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UKRAINE – EU RELATIONS: THE MODERNISATION CONTEXT AND PRESENT TASKS

In outlining the theoretical aspects of this topic, one should above all note the modernization phenomenon, which began to attract the attention of the world research community as early as in the 1950s–1960s, with the emergence and development of the political modernization theory. The basis of this theory was the justification of a general model of global development of human civilization. Modernization was then seen primarily as Westernization, aiming at the transition from a traditional to a modern society through scientific and technological progress, socio-structural changes, as well as transformation in state regulations and value systems. Modernization was therefore understood as the purposeful determination of a state to make qualitative changes in its society.

Historical experience and the subsequent evolution of political and legal views regarding the social and economic structures of society, as well as the place and role of government in the development of political institutions and processes actually led to the present understanding of the modernization process, as a complex process aiming at reforming the existing and creating new political, legal, economic and social institutions and introducing those cultural norms which meet the best standards and values of the developed countries. In other words, modernization means creating conditions for the qualitative transformation of interactions among the actors of international relations in the political, legal, economic and social spheres, based upon recognition of modern principles of democracy, the rule of law, human rights, a market economy, a society-oriented state, and the use of sustainable international instruments of coexistence among nations worldwide.¹

Therefore, the ways of implementing social modernization are of special importance nowadays. As a starting point, and speaking in this regard about the concept of shaping Ukraine's foreign policy, this actually means analysing

¹ *Ukraine's Modernization: Priorities of Reforms*, "Dzerkalo Tyzhnia", 10 April 2010 <http://gazeta.dt.ua/SCIENCE/modernizatsiya_ukrayini_prioriteti_reform.html>.

the scope and expediency of realizing the concept and practice of Westernization by Ukraine. Ukraine represents a large and rather vast European country, particularly regarding its extent from East to West, and therefore it seems destined to serve as a civilizational bridge between the larger Europe and Eurasia. Posing the question whether Ukraine's foreign policy course should be shaped toward the West or the East is inexpedient, because its national development will be effectively limited in the geopolitical context and may sound irrational in the social context. What seems realistically expedient for Ukraine in this regard – in terms of using the modernization experiences of different social systems – is to determine the mechanisms of interaction between the national culture and those cultures which for centuries formed a productive coexistence with Ukrainian culture.² Such an approach seems to be the most constructive response to the threats and challenges, of both a domestic and external nature, which the present Ukraine has to deal with. An organic combination of both Western and Eastern models of social modernization, keeping in mind the strengthening of transnational relations, has obvious advantages. In particular, provided that foreign policy focuses primarily on European values, this approach will prevent the uncritical absorption of everything else from the social and cultural spheres of other civilizations.

1. European Integration: Present State and Tasks for Ukraine

Cooperation with the European Union is the main priority of Ukraine's foreign policy. Integration into the European political, economic and social space is considered to be the process that will create additional opportunities for modernization and innovative development of the state and society.³ The practical dimension of Ukraine's European integration policy implies realization of the following tasks:

- Harmonization of national legislation with the EU legislation.
- Establishment of a deep and comprehensive free trade area between Ukraine and the EU.
- Introduction of a visa-free regime with the EU countries.

It should be noted that these tasks are not of a legally binding character for Ukraine. The Ukraine-EU partnership is presently realized through the Partnership and Cooperation Agreement (PCA), which is voluntary and does not pro-

² S. Shergin, *Geopolitical Identity of Ukraine*, "EuroAtlantica", 29 January 2013 <<http://www.euroatlantica.info/statti/10-analytics/170-sergij-shergin-geopolitichna-identichnist-ukrajini.html>> [...]

³ M. Siruk, *Henceforth Ukraine Plays Her Own Game*, "The Day", 22 March 2011 <<http://www.day.kiev.ua/uk/article/svitovi-diskusiyi/vidnini-ukrayina-graie-u-svoyu-gru>> [...]

vide for any sanctions in case of breach of any provisions of the Agreement.⁴ Quite a different format is envisaged by the Association Agreement between the EU and Ukraine, according to which Ukraine will be obliged to carry out relevant tasks in accordance with a clearly set timeframe.⁵ Successful fulfilment of the above tasks depends on the efficiency of consecutive structural reforms within the state, further progress in implementing key reforms, and the system-based state European integration policy.⁶

Different political elites in Ukraine have repeatedly stated their desire to move westwards, referring to European integration as Ukraine's strategic priority. Certainly there is a real recognition of Ukraine's deep historical and cultural ties with Europe, and therefore Ukraine has a European perspective as a democratic, legal and economically stable country. The EU is regarded as an important economic partner of Ukraine, and after its enlargement in May 2004 became Ukraine's largest trading partner.

Ukraine, in turn, is perceived as one of the key partners of the EU among its Eastern neighbours, since it influences the environment of security, stability and prosperity in the region. There are many areas for cooperation between the EU and Ukraine, among the most essential being: trade and economy, energy matters, and cooperation in the field of trans-border transportation regimes.

Therefore both Ukraine and the EU have developed close economic and political relations. Various EU initiatives – the Eastern Partnership, the Parliamentary Assembly EURONEST and the Black Sea Synergy – are aimed at strengthening and deepening cooperation between the EU and Ukraine and the promotion of cooperation within the region. For example, from 2011 to 2013 Ukraine has enjoyed the benefits flowing from 470.05 million euro provided under the program of the European Neighbourhood Policy.

The European Parliament from the outset has supported Ukraine's accession to the WTO. Presently, negotiations are underway as regards the Association Agreement and the Free Trade Agreement. In this context, the current year 2013 can be crucial for future relations between the EU and Ukraine.

However, despite these close contacts, many problems still remain in Ukraine, especially related to the rule of law, as democracy and corruption are affecting the country's ability to establish closer relations with the EU.

⁴ *Ratification of the Agreement on Partnership and Cooperation between Ukraine and the European Communities and their Member States. The Law of Ukraine dated 10 November, 1994 No 237/94 – VR, "Official Bulletin of Ukraine" 2006, No. 24 p. 203.*

⁵ *Resolution of the Verkhovna Rada of Ukraine dated 22.02.2007. No 684-V »On the Statement of the Verkhovna Rada of Ukraine« On the Start of Negotiations Between Ukraine and the EU on a New Basic Agreement. " "Official Bulletin of Ukraine" 2007, No. 22, <<http://zakon2.rada.gov.ua/laws/show/684-16>>*

⁶ J. Sherr, *Ukraine's Election: Watershed or New Stalemate?*, Chatham House, London 2010, p. 7.

Ukraine should have a European perspective not only in its foreign policy domain, but also as an indispensable part of its domestic political course. The general state of the country with respect to democracy, the rule of law and freedom of the speech will have direct implications for the Association Agreement. Another very positive and important project – the deep and comprehensive free trade area (DCFTA) – is regarded in this context through the interdependence of democracy and the rule of law in the region.⁷

Therefore, Ukraine needs to demonstrate full adherence to the principle of a social market economy, the rule of law, protection of human rights and political stability. Cooperation with the European Commission in Democracy through Law (the Venice Commission) is also required to ensure full compliance of Ukraine's legislative reform package with European standards and values.

2. European Integration: Tasks for the EU

The European Union, taking into account the Lisbon Treaty and its new tools in international politics (such as the EU High Representative – Vice President Catherine Ashton, and the European External Action Service), has the ability and possibility to pursue a more consistent and coherent foreign policy. Thus not only Ukraine but also the EU should look for new opportunities to strengthen bilateral relations.

The European Neighbourhood Policy should be enhanced with a range of instruments, not only bilateral but also involving the whole region. This means that the EU needs a multilateral approach to the whole region to help foster closer contacts among the neighbouring countries and hence contribute to strengthening European security and stability.

In this sense, an effective move forward could be made by the Eastern Partnership of the EU, which covers partnerships with Azerbaijan, Armenia, Georgia, Moldova and Ukraine. It also seems advisable to extend the educational program ERASMUS to the countries in the Eastern Partnership. Ukraine's accession to WTO could and should become a positive factor that will foster the introduction of European standards. More effective multilateral political and economic cooperation between the countries of the Eastern Partnership is regarded as an indispensable condition for political stability and economic progress.

The whole European integration project is based on the principle introduced by one of the “founding fathers” of the EU, Robert Schuman, who once said: “Europe will not be made all at once, or according to a single plan. It will be built through concrete achievements which first create a *de facto* solidarity.”⁸

⁷ E. Brok, *European Perspectives of Ukraine*, “The Day”, 12 April 2011 <<http://www.day.kiev.ua/uk/article/den-planeti/ievropeyski-perspektivi-ukrayini>>

⁸ The Schuman Declaration – 9 May 1950, EUROPA.EU <http://europa.eu/about-eu/basic-information/symbols/europe-day/schuman-declaration/index_en.htm>

The same can be said regarding relations between Ukraine and the EU. In this respect one should not think in terms of concrete dates of accession, but rather of the long-term goals and specific steps to achieve them. This could increase solidarity and confidence, which could become steps on the way to the goal. This is a process that cannot be accomplished in one day. Meanwhile, the EU should give Ukraine a clear European perspective, although it should not be limited only to a situation-based discussion of any final date for future accession to the EU. Rather the EU should establish enhanced cooperation with Ukraine and outline the concrete benefits for Ukrainian citizens. Otherwise European-oriented Ukrainian citizens will feel disappointed. These measures and steps could and should include at least visa regime liberalization and a free trade area. Konrad Adenauer, the former well-known German Chancellor of the past, once said in his Cologne speech in 1946 that parallel, interconnected economic interests was the cleverest and the best long-term basis for good political relations between peoples.⁹ This approach would seem to be friendly to all and at the same time could lead to European prospects and stability in Ukraine.

3. Conclusions

1. The modernization experience of Western and other social systems could make sense for Ukraine, provided that Ukrainian foreign policy focuses primarily on European values.
2. The pace and degree of Ukraine's movement towards the EU depends primarily on the implementation of and compliance with European principles and values.
3. The practical dimension of Ukraine's European integration policy requires harmonization of national legislation with EU legislation, the establishment of a deep and comprehensive free trade area between Ukraine and the EU, and the introduction of a visa-free regime between Ukraine and the EU countries.
4. Problems related to the rule of law, democracy and corruption negatively affect Ukraine's ability to establish closer relations with the EU.
5. Ukraine should follow a European perspective not only in its foreign policy domain, but also as an indispensable part of its domestic political course.

⁹ P. Shippy, *Konrad Adenauer: Strong Leader and Principled Statesman*, <<http://www.tpaulshippy.com/Adenauer.htm>>