have all a different relation to the theory and its hypothesis. While in the governance/politics area the top-down approach confirms the hypothesis, the obstacle corruption turns out to not confirm the hypothesis. The conflict with the Russian Federation that is part of the safety area neither proved nor disapproved the hypothesis. Lastly, the economic/finance area turned out to have no obstacles that limit the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals, but its development being highly dependent on the evolution of the stability and safety sectors.

5.3 Conclusion

What does the evaluation say about the extent to which the EU's engagement serves for the achieving of the three ENP goals?

- First, regarding the top-down approach that the extent to which the EU's engagement in Ukraine serves is limited by the EU itself, because the Union did not change its top-down approach to become a bottom-up approach. This reflects the critics of the background part and confirms the hypothesis. From this point of view, the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals can be altered if the EU changes its rationalist behavior in the implementation of the ENP. As a result, stability might be improved in Ukraine, and also lead to be guaranteed within the EU. However, by focusing on corruption itself as an obstacle, the result of the theory changes. Corruption is the obstacle that is considered as one of the two most critical ones to hinder the EU's engagement in Ukraine to serve for the achieving of the three ENP goals, being an internal issue of Ukraine, which the EU has no influence on. Corruption turned out to impede the achieving of stability within Ukraine. Likewise, it renders the EU's rationalist approach unimportant, because whether the EU changes its top-down approach or not, corruption will remain the main issue impeding any progress to be achieved in the area. As a result, by taking

into account all obstacles in the Governance/Politics area, stability cannot be improved in Ukraine, because of the obstacle corruption.

- Second, the hypothesis is confirmed in the safety area, in which both the top-down and one-size-fits-all approaches of the EU are still present when examining the way the Union implements the ENP in Ukraine. As a result, the extent to which its engagement in the country serves for achieving the three ENP goals is limited by the EU itself. However, there is one obstacle that cannot be clearly defined as whether confirming or not the hypothesis, namely the conflict with the Russian Federation. This obstacle is proved much more important than the other obstacles, being the one element on which the other reforms' progress depends. Even if it is an open-discussion obstacle regarding the hypothesis, it limits the extent to which the EU's engagement in Ukraine serves for achieving the three ENP goals and it seems as this issue is a frozen conflict with no solution or improvement in perspective. Consequently, safety in Ukraine is not guaranteed, which hinders the extent the EU's engagement serves for the achieving of the three ENP goals. This obstacle is – besides corruption – one of the two most critical elements for the achievement of the three ENP goals.
- Third, the stability and safety sectors' evolution is crucial, because they automatically have a negative spillover to the prosperity area. Prosperity is mainly related to the Economics/Finances area. As has been revealed in the analysis, as economics as finances have improved a lot over the last years. However, corruption and the conflict with the Russian Federation render further development of them difficult, because Ukraine needs foreign investors who are ready to invest in the country. Furthermore, the trade increase has to be kept and augmented in the upcoming years in order to ensure prosperity. However, if stability and safety are not guaranteed, prosperity will not develop neither.

As a result, Ukraine turns out to be in a situation of stagnation from a governance/political and safety perspective. The extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals has augmented over the last years, having progressed in many reforms the ENP's implementation brought along. However, even if the EU would change its one-size-fits-all approach and foremost the top-down approach – that would lead to a better management of migration, border and humanitarian aid issues, as well as to the implementation of the decentralization reform that would enable the judicial sector, the EU standard adoption and the transparency to be further implemented – the extent to which its engagement can serve for the achieving of the three ENP goals is limited by corruption and the conflict with the Russian Federation. Furthermore, the analysis and the evaluation demonstrated that both of these obstacles disapprove the hypothesis – even if the conflict with the Russian Federation remains an open debate in this regard – and the EU has therefore no or only little manoeuvre left to have influence on the extent to which its engagement serves for the achieving of the three ENP goals.

5.4 Discussion

The EU has unarguably invested a lot to approach the achieving of the three ENP goals through its engagement in the ENP implementation in Ukraine. The Union therefore served to a great extent for achieving these goals. However, as the analysis reveals, there are mainly two crucial elements that hinder this achievement, independently on whether the EU's engagement has served for the approaching the ENP's goals or not. These two elements are corruption and the conflict with the Russian Federation. While corruption impedes the governance and political area to become stable, the conflict with the Russian Federation impedes Ukraine to become safe. Furthermore, if neither stability nor safety are guaranteed, this has a negative spillover effect on the prosperity area, which will also deteriorate over time.

As long as corruption and the conflict with the Russian Federation persist, the EU's engagement in Ukraine will not serve for the achieving of the three ENP goals. Even if the EU would achieve to overcome those obstacles it is proved by the findings to be responsible for – namely both the top-down and the one-size-fits-all approaches – the situation in Ukraine would not improve. In order to add to the improving of the stability and safety, the two above-described elements – namely corruption and the conflict with the Russian Federation – need to be resolved. Otherwise, any change from the EU's side will not be efficient and the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is limited and cannot be altered towards a higher extent.

Currently, there is no safety, no prosperity and no stability guaranteed in Ukraine. This also has a negative spillover on the EU, however with the only difference that there is a lot needed to bring the EU into the same situation as Ukraine currently is. Yet, the one amongst the three areas that has proved to be also critical for the EU is the safety area. Unlike corruption, the conflict with the Russian Federation has led to tensions between the EU and the Russian Federation, which in turn provoked also a decrease of safety within the EU. However, the EU's safety situation is clearly better than in Ukraine. Yet, shall the conflict with the Russian Federation continue, there might be further consequences the EU will have to deal with. This is of course a risk for the EU and its aim to guarantee safety within its Union. The other two areas – governance/politics and economics/finances – are less crucial for the EU. First, because Ukraine's internal issues do not tend to have a direct impact on the Union and, second, the EU is not dependent on Ukraine as an economic partner. If Ukraine becomes a new trading partner, the EU's welfare might benefit of it. However, if Ukraine is not becoming a new trading partner, the EU's current economic situation will not deteriorate.

One might argue that since the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals is limited by obstacles the Union has no influence on, the EU should involve less in the country, considering that the findings have proved that the EU can currently do nothing to change the situation in Ukraine. However, the EU's engagement has served for approaching the achievement of safety, stability and prosperity so far. Without the EU, Ukraine

would never have achieved so many reforms and progresses. This proves that the EU is in a dilemma of interests and duties. On the one hand, Ukraine is dependent on the EU's support to become a safe, stable and prosperous country. However, on the other hand, the EU has only limited power to help Ukraine achieve these goals of the ENP, because the Union cannot influence corruption, which is an internal issue of Ukraine. The same counts for the conflict Ukraine has with the Russian Federation. Even if the latter obstacle's causation remains debated until today, the fact that this conflict limits the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals makes the Union's engagement not fully efficient. This opens up a new debate about the extent to which the EU *should* engage in Ukraine: is more or less engagement needed for approaching the achievement of the EU's European Neighborhood Policy goals – safety, stability and prosperity?

The findings discussed above demonstrate that further research is needed regarding the internal factors Ukraine has to deal with. This mainly concerns corruption. The conflict with the Russian Federation is not an internal issue of Ukraine per se, however, the EU has no influence on it and can therefore not provide support to resolve it for Ukraine. The findings have shown that these two obstacles should not be underestimated. Thanks to the theoretical framework that was applied in the thesis, different obstacles that hinder the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals could be revealed. However, the rational choice institutionalism approach does not lead to identify the obstacles corruption and the conflict with the Russian Federation, which both do not approve the hypothesis. For this reason, it might be interesting for further research to investigate this issue from another theoretical approach. An alternative could be the social constructivism theory, which states that the ENP and the EU's engagement in Ukraine are based on shared values and norms and develop through the common dialogue that builds on mutual interests (Jupille, Caporaso and Checkel, 2003; Schimmelfennig and Sedelmeier, 2002). From this perspective, it could be argued that the extent to which the EU's engagement in Ukraine serves for the achieving of the three ENP goals can be improved thanks to the EU's support, which helps Ukraine to become more stable, safe and prosperous. However, due to internal obstacles

that exist in Ukraine, the extent to which the EU's engagement serves for the achieving of the three ENP goals is limited. One possible argument could be that corruption is problematic for the EU's achievement of the three ENP goals, because corruption disrupts the policy framework's implementation, which is based on shared values and norms. Given that corruption is an internal issue of Ukraine that exists at all levels of governance, it is not up to the EU to resolve it. The EU can provide for help to a certain extent, but internal issues of Ukraine have to be resolved by the country itself. For example, aspects related to missing – or a bad allocation of – resources and a weak public administration could be examined, associating them to corruption at the lower social class levels. Citizens of this social layer will continue being corrupt if the living standards are low and welfare is not guaranteed, because in this case it is more likely and convenient for them to get what they want through practicing corruption. Likewise, the obstacle should be analyzed in the high social class levels, where those in power that benefit from being part of a broad network of other corrupt personalities do not allow for changes that might put their high position into risk and therefore do everything to impede the fight against corruption. As a result, even if the EU engages in Ukraine by applying its policy, which is based on mutual interests and on shared values and norms, the three ENP goals will not be achieved as long as Ukraine does not manage to overcome its internal issues the EU has no influence on.

The thesis has highlighted that the prerequisite for the successful achievement of the three European Neighborhood Policy goals is to overcome several challenges in the future. However, to conclude with a quote of Einstein:

“In the middle of difficulty lies opportunity”

6 References

- Balasan, C. & Maha, A. (2013), 'Rational Choice Institutionalism and the European Neighborhood Policy', *CES working papers*, 5, 3, pp. 323-329.
- Bauer, P. (2011), 'The Transition of Egypt in 2011: A new Springtime for the European Neighborhood Policy?', *Perspectives on European Politics and Society*, 12, 4, pp. 420-439.
- Barakhvostov, P. & Rusakovich, A. (2017), 'Eastern Partnership Countries and Eurasian Integration in 2012~2015', *Journal of Economic Integration*, 32, 4, pp. 804-841.
- Bearman, M., Smith, C.D., Carbone, A., Slade, S., Baik, C., Hughes-Warrington, M., and Neumann, D.L. (2012), 'Systematic review methodology in higher education', *Higher Education Research & Development*, 31, 5, pp. 625-640.
- Berdinelli Rossi, G., Serralvo, F.A., and Joao, B.N. (2014), 'Content Analysis', *REMark Revista Brasileira de Marketing*, 13, 4, pp. 39-48.
- Beyers, J., Braun, C., Marshall, D. and De Bruycker, I. (2014), 'Lets talk! On the practices and method of interviewing policy exerts', *Interest Groups and Advocacy*, 3, 2, pp. 174-187.
- Bicchi, F. (2014), 'The Politics of Foreign Aid and the European Neighborhood Policy Post-Arab Spring: 'More for More' or Less of the Same?', *Mediterranean Politics*, 19, 3, pp. 318-332.
- Biscop, S. (2010), 'The ENP, Security, and Democracy in the Context of the European Security Strategy', Chapter 4, in '*the European Neighborhood Policy in Perspective*' by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Bouris, D., & Schumacher, T. (2017), '*The revised European neighborhood policy – continuity and change in EU foreign policy*', UK: Palgrave Macmillan.

-
- Browning, C. (2003), 'The region-building approach revisited: the continued Othering of Russia in discourses of region-building in the European North', *Geopolitics*, 8, 1, pp. 45–71.
- Browning, C., & Christou, G. (2010), 'The constitutive power of outsiders: The European neighborhood policy and the eastern dimension', *Political Geography*, 29, pp. 109-118.
- Buscaneanu, S. (2015), 'EU Democracy Promotion in Eastern ENP Countries', *East European Politics and Societies and Cultures*, 29, 1, pp. 248-286.
- Checkel, J.-T., & Moravcsik, A. (2001), 'A Constructivist Research Program in EU Studies?', *European Union Politics*, 2, 2, pp. 219–49.
- Christou, G. (2010), 'European Union security logics to the east: the European Neighborhood Policy and the Eastern Partnership', *European Security*, 19, 3, pp. 413-430.
- Commission (2004), 'Communication from the Commission: European Neighbourhood Policy Strategy Paper', Commission of the European Communities, 12.05.2004, available at https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/2004_communication_from_the_commission_-_european_neighbourhood_policy_-_strategy_paper.pdf
- Commission (2011), 'A new and ambitious European Neighborhood Policy', European Commission Press Release, Brussels, 25.05.2011, available at http://europa.eu/rapid/press-release_IP-11-643_en.htm
- Commission (2015), 'Joint Communication to the European Parliament, the Council, the European economic and social committee and the committee of the regions – Review of the European Neighbourhood Policy', European Commission, 18.11.2015, available at http://europa.eu/rapid/press-release_IP-15-6121_en.htm
- Commission (2015a), 'The trade part of the EU-Ukraine Association Agreement becomes operational on 1 January 2016', Europa.eu, 31.12.2015, available at <http://trade.ec.europa.eu/doclib/press/index.cfm?id=1425>
-

Commission (2017), 'Revised European Neighborhood Policy: supporting stabilization, resilience, security', European Commission Press Release, Brussels, 18.05.2017, available at http://europa.eu/rapid/press-release_IP-17-1334_en.htm

Commission (2017a), 'Joint report to the European Parliament, the council, the European economic and social committee and the committee of the regions - Report on the Implementation of the European Neighbourhood Policy Review', Brussels, 18.05.2017, available at https://eeas.europa.eu/sites/eeas/files/2_en_act_part1_v9_3.pdf

Commission (2017b), 'Joint report to the European Parliament, the council, the European economic and social committee and the committee of the regions -Report on the Implementation of the European Neighbourhood Policy Review', pp. 1-29.

Commission (2017c), 'Report from the Commission to the European Parliament and the Council on the implementation of macro-financial assistance to third countries in 2016', pp. 1-16.

Delcour, L. (2018), 'Dealing with the elephant in the room: the EU, its 'Eastern neighbourhood' and Russia', *Contemporary Politics*, 24, 1, pp.14-29.

Diesen, G. (2017), 'The EU, Russia and the Manichean Trap', *Cambridge Review of International Affairs*, 30, 2-3, pp. 177-194.

EEAS (2016), 'European Neighborhood Policy (ENP)', European External Action Service, 21.12.2016, available at https://eeas.europa.eu/headquarters/headquarters-homepage/330/european-neighbourhood-policy-enp_en

EEAS (2016a), 'Eastern Partnership', European External Action Service, 19.10.2016, available at https://eeas.europa.eu/topics/eastern-partnership/419/eastern-partnership_en

-
- EEAS (2016b), 'Creation of the EEAS', European External Action Service website, last update on 14.06.2016, available at https://eeas.europa.eu/headquarters/headquarters-homepage/3648/creation-eeas_en
- EEAS (2017), 'fact sheet – EU-Ukraine relations', *European External Action Service*, pp. 1-11.
- Elliot, M., Fairweather, I., Olsen, W., and Pampka, M. (2016), '*A Dictionary of Social Research Methods*', Oxford University Press, DOI: 10.1093/acref/9780191816826.001.0001
- Elo, S. and Kyngäs, H. (2008), 'The qualitative content analysis process', *Journal of Advanced Nursing*, 62, 1, pp. 107–115.
- EU Council (2015), 'Joint Declaration of the Eastern Partnership Summit, Riga, 21-22 May 2015', EU Council, pp. 1-13.
- EU Council (2015a), '17th EU-Ukraine Summit: Joint Statement', EU Council, pp. 1-5.
- EU Council (2016), 'EU – Ukraine Summit 2016', EU Council, documents available at <http://www.consilium.europa.eu/en/meetings/international-summit/2016/11/24/>
- EU Council (2017), 'Joint Declaration of the Eastern Partnership Summit', Council of the European Union, 24.11.2017, Brussels, available at <http://www.consilium.europa.eu/media/31758/final-statement-st14821en17.pdf>
- EU Council (2018), 'Eastern Partnership', EU council, accessed on 25.05.2018, available at <http://www.consilium.europa.eu/en/policies/eastern-partnership/>
- EurLex (2010), 'Partnership and Cooperation Agreement (PCA): Russia, Eastern Europe, the Southern Caucasus and Central Asia', available at <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:r17002&from=EN>

-
- Garwich, A., Melnykovska, I., & Schweickert, R. (2010), 'Neighbourhood Europeanization through ENP: The Case of Ukraine', *Journal of Common Market Studies (JCMS)*, 48, 5, pp. 1209-1235.
- Gebhard, C. (2010), 'The ENP's Strategic Conception and Design Overstretching the Enlargement Template?', Chapter 5, in *'the European Neighborhood Policy in Perspective'* by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Gehring, T., Urbanski, K., and Oberthur, S. (2017), 'The European Union as an inadvertent great power: EU actorness and the Ukrainian crisis', *Journal of Common Market Studies (JCMS)*, 55, 4, pp. 1–17.
- Government Office for European and Euro-Atlantic Integration (2018), 'Report on implementation of the Association Agreement between Ukraine and the European Union in 2017', Kyiv, 2018, Only hard copy available.
- Gretskiy, I., Treshchenkov, E., & Golubev, K. (2014), 'Russia's perceptions and misperceptions of the EU Eastern Partnership', *Communist and Post-Communist Studies*, 47, pp. 375-383.
- Haukkala, H. (2010), 'Explaining Russian Reactions to the European Neighborhood Policy', Chapter 8, in *'the European Neighborhood Policy in Perspective'* by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Jileva, E. (2004), 'Do norms matter? The principle of solidarity and the EU's eastern enlargement', *Journal of International Relations and Development*, 7, pp. 3-23.
- Jupille, J., Caporaso, J.-A. & Checkel, J.-T. (2003), 'Integrating Institutions: Rationalism, Constructivism and the Study of the European Union', *Comparative Political Studies*, 36, 1-2, pp. 7–41.
- Kelley, J. (2006), 'New Wine in Old Wineskins: Promoting Political Reforms through the New European Neighborhood Policy', *Journal of Common Market Studies*, 44, 1, pp. 29-55.

-
- Liverani, M., Hawkins, B., and Parkhurst, J.O. (2013), 'Political and Institutional Influences on the Use of Evidence in Public Health Policy. A Systematic Review', *PLoS ONE*, 8, 10, e77404.
- Longhurst, K. (2011), 'Appraising the European Neighborhood Policy: Background, Implementation and Recommendations', *Romanian Journal of European Affairs*, 11, 3, pp. 5-24.
- Manners, I. (2010), 'As you like it: the European Union Normative Power in the European Neighborhood Policy', Chapter 2, in '*the European Neighborhood Policy in Perspective*' by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Mearsheimer, J. (2014), 'Why the Ukraine crisis is the west's fault', *Foreign Affairs*, 93, pp. 77–89.
- Missiroli, A. (2010), 'The ENP in Future Perspective', Chapter 13, in '*the European Neighborhood Policy in Perspective*' by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Moravcsik, A. & Vachudova, M.-A. (2003), 'National Interests, State Power, and EU Enlargement', *East European Politics and Societies*, 17, 1, pp. 42–57.
- Petrakos, G., Tsiapa, M., & Kallioras, D. (2016), 'Regional inequalities in the European Neighborhood Policy countries: The effects of growth and integration', *Environment and Planning C: Government and Policy*, 34, pp. 698-716.
- Poshedin, O., & Chulaievska, M. (2017), 'European Integration of Ukraine: Tool for Internal Reform, Source of Problems or Pass Ticket to EU Membership?', *Romanian Journal of European Affairs*, 17, 1, pp.100-120.
- Pristas, A.-I. (2013), 'The role of European neighborhood policy in the Europeanization process case of Ukraine', *On-line Journal Modelling the New Europe*, 8, pp. 1-13.
- Sasse, G. (2010), 'The ENP and the EU's Eastern Neighbours: Ukraine and Moldova as Test Cases, Chapter 9, in '*the European Neighborhood Policy in Perspective*' by Whitman R., and Wolff, S., UK: Palgrave Macmillan.

-
- Schimmelfennig, F. (2001), 'The Community Trap: Liberal Norms, Rhetorical Action, and the Eastern Enlargement of the European Union', *International Organization*, 55, 1, pp. 47–80.
- Schimmelfennig, F. & Sedelmeier, U. (2002), 'Theorizing EU enlargement: research focus, hypotheses, and the state of research', *Journal of European Public Policy*, 9, 4, pp. 500-528.
- Seers, K. (2015), 'Qualitative systematic review: their importance for our understanding of research relevant to pain', *Br. J. Pain*, 9, 1, pp. 36-40.
- Sjursen, H. (2002), 'Why Expand? : The Question of Legitimacy and Justification in the EUs Enlargement Policy', *Journal of Common Market Studies (JCMS)*, 40, 3, pp. 491–513.
- Smith, S. (1999), 'Social constructivisms and European studies: a reflectivist critique', *Journal of European Public Policy*, 6, 4, pp. 682-69.
- Smith, K. (2005), 'The outsiders: the European neighborhood policy', *International Affairs*, 84, 4, pp. 757-773.
- Spiliopoulos, O. (2014), 'The EU-Ukraine Association Agreement as A Framework of Integration between The Two Parties', *Procedia Economics and Finance*, 9, pp. 256 – 263.
- Stoeva, Y. & Hoppe, R. (2011), 'Recasting the Puzzle of the EU's Eastward Enlargement: Identities, Narratives, Problem Structuring and Rhetorical Entrapment', *Politička misao*, 48, 5, pp. 40-71.
- Support Group for Ukraine (2016), 'Activity report – The first 18 months', *EU Commission*, pp. 1-101.
- Tonra, B. (2010), 'Identity Construction through the ENP: Borders and Boundaries, Insiders and Outsiders', Chapter 3, in '*the European Neighborhood Policy in Perspective*' by Whitman R., and Wolff, S., UK: Palgrave Macmillan.

-
- Ukrainian Think Tanks Liaison Office in Brussels (2018b), 'Brussels UkraineLab 2018 – 27 February 2018: What future for EU-Ukraine relations', accessed on 20 March 2018, available at <https://ukraine-office.eu/en/brussels-ukrainelab-2018-27-february-2018-what-future-for-eu-ukraine-relations/>
- Ukrainian Think Tanks Liaison Office in Brussels (2018a), 'Our story', accessed on 03.04.2018, available at <https://ukraine-office.eu/en/about-us/our-story/>
- Vanderhill, R. (2008), 'The EU and non-Accession States: the cases of Belarus and Ukraine', *Perspectives*, 16, 2, pp. 53-76.
- Whitman, R., & Wolff, S. (2010), 'Much Ado About Nothing? The European Neighborhood Policy in Context, Chapter 1, in *'the European Neighborhood Policy in Perspective'* by Whitman R., and Wolff, S., UK: Palgrave Macmillan.
- Williams, M.-C., and Neumann, I.-B. (2000), 'From alliance to security community: NATO, Russia, and the power of identity', *Millennium-Journal of International Studies*, 29, 2, pp. 357–387.
- Wolczuk, K. (2005), 'Ukraine after the Orange Revolution', *Centre for European Reform*, pp. 1-5.
- Wolczuk, K. (2008), 'Implementation without Coordination: The Impact of EU Conditionality on Ukraine under the European Neighbourhood Policy', *Europe-Asia Studies*, 61, 2, pp. 187-21.
- Zagorski, A. (2004), 'Policies towards Russia, Ukraine, Moldova and Belarus', in *R. Dannreuther (ed) European Union Foreign & Security Policy*, pp. 79-97, New York: Routledge.