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Integration

**The 2004 Enlargement of the European Union and
the effects on the recent Ukrainian Crisis**

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Introduction

The thesis “*The 2004 Enlargement of the European Union and the effects on the recent Ukrainian Crisis*” aimed to analyse Ukrainian crisis emphasizing the consequences of the non-2004 eligibility in the European Union Enlargement. Ukraine is an important case study that offers the opportunity to study the integration in between Russian and the European Union. The first chapter “Ukraine between the EU and Russia” attempts to explore and map the origins of Ukraine in the framework of the relations between Europe and Russia. In particular, the research question is it Ukraine a “divided Nation” (Riabchuk) or is more unified than we think? Which are its roots? Does the Ukrainian identity have been built around the identity and division of the country or it is only the result of intoxication of the relation between Russia and Ukraine but also between Russia and European Union? Do the actors involved manipulate the events? If yes, how? Why does the society need the “*othering*” in order to justify its action? Why it has always been a contested region? What is the role of Russia and Europe in Ukraine? It is clear that there is an historical links between Ukraine and Russia; the point made is how it has influenced the relationship between them. The work is structured into three sections: first, it analyses the nature of identity in relation with the political system and foreign policy, it focuses on the theory of David Campbell and Iver B. Neumann in order to deeply examine the variables and the factors that characterized the national identity formation. Second, it maps the Ukrainian history and heritage trying to clarify the role played by different actors, such as Austro-Hungaric Empire, Russia, Poland and then Soviet Union. And third, it moves to the post-Soviet period with particular regard to the democratization process during the first term of Kuchma presidency (1994-1999). Ukraine is an important case study that offers the opportunity to analyse the integration in between Russian and the European Union. As far as the second chapter “Ukraine and Europe”, it provides an overview of the evolution of the relations between the European Union and Ukraine, starting from the Declaration of

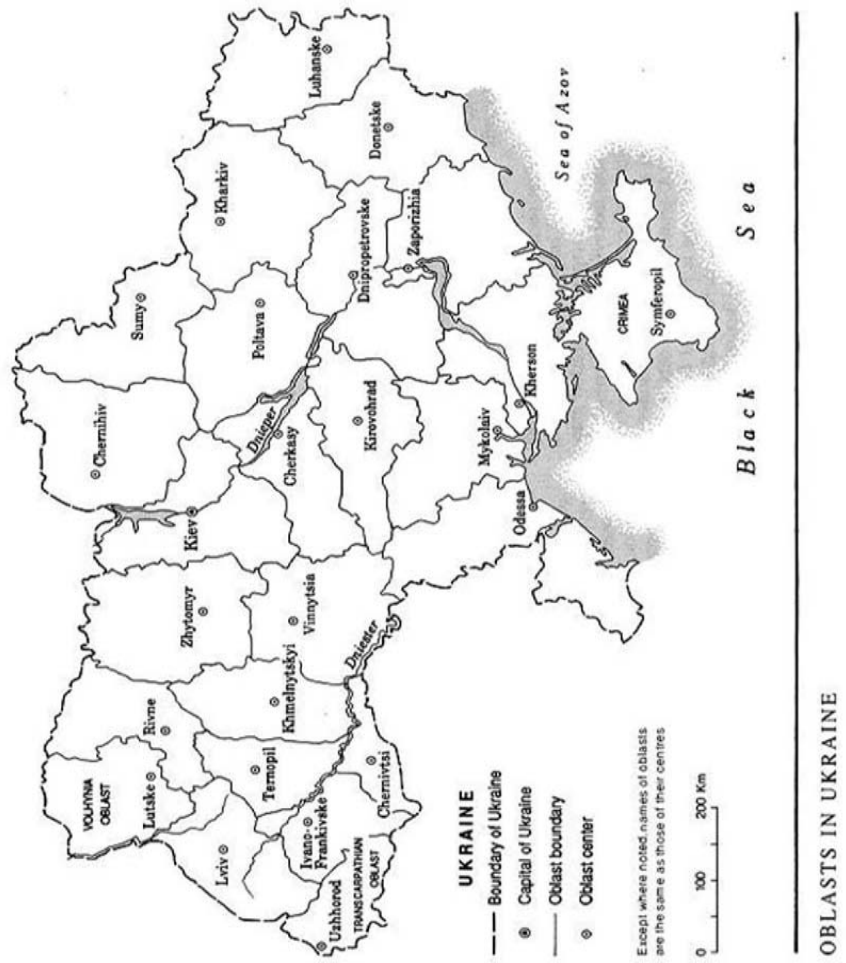
the European Council in 1991. Ukraine is the largest and most strategically among the Eastern Neighbour countries and, for this reason, is the most contentious case for the EU. The research question is why Ukraine wants to be a member of the European Union? Is Ukraine eligible? How it became the leitmotiv of the Ukrainian political discourse? Why Ukraine has not been considered as an eligible country during the enlargement of 2004? And how it has impact on the democratic consolidation? The work is divided in four main parts. First, it analyses the choices that pushed Ukraine and European Union to foster their relations with the final aim of a deeper integration. Second, it moves on the Partnership and Cooperation Agreement (1994, but ratified only in 1998) as the first step towards the EU approximation and I will cover all the agreements signed between the two countries. Third, it maps the main events of the Orange Revolution, the role played by the Western Countries and the NGOs and the adoption of the European Neighbourhood Policy launched in 2004. The success Orange Revolution demonstrated that Ukrainians were determinate to defend their rights and their Country, their right to “defence of the Motherland, independence and territorial integrity of Ukraine, respect for its State symbols” (Art. 65). Following a meeting with the Yulia Tymoshenko in 2011, The EU Commissioner Stefan Füle stated that, “*Respect of human rights, democratic principal and rule of law [...] cannot be comprised. The pace and depth of our rapprochement with Ukraine will be determined by full respect for there values*”. In conclusion, it is clear that the previous policies had not promoted a comprehensive and efficient model and results for the involvement of Ukraine in the Union. With particular regard to the third Chapter “Ukraine and Russia”, it discusses the relations between Ukraine and Russia in the framework of a possible regional integration between the two countries. The research question is why Ukraine should opt for a closer cooperation with Russia? And if so, is it still possible or the relations between them have been poisoned too long? How Russian legacy had impacted on Ukrainian society and political system? Why the Orange Revolution failed? What impact did it have? How Ukraine should approach to Russia and to the EU? The analysis is divided in four main parts. First, it analysis the reasons behind the idea that Ukraine

has a Russian belonging and because of this should promote new source of collaboration with Russia. Common cultural heritage, strong economic interdependence and the possibility to gain a new international position through a Eurasian Bloc are the main reasons behind. Second, it investigates on the EU-Russian relations in order to understand Russian position towards Ukraine and consequently towards the EU. Third, it moves on the 2010 election where the political landscape was divided between Tymoshenko and Yanukovych. His victory made clear that the Orange Revolution failed in fostering of democracy in the country and in bringing the necessary reforms to fight corruption and crimes. This means and this change of course created fragmentation and confusion in the society, it was not the identity that divided the Nation but the politics. And fourth, it investigates on the growing Russian's influence on Ukraine, especially in the case of Yanukovych security and foreign policies and in relation with the Russian integration offer. Thus, it maps the event following Putin's offer to join the Customs Union. In regards with the last chapter, it aims to draw the consequences of Yanukovych decision in light of the recent crisis. One month before the EU Summit in Vilnius (October 2013), Putin gave \$15 billion in aid and agreed to expand the discount on the energy prices. As a result of Russian pressure, Ukraine declared to suspend the Association Agreement with the EU instead of pursuing with its final signature. The crisis suddenly escalated in violence events like the one in February 2014 that caused the dead of 90 people. The President decided to escape to Russia and left the country in the hand of the opposition. In the meantime, Russian militant started to appear in Crimea territory and Kremlin approved Putin's request for the protection of minority through a military action in the area. Therefore, Russia called for a referendum in the region where it was asked to the population if they wanted to be annex to Russian Federation or if they wanted to restore the 1992 constitution in which Crimea is recognized as an independent state. The results agreed for the annexation of Crimea territory and Sevastopol with the 96,77 % of the votes. After the secession, USA and the European Union implemented rigid economic sanction against Russia Federation. During the EuroMaidan, the party and Poroshenko became the voice of population's

fatigue and at the same time the push to the jump into a new future for the country. Thanks to the support of various Maidan organizations and forces, he became a valid candidate for the presidential election even if his business interest could be a potential political obstacle. In May, Petro Poroshenko won presidential election with the 54,7 % opening the talk for a future Association Agreement with the EU. It is interesting to underline that, according to election data, Poroshenko obtained the first position in each oblast in Ukraine, even in Donetsk and Luhansk demonstrating that the population was not divided as Russian predicted. In other words, the division is in political and civic term rather than in ethnic linguistic term, this division can also be expressed with Riabchuk's (2015) idea of "two Ukraines". With the tragedy of the Malaysian airlines, the relations between Russia and Ukraine became harsher. The MH17 flight from Amsterdam Schiphol supposed to arrive at Kuala Lumpur International Airport but during the overflight of Ukraine it disappeared from the radar and then crashed in Donetsk area causing the death of 283 passengers, including 80 children, and 15 crewmembers. The investigation revealed that a Russian-made missile hit the plane and it was argued that it was probably shot by the Russian separatists that controlled the area. Of course, Putin rejected the accusation stating that there was no involvement neither Russian army nor Russian military industry. Finally, Ukraine and Russia agreed on signing a peace plan. The Minsk-1 aimed to provide an immediately ceasefire and elections under Ukrainian law in the region. In order to ensure the implementation of the agreement, it was formed the Trilateral Contact Group with the representatives of Ukraine, Russian Federation and the person in charge in OSCE. Unfortunately, Russian separatist repeatedly violated it committing violent actions especially in key locations such as the airport. On February 2015, after one year since the beginning of the crisis, the leaders of Germany, France, Russia and Ukraine agreed to put an end in the fighting in Eastern Ukraine with the so-called Minsk-2. The negotiation last 16 hours and was signed by pro-Russian separatists. The new measures included a ceasefire in particular districts of Donetsk and Luhansk Oblasts of Ukraine, a massive removal of heavy weapons and monitoring and assistance of the OSCE with the support of the Trilateral Contact

Group. However, the Minsk-2 did not ensure the end of hostilities due to his fragile nature. Both agreements have been violated several times underlying the lack of commitments of both parties. After 25 years, the European order was again called into question. The Ukrainian crisis showed the fragility and inability of the Countries to manage the situation. The West on one side, Russia on the other side; both wanted to impose their own order. The point made is how is possible to improve the relations? Of course, the conflict is not only the expression of the discontent or rivalry, but is also the result of intoxication of the relation between Russia and Ukraine but also between Russia and European Union. In the last year, there has been made several progresses on EU-Ukraine Relations especially with the ratification of the Association Agreement and Deep and Comprehensive Free Trade Area (DCFTA). Two years after the beginning of crisis, the tension in the country and between Russia and Ukraine is still fairly high. It has been estimated that since the beginning of the conflict, 9.600 people died. My primary sources are the works of Andrew Wilson, Kataryna Wolczuk and Taras Kuzio. As secondary sources, I used the speech of the works of Iver B Neumann, David Campbell, Mykola Riabchuk and some presidential and official speeches.

Figure 1: Contemporary Ukraine on the Cultural Map of Europe, 2014



Chapter 1

Ukraine between the EU and Russia

The concept of identity and its role in the Ukrainian society

The concept identity is one of the most controversial terms in social sciences and humanities. Scholars point out that there are different kinds of identity, it can be natural or constructed, or it is possible to have an overlapping or a mixture of identities This mechanism is characterized by different variables such as territory, economy and language, and factors such the level of integration and cultural characteristics¹. Richard Jenkins (1996) defines identity as “the ways in which individuals and collectivities are distinguished in their social relations with other individuals and collectivities”. This form of social recognition is defined as identity politics; it also refers to political and social organization based on the interests of a community. Marx Weber argues that a “State is a political organization that exerts authority over a territory and has the monopoly of the legitimate use of force”². In order to better understand the relation between State and identity, it is important to define the notion of “Nation” as a “political community of people that reside in a territory”³. There are two different processes for the creation a State/Nation: “early state builder” and the “late state builder”. In the first one, the state is a *political entity* created by strong values and the sovereignty of the people; the creation of the state has preceded the nation. Clear

¹ For this section, see also Shulman S. *The cultural foundations of Ukrainian national identity*, Ethnic and Racial Studies, 1999

² Weber M., *Politics as a Vocation*, Verlag Duncker & Humboldt, Munich, 1919, p.310

³ *Ibidem*

examples are United Kingdom and France. It is not a case that the motto of the French Republic is *Liberté, Égalité, Fraternité*; to some extent it incorporates the foundation of the state and the hearth of the French identity. Both countries developed a strong political system consolidating the structure and culture of the society. On the contrary, the late state builder regards nation that claims for a territory (unity) and common culture and they have to justify it in terms of blood or common historical heritage such as in the case of Italy and Germany⁴. National identity entails two different but at the same time complementary characteristics, to be effective it must be ethnic and civic. Ethnic national identity implies that the population is unified in linguistic, religious and cultural terms. With regard to the civic national identity, the community is recognized in terms of their citizenship, political system and ideology. Civic education is crucial for the consolidation of a nation; it is an instrument that allows people to actively participate in the political debate and be engaged for its country. The role of the political parties is crucial in the democratic consolidation. It is clear that the construction of a state or a nation requires the existence of a territory and the “*establishment of the boundaries*” that define its role inside and outside the country. In 1998, Iver B. Neumann said, “there is no inclusion without exclusion”⁵ and he argues that the “*collective identity formation*” starts when there is something else, something that is outside of a country, something to fight. In other words, the national sense of “*we*” can be determined in contrast with another one. In his work *Uses of the other: “the East” in the European Identity Formation*, Neumann mentioned Tzvetan Torodov,

“First of all, there is a value judgment: the other is good or bad...Secondly, there is the action of rapprochement or distancing in relation to the other: I embrace the other's values, I identify myself with him; or else I identify the other with myself, I impose my own image upon him; between submission to the other and the

⁴ See also Fichte, *Addresses to the German Nation*, 1806

⁵ Neumann, Iver B., *Russia as Europe's other*, *Journal of Area Studies*, 1998, p.15

other' s submission, there is also a third term, which is neutrality, or indifference. Thirdly, I know or am ignorant of the other' s identity”⁶.

The point made is that there is a tension between a *self* and the *other* that causes the behaviour in the society, and the behaviour with the difference. Another important scholar mentioned by Neumann is Michael J. Shapiro that argues that the aim of Foreign Policy is to create the *other*. In his work, he does not demonstrate how does it happen, but David Campbell, in the *Writing security: United States Foreign Policy and the Politics of Identity*, has developed a new understanding of national identity constructed by Foreign Policy through the “*difference*” and the “*danger*”. The interaction with enemy is necessary to blend people; the community need someone to fight and, at the same time, need to belong to a country. The enemy can come from the outside like an adversary or from the inside such as a minority group. It is clear that there is a link between identity, territory and security and it is easily expressed through foreign policy. Campbell points out “Foreign Policy works to constitute the identity in whose name it operates, security functions to instantiate it purports to serve”⁷. According to the author, the aim of the foreign policy is to preserve the country’s border from the *danger* that it is “being totalized in the external realm in conjunction with its increased individualization in the internal field, with the result being the performative reconstitution of the borders of the state's identity”⁸. It is clear that there is a strong relation between the institutions and the *élite* in the formation of the national identity⁹. In the case of Ukraine, “the institutional design and institutional practice of the Soviet state played a decisive role in moulding Russian and Ukrainian national identity, both on the elite and

⁶ *ivi* p.27

⁷ Campbell D, *Writing Security: United States Foreign Policy and the Politics of Identity*, Minneapolis, University of Minnesota Press, 1992, p.253

⁸ *ivi* p.172-173

⁹ See also the interpretation of Brudny and Finkel, *Why Ukraine is not Russia- Hegemonic National Identity in Russia and Ukraine*, East European Politics and Societies, 2011

mass levels”¹⁰. With the end of the USSR, there has been a change in the *institutional design and practice* with a strong accent in the *historization of the national identity* and Ukrainization of the educational system, especially during the President Kravchuk era and after during the first term of Kuchma presidency (1994-1999). To be more precise, Kuchma’s regime promoted the Ethnic Ukrainian national identity centralizing the public education and institutionalized the role of the national hero. In the fifth anniversary of independence, Leonid Kuchma glorified national patrimony “from Volodymyr the Great and Yaroslav the Wise to Mykhailo Hrushevskyi”¹¹. In addition, he enhanced the role of the *Zaporozhian Cossacks* with particular reference to the person of the Hetman Bohdan Khmelnytskyi¹² that became the symbol of the resistance and father of Ukraine. Another important factor in the construction of nationhood is the role of the culture. Language, beliefs, traditions and education policies are useful tools in the promotion of common and unified heritage under which a group of people believes they belong to a community and a territory. As said before, the role of the *other* is crucial in the formation of the identity, even in the cultural dimension. The research shows that Ukrainian identity is the result of the influence of long period of foreign colonization, on one hand, Russian and Poland and, on the other hand, Habsburg and European actors. To be more precise, Stephen Shulman declared that,

“Evaluations of the distinguishing and unifying characteristics of ethnic Ukrainian identity usually divide along two related axes. One axis is the relationship between ethnic Ukrainian culture and the culture of the states that historically have ruled Ukraine for extended periods: Poland and especially Russia. The other is the

¹⁰ *ivi* p.816

¹¹ Kuchma’s speech on the fifth anniversary of Ukraine’s independence, 24 August 1996

¹² The Hetman Bohdan Khmelnytskyi was able to unify the Ukrainian society under the Cossack Host.

relationship between ethnic Ukrainian culture and European culture”¹³.

In his works, he demonstrated the similarities and differences between the Ukrainian and Russian and European culture. The analysis shows how Ukrainian nationalism perceived them, mostly Russian as a “*negative reference*” and European as a “*desirable traits*”¹⁴. As a result, there are two main identities in Ukraine. On one side, the Western Ukrainian identity characterized by a strong desire of independence and sovereignty from the Russian/ Soviet tradition and a tendency to the European culture and, on the other side, the Eastern Ukrainian identity based on a strong link and a continuum with the Russian legacy. A survey made in the 1990s estimated that the territory comprised the 44% of Ukrainian-speaking Ukrainians, the 30% Russian-speaking Ukrainians and the 22% Russians. However, a widely part of the society still speaks an hybrid Russian and Ukrainian language, called *surzhyk*, defined in the standard Ukrainian dictionary as “elements of two or more language, artificially united, not following the norms of the standard language; a non-pure language”¹⁵. This variety came up in the end of the 18th century when the relations between Russians and Ukrainian started to be intensified due to the urbanization and industrialization of the zone promoted by Tsarist Empire. It important to underline that this is a typical process of all Creoles and mixed language where two or more different ethno groups came into contact for centuries. In this case, *surzhyk* became a vehicular language that made accessible the communication in terms of market opportunities, finances, and business affairs. The development of the *surzhyk* facilitated the urbanization of the rural peasantry area, transforming it into an industrialized region; this means that it has seen as a means to an end, not the end in itself. This demonstrated that there is a clear link and interconnection between the culture and the use of *surzhyk* “dissolve the

¹³ Shulman, op. cit., p 1016

¹⁴ ivi p.1020

¹⁵ Standard Ukrainian Dictionary (*Slovnnyk Ukrayins'koyi Movy*), 1978, p. 854

boundaries between the languages involved”¹⁶. Nevertheless, it is perceived as a “threat to the survival of the Ukrainian language”¹⁷ because the *surzhyk* does not follow any linguistic and grammatical rules of the Ukrainian but also of Russian standard languages. To some extent, it implies the impoverishment of the quality of the communication and, at the same time, an increase in the relations between the two-ethno groups. Recent studies have showed that *surzhyk* has adjusted to the course of events evolving in five different forms: (1) urbanized peasant *surzhyk*, (2) village dialect-*surzhyk*, (3) Sovietized-Ukrainian *surzhyk*, (4) urban bilinguals’ *surzhyk* (habitual language mixing), and (5) post-independence *surzhyk* ¹⁸. This flexibility can be considered as one of the main “threat” because standard language tends to be pure and does not usually imply any changes in the rules at the levels of lexicon, syntax, morphology, and phonology. In the 19th and early 20th century, the nationalist language ideology encouraged the predominance of Ukrainian over all the minorities as well as the glorification of the native language (*ridna mova*) where “the individual is seen to be socialised by a native language that provides him with moral values and a world view that explain him his place in time and space”¹⁹. It is clear that this attitude towards the minority language brought the exclusion of *surzhyk*-speakers marking a social and ethnic boundary in the community.

¹⁶ Bernsand, N. *Surzhyk and National Identity in Ukrainian Language Nationalist Language Ideology*, Lund, Berliner Osteuropa Info, 2001, p.43

¹⁷ *ivi* p. 38

¹⁸ Bilaniuk, L., *A typology of surzhyk: Mixed Ukrainian Russia language*, International Journal of Bilingualism, 2004, p. 415

¹⁹ Bernsand, *op.cit.* p. 42

Drawing on Ukrainian heritage

The formation of Ukraine has been characterized by a tension between the East and West. Ukraine is a region strategically located in the Southeast Europe, bordered by Belarus on the North, by Russia on the North and east, by the Black Sea on the South, by Moldova and Romania on the Southwest, and by Hungary, Slovakia, and Poland on the West. The territory has been fragmented for centuries, shaped by different actors, mostly Polish, Habsburg and Russians. Through the centuries, the territory was mainly occupied by the Slavic population. From 9th century to the 13th century, the *Kievan Rus'* ruled in most part of the current Belarus, Ukraine and Russia, developing the economy and culture in the area. With the invasion of the Tartar in 1237-1241, the territory was fragmented in several localities. Precisely, the Western part was incorporated into the Grand Duchy of Lithuania and later into the Polish-Lithuanian Commonwealth while the Northeastern part under the Grand Duchy of Moscow. In the 16th century, the region around the Dnepr was under the power of the *Zaporozhian Cossacks*, one of the first Cossacks communities in Europe. They were orthodox but loyal to Kyiv Church and they had strong military apparatus, where the prince in charged shared its power among his officers. Only later, it was decided to elect the *hetman*, the leader of the community and the head of the army. The Cossacks were able to control the territory for a long time, creating a well-developed administrative structure and establishing good relations with the borders authority. It needs to be noted that, in 1710, the *Hetman* Pylyp Orlyk proclaimed one of the first example of constitution in Europe that established the separations of powers, the definitions and limitations of the *Hetman* role and the elections of the *Cossacks Rada*. With the power of the Tsar Catherine II the Great, the Cossacks influence drastically diminished until their defeat in 1775. As a consequence, Tsarist Empire expanded into Eastern Ukraine. In the 19th centuries, some intellectuals started to investigate on Ukrainian history in order to demonstrate its existence and foster the population to fight for unity and freedom.

An example was the secret society of *Cyril and Methodius Brotherhood* founded in 1846. The purpose was to spread the consciousness of the Ukrainian identity according to the values of freedom, justice, brotherhood and equality. Activists like the artist Taras Ševčenko (1814-1861) and the historian Nikolaj Kostomarov (1817-1885) took part of the movement, providing a precious contribution to the diffusion of the Ukrainian literature and history. The Austrian dominance partially facilitated the development of an ethnic identity in the Western Ukraine with the final aim to push them against Poland. Moreover, the Uniate Church supported the movement promoting the diffusion of the Ukrainian education and nationalism in the region. The Ukrainian Uniate Church was also able to gather people together strengthening and sharing the common sense of brotherhood and demonstrated to be a good operational support and dissemination, information and communication activities. By contrary, the Eastern Ukrainian nationalism was strongly repressed with a series of ban on freedom. In 1863, the Russian Minister of Internal Affairs Petr Valuev (1815-1890) introduced the prohibition of the distribution of Ukrainian language publication within the Russian Empire. With the Ems Decree (1876), Tsar Alexander II reinforced the block extended to the belles-lettres, books and reading and education, emphasizing his will to repress all kind of national movement and cultural association. This caused a marginalization of the territory and a progressive *Russification* of the zone. The Region was strongly industrialized, becoming an important pole of the economy. In the 1920s and 1930s, the movement made some progress thanks to the work of Mykhailo Serhijovyč Hruševs'kyj (1866-1934). The Historian elaborated a volume on the history of Ukraine (*Istoria Ukrainy-Rusy*) from the ancient times to the 19th Century, underlying the differences between the Russian and Ukrainian tradition. The outbreak of World War I in 1914 changed the game: the Austro-Hungarian Empire was disintegrated in 1918 splitting the empire in smaller independent states, and, in Russia, the Bolsheviks invaded the city of Saint-Petersburg in 1917 declaring the end of the Tsarist Empire. It was appointed a Provisional Government that had to face with the Soviet power and Ukraine was declared independent under the lead of Hruševs'kyj (7th November 1917). Even

though the Provisional Government of Saint-Petersburg recognized the new Ukrainian People's Republic, Soviet did not acknowledge its authority increasing the pressure between the two groups. Moreover, the Donbas, the modern Donets'k and Luhans'k oblast, was not included in the new Republic and, thus, supported the Bolsheviks campaign. In the end, with Brest-Litovsk Treaty 1918, it was decided to put the territory under the control of the Central Powers²⁰. Soviet were able to take the control again over Ukraine only in 1920 after a long civil war. In the interwar period, the population suffered for two massive famines, in which over 10 million people died of starvation and epidemics. The first famine, 1921-23, was mainly caused by the new Lenin's policies for the industrial reconstruction. The idea was to export the Ukrainian grains in order recapitalize Soviet market. The 1932-33 famine, known as *Holodomor*, was adjudicated as an intended choice of Stalin to demonstrate its power over the rural Ukraine that resisted to the collectivization of farmland, launched in 1928. In the meantime, the Ukrainian National Movement directed towards a radicalization with the foundation of the Organization of Ukrainian Nationalists (OUN) in 1929 committing several attacks and promoting armed campaign. Stepan Bandera, leader of the OUN, signed up with Germans, his idea was to support Nazi invasion in Russia in order to fight the Bolsheviks. Of course, after Hitler invasion in 1941, the movement was declared illegal and the member sent to lager. Afterwards, Ukraine was occupied by Nazi causing a millions of deaths. The Ukrainian Insurgent Army (UPA), guided by Roman Šuchevyč, supported the resistance against Nazi and Soviet invasion, creating a well-developed partisans' organization helped by the civil society. The movement was only the result of decades of exploitation and repression. With the end of the War and the uncontested victory of the USSR, Galicia was finally annexed to the Soviet Ukraine (and USSR) and more than 200.000 people were deported to Siberia

²⁰ "There is no hostile act against Russia. We have concluded with Ukraine no alliance, but only a peace treaty. Ukraine has not become to us an ally, but only a neutral state." Declaration of Richard von Kühlmann, German Foreign Secretary, Proceedings of Brest-Litovks Peace Conference, 1918

following the accusation to collaborate with Hitler. However, partisans continued to fight against Stalin until 1954, when it was killed the last leader of UPA. During second half of the 20th century, the territory was slowly Russified. It is important to highlight that this process is the result of a long lasting Russian presence in the area, and it is not only the outcome of the USSR. Before the 1917, the schools were mainly taught in Russian and only with declaration of independence, the government decided to promote the so-called “Ukrainization”. Of course, with the Soviet empowerment, media, television, newspapers, magazines, radio, music and books were provided in Russian; even though parents were allowed to choose the language in the schools, education system was completely taught in Russian. A study conducted by Laada Bilaniuk demonstrated that,

Under Stalin, the effort to bring Ukrainian closer to Russian involved the rewriting of dictionaries and orthographic standards. The Ukrainian letter for the voiced velar stop [g], one of the several letters that make Ukrainian Cyrillic different from Russian, was eliminated in the 1933 codification. Ukrainian terminologies were also altered to be more similar or identical to their Russian counterparts, and more distinct Ukrainian forms were blacklisted²¹.

In the 1960s, especially after Khrushchev condemnation of Stalin, there was an unexpected increase in the anti-Soviet movement marking the beginning of a series of riots and demonstrations. In particular, the national movement of *šistdesjatnyky*, literally the sixties, required respect for human rights and civil rights, including the freedom to freely speak native language. Following the event of the Poznan demonstrations in Poland in June 1956 and the Prague Spring of 1968, USSR under the lead of Leonid Brezhnev repressed all kind of national and opposition movement sending the dissidents to prisons or camps. Between 1970s and 1980s, small group of dissidents created the Moscow Helsinki Group, a human rights movement composed that aimed to denounce, monitor and report to the West all the

²¹ Bilaniuk, op. cit., p.413

violations committed by the USSR. The movement spread into several national committees, such as the Ukrainian Helsinki Group also known as the “Ukrainian Civic Group for Promoting the Implementation of the Helsinki Accords”. However, the organization had a short life; Soviet authorities declared it illegal and sent the members to prison or camps or forced them to emigrate. During Gorbachev administration (1985-1991), the government introduced *Perestroika* and *Glasnost*, namely openness and restructure, in order to reform and change the internal and external situation of the country with the final aim of the democratization of the Country. In this context, some banned organizations were reintegrated in the political scene promoting the democratic reform in all the Communist countries. In 1988, Gorbachev declared to the General Assembly of the United Nations,

“We intend to expand the Soviet Union's participation in the United Nations and Conference of Security and Cooperation in Europe human rights monitoring arrangements. We believe that the jurisdiction of the International Court of Justice at The Hague as regards the interpretation and implementation of agreements on human rights should be binding on all states. We regard as part of the Helsinki process the cessation of jamming of all foreign radio broadcasts beamed at the Soviet Union”.

Mikhail Gorbachev was the last General Secretary of the Soviet Union; he made important changes and progress for the USSR and for the other Communist states. He was awarded the Nobel Prize for Peace for his role in the Cold War and for the promotion of peaceful international relations (15th October 1990). With the Minsk/Belovezh Forest agreement (8th December 1991), he signed a new treaty to create the Commonwealth of Independent States (CIS) with the aim to create an economic and political union with the former Soviet Republics. However, after the failure of the August coup in 1991, he was forced to resign and Boris Yeltsin was appointed the first President of Russian Federation opening a new stage of Russia and Ukraine Relations.

The post- soviet Ukraine and the democratization

In order to better understand the division inside the Ukrainian society, it is important to go back to the event of the collapse of the USSR in 1991 and how it had shaped the future politics of the country. Already in the 1980s, the political situation was characterized by a strong tension, especially after the Chernobyl nuclear disaster in April 1986. With the signature of the Basic Principles of Relations between the Russian Federal Soviet Socialist Republic and the Ukrainian Soviet Socialist Republic (UkrSSR) in the 1990s, Russians finally recognized the *territorial integrity* of Ukraine *within the framework of the USSR*²². Consequently, the 1st December 1991, 90% of population voted in favour of the Act of Declaration of Independence proclaimed by the *Verkhovna Rada*²³, even in the region of Crimea, Donetsk and Luhansk, the population supported the independence. At the same, in the following presidential election, the population demonstrated to be more fragmented asking for a continuum with the previous institution; only Galicia voted for an anti-communist candidate, Vyacheslav Chornovil²⁴. In other words, the division is in political and civic term rather than in ethnic linguistic term, this division can also be expressed with Riabchuk's (2015) idea of "two Ukraines". It should be noted that, with the end of the USSR, a large number of parties took the scene in the political system, mostly weak and ineffective, lacking in get involved the civil society. The main difficulties were the lack of party discipline in terms of organization, political objectives and programme, and more important, the lack in the mass media support. Andrew Wilson and Artur Bilous (1993) state,

²² Wolczuk, K., *Integration without Europeanization: Ukraine and its Policy towards the European Union*, European University Institute, Florence, 2004, p. 28

²³ Ukrainian Parliament

²⁴ Vyacheslav Chornovil (1937-1999), politician, member of the People's Movement of Ukraine (Rukh) and candidate for the Presidential election in 1991.

Like most post-communist states, Ukraine appears to have an anarchic and ineffective party system. A large number of small, ill organised and fractious political parties seemingly promote instability rather than stability, and hinder rather than help the tasks of building a stable civil society and market economy²⁵.

Taking into account the work of Taras Kuzio (1994), Andrew Wilson and Artur Bilous (1993), the Ukrainian multi-party system can be divided in five different macro-groups²⁶ (see also Table 1: Panorama of Political Parties and Movements in Ukraine):

- Ultra-nationalist;
- National-democratic;
- Liberal-democratic;
- Centre party;
- Socialist/communist party.

First, the ultra-nationalist party agenda was to pursue the independence and interests of the country and to build a strong and unified state as well as the promotion of a well-organized army forces. It was represented by the Ukrainian National Party (UNP), Federation for the Ukrainian State Independence and the Ukrainian Nationalist Union (UNA). Second, the national-democratic wing represented the value of the centre right with a strong support on the national statehood and private properties. The main parties were Rukh Ukrainian Republican Party (UKR), the Ukrainian Republican Party (URP) and the Democratic Party of Ukraine (DPU). Third, the liberal-democratic group was represented by so-called “New Ukraine” organization, a union of different

²⁵ Wilson A., Bilous A., *Political Parties in Ukraine*, Europe-Asia Studies, Vol. 45, no.4, 1993, p. 693

²⁶ It needs to be stressed that “the party of regions” is not considered in the analysis because it was created in 1997, under the name of Party of Regional Revival of Ukraine. It represents the interests of Russian-speaking Ukrainians in the south and east of the country.

political parties all aiming to the creation of a stable and well design social and economic system in order to develop civil society in the country. The former parties are the Party of Democratic Revival of Ukraine (PDRU), the Social Democratic Party of Ukraine (SDPU), the United Social Democratic Party of Ukraine (USDPU) and Green Party. Forth, “the party of power” is the expression of the centre bloc. And last, the Socialist Party of Ukraine (SPU) and the Peasants’ Party of Ukraine were characterized by a strong attention on labour market, against the price liberalization and in favour of the restoration of state control. The former Communist Party of the Ukraine was banned in 1991 with the accusation of supporting the coup d’état on 30 August 1991; it was reintegrated in the political scene only in October 1993. During the election campaign, political parties usually participate in “blocs”; this means that they compete as “single voice” or coalition in order to maximize the political support. In 1991, the Labour Ukraine bloc, New Ukraine, Rukh, Congress of National Democratic Forces and Ukrainian National Assembly showed up in the parliamentary elections. The candidates selected to run for presidential elections were Kravchuk for the “party of power”, Chornovil for Rukh, Lukianenko for the URP, Iukhovs’kyi and Griniov for the PDRU and Taburiansk’kyi for the People’ Party. The new president Leonid Makarovych Kravchuk won with the 61,59 % of the vote. He was born in 1934 in the village in the Rivne Oblast, in the north-west of Ukraine, from a peasant family. Graduated in Economics in the Kiev T.H. Shevchenko State University, he started his career in the Communist Party of Ukraine in 1960 as a functionary. He was also member of the Politburo of the Communist Party of Ukraine, the political office responsible of making policies and important decisions. After his resignation in August 1991, he took part of the independent movement and the decided to associate his candidacy with a not acknowledge political party in order to avoid any conflict and to demonstrated his commitment for an independent and sovereign Ukraine. Under his presidency, from 1991 to 1994, Ukraine had to deal with long negotiation with Russia and United States

Table 1- Panorama of Political Parties and Movements in Ukraine²⁷

Panorama of Political Parties and Movements in Ukraine					
Communist	Centre-Left (Democratic)	Centre	Centre-Right (National Democratic)	Authoritarian Nationalist	
SPU	Socialist USDPU	Rukh LUU, LDFU, LPU PDRU, DPU,	Liberal Memorial Christian DPU	Anti-Commun. UNP UPDP UNCP UCRP UPDP	Moderate Extreme AUY FUSI UNRU UNA
LCC	Social-Democratic SDPU GPU, GWA		Conservative URP, UCDDP, UUS, Pronvita		
CPBU					
CPU					
<p>Note: CPU was banned in August 1991 and reinitiated in October 1993</p> <p>Note: USDPU-SDPU to merge PDRU straddles Social Democratic/Liberal Sections</p> <p>Note: DPU-URP to merge</p> <p>Note: UNP and U People's DP merged in early 1992 to form UNCP</p>					
Labour Ukraine	New Ukraine		Ukrainian National Assembly		
	Rukh		Congress of Nationalists (with the help of émigré Organization of Ukrainian Nationalists Bandera faction OUNb)		
	Congress National Democratic Forces Labour Congress of Ukraine				

²⁷ Reprinted from Taras Kuzio, *The Multi-Party System in Ukraine on the Eve of Elections: Identity Problems, Conflicts and Solutions*, Cambridge University Press, Vol. 29, 1994, p. 124

especially on the dismantlement of the nuclear weapon. In 1994, it was signed a trilateral agreement between Russia, USA and Ukraine that ensured technical and financial assistance for the nuclear disarmament. With particular reference to Russia, the government had to face three main challenges: the Commonwealth of Independent States and the possible participation of Ukraine, the trade an economic cooperation and the energy supply. As far as the CIS is concerned, the 8th December 1991 was signed the treaty for the constitution of the commonwealth. It is clear that the implication of the treaty was the dissolution of the USSR in legal terms and, at the same time, the creation of an economic and political union under the veil of the previous legacy. As Paul D'Anieri pointed out, "it was difficult to distinguish between Russia and the CIS, because many USSR institutions that had officially devolved to the CIS were obviously controlled by Russia, Ukrainian fears of a "new center" were not unfounded, regardless of Russia's protestations"²⁸. For this reason, Ukraine decided to sign only certain part of the agreement expressing the willing to maintain its independence. The relations changed when Ukraine decided to pursue an economic cooperation and negotiated for the creation of "associate membership" in the CIS Economic Union and Free Trade Area. In May 1993, it was signed a joint agreement in the framework of an Economic Union and Free Trade Area. As regards the trade and economic cooperation, the interdependence with Russia was undoubted; this means that Ukraine had to coordinate with Russia in terms of economic reforms. The biggest concern was the price liberalization announced by Russia for the year 1992. This decision created two main problems: a sharp increase in price and a liquidity problem As a consequence, the government was forced to introduce a coupon, *Karbovanets*, in addition to rubbles in order to buy groceries and other essentials for livings. In order to stress the will for economic independence from Russia, the *Verkhovna Rada* approved the adoption of a new

²⁸ D'Anieri, P., *Dilemmas of Interdependence, Autonomy, Prosperity and Sovereignty in Ukraine's Russia Policy*, Problems of Post-Communism, 1997, p. 22

packages of reform that aimed to the establishment of a new currency, restriction on imports from Russia, new policies on export and re-negotiation on trade deals in order to foster Ukraine position. After the collapse of the economy, the government had to backtrack and aligned with the policies of the CIS members²⁹. Finally, the energy supply was the mayor obstacle for Ukrainian independence. The government wanted to improve energy security and efficiency, at the same time, to reduce natural gas imports from Russia. It was estimated that the 75% of Ukrainian consumption came from Russia (International Energy Agency). With the non-payment of the gas, Russia threatened to stop the delivers marking the beginning of the so-called “energy war” (1993-1994)³⁰. The situation progressively exacerbated when Yeltsin formally asked the full control of the Black Sea Fleet and the dismantlement of Ukrainian nuclear weapon in exchange of the cancellation of the gas debt (Massandra Summit, September 1993). Instead of accepting the proposal, the government opted for conservative measures deciding to reduce the energy consumption. Consequently, the president consensus slowly declined and, in the 1994 election, the population voted in favour of Leonid Kuchma, a member of the anti-communist representation of Russophone elites from the Eastern region. Leonid Kuchma was born in 1938 in the Chernihiv, a region in the north of Ukraine. Graduated in physical engineering in the Dnipropetrovsk State University, he became a valuable resource for the Soviet industrial system working for the Yuzhnoye Design Office, one of the largest Soviet companies for satellites and rockets, before as technical engineer

²⁹ In 1993, Kravchuk declared, “We obviously overestimated the potential of our economy. We overlooked the fact that it was structurally incomplete [...] it took us too long to realize how much the monetary system of Ukraine depends on the money issue policy of the Central Bank of Russia”.

³⁰It was estimated a debt of \$2.5 billion (Available at <http://www.ukrweekly.com/old/archive/1993/529312.shtml>). In 1994, the debt reached one trillion of rubles as underlined in D’Anieri, P., *Dilemmas of Interdependence, Autonomy, Prosperity and Sovereignty in Ukraine’s Russia Policy*, Problems of Post-Communism, 1997, p 19.

and later as a director. He started his political career in 1990 when he was elected as a deputy in the Ukrainian Parliament. In 1992, he was appointed Prime Minister but he resigned a year later because of the significant differences with Kravchuk towards the economic and industrial reforms. In 1993, he was appointed as chairman of the Ukrainian League of Industrialists and Entrepreneurs (ULIE), the largest union of business organizations in the territory. He won the election with the 52,3 % in favour with the promise of a complete and innovative economic reforms and the restoration of normal relations with Russia. One of the first commitments of Kuchma administration was to encourage the works for the Constitution that was adopted in 1996. The Charter is founded on civic principles, political and civil rights, in which it represented “*the Ukrainian people—citizens of Ukraine of all nationalities*”. Particular attention to article 10, which states, “The State language of Ukraine shall be the Ukrainian language. *The State shall ensure comprehensive development and functioning of the Ukrainian language in all spheres of social life throughout the entire territory of Ukraine. Free development, use, and protection of Russian and other languages of national minorities of Ukraine shall be guaranteed in Ukraine. The State shall promote the learning of languages of international communication. The use of languages in Ukraine shall be guaranteed by the Constitution of Ukraine and shall be determined by law*”. This means that it is recognized the existence of the minorities groups presented in the Country and gave them the possibility to speak freely Russian and other languages. Moreover, in accordance with Art. 53, it was recognized that “*Citizens belonging to national minorities shall be guaranteed, in accordance with law, the right to education in their native language, or to study their native language at the state and communal educational establishments or through national cultural societies*”. At the same time, it did not give the useful tools to engage minorities into the community. The idea was to include them in the society with the hope that, one day, they will “return back” to the new Ukraine. Another important aspect of the new constitution is “*the right to freedom of association into political parties and public organisations*” (Art. 36). The

article 37 provides a limitation in the structure of the political parties with particular regard to “*the liquidation of the independence of Ukraine, change of the constitutional order by force, violation of the sovereignty and territorial indivisibility of the State, undermining national security, unlawful seizure of the state power, the propaganda of war or violence, fomentation of inter-ethnic, racial, or religious enmity, or infringement of human rights and freedoms or the health of the population*”. It is important to highlight that the new constitution is considered as a success for the Kuchma presidency because it promoted, or at least it meant to promote, the development of a civic national identity within the population and, at the same time, it represents a compromise between the two main ethno-groups. In the framework of national revival, he introduced a new national currency, *hryvna*³¹ (1996), the construction of several monuments of historical interest and the institutionalization of the Constitutional Court (16th October 1996). The process of democratization implied new policies towards the European Union and USA that allowed Ukraine to join the Council of Europe in 1995 and the adoption of the EU Council of Ministers Action Plan on Ukraine “to develop and strengthen political and economic relations”. It was signed Partnership for Peace (Pfp) with NATO in 1994 that established the NATO-Ukraine Commission with the aim of mutual support and cooperation. In this context, Ukraine participated in NATO-led peacekeeping operations in the former Yugoslavia and attended several Committee sessions and consultations. Simultaneously, Kuchma worked for a closer cooperation with Russia continuing the negotiation for the Friendship Treaty. On the 29th December 1996, President Kuchma declared to the Ukrainian Weekly, “Esteemed compatriots, I think no one needs to be convinced of the importance of maintaining friendly and good-

³¹ It is not a coincidence that Kuchma chose to name the new currency “*hryvna*”. In fact, the *hryvna* was also the Kievan Rus’ currency and the Ukrainian currency during the Independence of 1917. It is clear that Kuchma’s administration wanted to put the emphasis on the Ukrainian legacy and continue with the historization of national identity promoted by Kravchuk.

neighbourly relations between Ukraine and Russia". The negotiations of the treaty already started in 1992 without made any progress on the division of the Black Sea Naval Forces and the allocation of a federal status to Sevastopol, a city located in the South-western region of the Crimea³². During the Sochi Summit (July 1995), the President Yelstin and Kuchma agreed on put an end to the divergences between the two countries in order to avoid any further conflicts. Nonetheless, the treaty was signed only two years later, on the 31st May 1997, reaffirming the "sovereignty and territory integrity"³³ of Ukraine and consequently, of the city of Sevastopol as Ukrainian city. It was established the division of the Naval forces giving to Russia "20 years lease on three of the four bays of Sevastopol with a five year options for renewal by permission of Ukraine. Ukraine receives more than \$500 million for the portion of its fleet"³⁴ and signed other packages on economic and cultural cooperation between the two countries. It is clear that the agreement aimed to engage more closely Ukraine into the CIS and, as a consequence, into the Russian sphere of influence. Although the first two years of the Kuchma presidency has been characterized by Foreign Policy dynamism and economic stability, the high degree of corruption and criminality among politicians and police certainly made difficult the realization of a

³² Sevastopol is considered as a strategic fortress of the Russian Empire and Soviet Union. During the OSCE Summit in 1996, a Russian Minister declared that "Sevastopol is a Russian city; all the earth there is covered with the bones of Russian sailors." (The Ukrainian Weekly, 28th December 1997). This declaration was strongly condemned by Chornovil, the leader of Rukh.

³³ The Art. 3 of the treaty of Friendship, the Cooperation and Partnership between the Russian Federation and Ukraine states, " *High contracting parties build the relations with each other on the basis of the principles of mutual respect, sovereign equality, territorial integrity, inviolability of borders, peaceful settlement of disputes, the non-use of force or threat of force, including economic and different ways of pressure, the right of the people to dispose freely of the destiny, non-interference to internal affairs, respect for human rights and fundamental freedoms, the cooperation between the states, fair accomplishment of the undertaken international obligations, and also other universally recognized norms of international law.*"

³⁴ The Ukrainian Weekly, the year in Review: 1997, 28 December 1997, p.3 available at: http://www.ukrweekly.com/uw/wp-content/uploads/year_in_review/1991.pdf

democratic and independent country. In the end of the 1996, it was estimated more than 1,800 cases of bribe taking, among which around 150 in the trade sector, 110 in the privatization sector, more than 60 in foreign economic sector and 28 in the banking sector³⁵. The most corrupted institutional body was the Ukrainian Parliament, composed by the so-called “Ukrainian Oligarchs”, powerful people and politician connected with industrial, business, financial and media system. Kuchma was able to preside over the Rada and administrative offices appointing politician and officials of its own interest establishing itself as a leader capable to avoid any conflicts and capable of continuous political evolution. Instead of offering practical packages of reform, the government exercised considerable influence over media, political elections process, patronage and economy and opted to develop obsolete system damaged by corruption, low administrative capacity and nepotism. Several journalists started to investigate against politicians, businessman and officials. Thus, Kuchma presidency was associated with several suspicious circumstances such as the killing of several journalists, one among which the murder of Georgiy Gongadze, the founder of the *Ukrayinska Pravda* web site (www.pravda.com.ua), in November 2000. The opposition journalist was born in 1969 in the former Soviet Republic of Georgia. His work was mainly focused to investigate and tackle the corruption that was devastating Ukraine. For this reason, he was kidnapped and killed, found dead-without his head- in a forest near Kyiv. Several dossier and investigation had been done in order to find the truth over this horrible circumstance without made any progress.

³⁵The Ukrainian Weekly, the year in Review: 1996, 29th December 1996, p.4 available at:http://www.ukrweekly.com/uw/wp/wp-content/uploads/year_in_review/1991.pdf

Chapter 2

Ukraine and Europe

Why Europe?

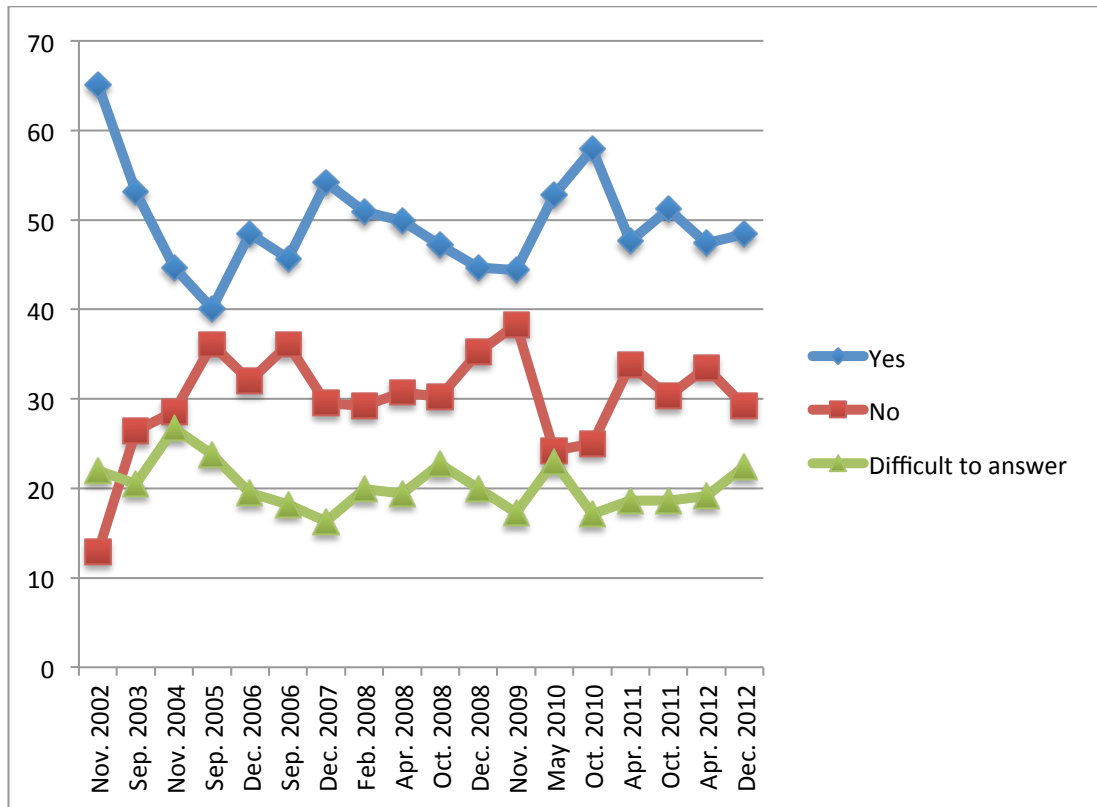
With the collapse of the USSR, most of the former Soviet Republics wished to join the European Union. At the same time, the EU increased the relations with those countries spreading democracy and political dialogue “beyond the borders”. According to the Article 49 of the TEU, the European Union allow any countries geographically connected to the EU to apply for membership and “The conditions of admission and the adjustments to the Treaties on which the Union is founded, which such admission entails, shall be the subject of an agreement between the Member States and the Applicant State. This agreement shall be submitted for ratification by all the contracting States in accordance with their respective constitutional requirements”. In this context, Ukraine has been a front-runner being the first of the former Communist Countries to sign a Partnership and Cooperation Agreement in 2004. According to an opinion poll conducted by the Razumkov Centre from 2002-2012, to the question “*Does Ukraine need to join the European Union?*” the number of people that answered “yes” remains relative stable. However, the table shows that the population response fluctuates throughout the period considered (See Table 1). As already mentioned in the first chapter, the EU is considered a “*desirable traits*”³⁶ that brings a good amount of stability, security, prosperity and social inclusion. For Ukraine, three are the main points for the “European choice”: security, national identity and modernization³⁷. As far as the security issue is concerned, the geographical location of Ukraine is a crucial for the aspirations to EU membership.

³⁶ Shulman, op. cit., p 1016

³⁷ For the interpretation, see Wolczuk K., Dragneva-Lewers R., Ukraine between the EU and Russia: The Integration Challenge, Palgrave Pivot, 2015

The country borders on the North by Belarus, on the North and east by Russia, on the Southwest by Moldova and Romania, on the West by Hungary, Slovakia, and Poland and surrounded by the

Table 1: Source Razumkov Centre



Black Sea on the South. This means that, besides being the largest country in the East-central Europe, is also strategically connected to Russia and to the Western Asia throughout the Black Sea. As Dragneva and Wolczuk stated, “for the Ukrainian elites, moving closer to the EU was a means of counterbalancing Russia, but also of creating interdependencies with the EU, despite, or rather because of, its extensive economic and historical ties with Russia”³⁸. The security issue also implies illegal immigration, human smuggling and trafficking, arms trafficking, organized crimes

³⁸ Wolczuk K., Dragneva-Lewers R., Ukraine between the EU and Russia: The Integration Challenge, Palgrave Pivot, 2015, p. 31

and terrorists. Even though it is recorded a low number of migration in Ukraine, the irregular migration through the country increased every years. The “Central and Eastern European route” has become one of the major transits in Europe after the collapse of USSR. Since 2000 the International Centre for Migration Policy Development (ICMPD) published the “Yearbooks on Illegal Migration, Human Smuggling and Trafficking in Central and Eastern Europe” where analysed and provided data and opinion polls on legal and illegal migration flows in Europe in order to develop a proper migration policy. On the basis of available data, it is estimated a transit of 3.000 and 12.000 people per year. Based on the report, the countries of origin are mainly from the former Soviet Republics (Turkmenistan, Georgia, Moldavia, Belarus and Russia), Middle East (Afghanistan) and Central Asia (India, Sri Lanka, Vietnam, China and Bangladesh). It is clear that a integration with the EU will eventually ensure new forms of cooperation to foster stability in Ukraine and, as a consequence, in the EU. With regard to the national identity, the possible *Evrointegratsia* became the leitmotiv of Ukrainian political discourse where the European Union was transformed into the finalisation of the independence based on historical links and common values. As was pointed out earlier, Ukraine national identity has been strongly polarized between Russian and Europe, splitting the country into the Western Ukraine pro-Europe and the Eastern Ukraine pro-Russia. Ukrainian society is not homogenous and the experience in Europe has demonstrated that people from different cultural heritage can peacefully live together building an “ever closer union”. During the 1991 presidential elections, the political programme indicated a denial of the Russian/Soviet legacy (the Ukrainian communist party was banned on the political system until 1993) and a growing convergence to the European heritage as “a means of achieving the kind of prosperity, peace and stability that characterized Europe”³⁹. In other words, the “European choice” offered a validate alternative to Russia and the possibility to gain domestic stability and simultaneously a position in the international system. The preferences on foreign

³⁹ *Ibidem*

policies depend on the political forces in power but, overall, opinion polls demonstrated that the political elites were more interested in the EU integration rather than the population that wished for something in between with the EU and the CIS. As regard to the modernisation, the Ukrainian economy has been exploited by the Soviet Union for decades. Traditionally, Ukraine was an agrarian-based economy making the country as “the granary of Europe” and, with the Russian invasion and later the Soviet Union, the country was heavily industrialised, especially in the mining, metallurgy and army sectors. Hand by hand with the sovietisation of the economy, Ukraine developed a considerable dependency on oil, minerals and natural gas. To some extent, modernisation involved sustainable policies on trade, science and technology that would allow the country to get access to capital and innovation and, in so doing, it would reduce the economic vulnerability and make a better use of domestic resources⁴⁰. Nowadays, Ukraine has a low capacity production mainly exports in steel and coal, chemicals, fertilisers and imports energy products mostly from Russia. It was estimated that the 75% of Ukrainian consumption came from Russia and more than the 80% of Russian gas supplies and 17 % of Russian oil to Europe transit through Ukraine (Source: International Energy Agency). Having opted for the independence did not meant a real separation from Russia; the real independence would eventually come up with a democratic transition as long as a comprehensive political and economic reforms. In 1991, the economic growth declined around minus 8,41 % and the GDP 9.588,02 U.S. dollars (Source: The World Bank). The data underlined the need of a market economy reforms, especially in light of the continuing economic difficulties. In order to achieve an extensive reform, Ukraine should reduce his budget deficit, new currency regulations and raise gas price⁴¹. At the same time, the European Union has to build new approach on the

⁴⁰ For the interpretation, see also Wolczuk K., Dragneva-Lewers R., *Ukraine between the EU and Russia: The Integration Challenge*, Palgrave Pivot, 2015

⁴¹ Åslund, A. *Ukraine’s Choice: European Association Agreement or Eurasian Union?*, Peterson Institute for International Economics, 2013

support during the democracy transition on the adoption of the Acquis Communautaire⁴² and on the harmonization of EU legislation. Ukraine has to demonstrate his commitment to align to the economic and political criteria identified by the Copenhagen European Council in 1993. The “*Copenhagen criteria*” impose the achievement of democracy, adherence to the rule of law, respect of human rights, and protection of minority groups as well as the attainment of market economy. In conclusion, the EU became the key instrument to achieve the territorial integrity (security), democracy (national identity), market economy and effective domestic reforms (modernisation).

From the Partnership and Cooperation Agreement to ...

After the collapse of USSR, the EU started to negotiate Partnership and Cooperation Agreement (PCA) with Russia, Eastern Europe, the Southern Caucasus and Central Asia with the final aim to encourage the developing of democracy, rule of law and the respect of human rights. Relations between the EU and Ukraine were first established in December 1991, when the European Union officially recognized Ukrainian independence. In 1993, the Verkhovna Rada of Ukraine adopted “On the Key Directions of the Foreign Policy of Ukraine”, declaring *«the priority of Ukrainian foreign policy is Ukrainian membership in the European Communities, as long as it does not harm its national interests. In order to maintain stable relations with the EU, Ukraine shall conclude an Partnership and Cooperation Agreement, the implementation of which shall become the first step towards its association and,*

⁴² Chapter 17 of the Acquis Communautaire: “*The acquis in the area of economic and monetary policy contains specific rules requiring the independence of central banks in Member States, prohibiting direct financing of the public sector by the central banks and prohibiting privileged access of the public sector to financial institutions. Member States are expected to co-ordinate their economic policies and are subject to the Stability and Growth Pact on fiscal surveillance*”.

later, full membership in this organization". During his inaugural presidential speech (1994), Leonid Kuchma confirmed his will to intensify the relations with the EU declaring,

"We make accession to the European Union our strategic aim. The EU member requirements in many ways correspond to measures we plan to undertake domestically. Foremost among them are those that relate to the people's standard of living. Entry into the European Union is a matter for future concern. As to the reestablishment of our nation's reputation in the Council of Europe – I place it into the foreground. Ukraine's European choice, as well as the logic, essence, and aims of its foreign policy are dictated by geopolitical realities. Located at the crossroads of Europe, within a complex system of international coordinates, Ukraine, which is a part of Central, Southern, and South-eastern Europe, cannot but develop close ties with the countries of these regions" (Kuchma, 1994).

The same year, Ukraine signed the Partnership and Cooperation Agreement (PCA) that established the basis for a political, economic and cultural cooperation between the countries in the light of a possible integration. To be more precise, the objectives aimed to develop a constructive political dialogue through regular meetings, to encourage and harmonize the economic, trade and investment relations, to foster the implementation of innovative cooperation between the parties in the field of science, technology and culture and, finally, to support the consolidation of democracy and respect of human rights. To some extent, the agreement intended to align Ukraine with the single European market and the World Trade Organization (WTO). It was also established the formation of a joint-council, called the Co-operation Council, that aimed to "*supervise the implementation of this Agreement. It shall meet at ministerial level once a year and when circumstances require. It shall examine any major issues arising within the framework of the Agreement and any other bilateral or international issues of mutual interest for the purpose of attaining the objectives of this Agreement. The Co-operation Council may also make appropriate recommendations, by agreement between the two Parties*" (Art. 85). The PCA was

completely ratified only 4 years later causing disappointing and probably the non-consideration of Ukraine in the accession process of the “Luxembourg Six”⁴³ in 1998. In 1999, Leonid Kuchma was re-elected with the 57.7 % of the vote. Kuchma signed two different decrees, namely “Strategy on Ukraine’s integration with the European Union” (1998) and “the Programme of Ukraine’s Integration with the EU” (2000) under which it was formally declared the will for membership. It should be noted that the adoption of the decrees was not followed by the involvement of the Parliament underlying the predominant position of the president and, at the same time, the weakness of the other institutions⁴⁴ (Wolczuk, 2004). With the 2002 Parliament election, there was a slight shift in the commitment to the *Evrointegratsia*. Thanks to the work of the Minister of Foreign Affairs (MFA), Borys Tarasiuk, it was created a Parliamentary Committee in charge of supervising and collecting all necessary information in relation to the European Integration and NATO. Moreover, on the basis of the decree adopted in 2000, it was increased the role of the Ministry of Foreign Affairs, the Ministry of Economy and the Ministry of Justice. To be more precise, MFA was mandated to provide political guidance through the creation of the Department for European Integration. The new division aimed to give institutional support within the executive branch. The Ministry of Economy became the Ministry of Economy and European Integration (MEEI) along with new task for technical assistance and economic cooperation under the PCA. And finally, the Ministry of Justice had to align and harmonise the legislation with the EU. In this context, it was adopted the “Law on the National Programme of Legal Adaptation of Ukraine’s Legislation to the Acquis Communautaire”. Moreover, in 2003, it was decided to create a special council, namely the State Council for the

⁴³ In December 1997, the Luxembourg European Council opened the negotiation for the integration for six countries, namely Poland, Hungary, Cyprus, Slovenia, Estonia and the Czech Republic, and recognized the eligibility of Turkey for membership. This is considered as the first round of the European Enlargement towards the Central Eastern Europe and it is known as the “Luxembourg Six”.

⁴⁴ For the interpretation, see also Wolczuk, *Integration without Europeanization: Ukraine and its Policy towards the European Union*, European University Institute, Florence, 2004

European and Euro-Atlantic Integration, in order to give a support to the work of the ministers. Even though Ukraine moved forward on the structural basis, it lacked in the coordination between the Ministries and, especially, between the executive and legislative branch. Moreover, the institutions lacked on trained and qualified professionals on sectoral areas and, as a consequence, they did not give a consistent guidance during the interaction with the EU. With the 1999 Helsinki Summit and the adoption of the Common Strategy, it was defined the “Strategic Partnership between the EU and Ukraine” based on the commitment to ensure the development of democracy and respect of human rights, the maintenance of security and stability and a progressive reforms of the economic and political system. Despite “the EU also acknowledges Ukraine's European aspirations and welcomes Ukraine's pro-European choice”, this was not the result expected and, from 1998 to 2004 no effective steps on how the cooperation has to be implemented were presented, both from side, Ukraine and the EU. Since Putin came to power in 2000, he tried to involve Ukraine in Russian affairs without being too much engaged. Vladimir Putin was born in 1954 in Leningrad from an ordinary family. After the graduation in law from Leningrad State University, he started working in the state security agencies becoming in few years a valuable recourse for the counterintelligence division. His professional career rapidly took off thanks his job at the Leningrad State University in 1990. In few years he entered in the political system as Chairman of the Committee for International Relations at the St Petersburg City Hall and then Deputy Chairman of the St Petersburg City Government. He moved to Moscow in 1996 and in 1999 he was appointed Prime Minister of the Russian government under Yelstin administration. During his inaugural speech (2000), Putin declared,

“We must make sure that the government chosen by the people works in the interests of the people and protects the Russian citizen everywhere, both in our country and abroad, and serves the public. [...] We must know our history, know it as it is. We must learn its lessons and always remember those who built the State of Russia, who

upheld its dignity and who made it great, strong and powerful” (Putin, 2000).

The relation between Kuchma and Putin started off on the right foot with the Putin’s recognition of Ukraine’s statehood and national identity. This allowed a revitalization of the relationship between the two parties and, as a consequence, in the CIS. Even though Ukraine was only a participant country, Kuchma was appointed as head of the CIS Council of Head of State in 2003 and Russia, Ukraine, Belarus and Kazakhstan established the CIS Single Economic Space (CIS SES), which would facilitate the exchange of products eliminating the imports and exports taxes. It is worth noting that with the closer relation with Russia, there has been the “Ukraine fatigue”, to use Taras Kuzio’s words. To put in another way, there has been a slight decrease in the foreign policies towards the EU and NATO characterized only with the idea of an eventual membership and a progressive increase of the Russia-Ukraine alliance, especially during Kuchma second term. In 2003, it was published the “Wider Europe — Neighbourhood: a New Framework for Relations with our Eastern and Southern Neighbours”, a comprehensive report that analyses the involvement of the EU in the neighbourhood countries, with particular attention to Ukraine, Moldova and Belarus. In the communication, it is underlined the progress made since the Partnership Cooperation Agreement but also the remaining actions that have to be done especially in terms of democracy transition and respect of human rights. Moreover, *“this Communication considers how to strengthen the framework for the Union’s relations with those neighbouring countries that do not currently have the perspective of membership of the EU”* and *“proposes that the EU should aim to develop a zone of prosperity and a friendly neighbourhood – a ‘ring of friends’ - with whom the EU enjoys close, peaceful and co-operative relations”*. In other words, the EU opted for “integration without accession” giving the impression to “leave the door open” to put something aside both now and in the future⁴⁵.

⁴⁵ Kuzio T., *From Kuchma to Yushchenko Ukraine’s 2004 Presidential Elections and Orange Revolutions*, Problems of Post-Communism, 2014

The Orange Revolution: is it the time for a change?

The scandal of president Kuchma, also known as “Kuchmagate”⁴⁶, created division and frustration inside the government and among the political parties that started to ask the resignation of the president. In addition to this, the Kuchma was implicated in a series of investigations on violence activities against journalists and politicians, election fraud and arms trafficking. From 2001 to 2004, the political panorama exacerbated until the failure of the approval of constitutional reform by the Parliament in April 2004. This meant that Kuchma couldn’t run again for the presidency and he had to designate his successor. He nominated the Prime Minister Victor Fedorovych Yanukovych, the leader of the Party of Regions. After the 2002 parliamentary elections, there has been a change in political parties blocs that lead a change in electoral choices of the population in the Presidential election. Symonenko for the Communist Party, Moroz for the Socialist Party, Tymoshenko for the Tymoshenko’s bloc, Yushchenko for “our Ukraine” bloc and Yanukovych for the party of region were the aspirants for the 2004 presidential election. Finally, two were the main candidate in the 2004 presidential elections: Yanukovych and Yushchenko. On one side, Yanukovych was born in Yenakiyev, in the Eastern Ukraine. He has a troubled childhood being in prison twice for violent crimes. He worked in Yenakiyev industry for twenty years and, in the meantime, he graduated in the Donetsk State Technical University as mechanical engineering. He was also involved in the local political dimension as governor of the Donetsk region (1997). Yanukovych was the candidate that symbolized a “return to Russia” and a continuum with the oligarch power (Kuchma). On the other side, Viktor Andriyovych Yushchenko was the leader of the “Our Ukraine” bloc. He was born in 1954 in Khoruzhivka in the Northeastern Ukraine and graduated in the Ternopil Finance and

⁴⁶ Following the murder of Georgiy Gongadze, it was found audiotapes made illegally in the office of the president by his security guard, Mykola Melnychenko. The tapes were an undeniable evidence of the implication of Kuchma in the killing. Even though the proof was clear, the case is still unsolved and both Melnychenko and Gongadze’s family received political asylum in United States and they lived there since 2001.

Economics Institute in economic degree. In 1993, he was appointed governor of the National Bank of Ukraine and in 1999 he was appointed Prime Minister under Kuchma administration. In 2004, he decided to run for presidential election making an alliance with Yulia Tymoshenko, the leader of Yulia Tymoshenko bloc. The latter was born in 1960 in Dnipropetrovsk and graduated in the Dnipropetrovsk State University. Her career was strong and successful and she managed to get elected as a member of Rada in 1996. It should be noted that she was strongly connected with rich entrepreneurs, among them Pavlo Lazarenko. Tymoshenko was a determined opponent of Kuchma government also participating at the demonstration “Ukraine without Kuchma”. However, Tymoshenko and Yushchenko had to find a compromise: she would be nominated Prime Minister in case of victory and in return she had to support his candidacy. It is clear that “the 2004 election represented a “clash of civilization” between two political cultures: Eurasian and European”⁴⁷. To put in another way, the election programme of the candidates was one the opposite of the other. Yushchenko was in favour for a deeper involvement with the EU and NATO; Yanukovych was anti-American and promoted a better integration of Ukraine in the CIS. The first round of the presidential election (31st October) has seen Yushchenko in advantage with the 39,90 % of the votes against Yanukovych with the 39,29 %. Unexpectedly, in the second round (21st November), Yanukovych won with the 49,46 in favour against Yushchenko with the 46,61 %. The victory of the “regional party” candidate was immediately welcome by Putin. However, few days later, a millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the results asking for the end of Kuchma legacy; this was the beginning of the so-called “Orange Revolution”. The outcome of the vote did not convince the authorities and, as a consequence, a parliamentary vote, preceded by a Supreme Court decision, determined the cancellation of the elections results and proclaimed the repetition of the second round on December. Taras Kuzio declared that,

⁴⁷ Kuzio, op. cit., p. 35

“State and nation building had the major impact on Ukraine’s youth, who dominated the Orange Revolution. Most of “Generation Orange” were born in the 1980s and were socialized in a non-communist, non-KGB-ruled independent Ukrainian state during the 1990s. This generation primarily voted for Yushchenko and defended democracy on the street of Kyiv after Yanukovich was declared victor in the first runoff”⁴⁸.

Civil society, opposition groups and NGOs supported the Orange Revolution. In particular, civil society and opposition groups were able to mobilize thousand of people frustrated for decades of corruption and crimes, especially after the Gongadze affair. Western Countries such as Canada, United States and the EU condemned the results supporting NGOs and people on the streets. As far as the NGOs are concerned, they played a central role in promoting citizens’ rights and in the highlighting of the defects of the government, especially after the campaign against the media conducted by Kuchma. The Alfred Moser Foundation (Netherlands), the Westminster Foundation (United Kingdom), the Fund for European Education (Poland) and also many US NGOs such as National Endowment for Democracy, (NED), International Republican Institute (IRI), Eurasia, Freedom House, George Soros’s Renaissance Foundation as well as the Polish-American-Ukrainian Cooperation Institute (PAUCI) actively assisted and encouraged the protest. Moreover, NGOs provided three kinds of help: financial funds, training and monitoring. First, Many critics argued that, “the West’s role was inappropriately financial”⁴⁹ and that they also question on who actually benefited the aid. It is not clear if those countries, especially the United States, had massively financed the Orange Revolution or not. PAUCI, Freedom House, the National Democratic Institute and the National Endowment for Democracy made a public list of the grant in the name of transparency and responsibility. These found were useful to organize the communication, information support, materials such as flyers and transportation.

⁴⁸ *ivi* p.39.

⁴⁹ On this position, see also the work of Jonathan Steele (2004) and Andrew Wilson (2006).

Second, some NGOs, namely the Serbian group Otpor and some Slovak organizations, trained the activists through seminars and training courses in order to enhance their way of communication and strengthen the organization. In his article “Ukraine's youths rise up” (2004), Martin Morgan from BBC declared,

“Foreign assistance that Pora is happy to acknowledge is the training given by Serbia's Otpor, now the Centre for Non-Violent Resistance, at seminars in Serbia and follow-up advice by Otpor veterans in Ukraine itself. The association with Otpor and Kmara brought Pora international prominence, and clumsy government attempts to blacken it by association and even frame it for bomb attacks only gave the movement greater media attention”.

Pora started as a youth movement, immediately became more than this. The members were able to gather people together against corruption first with informational campaign and later with well-organized protests. During an interview with the Ukrainian Weekly, the leader of the movement stated that “removing those figures from government who were associated with Mr Kuchma's regime and removing the mentality of these types of people from Ukraine. Our greatest goal is to develop civil society in Ukraine”. And third, the monitoring during the voting process was deployed as a support of the Kiev International Institute for Sociology (KIIS) and the Razumkov Centre. The Organization for the Security and Cooperation in Europe's Office for Democratic Institute and Human Rights (OSCE/ODIHR) observed and detailed reported the voting process. In the analysis, the OSCE/ODIHR identified the key passages of the elections on each rounds and gave a set of recommendation in order to improve and modernize the electoral system⁵⁰. The third round of election was scheduled on the 26th December. In the meantime, an attempt

⁵⁰ Recommendation on the OSCE/ODIHR Election Observation Mission Final Report (2004) stated, “With parliamentary elections scheduled in the first half of 2006, attention should be focused on the reforms necessary to address the shortcomings and weaknesses of the election framework identified in this report. The OSCE/ODIHR offers the following recommendations; with a view to support the stated goal of Ukraine to meet the election related OSCE commitments. The OSCE/ODIHR stands ready to assist the authorities and civil society of Ukraine in achieving this goal”.

to kill Yushchenko was carried out: the candidate was poisoned by dioxin leaving permanently sign of his face and body. This circumstance struck the country increasing the national and international support for the candidate. Yushchenko won with the 51,99 % of the vote against Yanukovych with the 44,19 %⁵¹. As Tatiana Zhurzhenko underlined in her article “*From borderlands to bloodlands*”, “the revolution was seen as a western coup aimed at undermining Russia’s influence in its legitimate sphere of geopolitical interest”⁵². The success Orange Revolution has demonstrated that Ukrainians are determinate to defend their rights and their Country, their right to “*defence of the Motherland, independence and territorial integrity of Ukraine, respect for its State symbols*” (Art. 65); “It’s time” became the motto of the Revolution, the leitmotiv of freedom. With the victory of Yushchenko would inaugurate a new stage for the Ukrainian foreign policies, marking the beginning of a pro-European and pro-reform attitude. During his inaugural speech (2005), Yushchenko declared,

"We are the people of the same civilization sharing the same values. History, economic prospects and the interests of people give a clear answer – where we should look for our fate. Our place is in the European Union. My goal is – Ukraine in the United Europe”.

However, his administration suddenly faced a series of crisis beginning with the fuel crisis. In order to stabilize the country, the Yushchenko government opted for a slow but effective reestablishment of the Ukrainian culture. It is clear that this change of course created fragmentation and confusion in the society, it was not the identity that divided the Nation but the politics. Instead of offering practical packages of reform, the government opted for a continuum of the obsolete system damaged by corruption and nepotism. However, in the context of a political change, the EU adopted the

⁵¹ Election results are available at the website of the Central Electoral Commission (<http://www.cvk.gov.ua/>).

⁵² Zhurzhenko, T., *From Borderlands to Bloodlands*, Eurozine, 19 September 2014, p.9 Available at: <http://www.eurozine.com/articles/2014-09-19-zhurzhenko-en.html>

“Strategy Paper on the European Neighbourhood Policy” (ENP), that aimed to reinforce the political and economic structure through the experience of the 2004’s EU enlargement and “*make a particular contribution to stability and good governance in our immediate neighbourhood [and] to promote a ring of well For the interpretation ungoverned countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations*”. The new strategy involved twelve countries, Armenia, Azerbaijan, Egypt, Georgia, Israel, Jordan, Lebanon, Moldova, Morocco, Palestine, Tunisia and Ukraine⁵³. On the contrary, Russia decided to not participate in the ENP and opted for the implementation of the “Four Common Spaces” as a mechanism to expand the relations. The aim was to improve the policies on economy and environment, freedom, security and justice, external security and research and education in the framework of the PCA. As far as the economic and environment area is concerned, it was decided to promote an open and integrated market harmonizing the regulations and setting common standards in order to facilitate and consolidate the cooperation. As regard the freedom, security and justice space, it was stress the need to develop the values of democracy, rule of law, respect of human rights and protection of minorities. Moreover, it was established a EU-Russian Consultation on human rights issues in order to foster the dialogue between Russia and the International organization. With regard to external security, it was agreed to refine common goal on the fighting against organised crime, terrorism and all kind of illegal activities. Finally, the research and education field was seen as an instrument to link European and Russian people. The aim was to promote the competitiveness, to encourage the innovation, technologies and research, to harmonization the education system in order to facilitate the mobility and the access at the higher education institution such as Universities. Many scholars have criticized the adoption of the Common Spaces arguing, on one side, the lack of concreteness and, on the other side, the absence of

⁵³ The programme involves also Algeria that is currently negotiating for the ENP Action Plan, and Belarus, Libya and Syria that decided to participate only in some section of the strategy.

political relevance and clearness⁵⁴. However, the agreement was the result of a long phase of negotiation and compromise between the EU and Russia. In February 2005, the EU approved the Action Plan for Ukraine plus a List of Additional Measures, ENP instrument under which Ukraine has to implement a set of reforms, namely the “*political dialogue and reform; economic and social reform and development; trade, market and regulatory reform; co-operation in justice and home affairs; transport, energy information society and environment and people-to-people contacts*”, and the adoption of the legal standard of the EU over a period of three years. In addition, Ukrainian government approved the “Road Map on the Implementation of the AP” where for the first time it was introduced the “European choice” in the domestic reform agenda. Even though there has been some progress in certain areas, the implementation of the Action Plan did not achieve the expected result mainly due to a lack of coordination between the institutions, domestic instability and poor involvement of the EU. However, the Council of the European Union welcomed the parliamentary election held in March 2006 acknowledging as “free and fair” in the framework of the consolidation of democracy. This event was the freest election in the country's fifteen years of independence where parties were able to express and promote freely their programme and journalist and media played an important role during the election campaign without the interference of the government. Most importantly, the result of the parliament election reinforced the success of the Orange Revolution with the confirmation of pro-Western political formation. The same year, the EU started the negotiation for the visa facilitation and readmission agreement, in order to facilitate the movement of people through the issuance of visas and the return of illegal immigrants to their country of origin or to a country of transit. The agreement entered into force in 2008 as well as the beginning of the talks over the Free Trade Area (FTA). Many scholars have argued that the negotiation on visa facilitation and readmission agreement aimed to give an incentive to Ukraine to

⁵⁴ This section is based on the interpretation of the works of Tsygankov (2006), Katinka Barysch (2006) and Michael Emerson (2005).

accomplish the goals in the context of the enlargement and, at the same time, providing strategic rules for managing the illegal immigration and combatting the increasing number of activities of organised criminal groups in the smuggling of migrants. It is clear that the EU wanted to find a balance between the domestic securities, as it concerned the “readmission agreement”, and the Ukrainian demanding for a deeper cooperation, as it regards the” visa facilitation”. However, analyses have proved that no effective consequences have brought the previous agreement; on the contrary it has mainly caused economic, social and political instability.

The need of a new strategy

From 1999 to 2008, the relations between the European Union and Ukraine have been inconclusive taking only small and steady steps towards establishing a closer cooperation. On one hand, Ukraine lacked on commitment and strategy; on the other hand, the EU did not provide pragmatic tool on how the cooperation has to be implemented or developed. Several treaties and agreement were approved or negotiated but none of them pursued a comprehensive policy for the integration. It was just hot air. The main reasons behind this tendency are the Ukrainian domestic system, the multi-vector foreign policy and the EU incapacity. First, Ukraine has an obsolete domestic system characterized by uncoordinated and, most of the time, corrupt institutions. The main difficulty is represented to understand who is actually responsible for the implementation of the integration policies and reforms. Several institutions, such as the Ministry of Foreign Affairs, the Ministry of Economy and European Integration and the Ministry of Justice, are all involved at different levels in the process for the integration. The institutions concerned worked in competition between each other causing a lack on coordination. For this reason, the implementation of the agreement has been slow and ineffective. Moreover, the President played a central role in the decision-making process representing “*the State*

in international relations, administer the foreign political activity of the State, conduct negotiations and conclude international treaties” (Art. 106) and having “*the right of legislative initiative in the Verkhovna Rada of Ukraine shall be vested in the President of Ukraine, people’s deputies of Ukraine, and the Cabinet of Ministers of Ukraine*” (Art. 93). This means that he is vested of extensive powers compares to the other institution, especially compares to the legislative branch, creating imbalances in the system. As Paul D’Anieri pointed out, “the greatest threat to democracy is the incredible power wielded by President Kuchma and his use of it to control politics”⁵⁵ and therefore provoking a “deinstitutionalization and personalization of political powers”⁵⁶. In addition, the *Verkhovna Rada* did not have the power to counterbalance the President. For example, several decrees have been adopted without the consent of the parliament namely “Strategy on Ukraine’s integration with the European Union” (1998) and “the Programme of Ukraine’s Integration with the EU” (2000) without taking into account Art. 85,5 of the Constitution that allows the *Rada* “to establish the principles of domestic and foreign policy”. Only with the 2002 Parliamentary election, there has been a little change in the support of the European Integration with the appointment of Boris Tarasiuk and chief of the Parliamentary Committee on European Integration. Second, the multi-vector foreign policy pursued mainly by Kuchma administration⁵⁷. This phenomenon is typical of the former Soviet Republics that after the disintegration of the USSR were unable to develop a proper strategy for the EU and for Russia. Instead of being inactive, those countries opted for the pursuance of the same goal with different actors. Elena Gnedina analysed it as “the result of Russia and the EU ‘pushing’ and ‘pulling’ the

⁵⁵ D’Anieri, P., *Leonid Kuchma and the Personalization of the Ukrainian Presidency*, Problems of Post-Communism, 2003, p. 65

⁵⁶ This section is based on the interpretation of the works of Paul D’Anieri (2003) and Taras Kuzio (2004).

⁵⁷ For similar conclusion, see also the analysis of Taras Kuzio (2005), Arkady Moshes (2006) Elena Gnedina (2015).

neighbouring states in opposite directions”⁵⁸. To put in another way, the Ukrainian foreign policies fluctuated on EU side and on Russian side depending on who were the strongest at the time of the negotiations whether the Ukrainian elites or the EU/Russia. While the EU opened a new stage of enlargement welcoming the request of membership of eleven countries from the Central Eastern Europe⁵⁹, Russia pushed for the formation of the Commonwealth of Independent States with Ukraine, Belarus, Georgia, Armenia, Azerbaijan, Kazakhstan, Kyrgyzstan, Moldova, Turkmenistan, Tajikistan, and Uzbekistan. To some extent, Ukraine kept swinging between the two: on one hand, promoting the EU integration thought the adoption of different agreements such as the PCA and the ENP Action Plan and, on the other hand, pursuing a closer relation with Russia. As a result, Ukraine resulted not particularly reliable and committed to make progress in both cases. Third, European Union lacked on credibility and involvement since the beginning of the relations. The main reason is that the EU developed at the same time policies towards Ukraine and Russia and scholars have demonstrated that the EU opted for “Russia-first policy”, for using Solonenko words (2009). For example, in 1991 the EU negotiated Partnership and Cooperation Agreement (PCA) first with Russia and only later with Ukraine and in 2003. It is clear that the EU was not able, or did not want, to counterbalance Russian influence over Ukraine. For this reason, the EU pursued different policies for the Central Eastern European countries depending on the kind of relation that the country has with Russia. In the case of Ukraine, the EU opted for an “integration without accession” continuing declining the membership request over time and, at the same time, declaring Turkey an eligible country for membership (1997). It is significant to note that at the time of the implementation of the ENP, the EU had to face an internal crisis with the failure of the Constitutional Treaty

⁵⁸ Gnedina Elena, 2015. *‘Multi-Vector’ Foreign Policies in Europe: Balancing, Bandwagoning or Bargaining?*, Europe-Asia Studies, p.1008

⁵⁹ Czech Republic, Hungary, Poland, Estonia, Slovakia, Slovenia, Latvia, Lithuania, Bulgaria, Romania, Croatia

referenda held in France and the Netherlands (2005). This means that paid little attention “beyond the borders”. As Taras Kuzio pointed out,

“The EU may have little choice but to open the door to long-term membership prospects for Ukraine along the lines of the western Balkans. With these countries, the door has been opened, but no date has been set for EU membership, a formula that could be also used for Ukraine. The offer of EU membership, even in the long term, would provide support to democratic forces and the reform process inside Ukraine”⁶⁰.

Since the independence in 1991, the EU has financially supported Ukraine in the transition to democracy. The support aimed to reform the institutional, legal and administrative sector and to support the economic development. During the period 1991-2005, the EU allocated more than €1731 million to Ukraine increasing the amount every year⁶¹. It is clear that the financial supports are not enough in the promotion of the democracy transition. Recent studies have demonstrated that a better use of conditionality would help for the success of the strategy, such as in the case of Latvia and Estonia. The EU conditionality is a “bargaining strategy of reinforcement by reward, under which the EU provides external incentives for a target government to comply with its conditions”⁶². To be more precise, the most common incentives provided are rewards and monitoring. Analyses have demonstrated that through the compensation and monitoring with programmes, financial support or exchange of technologies it is possible to increase the success of the reforms. Furthermore, monitoring offered the chance to know and understand which the difficulties may encounter, what is needed to resolve them and how it is

⁶⁰ Taras K., *Conflict and Reform in Eastern Europe*, The International Spectator, 2006, p. 96-97

⁶¹ Source: European Commission

⁶² Frank Schimmelfennig and Ulrich Sedelmeier, *Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe*, Journal of European Public Policy, 2004, p. 2

possible to avoid them. Conditionality implies, first of all, a deadline in the implementation of the policies. It is no coincidence that the EU decided to apply conditionality only in 2005 defining a period of time of three years for the implementation of the ENP Action Plan. At the same, the definition of period increases credibility for both Parties because they are encourage reaching the objectives as early as possible⁶³. In other words, it is proved that conditionality “has achieved the best results as an affirmative policy, pushing for better and faster reforms where the political will and commitment are in place to begin with”⁶⁴ (Raik, 2011: 4). The main problem with conditionality is that does not offer sufficient room for manoeuvre for political action limiting the sovereignty of the country. Conditionality is only one of the options that the EU could take into consideration. Many scholars pointed that the EU urgently needs to take a clear position on Ukraine and then define the strategy to take instead of leaving the “open-door”. Other scholars, such as Taras Kuzio, proposed the identification of an “intermediary” between the EU and Ukraine in the transition process. Poland has been considerate as a suitable candidate for the role of intermediary due to their geographically proximity and cultural heritage. During the Orange Revolution, Poland strongly supported the population and NGOs, especially providing training course to Pora giving by the Fund for European Education. Moreover, Poland has often pushed for the formation of an Eastern dimension in the EU that would lead to a greater awareness of the role that those countries could play. In conclusion, the relations between the two countries need to take a new direction otherwise could be undermined the rapprochement between the two.

⁶³ For the interpretation, see the works of Kataryna Wolczuk (2004) and Kristi Rail (2011).

⁶⁴ Raik K., *Revisiting the EU's Democracy promotion in the Eastern Neighbourhood*, the Finnish institute of International Affairs, 2011, p. 4

Chapter 3

Ukraine and Russia

Why Russia?

In the second chapter, it has been analysed the reasons behind the Ukrainian possible decision to opt for deeper integration in the EU. That is why it is important to highlight the nature of Russia-Ukraine ties and the advantages that a regional integration will bring for both countries. Russia and Ukraine have been close between each other for centuries and it is not only for geographical proximity but also in terms of tradition, economy, historical background and language. As outlined above, the disintegration of the Soviet Union has brought considerable consequences especially for the former Soviet Republics that had been under Russian/Soviet influence for decades. Ukraine immediately oriented for independence and international recognition of territorial integrity and sovereignty trying to essentially go far from Russian's sphere of influence. From 1991 to 1994, President Kravchuk opted for a pro-Western position trying to loosen the bonds with Russia without any success. Since Kuchma came to power, Ukrainian foreign policies became not clear moving from one position to another (see multi-vector foreign policy) depending on which one was the most convenient at the time. With the exception of Yushchenko administration, Ukraine kept swinging between the two: on one hand, promoting the EU integration through the adoption of different agreements such as the PCA and the ENP Action Plan and, on the other hand, pursuing a closer relation with Russia. The main point is how Ukraine should approach to Russia and why should chose Russia instead of the EU? Three are the main reasons: common cultural heritage, strong economic interdependence and possibility to gain a new international position through the military cooperation and the Eurasian integration. First, as already mentioned in the first chapter, Ukraine and Russia shared a common cultural and

historical heritage. According to a sociological poll conducted by the Razumkov Centre, to the question “*With which cultural tradition do you associate yourself?*”, the 55,5 % of the respondents declared to Russian tradition, the 14,6 % to Soviet tradition, the 8,6 % to Crimean Tatar, the 8,3 % to Ukrainian, the 7,4 % to Pan-European, the 1 % to other tradition and the 4,6 % did not reply. In particular, evidence shows Russian culture is part of the Ukrainian society even if it is most of the time connected to a “*negative reference*”, to use Shulman’s words, or as an “*other*”, to use Campbell and Neumann’s theory. As Andrei Tsygankov pointed out,

“With respect to Ukraine, the dominant Russian perception stresses strong cultural and historical ties between the two peoples. Predominantly Slavic and Eastern Christian, they have fought against common enemies at least since the seventeenth century and were members of the same imperial state. Russians consider Ukrainian people to be “brotherly” and are resentful of what they view as the Western nations’ attempts to challenge the established cultural bond or to convert Ukraine into their own system of values”⁶⁵.

Moreover, in 2010 Yanukovich stated, “We are a nation with a European identity, but we have historic cultural and economic ties to Russia as well” confirming by the evidence that showed that the territory comprised the 44% of Ukrainian-speaking Ukrainians, the 30% Russian-speaking Ukrainians and the 22% Russians. As far as the economic interdependence is concerned, Ukrainian economic and trade were deeply connected with the Russian one and only through coordinated measures is possible to increase the economic production and stability. Data demonstrates that Ukraine is the largest trade country among the CIS and the main trade partner of the EU and Russia. The evidence shows that Ukraine has a strong economic dependence from Russian revealing that the 24% of Ukrainian exports goes to Russia. Moreover, Ukraine is the main transit country for natural gas shipments to Europe from Russia. As already mentioned in the second chapter, it was estimated that the 75% of

⁶⁵ Tsygankov A., *Vladimir Putin's Last Stand: The Sources of Russia's Ukraine policy*, Post-Soviet Affair, 2015, p. 287-288

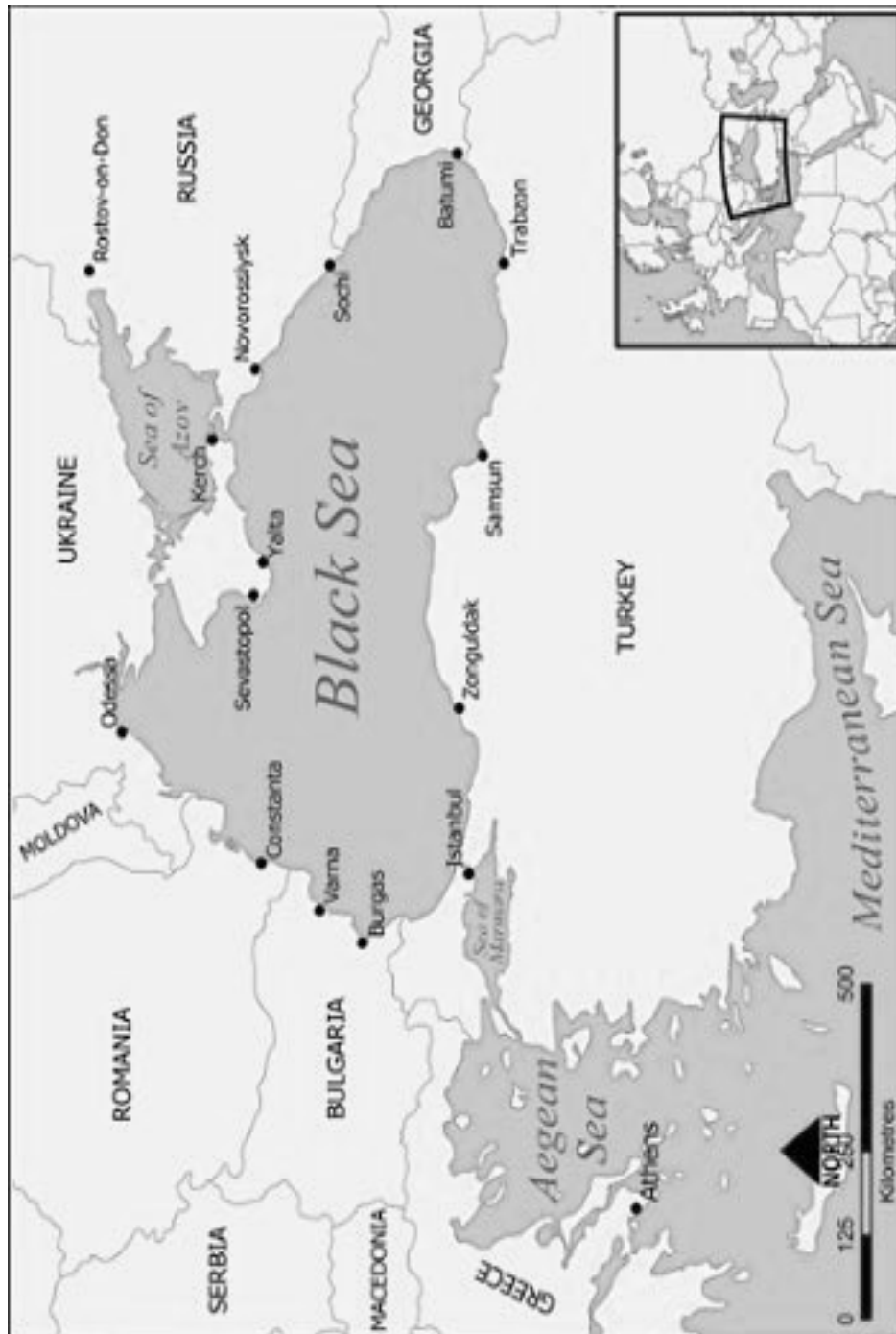
Ukrainian consumption came from Russia and more than the 80% of Russian gas supplies and 17 % of Russian oil to Europe transit through Ukraine⁶⁶. For this reason, Russia has tried to increase gas import capacity to Europe promoting the construction two gas pipelines, the Nord Stream from Russia to northern Germany under the Baltic Sea and the South Stream across the Black Sea from Russia to Bulgaria. It is clear that it would cause a decrease of Russian dependence on Ukraine when dealing with other European consumers because Russia would manage on its own the gas transition. At the same time, the EU is trying to engage other energy supplies in order to not deal with Russia and as a consequence not support the construction of the South Stream pipeline. Strong economic dependence also means that unilateral reforms demonstrate to be ineffective and dangerous for the country economy left out. One example is the consequences of the 1992 price liberalization of Russia. Yelstin's purpose was "to stabilize the economy within several months and start the process of recovery [...] remove all barriers to the freedom of enterprises and entrepreneurs, offer the people possibilities to work and receive as much as they earn, after having relieved them of bureaucratic pressure"⁶⁷. As a result, there has been a sharp increase in price especially electricity rates and price on basic foods that caused liquidity problem. Ukraine was not able to match the higher price on Russian export. Many authors have argued that only with a gradual adjustment of the economy Ukraine will be fully independent from Russia. However, it is clear that both countries need each other in order to increase the economic production and prosperity. And last, a closer cooperation with Russia would give the possibility to gain a new international position through military cooperation and the Eurasian integration. As far as the military cooperation is concerned, Ukraine owns Sevastopol and the Black Sea Fleet, which have been a strategically base for Russian/Soviet military section for decades. The city was built under the power of the Tsar Peter the

⁶⁶ For the data, see International Energy Agency Website (<https://www.iea.org/>)

⁶⁷ Yelstin, "Speech to Russian Congress of people", 1991, available at <https://www.theguardian.com/world/2007/apr/23/russia.guardianobituaries>

Great (1882-1725) that introduced reforms in order to modernise the military machine and have direct access to the Western countries and the Ottoman Empire (see Figure 2). With the 1997 Friendship and Cooperation Treaty, Ukraine and Russia made a rental agreement under which Russia could use three on the four bays in Sevastopol for 20 years, after extended until 2042 with Kharkiv Accord (2010), and Ukraine in exchange received more than \$500 million and the recognition of Sevastopol as a Ukrainian city. It is clear that the agreement aimed to engage more closely Ukraine into the CIS and into the Russian sphere of influence as well as Russia's priority interest on the Fleet. Recent studies that estimated that the naval base has been the main storage centre during the 2008 Georgian conflict; this means that Russia as a specific interest for keeping integrally its military domain in Crimea and Sevastopol and Ukraine should use this need to its own advantage. With regard to the Eurasian integration, Putin's project would bring evident profit for the countries involved (Ukraine, Belarus and Kazakhstan) especially in terms of economic improvement. Moreover, all those countries together would have the opportunity to speak with one voice in the international arena, in doing so they would ensure a maximization of the action during the decision-making and a decrease of vulnerability in the international dimension. In this case, there is the potential risk that "speak with one voice" would be in reality "speak with Russian voice". In conclusion, Ukraine should opt for a closer cooperation with Russian for three main reasons: common cultural heritage, strong economic interdependence and possibility to gain a new international position through the military cooperation and the Eurasian integration. It is clear that the advantages outlined above could also represent a disadvantage for the country and Ukraine should plan a new negotiation strategy in order to ensure a "win-win" condition.

Figure 2: The Black Sea and Sevastopol. Source: The Guardian



EU-Russian Relations in Brief

In order to understand Russian position towards Ukraine and consequently towards the EU, it is important to analyse the EU-Russian relations. Since the beginning, the relationship has not been built with concrete and suitable steps for a deep cooperation; all the statements miss to put in place the purpose. The collapse of the Soviet Union in December 1991 was an unexpected event, especially in the European Community that was in the middle of the works in the Maastricht Summit. This event has brought new challenges for both countries. Russia, on one hand, needed to redefine and secure its role on the international system; the European Community, on the other hand, had to determine a new agenda based mainly on political rapprochement and economic integration. Of course, the previous agreement with the USSR, namely the 1989 Trade and Cooperation Agreement (TCA), was considered inadaptable to face the new situation. Since the beginning, it was agreed to start the negotiations only with Russia and later with all the countries of the former Soviet Bloc with the exception of the three Baltic Countries. The negotiation faced some difficulties due to the concerns of EU member states and Russia's refusal to consider the EU proposal. In the end, after 19 month and several round of talks, it was finally signed in 1994. The Partnership and Cooperation Agreement (PCA) included several aspects. First, it provided an economic agreement, such as the freedom of transit for goods and technical standards, with the aim *“to promote trade and investment and harmonious economic relations between the Parties based on the principles of market economy and so to foster sustainable development in the Parties”* and *“to create the necessary conditions for the future establishment of a free trade area between the Community and Russia covering substantially all trade in goods between them, as well as conditions for bringing about freedom of establishment of companies, of cross-border trade in services and of capital movements”* (Agreement on Partnership and Cooperation , Article 1). Second, it put in place the basis for a political dialogue, social and cultural cooperation in order *“to strengthen the links between Russia and the European Union”* (Agreement on Partnership and

Cooperation, Article 6) and “with the aim of reinforcing the existing links between their peoples and to encourage the mutual knowledge of their respective languages and cultures while respecting creative freedom and reciprocal access to cultural values”(Agreement on Partnership and Cooperation, Article 85). And third, it envisaged a series of obligation, norms and values as declared in Article 2 “respect for democratic principles and human rights as defined in particular in the Helsinki Final Act and the Charter of Paris for a new Europe, underpins the internal and external policies of the Parties and constitutes an essential element of partnership and of this Agreement”. It is important to highlight that the PCA entered into force only in 1997, mainly because of the first Chechnya war (1994-1996). Russian military intervention increased the tension with the European Union generating a series of crisis. For the EU, Russian actions were a clear infringement of the “European values”. In 1999, the EU decided to adopt the so-called “Common Strategy on Russia” (CSR) in which it emphasised the importance of the development of the PCA, the economic cooperation, consolidation of the democracy and rule of law and the respect of human right. At the same time, Vladimir Putin became the Prime Minister of the Russian Federation and presented the “Medium-Term Strategy for the development of relations between the Russian Federation and the EU” as a response of the CSR. The document underlined the autonomy of Russia but also it stressed the need for an implementation of the cooperation between the parties. With the Second Chechnya war in 1999, the relations gradually deteriorated. On August 1999, a group of Chechen fighters invaded Dagestan. Russian offensive started with a series of bomb attack over Chechnya and second phases of Russian troops invasion. The offensive was rapid and violence with an indiscriminate use of weapons and air strikes. It is important to highlight that, at the beginning, the EU position was in favour of Russia declaring the recognition of the territorial integration⁶⁸. Nevertheless, the EU started to have a critical position on Russian

⁶⁸ For this section, see also Haukkala H., *The EU- Russia Strategic Partnership*, Oxon, Routledge, 2010

actions due to the massive air strikes that caused the killing of civilian, including women and children, and the hundreds of wounded. On the contrary, Russian position was clear, the Chechen invasion was considered as threat for national integrity and security and the military action was the only measure to overcome the aggression even without the approval of the international system⁶⁹. In a speech in July 2000, Putin made clear his intention, he declared,

“The independence of our foreign policy is in no doubt. [...]These are attempts to infringe on the sovereign rights of nations in the guise of “humanitarian” operations, or as they say nowadays, “humanitarian” intervention, and difficulties in finding a common language in issues which represent a regional or international threat. Thus, in the conditions of a new type of external aggression – international terrorism and the direct attempt to bring this threat into the country – Russia has met with a systematic challenge to its state sovereignty and territorial integrity, and found itself face to face with forces that strive towards a geopolitical reorganization of the world. Our efforts to save Russia from this danger are often interpreted in a subjective and biased manner, and serve as the occasion for various types of speculation. An important area of foreign policy activity should be ensuring objective perception of Russia. Reliable information on the events in our country is a question of its reputation and national security”.

The tension escalated with the assault of Grozny when Russian army besieged the city for months. The EU strongly condemned its action and decided to put in place sanctions against Russia. For example, the General Affair Council suspended the negotiation on the Science and Technology Agreement and the reduction of the Tacis Fund for the democratization and modernisation of Russian society, and also the Commission decided to suspend the food aid for one year. In the end, the sanctions appeared ineffective and symbolic⁷⁰. The reason can be found in two main points.

⁶⁹ See, for example, Richard Sakwa, *Russian Politics and Society*, London, Routledge 2008

⁷⁰ See also Haukkala H., *The EU- Russia Strategic Partnership*, Oxon, Routledge, 2010

First, most of the member states were reluctant to take a position against Russia and second, the EU had not the necessary capabilities to counteract the Kremlin. On March, the EU presented its official position on Chechen question asking for the ceasefire, setting a political dialogue with the opposition in order to secure a peaceful settlement and for the humanitarian assistance in the territory⁷¹. Even if the division increased until the end of the conflict, Russia tried to re-establish the relation with the EU declaring the importance of the partnership. At the 2000 EU-Russian Summit in Moscow, it was emphasized,

“Our intention to continue making an effective use of the Partnership and Cooperation Agreement (PCA), as well as of the Russian Medium-term Strategy for Development of Relations with the European Union and the EU Common Strategy on Russia, in order to contribute to security and stability in Europe, develop trade and investment and strengthen a society based on respect for democratic principles and human rights”.

On 2003, the two parties agreed to develop the cooperation through the creation of “Common Spaces”. The aim was to improve the policies on economy and environment, freedom, security and justice, external security and research and education in the framework of the PCA. As far as the economic and environment area is concerned, it was decided to promote an open and integrated market harmonizing the regulations and setting common standards in order to facilitate and consolidate the cooperation. As regard the freedom, security and justice space, it was stress the need to develop the values of democracy, rule of law, respect of human rights and protection of minorities. Moreover, it was established a EU-Russian Consultation on human rights issues in order to foster the dialogue between Russia and the International organization. With regard to external security, it was agreed to refine common goal on the fighting against organised crime, terrorism and all kind of illegal activities. Finally, the research and education field was seen as an instrument

⁷¹ On this position, see also Haukkala H., *The EU- Russia Strategic Partnership*, Oxon, Routledge, 2010

to link European and Russian people. The aim was to promote the competitiveness, to encourage the innovation, technologies and research, to harmonization the education system in order to facilitate the mobility and the access at the higher education institution such as Universities. Many scholars have criticized the adoption of the Common Spaces arguing, on one side, the lack of concreteness and, on the other side, the absence of political relevance and clearness⁷². However, the agreement was the result of a long phase of negotiation and compromise between the two countries. A strong division has characterized the period in the aftermath of the adoption of the four Common Spaces. The Eastern Enlargement, the Orange Revolution and the Georgian War in 2008 changed the course of the relationship growing the disagreement between the Kremlin and the EU institution. Despite the tension, both countries agreed to improve the cooperation with the ratification of the “Partnership for Modernisation” (P4M) after the EU-Russia Summit in Rostov-on-Don in 2010. The agreement provided a series of reforms in particular, in economic and judicial terms. The aim was to give a useful support to the society “in a changing multipolar world” in order to “common challenges with a balanced and result-oriented approach, based on democracy and the rule of law, both at the national and international level” (Joint Statement on the Partnership for Modernisation, 2010). It is clear that the motivation for the P4M was only a bracket in the agitation of the relations that increased considerably with the Ukraine Crisis. Hirski Haukkala argues that the Ukraine conflict represents “the culmination of a long-term Crisis in EU–Russia Relations”⁷³.

⁷² This argument is developed further in the studies of Katinka Barysch (2006) and Michael Emerson (2005).

⁷³ Haukkala, H. *From Cooperative to Contested Europe? The Conflict in Ukraine as a Culmination of a Long-Term Crisis in EU-Russia Relations*, Journal of Contemporary European Studies, 2015, p.33

The 2010 election: Tymoshenko or Yanukovych?

The Orange Revolution and the following Yushchenko administration did not lead to desired results. The continuing energy crisis with Russia, parliamentary gridlock and, last but not the least, the growing tension with the Prime Minister Tymoshenko heavily affected Yushchenko domestic policy. In particular, Tymoshenko was in favour of a fast process of privatization; on the contrary Yushchenko opted for cautious measures in light of possible disputes with oligarchs and entrepreneurs. In 2005, the President decided to replace the Prime Minister with Jurij Echanurov, a confidence person of Yushchenko, without bringing any changes or progress in domestic policies. Even though 2006 parliamentary election confirmed the pro-Western orientation, the Party of Regions⁷⁴ and his leader Yanukovych were able to pick up 32.14% of votes and 186 (out of 450) seats in the *Verkhovna Rada*⁷⁵ and, in few months, he was appointed Prime Minister. It is worth noting that the party became the largest group in Parliament, Yulia Tymoshenko's bloc came the second and President Yushchenko bloc unexpectedly came in third position. The relationship between Yushchenko and Yanukovych was harder than the previous one and last only until 2007 when Tymoshenko replaced him. In December 2008, Ukraine had to face another energy war with Russia mainly due to a price disputes between the two Parties. Russian government declared that Ukraine was stealing gas allocated for European countries. As a result, Russia cut gas deliveries leaving millions of people without heating during winter 2008-2009. A deal was reached only in the end of January 2009 when Ukraine agreed on new prices and payment in advance the gas

⁷⁴ The "Party of Regions" was founded in 2000 from the union of the Party of Regional Revival, For Beautiful Ukraine, the All-Ukrainian Party of Pensioners, the Party of Labour, and the Party of Solidarity of Ukraine. The party aimed to giving voice to the regions (especially in the East and South part of the Country), was in favour of a closer relations with Russia as well as the recognition of the Russian language as second state language and against NATO membership.

⁷⁵ Election results are available at the website of Razumkov Centre website (<http://old.razumkov.org.ua/eng/index.php>)

supply in case of another missing payment. “According to the deal, Kiev will pay 20% less for Russian gas than the European market price, or around \$450 per 1,000 cubic metres. Meanwhile, Russia said it will continue to pay \$1.7 per 1,000 cubic metres for each 100 kilometres of gas transited via the Ukrainian pipeline system”⁷⁶. During the following years and especially after the 2009 economic and financial crisis, Yanukovych and the Party of Regions gained strong popular support, at regional and national level, becoming a sustainable candidate for the 2010 Presidential elections. During the campaign, he promoted modernization and political and economic stability. His programme was focused on government inability (Tymoshenko and Yushchenko) to tackle the crisis and, through the slogans “*Ukraine for the people*” and “*I listen to everyone*” personifying the candidate able to understand population need and to translate them into stability and reforms. At the same time, he did not intentionally mentioned party’s closer relation with Russia and emphasized the possibility of partnership with the EU. It is clear that it was a “political manoeuvre” in order to attract the Western electorate. On the other hand, Tymoshenko, leader of the Fatherland Party, concentrated the attention on her successful prime minister outlining her capacity to manage IMF funds and implement comprehensive reforms during the crisis. She also highlighted her effort to fight the corruption in the 2004 election campaign (Yanukovych), the following Orange Revolution and during her premiership. In addition to them, Yushchenko announced plan to get himself re-elected and build his campaign on the victory of the 2004 elections emphasizing the national character of his party and democratization progress made in the past years. Out of eighteen different candidates⁷⁷, on the second round, the election was mainly concentrated on the rivalry of Tymoshenko and

⁷⁶ Euractiv, *Pipeline politics? Russia and the EU’s battle for energy*, 2011, available at <http://www.euractiv.com/section/energy/linksdossier/pipeline-politics-russia-and-the-eu-s-battle-for-energy/#ea-accordion-background>

⁷⁷ Among them Volodymyr Lytvyn, Speaker of the parliament and leader of the Lytvyn Bloc, Petro Symonenko leader of the Communist Party, Serhiy Tihipko, the former head of the national bank, and Arseniy Yatseniuk, the former Minister of Foreign Affairs.

Yanukovych. Overall, the OSCE/ODIHR Election Observation Mission Final Report analysed the campaign as “free and calm atmosphere respecting civil and political rights” demonstrating a continuum of the tendency post-Orange Revolution. In the first round held on the 17th January 2010, Tymoshenko obtained the 25.05% and Yanukovych the 35,32 % of the vote while in the second round held on the 29th January 2010 on the he won with the 48,95 % of the vote over 45,47 % in favour of Tymoshenko⁷⁸. As expected, Yanukovych support was mainly from the south and the east of the Ukraine whereas Tymoshenko mostly in the Western part of Ukraine. However, Tymoshenko accused him of fraud and did not accept the results asking the court to rule over it. In the end, the vote was not invalidated and the Central Election Commission (CEC) announced the appointment of Yanukovych as new President of Ukraine. One of the major concerns of the new President was the 2004 constitutional reform that increased the power of the Parliament and the Prime Minister and at the same time decreased the power of the President. Thanks to a weak constitutional court, it was approved the restoration of the 1996 constitution and a gradual empowerment of the executive compared to the legislative branch. Moreover, he promoted a reform of the judicial system declaring that it was “one of the key [reforms] in the process of the country’s modernization, the people’s trust in the government, the realization of the principle of the supremacy of law, effective state government, a stable investment climate and sustainable economic development depend on it”⁷⁹. It is clear that the reform aimed to reduce judicial independence and put a presidential control over the branch. In an article for Carnegie Europe (2011), the researcher Olga Shumylo-Tapiola declared, “his goal appears to be that of creating a system that will allow him and his network of oligarchs to gain and consolidate control over Ukraine and its assets”. Thus, he gradually gave power to

⁷⁸ Election results are available at the website of the Central Electoral Commission (<http://www.cvk.gov.ua/>).

⁷⁹ Reuters, 2010, Policies of Ukraine’s election frontrunners, Available at <http://www.reuters.com/article/us-ukraine-election-policiesidUSTRE6160K220100207>

the Party of Regions appointing member in the executive branch such as the appointment of Mykola Azarov as Prime Minister⁸⁰ and the close friend Viktor Pshonka as Prosecutor General. In addition, he moved towards a massive “securitisation of the regime” appointing people close to the party to the Security Services of Ukraine, the Prosecutor General, the Council of National Defence and Security and the Ministry of Interior. As Taras Kuzio pointed out,

“Those that are believed to have ‘betrayed’ Yanukovych, such as Kuchma in 2004 (see later), or dealt a serious blow to the Party of Regions financing from the ‘gas lobby’ through the removal of the RosUkrEnergo gas intermediary in the 2009 Ukrainian-Russian gas contract with Russia, such as Yulia Tymoshenko, are placed on trial. Western governments and international organizations and NGO’s have repeatedly condemned ‘selective use of justice’ by the Yanukovych administration against the opposition” (Kuzio, 2011: 222).

In this way, he was able to control the executive system, judicial system and the related agencies. As far as the foreign policy is concerned, he decided to pursue both way, the Russian one and the European one. He declared,

“As president I will endeavour to build a bridge between both, not a one-way street in either direction. We are a nation with a European identity, but we have historic cultural and economic ties to Russia as well. The re-establishment of the relations with the Russian Federation is consistent with our European ambitions. We will rebuild relations with Moscow as a strategic economic partner. There is no reason that good relations with all our neighbours cannot be achieved. [...] We can benefit from both” (Yanukovych, 2010).

⁸⁰ Mykola Azarov was born in 1947 in Russia. After graduated in Geology at the Moscow State University (1971), he started his career in a coal enterprise in Russia where he consolidated his professional position. In 1994 he became member of the Ukrainian Parliament and head of the State Tax Administration, one of the most corrupted agency in Ukraine. Thanks to his work, he became close to Kuchma and Yanukovych and influent in the Party of Regions.

In the framework of the European integration, he appointed the oligarch Andriy Kluyev⁸¹ as the main actor in charge for the EU negotiations. The EU-Ukraine Association Agreement is a bilateral initiative launched in March 2007, where it was agreed for the implementation of an accession process. The negotiation started in 2008 with the Deep and Comprehensive Free Trade Area (DCFTA) as a tool to modernize the country through the implementation of gradual packages of reforms. To be more precise, it offers beneficial to both countries, on one hand it provided tariff liberalization for Ukraine, and on the other hand full access to Ukrainian market for the EU. In 2010, Yulia Tymoshenko was accused of abuse of power and high treason during the negotiation with Russia for gas signed in 2009. In particular, she was charged with having accepted money from Russia and doing so she would have been only supported her private interest. The evidence indicated that she would have been asked a lower price for Ukraine instead of what the deal provided. In 2011, she was recognised guilty and sent to prison for seven years. The Western Countries and many international organisations strongly opposed to the decision declaring that the trial “did not respect international standards as regards fair, transparent and independent legal processes”⁸². In order to reinforce the statement, the EU decided to put a democratic and political conditionality transforming Tymoshenko case as the only way to achieve the Association Agreement. In a series of statements, the EU continued demanding the President to give pardon to Tymoshenko, for example the Vice President of the European People's Party (EPP) in charge of the Eastern Neighbourhood, Jacek Saryusz-Wolski “On behalf of EPP, I fully support the request of the European Parliament's envoys that was submitted

⁸¹ At the time, Andriy Kluyev was also first Deputy Prime Minister. Later he became the Head of the National Security and Defence Council, “the co-ordinating body to the President of Ukraine on the issues of national security and defence” (Art. 107 of the Constitution of Ukraine).

⁸² Joint Statement by EU High Representative, Catherine Ashton, and Commissioner Stefan Füle on the judgement by Ukraine’s Higher Specialized Court for Civil and Criminal Cases in the case of Yulia Tymoshenko, 2012

yesterday to the Ukrainian President, to pardon ex-prime minister and leader of the opposition Yulia Tymoshenko”. To some extent, Tymoshenko case was perceived as a political process becoming also the scapegoat of the failure of EU integration; to put in another way, if the government would not released Tymoshenko, the EU would not proceed in his commitment “to spread democracy, rule of law and respect of human rights in Ukraine”.

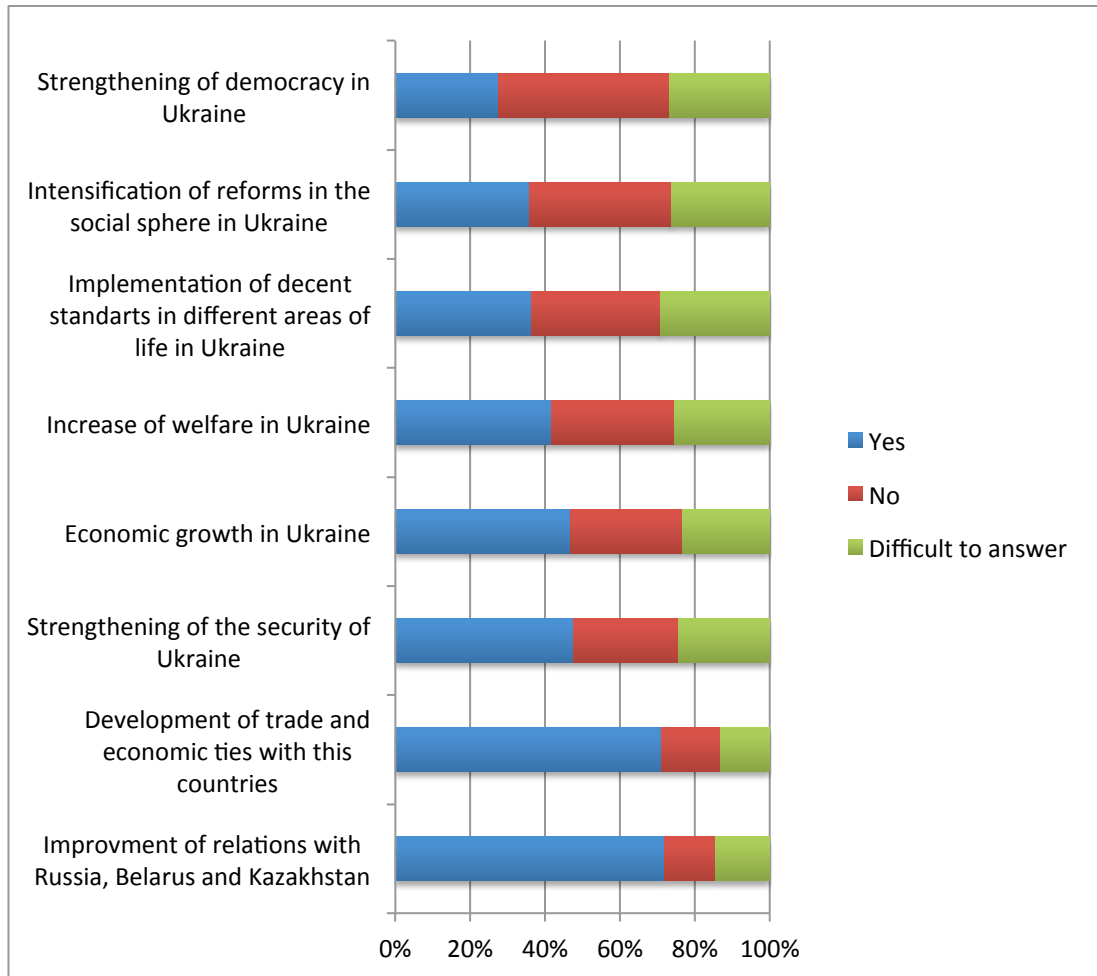
Russia’s plan toward Eurasian Regime

With the frozen relations with the European Union, Yanukovich opted for a re-consolidation of ties with Putin recognizing the strategically interest for both countries. In order to strengthen his credibility, Yanukovich opted three main measures. First, the government decided to not proceed for NATO membership. Second, the Parliamentary recognition of “Russian” as a regional language and the possibility to speak it in schools and other public places For the first time it was recognized the Russian not only as a language minority but also as second official language particular important for the 30% Russian-speaking Ukrainians and the 22% Russians. And third, in April 2010, it was signed the so-called “Kharkiv Accord” with Russia. The agreement was intended to extend the lease of the Sevastopol Naval Fleet (until 2024) in exchange of a decreased in the price of oil. Although Ukraine received a discount price (around the 30 %), it was argued that the agreement was totally in favour of Russia showing the weakness of Ukraine in negotiations and Russian’s dominant positions. In his analysis, Tsygankov wrote “the Kremlin also wanted to defend its security interests by keeping the country (Ukraine) out of NATO and protecting Russia’s old historical and cultural ties with its neighbour” (Tsygankov, 2014: 281). Thus, Putin’s project aimed to create a Eurasian Custom Union with Belarus, Kazakhstan and Ukraine, the three main Russian countries of interests. To be more precise, Ukraine would benefit of \$6-9 billion per year for the economic cooperation plus extended concession on the energy sector with particular

reference to a reduction of gas price, removal of export duties and increasing of sectoral cooperation. In exchange, Ukraine would renounce to pursue the integration with the EU. “The Eurasian Union was not only not strictly an economic arrangements, but also an alternative means of defending sovereignty and national unit from political encroachment by the EU” (Tsygankov, 2015: 291). For this reason, Putin conducted an envious campaign against the Association Agreement and the Deep and Comprehensive Free Trade Area (DCFTA). According to his position, Ukraine would broadly lose his sovereignty due to his weak position compared to other European countries (especially compared to Germany and France) and he estimated that, under the DCFTA, only the EU would benefit the deal with an increasing in the import in the country underling the weak position of Ukraine. On the contrary, the DCFTA would provide extensive access to the European and global market through Ukrainian standardization and harmonization to EU rules. In the end, it is estimated that the agreement would bring “new potential suppliers, service providers and outsourcing opportunities; interesting investment opportunities and increased demand in Ukraine for EU products and services in the future” (European Commission). It worth to be noted that the Customs Union was initially created in 2010 with Russia, Belarus and Kazakhstan and only later Putin invite Ukraine to join it. The agreement became operative two years later, in 2013. During this period, several opinion polls have been conducted, in particular, in one survey promoted by Razumkov Centre, it was asked to the population, “*What do you expect from Ukraine's accession to the Customs Union of Russia, Belarus and Kazakhstan?*”. In particular, it was requested to respond to five set of questions: “improvement of relations with Russia, Belarus and Kazakhstan, development of trade and economic ties with this countries, strengthening of the security, economic growth, increase of welfare, intensification of reforms in social sphere and strengthening democracy of Ukraine” (See Table 2). The data shows that the population agreed that the Customs Union would lead to renovation of relations with Russia, Belarus and Kazakhstan and development of trade and economic ties with this countries (respectively the 71,8

% and the 71,1 %) but, at the same time, seems skeptical in making progress in terms of economic growth, security and consolidation of democracy.

Table 2: Source Razumkov Centre



However, in spring 2011, Yanukovych decided to not proceed with the Eurasian Customs Union due to the binding nature of the agreements. In the case of integration with Eurasian Countries, Ukraine would formally renounce to the EU and the Association Agreement and the European countries still represent a big source of

opportunities for the diversification and the qualification of the Country. At the same time, the government estimated that the harmonisation with the Customs Union would not bring the results desired; on the contrary, it would lead to expensive measures both in terms of economic, trade and social system. Despite Yanukovich rejection to the Customs Union, the government declared that it would continue the relations with Russian and the CIS passing through multilateral Free Trade Area agreement (FTA). In contrast to the previous agreement, this one provided a list of reforms, possibility for more reduction of prices and most important a mechanism for avoiding discriminatory treatment during disputes between countries. Initially, Putin did not approve for the signing of the multilateral agreement⁸³ and only a few months later, after EU decision to delay the ratification of the Association Agreement⁸⁴, he decided to start the process. The major problem with the FTA was Russian request to an additional provisions that aimed “to revert to less favourable tariffs, namely the MFN regime, if a signatory state concluded an agreement which resulted in higher volumes of imports from that country to an extent that caused harm or danger of harm to an industry of the Customs Union” (Dragneva and Wolczuk, 2015: 76). To put in another way, in case of Ukrainian ratification of DFCTA, any of the countries of the Customs Union would be allowed to go back to the previous tariffs rate. It is clear that it was a manoeuvre of pressure to push away Ukraine from European influence. The question is “is it possible for Ukraine to pursue both the Association Agreement with the EU and the Customs Unions with CIS?” In the case of the EU, it was never asked to Ukraine to choose between the Association Agreement and the Customs Union, one thing did not rule out the other. This means that Ukraine could negotiate for both agreements; the only exception is for the provision explicitly made from Russian government. However, in October 2013, one month before the EU

⁸³ Many scholars argued that the Putin did not immediately approve the Multilateral FTA as a consequence of Ukrainian decision to not ratify the Customs Union. On this position, see also Dragneva (2015) and Wolczuk (2015).

⁸⁴ The decision for the delay was mainly caused by Tymoshenko case and the government decision to not give her pardon.

Summit in Vilnius where Yanukovich should have signed the new agreement with the EU, Putin gave \$15 billion in aid and a further reduction on energy price. As a result, during the Summit Ukraine declared to postpone the Association Agreement with the EU. After the failure of the Vilnius Summit (2013), the President of the European Commission Barroso stated,

“During our summit, today and yesterday we have reiterated to Ukraine that the offer to sign these Agreements remains on the table provided the government of Ukraine delivers on its commitments. [...] Because this partnership was from the very outset based on the key principles of mutual respect, transparency, individual and collective ownership. This Partnership was never an imposition, but rather a proposition”.

It is clear that the decision caught unprepared the EU and all the Western Countries. The EU had failed in the negotiating process underestimating Russian influence and political commitment on Ukraine and missing the condition to put in place the purpose. The event in the aftermath of the Summit changed the game showing that the conflict was not only the expression of the rivalry between Ukraine, Russia and the EU, but was mostly the intoxication of the relations among the Countries.

Chapter 4

The EuroMaidan

The last chapter “the EuroMaidan” aims to draw the consequences of Yanukovich’s decision in light of the recent crisis. It is clear that the conflict was not only the expression of the discontent or rivalry, but was also the result of intoxication of the relation between Russia and Ukraine but also between Russia and European Union. One month before the EU Summit in Vilnius (October 2013), Putin gave \$15 billion in aid and agreed to expand the discount on the energy prices; it needs to be noted that the timing was crucial because Putin was able to influence Yanukovich’s choice in his favour. As a result of Russian pressure, Ukraine declared to suspend the Association Agreement with the EU instead of pursuing with its final signature. To justify its position, he underlined that the government needed more time to analyse the political and economic implication especially in terms of Ukraine-Russian relations⁸⁵. Hirski Haukkala argued that the Ukraine crisis” did not come out of the blue. On the contrary, it can be seen as one that has been in gestation for years and was bound to come to a head eventually”⁸⁶. After 25 years, the European order was again called into question. The Ukrainian crisis showed the fragility and inability of the Countries to manage the situation. The West on one side, Russia on the other side; both wanted to impose their own order.

⁸⁵ On the latter, see also Wolczuk K., Dragneva-Lewers R., *Ukraine between the EU and Russia: The Integration Challenge*, Palgrave Pivot, 2015

⁸⁶ Haukkala, H., *A Perfect Storm; Or What Went Wrong and What Went Right for the EU in Ukraine*, *Europe-Asia Studies*, Vol. 68, no. 4, 2016, p. 653

The EuroMaidan and the following events represented one of the biggest crises in Europe after the disintegration of the USSR. In October 2013, the Ukrainian government fell into the Russian trap leaving the country in a prolonged uncertainty and profound bitterness. At the same time, the EU seemed to be unprepared to Yanukovich statement refusing to opt to “any last-minute bargaining”⁸⁷. The fact that the EU did not push for further negotiation or detailed explanation for the unexpected Ukrainian position, it was not only the result of a “low priority interest” but it demonstrated that EU did not understand the course of event and, in doing so, gave the impression of a lack on strategy. A millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the government accusing it to be corrupted (29-30 November 2013). In response to the protest, the parliament adopted a package of new law in order to repress it. It is noteworthy that Ukrainians do not usually get involved in the political process especially in the case of foreign policy but for the second time⁸⁸ since the independence, the population invoked their right to be citizens. In few weeks, the crisis suddenly escalated in violence events between the police and the demonstrators like the one in February 2014 that causes the dead of 90 people. The unique moment of hope was the realised from jail of Yulia Tymoshenko on 22nd February; the previous Prime Minister immediately reached the crowd and express her support encouraging people to continue the fight. With the Parliament approval to dismiss the President and call new election in May, Yanukovich escaped to Russia and left the country into the chaos.

⁸⁷ On this position, see also Wolczuk K., Dragneva-Lewers R., *Ukraine between the EU and Russia: The Integration Challenge*, Palgrave Pivot, 2015

⁸⁸ See, Chapter 2, *The Orange Revolution: is it the time for a change?*



Figure 3 Crimea Annexation Source: BBC

Immediately after, Russian militant started to appear in Crimea territory and Kremlin approved Putin's request for the protection of minority through a military action in the area⁸⁹. Therefore, Russia called for a referendum in the region where it was asked to the population if they wanted to be annex to Russian Federation or if they preferred to restore the 1992 constitution in which Crimea was recognized as an independent state. The results agreed for the annexation of Crimea territory and Sevastopol with the 96,77 % of the votes (See Figure 3). It is interesting to note that the referendum did not provide the option for stay in Ukraine; this means that Putin's project had only one possible outcome that is the restoration of Russian border in the region. In the speech held in 18th March 2014, Vladimir Putin declared,

“Those who opposed the coup were immediately threatened with repression. Naturally, the first in line here was Crimea, the Russian-speaking Crimea. In view of this, the residents of Crimea and Sevastopol turned to Russia for help in defending their rights and lives, in preventing the events that were unfolding and are still underway in Kiev, Donetsk, Kharkov and other Ukrainian cities. Naturally, we could not leave this plea unheeded; we could not abandon Crimea and its residents in distress. This would have been betrayal on our part”.

The speech had clearly securitized the question in Ukraine; he said very bluntly that Russia has been called “in defending their rights and lives” and “in preventing risky events in the Country”⁹⁰. It is clear that Ukraine was an instrument to reach his goal to demonstrate to his historical counterpart, the West, that “Russia is an independent, active participant in international affairs; like other countries, it has its own national

⁸⁹ It is important to highlight that, between the 22nd and 26th February, the Ukrainian Parliament ruled over the banning of Russian as a second language giving to Putin a reason to interfere in the conflict. In his Crimean speech, he didn't forget to mention that, “The new so-called authorities began by introducing a draft law to revise the language policy, which was a direct infringement on the rights of ethnic minorities” (Putin, 2014).

⁹⁰ Putin, V., “*Address by the President of Russian Federation*”, 2014 Available at: <http://en.kremlin.ru/events/president/news/20603>

interests that need to be taken into account and respected”⁹¹. In practice, it is possible to affirm that Russian government shaped the event and acted in the name of the protection of minorities present in Ukraine. Many authors argued that Kremlin’s project went beyond the annexation of Crimea or the threat⁹²; the aim was probably the restoration of the Russian spheres of influences and its power in the European and international system. What consequences brought the incorporation of Crimea? For Ukraine, the loss of the territory brought significant economic repercussion as well as in security and military terms. In particular, Crimea is a crucial region in the mining and energy sector; a study conducted by NATO has estimated that between 4-13 trillion cm of natural gas came from Crimea⁹³. At the same time, the territory is also dependent from Ukraine especially in agricultural sector and water supplies. For the European Union, it meant the questioning of European order. For decades, the EU represented a model to which one should aspire, characterized by a “system of mutual interference in each other’s domestic affairs and security based on openness and transparency”⁹⁴. To put in another way, this system did not encourage the use of force or political threat but it promoted the instauration of dialogue between countries. To some extent, Russian intervention was unexpected and undermined European foreign policy towards Eastern Europe, namely Eastern Enlargement. Consequently, the European Union, and also USA, started to implement sanctions against Russia. The measures included the suspension of the talks for a new EU-Russia agreement and cooperation programmes and a series of economic sanctions such as the embargo on import and export from/to Russia and prohibition of

⁹¹ *Ibidem*

⁹² For this section, see also the interpretation of Dragneva & Wolczuk (2015), Wilson (2015) and Haukkala (2015).

⁹³ NATO Review, *The energy dimensions of Russia’s annexation of Crimea*, 2013 <http://www.nato.int/docu/review/2014/nato-energy-security-running-on-empty/Ukraine-energy-independence-gas-dependence-on-Russia/EN/index.htm>

⁹⁴ Krastev, I., Leonard M., *The new European Disorder*, European Council on Foreign Relations, 2014, p. 2

investment. At the same time, Russia banned a series of products mainly from the EU Member States, USA, Canada and Russia. For Russia, the expansion on Crimea was not only a success in terms of defence of interest getting Ukraine away from the EU influence but was also the cause of isolation and financial costs, mostly due to the sanctions. After March, Russian propaganda moved towards the other ethnic-Russian and Russian-speaking population present in the territory claiming the restoration of the “*Novorossiya*”. This term refers to the territory of Kharkov, Luhansk, Donetsk, Kherson, Nikolayev and Odessa that was conquered by Russian Tsarist in the 18th century⁹⁵. To put in another way, Putin wanted to emphasize Russian belonging in the area hoping to gather the population against Ukrainian government. Consequently, a group of separatists decided to create the Donetsk People’s Republic (DPR) and the Luhansk People’s Republic (LPR) starting to expand their control in the neighbour area. As a result of the intensification of the fighting, the official government was forced to launch a military intervention in April. In May, leaders from Ukraine, Russia, the United States and the European Union started a diplomatic consultation in order to prevent further military actions in the occupied territory. However, the killing of 27 soldiers plunged the hostilities again. In the meantime, Petro Poroshenko won presidential election with the 54,7 % opening the talk for a future Association Agreement with the EU⁹⁶. It is noteworthy that Poroshenko obtained the majority in all the regions of the country, except for Crimea and some occupied districts where the voting did not take place,⁹⁷ demonstrating that the

⁹⁵ During an interview with the Washington Post, Putin declared, “I would like to remind you that what was called Novorossiya (New Russia) back in the tsarist days – Kharkov, Luhansk, Donetsk, Kherson, Nikolayev and Odessa – were not part of Ukraine back then. These territories were given to Ukraine in the 1920s by the Soviet government. Why? Who knows. They were won by Potemkin and Catherine the Great in a series of well-known wars. The centre of that territory was Novorossiysk, so the region is called Novorossiya. Russia lost these territories for various reasons, but the people remained” (Putin, 2014).

⁹⁶ Election results are available at the website of the Central Electoral Commission (<http://www.cvk.gov.ua/>).

⁹⁷ For an explanation of this issue, see also Wilson, A. (edited), *Protecting the European Choice*, European Council on Foreign Relations (ECFR), 2014

population was not divided as Russian predicted. In other words, the division is in political and civic term rather than in ethnic linguistic term, this division can also be expressed with Riabchuk's (2015) idea of "two Ukraines".. Petro Oleksiyovych Poroshenko was born in Bolhrad, in Odessa Region, in 1965. After a graduation in International Relations and Law and a post-graduation in International Economic at the Taras Shevchenko National University in Kiev, he became Chief Executive Officer of the group corporation "*Ukrprominvest*". In 1996, he founded his own corporation "Roshen", a confectionary manufacturing group that became one of the largest in the world. In 1998 he started his political career when he was elected in the Ukrainian Parliament and he created his political party "Solidarity"⁹⁸ in 2000. After 1998, he was in charge of several institutional positions such as the Secretary of the National Security and Defence Council (2005) and Minister of Foreign Affairs (2009-2010) and Minister of Economic Development and Trade (2012). During the EuroMaidan, the party and Poroshenko became the voice of population's fatigue and at the same time the push to the jump into a new future for the country. Thanks to the support of various Maidan forces⁹⁹, he became a valid candidate for the presidential election even if his business interest could be a potential political threat (Wilson, 2014). During the his first speech (May 2014), Poroshenko underlined,

"Ukraine's European choice is the heart of our national ideal. This is the choice our ancestors and oracles have made. And what should we do, in order to live freely, live in prosperity, live in peace and security? All of this is written in the agreement for political association and the free trade zone with the European Union. [...] We are a people that were torn away from its big Motherland – Europe – and we are returning to it. Finally and irreversibly".

⁹⁸ The party is an independent liberal party founded by Poroshenko in 2000, then transformed into the Bloc of Petro Poroshenko. The main purpose is to encourage citizens' responsibility through a mechanism of public control of institutions. Moreover, it emphasized the need of an improvement of government-parliament relations and decentralization of power in order to make more efficient the government.

⁹⁹ To name just some examples: the Maidan Public Council, the Maidan All-Ukrainian Union, the Civic Sector of Maidan and the Reanimation Package of Reforms.

It is important to highlight that he switched language from Ukrainian to Russian aiming to personifying the president of all the people “from Lviv to Donetsk, from Chernihiv to Sevastopol”¹⁰⁰. In addition, he made clear his will to fight against Russian invasion in Crimea outlying that “was, is, and will be Ukrainian”¹⁰¹. One of his first commitments was go back to the constitutional reforms of 2004 in order to curtail presidential power. Moreover, he put in place three more constitutional amendments, one for the clarification of the separation of powers, the second one to make easier the presidential impeachment and the third one to give the power to the Parliament to call the state emergency (June 2014). Moreover, the government had to implement extensive anti-terrorists measures in order to prevent and punish acts of violence. Thus, the national service was restored and the army was integrated volunteers forces. In order to avoid military corruption, the Security Service of Ukraine (SBU) was largely downsized due to the previous connection with Yanukovych’s circle. With the tragedy of the Malaysian airlines, the relations between Russia and Ukraine became harsher. The MH17 flight from Amsterdam Schiphol supposed to arrive at Kuala Lumpur International Airport but during the overflight of Ukraine it disappeared from the radar and then crashed in Donetsk area causing the death of 283 passengers, including 80 children, and 15 crewmembers. The investigation revealed that a Russian-made missile hit the plane and it was agreed that it was probably shot by the Russian separatists that controlled the area. Of course, Putin rejected the accusation stating that there was no involvement neither Russian army nor Russian military industry. As a consequence, the EU and USA decided to reinforce the sanctions against Russia and Ukraine strengthen the Anti-terrorists Operations (ATO) in the oblast. In September, the Ukrainian government signed a peace plans between with Russia under the support of the OSCE. The

¹⁰⁰ Poroshenko, P., “Inaugural Speech”, 2014, available at <http://euromaidanpress.com/2014/06/07/petro-poroshenkos-speech-at-the-inauguration-full-text/>

¹⁰¹ *Ibidem*

Minsk-1 aimed to provide an immediately ceasefire and elections under Ukrainian law in the region. Moreover, it was decided to leave the control to a part of Donetsk and Luhansk to the separatists giving a special status to the eastern regions. In order to ensure the implementation of the agreement, it was formed the Trilateral Contact Group with the representatives of Ukraine, Russian Federation and the person in charge in OSCE. Unfortunately, separatist repeatedly violated it committing violent actions especially in key locations such as the airport. In the Parliamentary election held in October, citizens elected the delegates for five years of terms expressing again their will to reform the country. To be more precise, the Petro Poroshenko bloc obtained 133 seats, the right wing of Yatsenyuk's People's front 81 seats, the Opposition bloc 29, the centre-wing of Self-Reliance took 33 seats, the Radical party 22 and the Fatherland 19 seats. Of course, the parliamentary elections did not happen in Crimea and in the occupied area where the population had their own elections outside the Ukrainian Law. On 12th February 2015, after one year since the beginning of the crisis, the leaders of Germany, France, Russia and Ukraine agreed to put an end in the fighting in Eastern Ukraine with the so-called Minsk-2 accord. The negotiation last 16 hours and was signed by pro-Russian separatists. The new measures included a ceasefire in particular districts of Donetsk and Luhansk Oblasts of Ukraine, release of the hostages and prisoners, a massive removal of heavy weapons and monitoring and assistance of the OSCE with the support of the Trilateral Contact Group. In return, Ukraine would recognize a special status to a part of Donetsk and Luhansk. As a consequence, the Parliament adopted a new legislation to the separatist area starting at the same time the talk for decentralization of the system. However, the Minsk-2 did not ensure the end of hostilities mainly due to his fragile nature. Hostilities intensified in the Debaltseve area where the separatists forced the government army to retreat from the area after a harsh battle causing the death of 22 soldiers and more than 150 wounded. In this climate of tension, Ukraine was able to reconnect with the EU opening again the talk for the signing of the Deep and Comprehensive Free Trade Area (DCFTA). The agreement was supposed to be signed in June 2014 but due to Russian concerns it was again postponed providing

only provisional application of the norm. The main reason behind was mainly due to possible consequences for Russian and CIS market especially related to the product from the EU and the exporting goods. In particular, Ukraine will be obliged to harmonize the production to the EU standards that would be potentially in breach with Russian model. Once again Russia was able to interfere in Ukraine-EU relations demonstrating EU incapability to go straight to the point. In this regard, Russia pushed for the realization of a federal system in Ukraine that would allow better control the East part of the country. Since Ukraine rejected this option, Poroshenko promoted a decentralization of power that would guarantee the development of democracy through the engagement of territorial communities. On 27th June 2014, the Association agreement was finally ratified making the first formal step for the membership. Finally, on October 2016, the EU adopted a new deal under which Ukrainian are allowed to enter in the Union with faster visa requirement. As underlined by the MEP Agustín Díaz de Mera, “the changes agreed provide flexibility for the rapid activation of the suspension mechanism” and it “will facilitate the immediate consideration of the two visa liberalization proposals for Georgia and Ukraine”. The High Representative/Vice-President, Federica Mogherini recently declared,

"Ukraine has taken big steps in the last two years, under very difficult circumstances, not least the conflict in eastern Ukraine and the illegal annexation of Crimea and Sevastopol. Today's report fully recognises this work done by the Ukrainian authorities. It is now crucial to move from passing legislation and setting up institutions to full implementation of these reforms so that Ukrainian citizens can reap the benefits. Ukraine can count on the European Union's support moving forward”.

On 1st January the Deep and Comprehensive Free Trade Area became operational signing, maybe, the start of a new era for Ukraine-EU Relations.

Conclusion

In conclusion, my work aimed to analyse Ukrainian crisis emphasizing the consequences of the non-2004 eligibility in the European Union enlargement. Ukraine is an important case study that offers the opportunity to study the integration in between Russian and the European Union. Moreover, it is the largest and most strategically among the Eastern Neighbour countries and, for this reason, is the most contentious case for the EU. Starting with the first chapter “Ukraine between the EU and Russia”, the work attempted to explore the origins of Ukraine in the framework of the relations between Europe and Russia. The point made is that the identity division has created the condition for the conflict and the policy makers have shaped it. Some scholars have demonstrated that at the basis of the construction of national identity there is the representation of the other. In other words, a State needs to identify itself in contrast with another one. This leads to the creation of the boundaries, its maintenance through foreign policy. To put in another way, there is a strong link between foreign policy and the identity. The conflict has showed that there is not only the expression of the rivalry between Ukraine, Russia and the EU, but is mostly the intoxication of the relations among the Countries. In order to better understand how it happened, I have analysed the nature of identity in relation with the political system and foreign policy. The theory of David Campbell and Iver B. Neumann has been useful to deeply examine the variables and the factors that characterized the national identity formation. The authors argued that the construction of a state or a nation requires the existence of a territory and this means that the “*establishment of the boundaries*” defines its role inside and outside the country. To some extent, the “other”, to use Neumann’s word, becomes the heart of development of the national identity. The interaction with the enemy is essential to gather people; the community needs someone to inspire and someone to fight. Once the enemy is established, it is easier to redefine the territory (in geographical sense) and as a consequence to build around it the foreign policy. The formation of Ukraine has been characterized by a tension between the East and the West. Ukraine is a

region strategically located in the Southeast Europe, bordered by Belarus on the North, by Russia on the North and east, by the Black Sea on the South, by Moldova and Romania on the Southwest, and by Hungary, Slovakia, and Poland on the West. Through the centuries, the territory has been fragmented by different actors, mostly Polish, Habsburg and Russians. During the Soviet influence, the region has been strongly repressed and Russified; this means, for example, that media, television, newspapers, magazines, radio, music and books were provided in Russian; even though parents were allowed to choose the language in the schools, education system was completely taught in Russian. The disintegration of the USSR in 1991 shaped the future politics of the Country and of the European Union. For Ukraine, 1991 was a crucial year in terms of independence and self-determination. On one hand, the country voted for the independence with 90% in favour, but on the other hand, in the presidential election, the population demonstrated to be more fragmented asking for a continuum with the previous institution. For the first time, Ukraine had the opportunity to become fully independent and to start a slow process of democratization process. The first President, Leonid Kravchuk, had to deal with long negotiation with Russia and United States especially on the dismantlement of the nuclear weapon. However, Kravchuk failed in the implementation of a proper package of reforms and in 1994 it was elected Leonid Kuchma. He has been in charge for two terms, 1994-1999 and 1999-2004. During the first term of Kuchma presidency (1994-1999), it was signed a trilateral agreement between Russia, USA and Ukraine that ensured technical and financial assistance for the nuclear disarmament. On the side of the EU, Partnership and Cooperation Agreement works started in 1994, but ratified only in 1998, and symbolizes the first step towards the EU approximation. The main question was why Ukraine should approach to the EU? It is clear that the EU became the key instrument to achieve the territorial integrity (security), democracy (national identity), market economy and effective domestic reforms (modernisation). Moreover, the President finally implemented the 1996 Constitution that recognized the existence of all the minorities groups presented in the Country and gave them the possibility to speak freely Russian. At the same time,

the Law did not give the useful tools to engage them into the community. The aim was to include them in the society with the hope that, one day, they will “return back” to the new Ukraine. In the end, it did not work as expected and the politicians used the differences and the discontent to manipulate the electorate. On the contrary, the second term was characterized by reconciliation with Russia and a slow indifference with the EU. The scandal of the president Kuchma exacerbated this process creating division inside the government and among the political parties. The two candidates for the next presidential election were one the opposite of the other. Yushchenko was in favour for a deeper involvement with the EU and NATO; Yanukovich was anti-American and promoted a better integration of Ukraine in the CIS. With the first round, Yushchenko was in advantage but unexpectedly, in the second round Yanukovich won with the 49,46 % in favour. However, few days later, a millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the results asking for the end of Kuchma legacy; this was the beginning of the so-called “Orange Revolution”. Civil society, opposition groups and NGOs encouraged the Orange Revolution. In particular, civil society and opposition groups were able to mobilize thousand of people frustrated for decades of corruption and crimes, especially after the Gongadze affair. In the end, the election vote was cancelled and it was set up a third round where Yushchenko finally won also thanks to Tymoshenko support. In order to stabilize the country, the Yushchenko government failed in providing the innovative steps on democratization that promised. It is clear that this change of course created fragmentation and confusion in the society, it was not the identity that divided the Nation but the politics. Instead of offering practical packages of reform, the government opted to develop obsolete system damaged by corruption and nepotism. In the new presidential election, the population voted in favour of Yanukovich. With the victory of the leader of the Party of Regions (Yanukovich), it was evident that the Orange Revolution has failed in the task to foster democracy in the country and to bring the necessary reforms to fight corruption and crimes. The new president encouraged a progressive reinforcement of the President’s power and the promotion of new

sources of collaboration with Russia. Moreover, he was able to strengthen the Party of Regions' position and at the same time to weaken the opposition, such as in the case of Tymoshenko's accusation. To some extent, common cultural heritage, strong economic interdependence and the possibility to gain a new international position through a Eurasian Bloc are the main reasons behind this choice. The frozen relation with the EU due to the Tymoshenko case gave the opportunity to Russia to gain more ground. One month before the EU Summit in Vilnius (October 2013) Putin gave \$15 billion in aid and agreed to expand the discount on the energy prices; it needs to be noted that the timing was crucial because Putin was able to influence Yanukovich's choice in his favour. As a result of Russian pressure, Ukraine declared to suspend the Association Agreement with the EU instead of pursuing with the final signature of the agreement. To justify its position, he underlined that the government needed more time to analyse the political and economic implication especially in terms of Ukraine-Russian relations¹⁰². A millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the government accusing it to be corrupted (29-30 November 2013). In response to the protest, the parliament adopted a package of new law against it. It is noteworthy that Ukrainians do not usually get involved in the political process especially in the case of foreign policy but for the second time¹⁰³ since the independence, the population invoked their right to be citizens. In few weeks, the crisis suddenly escalated in violence events between the police and the demonstrators like the one in February 2014 that causes the dead of 90 people. Hirski Haukkala argued that the Ukraine crisis" did not come out of the blue. On the contrary, it can be seen as one that has been in gestation for years and was bound to come to a head eventually"¹⁰⁴. After 25 years,

¹⁰² For the interpretation, see also Wolczuk K., Dragneva-Lewers R., *Ukraine between the EU and Russia: The Integration Challenge*, Palgrave Pivot, 2015

¹⁰³ See, Chapter 2, *The Orange Revolution: is it the time for a change?*

¹⁰⁴ Haukkala, H., *A Perfect Storm; Or What Went Wrong and What Went Right for the EU in Ukraine*, Europe-Asia Studies, Vol. 68, no. 4, 2016, p. 653

the European order was again called into question. The Ukrainian crisis showed the fragility and inability of the Countries to manage the situation. The West on one side, Russia on the other side; both wanted to impose their own order. What does Ukraine want? Ukrainians have demonstrated to be more unified than expected; with the only exception of Crimea (still under Russian protection), most part of the population declared to be proud to be Ukrainians. Through the large scale of protests, the community gave voice to their will, signed the beginning of a new political Nation. As Tatiana Zhurzhenko (2015) analysed in her work *“Ukraine’s Eastern Borderlands: The end of the ambiguity?”*, “only a strong and democratic Ukrainian state and self confident civil society, which do to feel threatened by Russian aggression, will be able in the long run, to reintegrate the ambivalent east”. It is clear that the conflict is moved from an internal conflict to a European-Russian tension. The point made is that the identity division has created the condition for the conflict and the policy makers have shaped it thanks to the idea of an enemy to fight or a lady to save. Of course, its inability to respond promptly to the external action and the annexation of Crimea is not the only example. Condemnation is not enough and sanctions are not enough. Now it is time for a new plan of action if it wants to preserve the European Union order. This kind of order is characterized by strong values such as democracy, rule of law and respect of Human Rights, but also by mutual reliance among countries. Nevertheless, the Russian aggression has shown the fragmentation of the European foreign policy revealing the division inside the 28 Member States. Poland and the Baltic Countries proposed a harsh strategy such as an implementation of defensive measures; France and Germany demanded the implementation of the 2015 Minsk agreement. To be more precise, on 12th February 2015, after one year since the beginning of the crisis, the leaders of Germany, France, Russia and Ukraine agreed to put an end in the fighting in Eastern Ukraine with the so-called Minsk-2 accord. The negotiation last 16 hours and was signed by pro-Russian separatists. The new measures included a ceasefire in particular districts of Donetsk and Luhansk Oblasts of Ukraine, release of the hostages and prisoners, a massive removal of heavy weapons and monitoring and assistance of the OSCE with

the support of the Trilateral Contact Group. In return, Ukraine would recognize a special status to a part of Donetsk and Luhansk. However, the Minsk-2 did not ensure the end of hostilities mainly due to his fragile nature. Hostilities intensified in the Debaltseve area where the separatists forced the government army to retreat from the area after a harsh battle causing the death of 22 soldiers and more than 150 wounded. How can they overcome the divergences? Now, it is the time of a new order no more based on polarity. The EU needed to boost its credibility and dynamism towards neighbours, and on the other side Russia required openness, transparency as well as an evolution in foreign policy. In a future perspective, it would be an incredible outcome the realization of a new order based on a true cooperation among states, borderless and security. To sum up, this work investigates on the events of the Ukraine conflict analysing it on the identity perspective. After the collapse of the USSR, Russia tried to bear again from its ashes. A lot of partnership agreements have been signed; all of them missed the condition to put in place the purpose. Why do the EU and Russia formulate this kind of initiative? How is it possible to improve the relations? Are we now in a dead-end street? Or it is still possible to cooperate? The annexation of Crimea in March 2014 and the following events demonstrated that Russia still needed and probably needs an enemy to fight. In the last year, there has been made several progresses on EU-Ukraine Relations. On 27th June 2014, the Association agreement was finally ratified making the first formal step for the membership. Finally, on October 2016, the EU adopted a new deal under which Ukrainian are allowed to enter in the Union with faster visa requirement and on 1st January the Deep and Comprehensive Free Trade Area (DCFTA) became operational signing, maybe, the start of a new era for Ukraine-EU Relations. Two years after the beginning of crisis, the tension in the country and between Russia and Ukraine are still fairly high. It has been estimated that, since the beginning of the conflict, 9.600 people died. At the same time, Russia and the Western Countries are in conflict with each other, one demanding for international recognition and the other one for a reinforcement of economic sanctions. How can they overcome the divergences? It is clear that the Minsk-2 accord is not enough; its

nature is too fragile in order to implement the result expected. Now, it is the time of a new order no more based on polarity. The EU needed to boost its credibility and dynamism towards neighbours, and on the other side Russia required openness, transparency as well as an evolution in foreign policy. In a future perspective, it would be an incredible outcome the realization of a new order based on a true cooperation among states, borderless and security. To some extent, Ukraine is only the scapegoat, the goal is to show to Europe and the West its capabilities and influence.

Bibliography

Major References

Åslund, A., *How Ukraine Became a Market Economy and Democracy*, The Peterson Institute, 2009

Bellezza S, *Ucraina. Insorgere per la Democrazia*, La Scuola, 2014

Campbell D., *Writing Security: United States Foreign Policy and the Politics of Identity*, Minneapolis, University of Minnesota Press, 1992

Dinan D., *Ever Closer Union*, Europe, Palgrave, 2010

Hopf, T., *Russia's European Choice*, New York, Palgrave Macmillan, 2008

Mankoff, J., *Russian Foreign Policy: the return of the Great Power Politics*, Maryland, Rowman and Littlefield, 2011, 145-184

Neumann I. B., *Uses of the Other: "The East" in European Identity Formation*, Minneapolis, University of Minnesota Press, 1999

Pikulicka-Wilczewska A., Sakwa R., *Ukraine and Russia: People, Politics, Propaganda and Perspectives*, Bristol E-International Relations Publishing, 2015

Sakwa R., *Putin Russia's choice*, London, Routledge, 2008

Wilson, A. (ed.), *Protecting the European Choice*, European Council on Foreign Relations (ECFR), 2014, pp.5-67

Wilson, A. (ed.), *What does Ukraine think?*, European Council on Foreign Relations (ECFR), 2015, pp. 6- 109

Wolczuk K., Dragneva-Lewers R., *Ukraine between the EU and Russia: The Integration Challenge*, Palgrave Pivot, 2015

Journals and selected essays

Åslund, A., *Ukraine's Choice: European Association Agreement or Eurasian Union?*, Peterson Institute for International Economics, 2013, pp.1-12

Bachman K., Lyubashenko I., *The Maidan Uprising, separatism and Foreign Intervention: Ukraine's complex transition*, Peter Lang Edition, 2014

Bilaniuk, L., 2004. A typology of surzhyk: Mixed Ukrainian Russian language, *International Journal of Bilingualism*, Vol. 8, no. 4, pp. 409-425

Bernsand, N., *Surzhyk and National Identity in Ukrainian Language Nationalist Language Ideology*, Lund: Berliner Osteuropa Info, 2001

Brubaker R., Cooper f., *Beyond "identity"*, Theory and Society, Kluwer Academic Publisher, 2000

Dangerfield, M., *Belarus, Moldova and Ukraine: In or Out of European Regional International Society?*, *Journal of European Integration*, 2011 Vol. 33, no.2, pp. 215-233

Dangerfield, M., *The European Union and Post- Communist Europe: One Approach or Several?*, *Journal of Communist Studies and Transition Politics*, Vo. 24, no.4, 2007, pp. 478-500

Dimitrova A., Dragneva R., *Constraining External Governance: Interdependence with Russia and the CIS as limits to the EU's rule transfer in the Ukraine*, *Journal of the European Public Policy*, 2009, pp. 853-872

D'Anieri, P., *Explaining the success and failure of post-communist revolutions*, *Communist and Post-Communist Studies*, Vol. 39, 2006, pp. 331-350

D'Anieri, P., *Leonid Kuchma and the Personalization of the Ukrainian Presidency*, Problems of Post-Communism, 2003

D'Anieri P., *Understanding Ukrainian Politics: Power, Politics, and Institutional Design*, Armonk, NY: M.E. Sharpe, 2006

D'Anieri P., Kravchuk R. and Kuzio T., *Politics and Society in Ukraine*, Westview, 1999

D'Anieri, P., *Leonid Kuchma and the Personalization of the Ukrainian Presidency*, Problems of Post-Communism, Vol. 50, no. 5, 2003, pp.58-65

D'Anieri, P., *Dilemmas of Interdependence, Autonomy, Prosperity and Sovereignty in Ukraine's Russia Policy*, Problems of Post-Communism, 1997, pp.17-26

Forsberg, T., *The power of the European Union-What explains the EU's (lack of) influence on Russia?*, Politique Européenne, 2013

Gnedina E., *'Multi-Vector' Foreign Policies in Europe: Balancing, Bandwagoning or Bargaining?*, Europe-Asia Studies, 67:7, 2015, pp. 1007-1029

Gstöhl S., Lannon E., *The Neighbours of the EU's Neighbours: Diplomatic and Geopolitical Dimensions beyond the European Neighbourhood Policy*, Ashgate, 2014

Haukkala, H., *A Perfect Storm; Or What Went Wrong and What Went Right for the EU in Ukraine*, Europe-Asia Studies, Vol. 68, no. 4, 2016, pp. 653-664

Haukkala H., *Explaining Russian Reactions to the European Neighbourhood Policy*, Palgrave Macmillan, 2010, pp. 161-177

Haukkala, H., *The European Union as a Regional Normative Hegemon: The case of European Neighbourhood Policy*, Europe-Asia Studies, 2008, Vol. 60, no. 9, pp. 1601-1622

- Haukkala H., *The EU- Russia Strategic Partnership*, Oxon: Routledge, 2010
- Mankoff, J., *Russian Foreign Policy: the return of the Great Power Politics*, Maryland, Rowman and Littlefield, 2011, 145-184
- Morozova N., *Geopolitics, Eurasianism and Russian Foreign Policy Under Putin*, Routledge, 2009
- Haukkala, H., *From Cooperative to Contested Europe? The Conflict in Ukraine as a Culmination of a Long-Term Crisis in EU-Russia Relations*, *Journal of Contemporary European Studies*, 2015, Vol. 23, no.1, pp. 25-40
- Helly, D. (ed. by Yudhishtir Raj Isar), *Ukrainian Country Report*, Preparatory Action “ Culture in EU external Relations, 2014
- Hopf, T., *Making the Future Inevitable: Legitimizing, Naturalizing and Stabilizing. The transition in Estonia, Ukraine and Uzbekistan*, *European Journal of International Relations*, SAGE Publications and ECPR, 2002, Vol. 8, no. 3, pp. 403-436
- Krastev, I., Leonard M., *The new European Disorder*, European Council on Foreign Relations, 2014
- Kazantsev A., Sakwa R., *New “Dividing Line” in Europe: A Crisis of Trust in European-Russian Relations*, *Communist and Post-Communist Studies*, 2012, pp. 289-293
- Kuzio, T., *Conflict and Reform in Eastern Europe*, *The International Spectator*, 2006, Vol. 41, no. 4, pp. 25-42
- Kuzio T., *EU and Ukraine: a Turning Point in 2004?*, the European Union Institute for Security Studies, Paris, 2003, No. 47, 1-37
- Kuzio T., (ed.), *Democratic Revolution in Ukraine: From Kuchmagate to Orange Revolution*, New York, Routledge, 2009
- Kuzio T., *From Kuchma to Yushchenko Ukraine’s 2004 Presidential Elections and Orange Revolutions*, *Problems of Post-Communism*, 2005, Vol. 52, no. 2, pp. 29-44

- Kuzio T., *The Crimea: Europe's Next Flashpoint?*, Brookings Institution Press, 2011
- Kuzio, T., *The Multi-Party System in Ukraine on the Eve of Elections: Identity Problems, Conflicts and Solutions*, 1995
- Langbein J., Wolczuk K., *Convergence without membership? The impact of European Union in the neighbourhood: evidence from Ukraine*, *Journal of European Public Policy*, 2012, Vol. 19, no. 6, pp. 863-881
- Lieven A., *Ukraine and Russia: a Fraternal Rivalry*, United States Institute of Peace Press, Washington, 1999
- Makarychev, Andrey, 2014, *Russia, Ukraine and the Eastern Partnership: From Common Neighborhood to Spheres of Influence*, *Insight Turkey*, Vol. 16, no.3, pp. 181-199
- Menon A., MacFarlane N., *The EU and Ukraine, Survival: Global Politics and Strategy*, Routledge, 2014, 56:3, 95-101
- Molchanov M.A., *Political Culture and National Identity in Russian Ukrainian Relations*, Texas A&M University Press, 2002
- Molchanov M., *Ukraine and the European Union: a Perennial Neighbour?*, *European University Institute*, 2004, Vol. 26, No. 4, 451-473
- Motyl A J, *Dilemmas of Independence: Ukraine After Totalitarianism*, The Council on Foreign Relations, 1993
- Moshes, A., *Ukraine Between a Multivector Foreign Policy and EuroAtlantic Integration*, Finnish Institute of International Affairs, 2006
- Neumann, Iver B., *Russia as Europe's other*, *Journal of Area Studies*, 1998 Vol. 6, no. 12, pp. 26-73

- Plokhly, S., *The “New Eastern Europe”: What to Do with the Histories of Ukraine, Belarus and Moldova?*, East European Politics and Societies, SAGE, 2011, 763-769
- Raik, K., *Revisiting the EU’s Democracy promotion in the Eastern Neighbourhood*, the Finnish institute of International Affairs, 2011, No. 80, 2-8
- Raik K., *Promoting Democracy through Civil Society: How to step up the EU’s Policy towards the Eastern Neighbourhood*, the Finnish institute of International Affairs, 2006, No. 237, 1-33
- Raik K., *The Prospects for the EU’s Eastern Partnership Association Agreements*, the Finnish institute of International Affairs, 2012, No. 110, 2-10
- Reid A., *Borderland: A Journey Through the History of Ukraine*, London, Westview Press, 1998
- Riabchuk M., *‘Two Ukraines’ Reconsidered: The End of Ukrainian Ambivalence?*, Studies in Ethnicity and Nationalism, 2015, Vol. 15, No. 1, pp.138-156
- Riabchuk, M., *Ukraine’s “muddling through”: National identity and post communist transition*, Communist and Post-Communist Studies, 2012, Vol. 45, pp. 439-446
- Riabchuk, M., *Ukrainians as Russia’s negative “other”: History comes full circle*, Communist and Post-Communist Studies, 2016, Vol.49, pp. 75-85
- Rynning S., *The false promise of continental concert: Russia, the West and the necessary balance of power*, Oxford, The Royal Institute of International Affairs, John Wiley & Sons Ltd, 2015
- Sakwa R., *The death of Europe? Continental fates after Ukraine*, Oxford, The Royal Institute of International Affairs, John Wiley & Sons Ltd, 2014
- Sakwa R., *Frontline Ukraine: Crisis in the Borderlands*, I.B. Tauris, 2015
- Sakwa R., *Russian Politics and Society*, London, Routledge 2008

- Schimmelfennig F., Sedelmeier U., *Governance by conditionality: EU rule transfer to the candidate countries of Central and Eastern Europe*, Journal of European Public Policy, 2004
- Shulman, S., *Ukrainian National-Building under Kuchma*, Problems of Post-Communist, Vol. 52, no. 5, 2005, pp.32-47
- Shulman, Stephen, 1999. *The cultural foundations of Ukrainian national identity*, Ethnic and Racial Studies, Vol. 22, no. 6, pp. 1011-1036
- Shumylo-Tapiola, O., *Why does Ukraine Matter to the EU?* Carnegie Europe: 2013
- Solonenko, I., *External democracy promotion in Ukraine: the role of the European Union*, 2009, Vol. 16, no. 4, pp. 709-731
- Suslov, M., *“Crimea Is Ours!” Russian popular geopolitics in the new media age*, Eurasian Geography and Economics, 2014
- Tsygankov A., *Russia’s Foreign Policy. Change and Continuity in National Identity*, Third Edition, Plymouth, 2013
- Tsygankov A., *Vladimir Putin's Last Stand: The Sources of Russia's Ukraine policy*, Post- Soviet Affair, 2015, Vol. 31, No. 4. 279-303
- Tsygankov, A., *Russia and the West, from Alexander to Putin*, Cambridge, 2015
- Wanner A., *Burden of Dreams: History and Identity in Post-Soviet Ukraine*, Pennsylvania The Pennsylvania State University Press, 1998
- Wilson, A., *Elements of a Theory of Ukrainian ethno-national identity*, Nations and Nationalism, Vol. 8, 2002, pp. 31-54
- Wilson, A., *The Donbas between Ukraine and Russia: the Use of History in Political Disputes*, London, Journal of Contemporary History, SAGE, Vol. 30, 1995, 265-289
- Wilson, A., *The Ukrainians: Unexpected Nation*, Yale University Press. 2001

Wilson, A., *The Ukrainian crisis brings the threat of democracy to Russia's doorstep*, Wilfried Mantens Centre for European Studies, 2014, Vol. 13, pp. 67-72

Wilson, A., *Ukraine's Orange Revolution, NGO's and the Role of the West*, Cambridge Review of International Affairs, 2007, Vo. 19, no. 1, pp. 21-32

Wilson A., Bilous A., *Political Parties in Ukraine*, Europe-Asia Studies, Vol. 45, no.4, 1993, pp. 693-703

Wilson, A., Birch, S., *Voting Stability, Political Gridlock: Ukraine's 1998 Parliamentary Elections*, Europe-Asia Studies, 1999, Vol. 51, No. 6, pp. 1039-1068

Wolczuk, K., *History, Europe and the "national idea": The "official" narrative of national identity in Ukraine*, Nationalities Papers, 2000, Vol. 28. No.4, pp. 671-694

Wolczuk, K., *Implementation without Coordination: The Impact of the EU Conditionality on Ukraine under the European Neighbourhood Policy*, Europe-Asia Studies, 2009, Vol. 61, no.2, pp. 187-211

Wolczuk, K., *Integration without Europeanization: Ukraine and its Policy towards the European Union*, European University Institute, Florence, 2004, pp. 1-25

Wolczuk, K., *Conflict and Reform in Eastern Europe*, The International Spectator, Vol. 41, no. 4, 2006, pp. 7-24

Wolczuk, K., *Ukraine and Europe: Reshuffling the boundaries of order*, Thesis Eleven, Vol. 136, 2016, pp. 54-73

Yekelchik S., *Ukraine: Birth of a Modern Nation*, Oxford, Oxford University Press, 2007

Yitzhak M. Brudny, Finkel E.. *Why Ukraine is not Russia: Hegemonic National Identity and Democracy in Russia and Ukraine*, East European Politics & Societies, 2011, Vol. 25, No. 4, 813-833

Zaleska Onyshkevych L., Rewakowicz M.G., *Contemporary Ukraine on the Cultural Map of Europe*, Routledge, 2009

Zhurzhenko, T., *A Divided Nations? Reconsidering the Role of Identity Politics in the Ukraine Crisis*, Institut fur die Wissenschaften vom Menschen, Wien, 2014, pp. 249- 267

Digital Sources

MH17 Ukraine Plane crash: what we know, 2016 available at: <http://www.bbc.com/news/world-europe-28357880> accessed (21/01/2017)

Common Strategy of the European Union, 1999, available at: http://trade.ec.europa.eu/doclib/docs/2003/november/tradoc_114137.pdf accessed (09.12.2016)

Euractiv, *Pipeline politics? Russia and the EU's battle for energy*, 2011, available at <http://www.euractiv.com/section/energy/linksdossier/pipeline-politics-russia-and-the-eu-s-battle-for-energy/#ea-accordion-background>

European Commission Press Release, Statement by President Barroso at the Eastern Partnership Summit, 2013, available at http://europa.eu/rapid/press-release_SPEECH-13-1000_en.htm, accessed (12/01/2017)

European Council on Foreign Relations, Has Germany side-lined Poland in Ukraine crisis negotiations?, 2014, Available at http://www.ecfr.eu/article/commentary_has_germany_sidelined_poland_in_ukraine_crisis_negotiations301 accessed (24/01/2017)

European Neighbourhood Policy And Enlargement Negotiations, Last updated: 06/12/2016 https://ec.europa.eu/neighbourhood-enlargement/policy/conditions-membership/chapters-of-the-acquis_en accessed (27/12/2016)

European Parliament Press Release, *Visa suspension mechanism: Parliament and Council negotiators strike a deal*, 2016 available at <http://www.europarl.europa.eu/news/en/news-room/20161128IPR53515/visa-suspension-mechanism-parliament-and-council-negotiators-strike-a-deal> accessed (06/02/2017)

EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement, 2013, available at https://eeas.europa.eu/sites/eeas/files/eu_ukr_ass_agenda_24jun2013.pdf, accessed (27/01/2016)

Implementation of the European Neighbourhood Policy in Ukraine, 2015, available at http://eeas.europa.eu/enp/pdf/2015/ukraine-enp-report-2015_en.pdf accessed (27/12/2016)

Medvedev, D., “Address to the President of Ukraine Viktor Yushchenko”. Available at <http://en.kremlin.ru/supplement/4938>, accessed (8/01/2017)

NATO Review, The energy dimensions of Russia’s annexation of Crimea, 2013 <http://www.nato.int/docu/review/2014/nato-energy-security-running-on-empty/Ukraine-energy-independence-gas-dependence-on-Russia/EN/index.htm> accessed (12/01/2017)

Partnership and Cooperation Agreement, 1994, Available at: [http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21997A1128\(01\)&from=EN](http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:21997A1128(01)&from=EN) accessed (09.12.2016)

Partnership and Cooperation Agreement between the European Communities and their Member states and Ukraine, Official Journal of the European Communities, 1998 available at: <http://ec.europa.eu/world/agreements/prepareCreateTreatiesWorkspace/treatiesGeneralData.do?step=0&redirect=true&treatyId=217> accessed (23/11/2016)

Party "Blok Petra Poroshenko", 2014, available at: <http://www.cvk.gov.ua/pls/vnd2014/WP502E?PT001F01=910&pf7171=202> accessed (23/01/2017)

Poroshenko, P. (2014) "Inaugural Speech" available at <http://euromaidanpress.com/2014/06/07/petro-poroshenkos-speech-at-the-inauguration-full-text/> accessed (16/01/2017)

Progress in 2014 and recommendations for actions Joint Statement by EU High Representative, Catherine Ashton, and Commissioner Stefan Füle on the judgement by Ukraine's Higher Specialized Court for Civil and Criminal Cases in the case of Yulia Tymoshenko, 2012 Available at: http://europa.eu/rapid/press-release_MEMO-12-634_en.htm?locale=en accessed (12/01/2017)

Putin, V., "Address by the President of Russian Federation", 2014, available at: <http://en.kremlin.ru/events/president/news/20603>, accessed (21/01/2017)

Putin, V., "Address to the Federal Assembly", 2014 Available at: http://archive.kremlin.ru/eng/speeches/2000/07/08/0000_type70029type82912_70658.shtml , accessed (21/01/2017)

Razumkov Centre, "*What do you expect from Ukraine's accession to the Customs Union of Russia, Belarus and Kazakhstan?*", 2014, available at: http://razumkov.org.ua/eng/poll.php?poll_id=387 accessed (16/01/2017)

Razumkov Centre, *Does Ukraine need to join the European Union?*, 2014, available at http://razumkov.org.ua/eng/poll.php?poll_id=394 accessed (08/01/2017)

Razumkov Centre,, *With which cultural tradition do you associate yourself?*, 2014, available at: http://razumkov.org.ua/eng/poll.php?poll_id=669 accessed (08/12/2016)

Regulation 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF> accessed (27/12/2016)

Report on the Human Rights situation in Ukraine, 2015, available at: <http://www.ohchr.org/Documents/Countries/UA/12thOHCHRreportUkraine.pdf> accessed (7/01/2016)

Reuters, Policies of Ukraine's election frontrunners, 2010 Available at <http://www.reuters.com/article/us-ukraine-election-policiesidUSTRE6160K220100207> accessed (11/01/2017)

Riabchuk, M., Tymoshenko: Wake-up call for the EU, 2011, Available at: <http://www.eurozine.com/articles/2011-10-28-riabchuk-en.html> accessed (08/01/2017)

Russian European Union Summit - Moscow, 2002, Available at: http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/er/70903.pdf, accessed 09.12.2015

Shumylo-Tapiola, O., *Ukraine and Putin: the calm before the storm*, 2012, available at: <http://carnegieeurope.eu/2012/03/12/putin-and-ukraine-calm-before-storm-pub-47459> accessed (13/01/2017)

The White House Archive, Statement of G-7 Leaders on Ukraine, 2014, available at: <https://obamawhitehouse.archives.gov/the-press-office/2014/03/12/statement-g-7-leaders-ukraine> accessed (15/01/2017)

The Guardian, Ukraine crisis: why Russia sees Crimea as its naval stronghold, 2014 <https://www.theguardian.com/world/2014/mar/07/ukraine-russia-crimea-naval-base-tatars-explainer> accessed (17/01/2017)

The Ukrainian Weekly, the year in Review: 1991 http://www.ukrweekly.com/uwwp/wp-content/uploads/year_in_review/1991.pdf accessed (20/10/2016)

The Ukrainian Weekly, the year in Review: 1996
http://www.ukrweekly.com/uwwp/wp-content/uploads/year_in_review/1996.pdf
accessed (03/11/2016)

The Ukrainian Weekly, the year in Review: 1997
http://www.ukrweekly.com/uwwp/wp-content/uploads/year_in_review/1997.pdf
accessed (03/11/2016)

The Ukrainian Weekly, the year in Review: 1998
http://www.ukrweekly.com/uwwp/wp-content/uploads/year_in_review/1998.pdf
(15/11/2016)

The Ukrainian Weekly, the year in Review: 2014
http://www.ukrweekly.com/uwwp/wp-content/uploads/year_in_review/2014.pdf
accessed (03/01/2017)

The Washington Post, Transcript: Vladimir Putin's April 17 Q&A, 2014,
https://www.washingtonpost.com/world/transcript-vladimir-putins-april-17-qanda/2014/04/17/ff77b4a2c63511e38b9a8e0977a24aeb_story.html?utm_term=.99916c263132 accessed (23/01/2017)

Ukraine EU country roadmap for engagement with civil society 2014 – 2017,
available at
https://eeas.europa.eu/sites/eeas/files/ukraine_civil_society_roadmap_2014.pdf
accessed (18/01/2017)

Ukrainian Government Press Release, President: Decentralization will make the authorities
in Ukraine more efficient, 2015 <http://www.president.gov.ua/en/news/decentralizaciya-zrobit-vladu-v-ukrayini-bilsh-efektivnoyu-p-35557> accessed (20/01/2017)

Yelstin, B., “Speech to Russian Congress of people”, 1991, available at
<https://www.theguardian.com/world/2007/apr/23/russia.guardianobituaries>

Yushchenko, V. “Inaugural address of the President of Ukraine Victor Yushchenko to the Ukrainian people on Independence Square, 2005, available at: http://www.kmu.gov.ua/control/en/publish/article?art_id=11100895 accessed [3/01/2017]

Zhurzhenko, T., *The Myth of Two Ukraines*, Eurozine, 2003, Available at: <http://www.eurozine.com/articles/2002-09-17-zhurzhenko-en.html> accessed (12/11/2016)

Zhurzhenko, T., *From Borderlands to Bloodlands*, Eurozine, 2014, Available at: <http://www.eurozine.com/articles/2014-09-19-zhurzhenko-en.html> accessed (21/01/2017)

Summary

My thesis “*the 2004 Enlargement of the European Union and the effects on the recent Ukrainian Crisis*” aimed to analyse Ukrainian crisis emphasizing the consequences of the non-2004 eligibility in the European Union Enlargement. Ukraine is an important case study that offers the opportunity to study the integration in between Russian and the European Union. Moreover, it is a region strategically located in the Southeast Europe, bordered by Belarus on the North, by Russia on the North and east, by the Black Sea on the South, by Moldova and Romania on the Southwest, and by Hungary, Slovakia, and Poland on the West. My main research questions are: does Ukraine be a “divided Nation” (Riabchuk) or is more unified than we think? Does the Ukrainian identity have been built around the identity and division of the country or it is only the result of intoxication of the relation between Russia and Ukraine but also between Russia and European Union? Why Ukraine wanted to be a member of the European Union? Why Ukraine has not been considered as an eligible country during the enlargement of 2004? And how it has impact on the democratic consolidation? How Russian legacy had impacted on Ukrainian society and political system? Why the Orange Revolution failed? The work is structured into in four sections: “Ukraine between the EU and Russia”, “Ukraine and Europe”, “Ukraine and Russia” and “the EuroMaidan”. My primary sources are the works of Andrew Wilson, Kataryna Wolczuk and Taras Kuzio. As secondary sources, I used the speech of the works of Iver B Neumann, David Campbell, Mykola Riabchuk and some presidential and official speeches. As far as the first chapter is concerned, the analysis attempts to explore and map the origins of Ukraine in the framework of the relations between Europe and Russia. In this regard, it is analysed the nature of identity in relation with the political system and foreign policy, then mapped the Ukrainian history and heritage trying to clarify the role played by different actors and finally moved to the post-Soviet period with particular regard to the democratization process during the first term of Kuchma presidency (1994-1999). The identity in its broadest sense is at the basis of every individual and

society. It can be natural or constructed, but it is possible to have an overlapping or a mixture of identities. Of course, this concept is deeply connected with Marx Weber (1919) concept of State where it is defined as “a political organization that exerts authority over a territory and has the monopoly of the legitimate use of force”. On the other hand, it is also important to define also the Nation as “political community of people that reside in a territory”. In this respect, two different processes imply for the creation a State: “early state builder” where the state is created by the values and unity and the “late state builder” that claims for a territory (unity) and it is justified in terms of blood such as in Italy or in Germany. The theory of David Campbell and Iver B. Neumann has been useful to deeply examine the variables and the factors that characterized the national identity formation. The authors argued that the construction of a state or a nation requires the existence of a territory and this means that the “establishment of the boundaries” defines its role inside and outside the country. To some extent, the “other” becomes the heart of development of the national identity. The interaction with the enemy is essential to gather people; the community needs someone to inspire and someone to fight. The enemy can come from the outside like an adversary or from the inside such as a minority group. Once the enemy is established, it is easier to redefine the territory (in geographical sense) and as a consequence to build around it the foreign policy. In particular, in his work *“Writing Security: United States Foreign Policy and the Politics of Identity”*, David Campbell has argued that the aim of the foreign policy is to preserve the country’s border from the danger that it is “being totalized in the external realm in conjunction with its increased individualization in the internal field, with the result being the performative reconstitution of the borders of the state's identity”. Another important factor in the construction of nationhood is the role of the culture. Language, beliefs, traditions and education policies are useful tools in the promotion of common and unified heritage under which a group of people believes they belong to a community and a territory. To some extent, the formation of Ukraine has been characterized by a tension between the East and the West; in particular Austro-Hungaric Empire, Russia, Poland and then Soviet Union have played a crucial role in shaping the

territory throughout the centuries. Russian dominance, before under the Tsarist Empire and then under Soviet Union, was very turbulent marked by continuous tension between the West and East region of the country and a strong Russification and industrialization of the region. With the disintegration of the USSR in 1991, Ukraine opted for the independence from Russia. At the same time, the population was called to vote for the presidential elections where prefers to elect a candidate that represented in a way a continuum with the past. In fact, Leonid Kravchuk was a member of the Communist Party of Ukraine where he early started his career as a functionary. His presidency (1991-1994) had to face several challenges such as the dismantlement of the nuclear weapons and a new strategy with Russia in consideration with the economic and energy dependency. However, Kravchuk failed to guarantee economic stability and democratic reforms and in 1994 it was elected Leonid Kuchma, a member of the anti-communist representation of Russophone elites from the Eastern region. He was in charge for two terms, 1994-1999 and 1999-2004. In his first terms, his administration mainly focused on the implementation of the democratization process. Kuchma's regime promoted the Ethnic Ukrainian national identity centralizing the public education and institutionalized the role of the national hero. In the fifth anniversary of independence, Leonid Kuchma glorified national patrimony "from Volodymyr the Great and Yaroslav the Wise to Mykhailo Hrushevskiy"¹⁰⁵. In addition, he enhanced the role of the *Zaporozhian Cossacks* with particular reference to the person of the Hetman Bohdan Khmelnytskyi¹⁰⁶ that became the symbol of the resistance and father of Ukraine. The President finally encourage the adoption of the 1996 Constitution, among which it was recognized the existence of all the minorities groups presented in the Country giving also the possibility to speak freely Russian. In regard with the second chapter "Ukraine and Europe", it provides an overview of the evolution of the relations between the

¹⁰⁵ Kuchma's speech on the fifth anniversary of Ukraine's independence, 24 August 1996

¹⁰⁶ The Hetman Bohdan Khmelnytskyi was able to unify the Ukrainian society under the Cossack Host.

European Union and Ukraine, starting from the Declaration of the European Council in 1991. To be more precise, the analysis focused on the choices that pushed Ukraine and European Union to foster their relations with the final aim of a deeper integration, on the Partnership and Cooperation Agreement and on mapping the main events of the Orange Revolution, the role played by the Western Countries and the NGOs and the adoption of the European Neighbourhood Policy launched in 2004. Ukraine is the largest and most strategically among the Eastern Neighbour countries and, for this reason, is the most contentious case for the EU. At the same time, the EU represents the instrument to achieve the territorial integrity (security), democracy (national identity), market economy and effective domestic reforms (modernisation). Relations between the EU and Ukraine were first established in December 1991, when the European Union officially recognized Ukrainian independence. Since the beginning of Kuchma administration, it was clear the will for an intensification of EU-Ukrainian Relations. For this reason, Ukraine signed the Partnership and Cooperation Agreement (PCA) that established the basis for a political, economic and cultural cooperation between the countries in the light of a possible integration. However, the scandal of Kuchma exacerbated this process creating division inside the government and among the EU member states. The two candidates for the next presidential election were one the opposite of the other. Yushchenko was in favour for a deeper involvement with the EU and NATO; Yanukovich was anti-American and promoted a better integration of Ukraine in the CIS. With the first round, Yushchenko was in advantage but unexpectedly, in the second round Yanukovich won with the 49,46 % in favour. However, few days later, a millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the results asking for the end of Kuchma legacy; this was the beginning of the so-called “Orange Revolution”. Civil society, opposition groups and NGOs encouraged the Orange Revolution. In particular, civil society and opposition groups were able to mobilize thousand of people frustrated for decades of corruption and crimes, especially after the Gongadze affair. In the end, the election vote was cancelled and it was set up a third round where Yushchenko finally won also thanks to Tymoshenko

support. The success Orange Revolution demonstrated that Ukrainians were determinate to defend their rights and their Country, their right to “defence of the Motherland, independence and territorial integrity of Ukraine, respect for its State symbols” (Art. 65). With the victory of Yushchenko would inaugurate a new stage for the Ukrainian foreign policies, marking the beginning of a pro-European and pro-reform attitude. During his inaugural speech, Yushchenko declared, "We are the people of the same civilization sharing the same values. History, economic prospects and the interests of people give a clear answer – where we should look for our fate. Our place is in the European Union. My goal is – Ukraine in the United Europe” (Yushchenko, 2005). However, the Yushchenko government failed in providing the innovative steps on democratization that promised. However, his administration suddenly faced a series of crisis beginning with the fuel crisis. In order to stabilize the country, the Yushchenko government opted for a slow but effective reestablishment of the Ukrainian culture. It is clear that this change of course created fragmentation and confusion in the society, it was not the identity that divided the Nation but the politics. Instead of offering practical packages of reform, the government opted for a continuum of the obsolete system damaged by corruption and nepotism. However, in the context of a political change, the EU adopted the “Strategy Paper on the European Neighbourhood Policy” (ENP), that aimed to reinforce the political and economic structure thorough the experience of the 2004’s EU enlargement. As regards the third chapter “Ukraine and Russia”, it discusses the relations between Ukraine and Russia in the framework of a possible regional integration between the two countries. In this respect, the analysis explained the reasons behind the idea that Ukraine has a Russian belonging and because of this should promote new source of collaboration with Russia and investigates on the EU-Russian relations in order to understand Russian position towards Ukraine and consequently towards the EU. Moreover, it describes the events of the 2010 election where the political landscape was divided between Tymoshenko and Yanukovych and the growing Russian’s influence on Ukraine, especially in the case of Yanukovych security and foreign policies and in relation with the Russian integration

offer. Common cultural heritage, strong economic interdependence and the possibility to gain a new international position through a Eurasian Bloc are the main reasons behind. Moreover, with the 2010 presidential election, the population voted in favour of Yanukovich. His victory made clear that the Orange Revolution failed in fostering of democracy in the country and in bringing the necessary reforms to fight corruption and crimes. This means and this change of course created fragmentation and confusion in the society, it was not the identity that divided the Nation but the politics. The new president encouraged a progressive reinforcement of the President's power and the promotion of new sources of collaboration with Russia. Moreover, he was able to strengthen the Party of Regions' position and at the same time to weaken the opposition, such as in the case of Tymoshenko's accusation. With the frozen relation with the EU due to the Tymoshenko case, Yanukovich opted for a re-consolidation of ties with Putin recognizing the strategically interest for both countries. In order to strengthen his credibility, Yanukovich opted three main measures. First, the government decided to not proceed for NATO membership. Second, the Parliamentary recognition of "Russian" as a regional language and the possibility to speak it in schools and other public places For the first time it was recognized the Russian not only as a language minority but also as second official language particular important for the 30% Russian-speaking Ukrainians and the 22% Russians. And third, in April 2010, it was signed the so-called "Kharkiv Accord" with Russia. The agreement was intended to extend the lease of the Sevastopol Naval Fleet (until 2024) in exchange of a decreased in the price of oil. Although Ukraine received a discount price (around the 30 %), it was argued that the agreement was totally in favour of Russia showing the weakness of Ukraine in negotiations and Russian's dominant positions. On the other hand, Putin's project aimed to create a Eurasian Custom Union with Belarus, Kazakhstan and Ukraine, the three main Russian countries of interests. To be more precise, Ukraine would benefit of \$6-9 billion per year for the economic cooperation plus extended concession on the energy sector with particular reference to a reduction of gas price, removal of export duties and increasing of sectoral cooperation. In exchange,

Ukraine would renounce to pursue the integration with the EU. In the end, Yanukovych decided to not proceed with the Eurasian Customs Union due to the binding nature of the agreements. In the case of integration with Eurasian Countries, Ukraine would formally renounce to the EU and the Association Agreement and the European countries still represent a big source of opportunities for the diversification and the qualification of the Country. At the same time, the government estimated that the harmonisation with the Customs Union would not bring the results desired; on the contrary, it would lead to expensive measures both in terms of economic, trade and social system. One month before the EU Summit in Vilnius (October 2013) Putin gave \$15 billion in aid and agreed to expand the discount on the energy prices; it needs to be noted that the timing was crucial because Putin was able to influence Yanukovych's choice in his favour. As a result of Russian pressure, Ukraine declared to suspend the Association Agreement with the EU instead of pursuing with the final signature of the agreement. To justify its position, he underlined that the government needed more time to analyse the political and economic implication especially in terms of Ukraine-Russian relations. A millions of people went to the street of Kyiv and other major cities in Ukraine in order to demonstrate against the government accusing it to be corrupted (29-30 November 2013). In response to the protest, the parliament adopted a package of new law against it. It is noteworthy that Ukrainians do not usually get involved in the political process especially in the case of foreign policy but for the second time¹⁰⁷ since the independence, the population invoked their right to be citizens. In few weeks, the crisis suddenly escalated in violence events between the police and the demonstrators like the one in February 2014 that causes the dead of 90 people. The President decided to escape to Russia and left the country in the hand of the opposition. In the meantime, Russian militant started to appear in Crimea territory and Kremlin approved Putin's request for the protection of minority through a military action in the area. Therefore, Russia called for a referendum in the region where it was asked to the population if they wanted to be

¹⁰⁷ See, Chapter 2, *The Orange Revolution: is it the time for a change?*

annex to Russian Federation or if they wanted to restore the 1992 constitution in which Crimea is recognized as an independent state. The results agreed for the annexation of Crimea territory and Sevastopol with the 96,77 % of the votes. After the secession, USA and the European Union implemented rigid economic sanction against Russia Federation. During the EuroMaidan, the party and Poroshenko became the voice of population's fatigue and at the same time the push to the jump into a new future for the country. Thanks to the support of various Maidan organizations and forces, he became a valid candidate for the presidential election even if his business interest could be a potential political obstacle. In May, Petro Poroshenko won presidential election with the 54,7 % opening the talk for a future Association Agreement with the EU. It is noteworthy that Poroshenko obtained the majority in all the regions of the country, except for Crimea and some occupied district where the voting did not take place, demonstrating that the population was not divided as Russia predicted. In other words, the division is in political and civic terms rather than in ethnic linguistic terms, this division can also be expressed with Riabchuk's (2015) idea of "two Ukraines". With the tragedy of the Malaysian Airlines, the relations between Russia and Ukraine became harsher. The MH17 flight from Amsterdam Schiphol supposed to arrive at Kuala Lumpur International Airport but during the overflight of Ukraine it disappeared from the radar and then crashed in Donetsk area causing the death of 283 passengers, including 80 children, and 15 crewmembers. The investigation revealed that a Russian-made missile hit the plane and it was argued that it was probably shot by the Russian separatists that controlled the area. Of course, Putin rejected the accusation stating that there was no involvement neither Russian army nor Russian military industry. Finally, Ukraine and Russia agreed on signing a peace plan. The Minsk-1 aimed to provide an immediate ceasefire and elections under Ukrainian law in the region. In order to ensure the implementation of the agreement, it was formed the Trilateral Contact Group with the representatives of Ukraine, Russian Federation and the person in charge in OSCE. Unfortunately, Russian separatist repeatedly violated it committing violent actions especially in key locations such as the airport. On 12th February 2015,

after one year since the beginning of the crisis, the leaders of Germany, France, Russia and Ukraine agreed to put an end in the fighting in Eastern Ukraine with the so-called Minsk-2 accord. The negotiation last 16 hours and was signed by pro-Russian separatists. The new measures included a ceasefire in particular districts of Donetsk and Luhansk Oblasts of Ukraine, release of the hostages and prisoners, a massive removal of heavy weapons and monitoring and assistance of the OSCE with the support of the Trilateral Contact Group. In return, Ukraine would recognize a special status to a part of Donetsk and Luhansk. As a consequence, the Parliament adopted a new legislation to the separatist area starting at the same time the talk for decentralization of the system. However, the Minsk-2 did not ensure the end of hostilities mainly due to his fragile nature. Hostilities intensified in the Debaltseve area where the separatists forced the government army to retreat from the area after a harsh battle causing the death of 22 soldiers and more than 150 wounded. In conclusion, after 25 years, the European order was again called into question. The Ukrainian crisis showed the fragility and inability of the Countries to manage the situation. The West on one side, Russia on the other side; both wanted to impose their own order. What does Ukraine want? Ukrainians have demonstrated to be more unified than expected; with the only exception of Crimea (still under Russian protection), most part of the population declared to be proud to be Ukrainians. Through the large scale of protests, the community gave voice to their will, signed the beginning of a new political Nation. As Tatiana Zhurzhenko (2015) analysed in her work *“Ukraine’s Eastern Borderlands: The end of the ambiguity?”*, “only a strong and democratic Ukrainian state and self confident civil society, which do to feel threatened by Russian aggression, will be able in the long run, to reintegrate the ambivalent east”. It is clear that the conflict is moved from an internal conflict to a European-Russian tension. The point made is that the identity division has created the condition for the conflict and the policy makers have shaped it thanks to the idea of an enemy to fight or a lady to save. Of course, its inability to respond promptly to the external action and the annexation of Crimea is not the only example. Condemnation is not enough and sanctions are not enough. Now it is time for a new

plan of action if it wants to preserve the European Union order. This kind of order is characterized by strong values such as democracy, rule of law and respect of Human Rights, but also by mutual reliance among countries. Nevertheless, the Russian aggression has shown the fragmentation of the European foreign policy revealing the division inside the 28 Member States. Poland and the Baltic Countries proposed a harsh strategy such as an implementation of defensive measures; France and Germany demanded the implementation of the 2015 Minsk agreement. In this climate of tension, Ukraine was able to reconnect with the EU opening again the talk for the signing of the DCFTA. The agreement was supposed to be signed in June 2014 but due to Russian concerns it was again postponed providing only provisional application of the norm. The main reason behind was mainly due to possible consequences for Russian and CIS market especially related to the product from the EU and the exporting goods. In particular, Ukraine will be obliged to harmonize the production to the EU standards that would be potentially in breach with Russian model. Once again Russia was able to interfere in Ukraine-EU relations demonstrating EU incapability to go straight to the point. In this regard, Russia pushed for the realization of a federal system in Ukraine that would allow better control the East part of the country. Since Ukraine rejected this option, Poroshenko promoted a decentralization of power that would guarantee the development of democracy through the engagement of territorial communities. In the last year, there has been made several progresses on EU-Ukraine Relations. On 27th June 2014, the Association agreement was finally ratified making the first formal step for the membership. Recently, on 1st January the Deep and Comprehensive Free Trade Area became operational signing, maybe, the start of a new era for Ukraine-EU Relations. The High Representative/Vice-President, Federica Mogherini recently declared, "Ukraine has taken big steps in the last two years, under very difficult circumstances, not least the conflict in eastern Ukraine and the illegal annexation of Crimea and Sevastopol. Today's report fully recognises this work done by the Ukrainian authorities. It is now crucial to move from passing legislation and setting up institutions to full implementation of these reforms so that Ukrainian citizens can

reap the benefits. Ukraine can count on the European Union's support moving forward". Two years after the beginning of crisis, the tension in the country and between Russia and Ukraine is still fairly high. It has been estimated that since the beginning of the conflict, 9.600 people died. At the same time, Russia and the Western Countries are in conflict with each other, one demanding for international recognition and the other one for a reinforcement of economic sanctions. How can they overcome the divergences? Now, it is the time of a new order no more based on polarity. The EU needed to boost its credibility and dynamism towards neighbours, and on the other side Russia required openness, transparency as well as an evolution in foreign policy. In a future perspective, it would be an incredible outcome the realization of a new order based on a true cooperation among states, borderless and security.