

SECURITY RELATIONS BETWEEN UKRAINE AND THE EU: HISTORICAL ASPECT

БЕЗПЕКОВІ ВІДНОСИНИ МІЖ УКРАЇНОЮ ТА ЄС: ІСТОРИЧНИЙ АСПЕКТ

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The article examines the problem of security relations between Ukraine and The EU date back to Ukraine's independence in 1991 and are determined by different forms of cooperation (policies, initiatives, strategies). In this article will consider two stages of security relations between them. The first stage is between 1993-2014, when Ukraine was only striving to approach the EU and its standards, while searching for its own integration model of political and security relations. The main document that regulated relations between them during this period was the 1994 Partnership Agreement. Overall, during this period, security cooperation between them was carried out within the framework of: European Neighbourhood Policy (ENP) since 2004; European Security Strategy "Security Europe in a Better World" (2003); Eastern Partnership (2009), which became a more advanced form of the EU's cooperation with its eastern neighbours, particularly Ukraine. The second stage – since 2014. This phase is crucial both in terms of Ukraine's integration and its security features. According to scholars, this is a period of pragmatization of relations among the EU and Ukraine, the practical implementation of security cooperation and the search for new formats. What is important is that Ukraine has signed an Association Agreement with the EU and has already been received EU candidate status. For this reason, security cooperation between the EU and Ukraine is quite relevant, and in light of the military invasion by Russia, it is taking on new shapes and perspectives. The object of the study is the security dimension of EU-Ukraine cooperation, while the subject is the historical aspect of the development of security cooperation between Ukraine and the European Union from 2014 to 2022. The aim of this work is to explore the features and prospects of Ukraine and the EU in the security sphere.

Key words: European Union (EU), security sector, security policy.

У даній статті проаналізовані безпекові відносини між Україною та ЄС що беруть початок з часу здобуття її незалежності 1991 р. і визначаються різними форматами співпраці (політикою, ініціативами, стратегіями). Було розглянуто два етапи безпекових відносин між ними. Перший датується 1993-2014 рр., коли Україна лише прагнула наближення до ЄС і його стандартів та шукала свою інтеграційну модель політико-безпекових відносин. Основним документом, який регулював відносини між ними цього періоду була Угода про партнерство 1994 р. Загалом в цей період безпекова співпраця між ними здійснювалась в рамках: Європейської політики сусідства (ЄПС) з 2004 р.; Європейської стратегії безпеки «Безпечна Європа у кращому світі» (2003 р.); Східного партнерства (2009 р.), яке стало більш поглибленою формою співробітництва ЄС із його східними сусідами, Україною зокрема. Другий етап – від 2014 до сьогодні. Цей період є визначальним як в плані євроінтеграції України, так і її безпекових особливостей. Впродовж останніх кількох років спостерігаємо й трансформацію безпекової системи міжнародних відносин, яка також обумовлена реалізацією загарбницької політики РФ щодо України. Вже після початку РФ масштабної війни в Україні, ці дихотомічні процеси між Заходом і Росією особливою мірою актуалізувались – більш чіткими і очевидними стали відмінності між ними щодо геополітичних орієнтирів, світоглядних принципів і міжнародно-правових норм. Відтак, ЄС об'єктивно вже не може залишатись осторонь подій в Україні і ігнорувати масштабні загрози, які РФ формує і практично реалізовує на українській території. Саме тому об'єктом дослідження є безпековий вимір співпраці Україна-ЄС; а предметом дослідження є дослідження історичного аспекту розвитку безпекового співробітництва України та Європейського Союзу у 2014-2022 роках. Тому метою даної роботи є дослідити особливості та перспективи України та ЄС у безпековій сфері.

Ключові слова: ЄС, безпекова сфера, безпекова політика.

Introduction. So let us consider the first stage of security relations that lasted from 1993 to 2014. The European Neighbourhood Policy was based on the European Commission documents 'Wider Europe – Neighbourhood: A New Framework for Relations with Our Southern and Eastern Neighbours' from 2003 and 'European Neighbourhood Policy. Strategy' from 2014, and primarily encompassed the cooperation between the EU and Ukraine regarding internal reforms, ensuring principles of democratization, the rule of law, protection of human rights, and etc. Within this framework, the ENP provided for a partnership on

a bilateral basis between the EU and Ukraine based on a mutually agreed Action Plan (2005) [1, p. 163]. The main priorities identified by the EU's ENP included: economic development, the spread of democratic values, and the guarantee of security and stability. In fact, these priorities can be summarized into a triad: 'security, stabilization, and Europeanization' [1, p. 133]. They also became instruments of the EU's 'soft power'. Thus, strengthening security was aligned with the promotion of European interests and values.

Ukraine, as a newly independent state, was generally important for the EU, as it objectively became

an element of the European geopolitical structure. However, on the one hand, by implementing the ENP, the EU generally sought to minimize the conflict between the East (Russia) and the West of the Cold War period, replacing it with a policy of enlargement of Central and Eastern Europe, and thus stabilize the eastern European space. In this way, the EU was shaping a new order based on democracy and its values, which would also ensure security. On the other hand, although Ukraine adopted this model of security relations with the EU and proclaimed its course towards European integration, due to the needs for modernization and reform across all areas of Ukrainian society, as well as Russia's influence on its internal processes, the ENP did not provide Ukraine with prospects for EU membership. As T. Sydoruk rightly points out, in fact, the EU paid little attention to Ukraine's democratization as such, and the lack of political will and common interest of EU member states in the Ukrainian issue became apparent. This policy was mainly aimed at liberalizing the economy between the EU and Ukraine, concluding free trade agreements between them to overcome barriers to socio-economic development with the EU, and this could not 'automatically' contribute to the democratization of the political regime and reforms [9, p.167-168].

In 2003, the European Security Strategy titled 'A Secure Europe in a Better World' was adopted. A key feature of this strategic document is its comprehensiveness, as it encompasses various areas of the EU's foreign policy, including economic, political-legal (implementation of the principles of democracy and human rights), diplomatic and defence aspects, thereby demonstrating its global leadership [12].

The goal of the 'Secure Europe' was to continue to form a security environment on the EU's eastern borders and maintain international order, as well as to counter new threats. According to this Strategy, the main security problems in Europe were defined as: the development of technologies of ballistic missiles and weapons of mass destruction; new terrorism; weak states and organized crime and others [33, p. 104]. These threats were generally defined as 'more diverse, less visible and less predictable' [3, p.59].

It is worth noting that in 2007, in accordance with the EU-Ukraine Action Plan, the parties began negotiations to create a new, more enhanced agreement to replace the Partnership and Cooperation Agreement of 1994. In particular, four negotiation groups were established to address external and security policy issues for the discussion and preparation of the new agreement. In 2008, at the Ukraine-EU Summit, the parties agreed that the new enhanced agreement would be the Association Agreement which would include a security component. However, in 2008, the Russia-Georgia conflict occurred, which caused disagreement within the EU regarding the implementation of this Strategy. In this context, the European Parlia-

ment adopted a supplementary document to the European Security Strategy titled 'Ensuring Security in a Changing World' [12].

The Union for the Mediterranean was also initiated in 2008, with the aim of deepening relations with its eastern neighbours based on new principles. However, despite the declared goals, this initiative did not prove effective in addressing security and defence issues. Firstly, a system of collective security was not established. Secondly, the EU's military capabilities turned out to be ineffective in managing military operations.

Given the new security environment and the overall shortcomings of Eastern policy in these formats, there was a need to develop a more appropriate instrument of cooperation. In 2009, this new instrument was the EaP initiative, which envisaged cooperation between Ukraine and the EU on the principles of political association and economic integration, as well as ensuring 'stability, security and prosperity' in Ukraine and other Eastern European countries. At the same time, the EaP is seen by many scholars as an integral part of the ENP, its 'eastern dimension' [11, p.20]. The Eastern Partnership (EaP) provided Ukraine with the opportunity to update its contractual and legal framework with the EU by replacing the existing partnership and cooperation agreements with an Association agreement, establishing a deep and Comprehensive Free Trade area (DCFTA), and liberalizing the visa regime among other things. The EaP specifically offered Ukraine the prospect of EU membership, depending on reform of its political system. The EaP primarily represents a dialogue with the EU through the organization of summits, ministerial meetings and the work of thematic platforms at the expert level across various fields.

In the European Commission's communication on the 'Eastern Partnership' dated December 3, 2008, security was identified as one of the directions of this EU initiative, but only in the context of border management, combating illegal migration, and organized crime [5]. Clearly, this was a narrowly defined concept of security partnership. Since its inception, the Eastern Partnership did not aim to address security issues; rather, it was presented primarily as a platform for research and information exchange on security threats. A bit later, and quite cautiously, the EU began to focus on security cooperation within the EaP, covering counterterrorism, hybrid threats and cybersecurity. However, these areas did not fully address Ukraine's security needs. Fragmented attention was also paid to enhancing dialogue with Ukraine on security and improving cooperation within framework of the Common Security and Defence Policy (CSDP).

According to researcher G. Gressel, such caution in implementing security policy towards Ukraine is due to the EU's reluctance to increase confrontation with Russia and compromise its stability. Initially, the

EU did not consider security threats from Russia, Turkey or Iran to be critical enough to respond to them with any particular resolve [91]. Therefore, despite the certain ambitiousness of the EaP initiative, there is a 'security deficit' within framework – the EU's failure to take into account both the security problems of the EaP region as a whole and the 'weaknesses' of Ukraine's national security, which simultaneously negatively affected the implementation of internal reforms. Given Russian's policy towards the EaP countries, some EU leaders (e.g. France) considered strengthening security cooperation with Ukraine a 'dangerous and counterproductive' step.

The EaP format also did not provide for conflict resolution in the participating countries of the initiative. For a long time, the EU did not openly recognize Russia as the main source of security threats to Ukraine and the EaP region. This was only somewhat vaguely mentioned in the 'EU Global Strategy' of 2016: 'Russia's violation of international law and the destabilization of Ukraine, as the culmination of long-standing conflicts in the Black Sea region have challenged the very foundation of the European security order' [5].

We agree with V.Matyniuk's view that the limitations of security tasks within the Eastern Partnership are due to the fact that: 1) the EU was guided by the priority of its own security; 2) it sought to accommodate the interests of all stakeholders; 3) it tried not to act contrary to the interests of the third party (clearly, Russia); 4) there were opposing foreign policy interests among EaP participants [5]. In our opinion, it is also worth adding excessive focus on 'soft security' and the over-reliance on delegating security functions to NATO and the United States.

Also valid is the opinion of expert K.Zarembo, who points out that for a long time, the EU neglected security issues in its relations with Ukraine. Security was a subject of bargaining between the EU and Russia [18]. To some extent, this was due to Ukraine's declaration of 'non-aligned' status in 2010 and the fact that, despite formally proclaimed security cooperation with Ukraine, the EU was more focused in developing this area with Russia, which created the risk of excluding Ukraine from the European security architecture. Thus, the formally declared comprehensive approach and 'all-encompassing' nature of the Common Security and Defence Policy (CSDP) and the European Security and Defence Policy (ESDP) during the period under review did not align with the EU's actual security and defence policies, and, as G.Gressel asserts, they were a 'paper tiger' [141].

The aggressive policy of the Russian Federation towards Ukraine became a particular challenge for security relations between Ukraine and the EU in the second period. In view of the security threats posed by Russia, the EU stands for the territorial integrity of Ukraine, recognized Russia's annexation of the

Autonomous Republic of Crimea as illegal, tried to help resolve the conflict in eastern Ukraine (e.g., the Minsk Agreements), condemned the war waged by Russia against Ukraine, and supports Ukraine in every way, including through military assistance. An important element of the EU's support for the settlement of the situation around Ukraine has been the restrictive measures (sanctions) introduced by the EU in 2014 in response to Russia's aggression against Ukraine and significantly expanded after Russia's full-scale invasion of Ukraine. Various security aspects of the Russian-Ukrainian war are covered in statements, resolutions, opinions and other documents of the EU institutions and leadership. Therefore, as a result of the Russian war, security cooperation with the EU is extremely important for Ukraine, as it allows it to more effectively counter Russian threats.

Conclusion. When considering security cooperation between Ukraine and the EU, it is advisable to pay attention to the domestic legislation of Ukraine that regulates this area. First of all, it is the National Security Strategy of Ukraine, which was developed in 2014 [6, p. 120]. The main goals of the National Security Strategy of Ukraine are: minimization of threats to the sovereignty of the state and restoration of the territorial integrity of Ukraine; ensuring the European integration of Ukraine through its democratic development. And its tasks are defined as: development of defense and security potential of Ukraine; new foreign policy positioning of Ukraine in the world in the context of instability of the global security system [7, p. 5-6]. The Strategy also identifies the most significant security challenges to Ukraine's national security, including the following: 1) Russia as "a source of long-term systemic threats to the national security of Ukraine"; 2) the occupation of Crimea and Russian aggression in Donetsk and Luhansk regions; 3) Russia's "hybrid war" against Ukraine; 4) escalation of armed aggression against Ukraine (war of February 24, 2022); 5) threats to energy and information security; 6) threats to critical infrastructure. In particular, these security challenges coincide with those of the EU [11]. And also the Law of Ukraine "On National Security of Ukraine" of 2018, which states that Ukraine's cooperation with the EU within the framework of the ESDP and bilateral military cooperation with EU member states is an important part of Ukraine's European integration path (Part 3, Article 3). This law was developed with the participation of Western experts and is an important part of the implementation of European standards of public administration in Ukraine.

The security relations between Ukraine and the EU during this period are determined by the Association Agreement signed on June 27, 2014. The Agreement entered into force in full on September 1, 2017. As a result of this agreement, relations between the two countries acquired a qualitatively new format

of political association and economic integration (through a free trade area). It is worth noting that the Association Agreement is an unprecedented agreement between the EU and the EaP countries in terms of breadth (number of areas covered) and depth (detail of obligations and timeframes). According to the Association Agreement, Ukraine cooperates with the EU in the military-political sphere (twice a year participation in discussions and debates within the EaP multilateral platform: Platform 1 “Democracy, Good Governance and Stability”), military (with the support of the European side, representatives of the Armed Forces of Ukraine are trained on CSDP) and military-technical spheres. The Association Agreement also includes: countering organized crime and arms trafficking; cybercrime, cyber threats, terrorism; participation in training initiatives, ESDP operations and EU combat units; strengthening the ability to respond to regional chemical, biological, radiological and nuclear threats, etc.

The basis for the implementation of the EU-Ukraine Association Agreement is the Action Plan approved by the Cabinet of Ministers of Ukraine on September 17, 2014. In particular, this plan includes tasks in the security sector. As noted by military experts I. Koziy, L. Polyakov and K. Fedorenko, Ukraine has

partially implemented the Action Plan: in the field of migration and border management; in the field of border cooperation; in the field of crime prevention; the national police and other reforms have been implemented; ways to counteract cyberattacks carried out by the Russian Federation against Ukraine's infrastructure facilities have been developed [2]. However, this plan left out the issue of forming an appropriate legislative framework for participation in EU operations and training missions under the CSDP and ESDP, as well as cybercrime and arms trafficking.

It is also worth paying attention to the role of Ukraine in the EU Global Strategy 2016. As already mentioned, the prerequisite for its formation was the Russian military aggression against Ukraine since 2014 and the change in the geopolitical and security situation in Europe as a result of this aggression. Thus, the crisis in Ukraine has created an influential context for political discussions on the ENP renewal and the formation of the EU's Global Strategy. Russia's occupation of the Ukrainian peninsula of Crimea and active support for the unrest in the eastern Ukrainian region of Donbas marked the beginning of a further war in Europe. The EU's response is a multidimensional strategy to support the new Ukrainian government and attempts to stabilize the conflict in eastern Ukraine.

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