

Katarzyna Kuczek

The European Council Common Strategy (1999/877/CFSP) on Ukraine – strategic partnership or consecutive political correctness?

Some piece of law, despite the passage of time does not lose anything from its value. The fact comes true in a question of the EU – Ukraine relations definitely. Recent developments shows that the country has already come the part of essential metamorphosis in the field of economy and politics, but the way to the full transformation still requires a lot of sacrifice and shared efforts. The EU as an institution particularly supporting prodemocratical transformation on the continent put all the possible means to help Ukraine in conforming processes. When the year 1989 brought the collapse of the communist system, Poland and all the countries of Central and Eastern Europe were encircled by such assistance. Nowadays when Ukraine is going through changes the EU lands a hand to facilitate them. Whether effectively? That is just a controversial subject. Regrettably the Union is being accused of passivity, sounds for conversion of rhetoric into specifics appears too often. Aptness of those remarks will be discussed in this paper.

UE Common Strategy on Ukraine approved by the European Council on the 11 December 1999 was till not that long ago a fundamental, next to the Agreement on Partnership and Cooperation (PCA), document regulating common diplomatic relations. The act

defines the EU visions in relation to the partnership, clarifies principal objectives, specific initiatives and calculates necessary to reach them means¹. The European Council used extremely lofty phrases to express the sense of common, as it claims strategic partnership. Due to the fact that Union recognizes that common cultural roots are a vital piece in building stability and pace in the region of the East Europe. That is why it reminds about nuclear safety and settles the case of Chernobyl quite frequently². The EU notices contribution of Ukraine for building stability in the area, it acknowledges its European aspiration and notices the virtues of cooperation. To assure the proper implementation of the Agreement the EU sees the following purposes in relation to collaboration with Ukraine:

- Supporting democratic system and economical transition by the consolidation of law democracy and public institution, as well as creating conducive to economical and social reforms environment. To be more precisely the first platform should be reached by constructing: the full effective rule of law, sector of the NGO, free Medias and the independence of the public institutions. These steps are prerequisites for developing the second aim - market economy, being a measure of building economical benefits to all the inhabitants. Accordingly the EU encourages gathering structural reforms, especially in the agriculture, constant privatization and liberalization that will lead to establishing the macro-economic price stability. The EU points the necessity of solving problems with debt service obliga-

¹ European Council Common Strategy (1999/877/CFSP) on Ukraine.

² *Ibidem*.

tions. It makes further cooperation on the approximation of legislation towards UE norms and restrictions dependent.

- Ensuring stability and pace on the European Continent. The aspiration should be achieved through the close cooperation in the field of international organizations occupying maintenance of security in a free and democratic Europe. Partners must also strengthen its work in the export control and filling international resolutions.

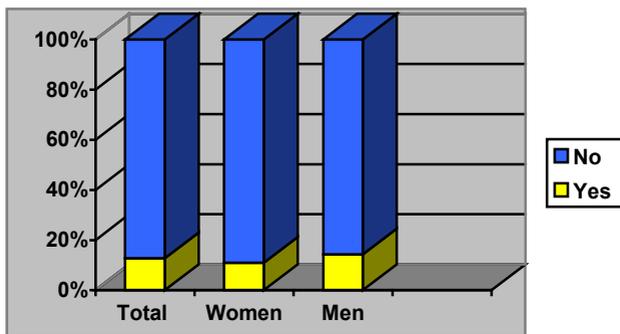
- Cooperating in the field of environmental protection the same as for energy and nuclear safety. Ukraine ought to take all necessary precautions to assure the gradual improvements in the environment condition. It is also obligated to undertake the energy sector reforms. It is encouraged to make efforts to close the Chernobyl Nuclear Power Plant.

- Assuring common collaboration in the context of the EU enlargement. As after the process of accession the UE and Ukraine shares border, this ought to contribute to the range of mutual profits. This purpose in turn is reached successively by stimulating processes bounding for the WTO membership, creating the free trade zone with UE, stimulating a favorable for investment surrounding. The European Council wanted to focus common works on combating illegal immigration, assuring border security, forcing against organized crime, adopting visa policy to the EU requirements, developing cross – border and regional initiatives between neighbors and finally on seeking satisfactory solutions in relation to the issues of transport³.

³ *Ibidem.*

Undoubtedly targets are pompous and the whole Strategy sounds as an epic poem. However the style doesn't go hand in hand with its popularity. And knowing the tendency of the UE to publicizing strategies, the popularity ought to be much bigger. After the importance of the Strategy, an intimate knowledge about the legal act is rather small. Results of conducted while opinion pool data shows that questionaired are deficient even in a consciousness of the Strategy existence. All research used in the paper were carry out according to the method of unrepresentative trial (of the views of the students of University of IT und Management in Rzeszów) in the randomly chosen period⁴. Answers on the question "Have you have ever heard about the European Council Common Strategy (1999/877/CFSP) on Ukraine?" were shaped as it is shown on the graph below:

Graph 1: The level of knowledge about the Common Strategy



Source: Compiled on the basis of own surveys

⁴ The methodology of research has been used in M. Szewczyk, *Polityka Audiowizualna, UKIE*, Warszawa, pp. 106-107.

An analysis based on surveys says that 87 percent of all the students claimed not to have ever heard about the Strategy. There was possibility to notice the trend of rising the level of knowledge along with growing age. Due to outcomes it may be supposed that UE hasn't attached a great importance to commercialization. But this unfamiliarity with the Strategy may be also a fact to back-up a subsequent thesis: the EU hasn't treated common relations in the way that covers Ukraine's aspirations. To dispute about the matter it is needed to define the term of the strategy. If it is understood as a primary, economical, social and military goal; expressing a dominant direction in relation to specific entity. Also as an effect of a compromise that takes in consideration all the sides interests and pursuits and to reach them it engages all possible financial, human and political resources. It can be supposed that the European Union has deviated from true: appropriate term understanding. As T. Woźniak claims willingness of integration with the EU has been strongly declared by Ukraine from certain period of time. When Brussels in turn avoids word of integration, and replaces it by rather safer term of deeper cooperation. The EU touches upon cultural exchange and tight border⁵. J. M. Barosso thinks that the future of Ukraine lays in Europe. But instead of the discussions about the membership Ukraine must concentrate on achieving solid net results. According to the EU those is definitely to less. From its own side Ukrainian executives are disillusioned with the reserve of the Union that treats common relations as with Asian or African nations. As an effect two tendencies have appeared towards Ukraine: one "wait for events"

⁵ <http://www.tolerancja.pl/?kat=10&id=4>, 21.03.2006.

development – than we will see” and the second one to execute current plans without expanding privileges. In both cases there is no way to assign them the name of “strategy”⁶. If Union doesn’t intend to change the policy direction it will be forced to transform the style of its writing papers at least. In the mentioned document the expression strategy in different meanings is used twenty four times.

After all reasoning, based only on the factor of popularity and the word-formation would be a faulty, I will try to trace the resources that UE has predicted for the execution of the Strategy. Due to the article 39 of the document to cited objectives EU will make use of the relevant instruments and means available to the Union, the Community and the Member States. Later, in the next pages, it defines those auxiliary means, as the ones mentioned in the PCA and all the EU and MC programs, policies and instruments. Considering the tasks that EU has set to Ukraine the size of the support ought to be tailor to the requirements. Is it so? The Title IX of the PCA was devoted to the matter. In four articles European Union has enumerated that Ukraine will temporary benefit from financial support of the organization. This assistance will include technical help in the form of grants and mainly will be based on the TACIS’ framework. The program takes into account needs of the country, sectoral absorption capacities and reforms’ progresses. The help is coherent with other institutions and individual Member Countries financial assistance. Actually the major program that is targeted at stimulating changes on Ukraine is TACIS. The instrument consist of national as

⁶ G. Gromadzki, O. Suszko, *Między satysfakcją a rozczarowaniem*, The Stefan Batory Foundation, Warszawa-Kijów, 2006, pp. 2-6.

well as regional programs in areas related to transport, justice, combating terrorism and organized crime, energy and appropriate organization of natural resources with special attention to water. TACIS contains cross-border part that promotes developing links between neighboring countries and societies. For years 2002-2006 subsequent points have been marked:

- Stimulating legal, administrative and institutional reforms
- Supporting economic changes and privatization
- Leveling negative consequences of transition

EU provides help through the macro-financial support, by the humanitarian aid in Echo and European Initiative for Democracy and Human Rights (EIDHP), via established Science and Technology Center⁷. The total quantity of grants for Ukraine in millions of Euro is presented in table below:

Table 1: EU assistance for Ukraine

	1991-1998	1999	2000	2001	2002	2003	2004	2005	Total
TACIS	711,3	97,8	58,5	127	102	105,6	113,3	143,1	1458,6
Fuel gap	-	-	25	20	20	-	-	-	65
Echo	12	6,3	1,3	0,9	-	-	-	-	20,5
Loans	565	-	-	-	110	-	-	-	675
STCU	-	3	4,5	4	4	4	4	5,5	29
Total	1288,3	107,1	89,3	151,9	236	109,6	117,3	148,6	2248,1

Source: Compiled on the basis of http://europa.eu.int/comm/external_relations/ukraine/intro/index.htm

⁷ http://europa.eu.int/comm/external_relations/ukraine/intro/index.htm

TACIS funds dominate the whole budget for Ukraine. It has been scheduled to increase substantially the amount of transferred money over the period 2002-2006 from 102 million Euro in 2002 to 143 millions Euro in 2005. As a direct result of TACIS realization Ukraine has been powered in approximately 1500 millions of Euro and in the accumulation of entire transfers the amount of 2248 millions were rolled in to the country. Unfortunately, there is no doubt that the amount is a drop in the sea. Facing of rising requirements it seems obvious that Ukraine has to make significant changes independently from the EU material assistance. But simultaneously the fact of the matter is that the country passes through changes almost with any investments from the outside. The help about 6 billion of dollars cannot be compared for instance with 55 billions that Poland received in the same time. After all contained in the Strategy and the PCA declarations EU claimed that Member Countries should make additional efforts to cooperate more effectively. The Council and the Commission should seek profitable for both sides solutions and support them by developing stabile legal frameworks, as well as the health system, social security, political dialogue and many others⁸. It's cannot be hidden that quite costly activities won't be achieved in a satisfactory to both sides way only by the support, recognitions and exchanging politnesses.

Whether the common relations can be qualified as a political correctness? In subjective view-no. Of course if the term is described as international connections between countries, organizations and other entities of world legislation, based on minimum, rules

⁸ European Council Common Strategy (1999/877/CFSP) on Ukraine.

necessary to avoid clashes and wars. It doesn't return the real sense of the general reciprocal attitude. Parties are much more involved in a variety of activities that definitely transcends the required slightest relations. Notwithstanding not always accurate solutions, Ukraine should be doubtless assured its future in EU structures. It should be taken into account that the EU has already come through the serious crisis of identity after the biggest enlargement in its history and the European Constitution rejection. Tiredness of changes causes bigger than usual closure for increasing the territory. It is also worth remembering that EU is known for restraint to assessing new countries. It is hard to hidden that the EU used to functioning in the *stricte* airtight surrounding of rich and wealthy West Europe countries. It shouldn't be a surprise that each attempt of limiting that state of affairs awakes resistance or at least fear. In that case what are the solutions? Ukraine must focus on the implementation of the requirements first. Argument in this tender may be a fact that without almost any help Ukraine is going through dynamical changes. During the past three years its economical growth reached from 6 to 7 percent per year. The refusal of signing the treaty of Ukraine's association with the European Community doesn't mean that the EU wants to create another iron curtain on its border. The Union goes rather in a direction of stability in the East region of Europe. That is why procedure of sealing the boundary shouldn't be taken as a deny of future membership. Regarding that through Ukraine are going the main trials of flipping the drugs and illegal immigrants from the Far East, the EU's conduct seems to be more than reasonable. Conception of "Wider Europe" presented in 2003 points the necessity of low

adaptation. As Leonid Kuczma has confirmed Ukraine had chosen the European Union as an alternative to further evaluation. Since then Ukraine has made good headways with implementation of the EU legal acts. Under the circumstances of the Union indecision, there is any other way than further transformation in the European spirit. Endeavourers will be finally perceived. The profitable support can be gained from Poland's side that doesn't make any secret of its favor to Ukraine European pursuits. For Ukraine Poland could be an excellent negotiator and supporter naturally. According to T. Śmietana if the EU wants to create around its border the area of economical and political stability it shouldn't limit its activity in relation to neighbors only to programmes of assistance it rather ought to stand them in front of details. It should get down to the nitty-gritty that pretenders must fulfill. This will let them to move on to other rungs of the ladder in integration process⁹. The fact that the association agreement doesn't need to be finalized by the full participation in the EU structures should be used by Ukrainians while negotiations.

The good example of Ukraine's progresses is just the Common Strategy. The targets of it, as well as strategic goals with regard to the Country were positively opinioned by the European Council. Basing on it the document was in force till the 23 June 2004. Since that time Ukraine may be considered as:

- The country with open and pluralistic democracy, governed by the rule of law and the one with a stable function-

⁹ <http://www.tolerancja.pl/?kat=10&id=5>

ing market economy that gives benefits to all the people of Ukraine.

- The nation that puts all possible efforts on the cooperation for stability and security in Europe and the wider world, and in finding effective responses to common challenges facing the continent

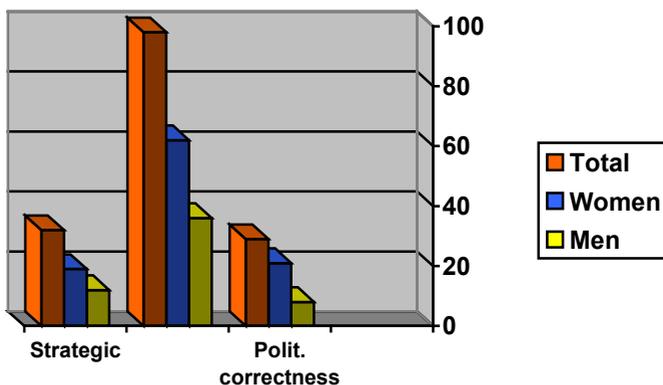
- The entity that collaborates with Member Countries of EU in the fields of economy, politics, culture, justice and home affairs¹⁰.

It is necessary to remember that ending of the act's viability doesn't mean that aims were reached in the proverbial 100 percent. Nowadays in the age of globalization, when transformation is going so fast, the need of actualization with raising the requirements at the same time is crucial matter. Considering that, when the act was being created, common relations were mainly based on the diplomatic dealings, that were just molding its form and shape and usually resembling those of political correctness. Nowadays, after the huge transition that Ukraine has come, they are much more advanced. If then the common relations aren't already correctness and yet strategic partnership, the following question occurs: "What character have the relations between Ukraine and the EU?" Under the opinion of examined that have had three answers to choose:

- strategic that is being guided for future membership
- auxiliary that is being understood as a hold of prodemocratical and market economy changes
- just another, consecutive political correctness

The results are presented on the graph two:

Graph 2: The character of EU - Ukraine relations.



Source: Compiled on the basis of own surveys

The great majority of interviewed sees those relations in the context of material and pecuniary assistance, what is probably caused by the Poland's parallel experiences in receiving grants as a form of support. The part of them claims that they assume the appearance of strategy, what in turn may be a detail showing Poles backup for changes.

Summing up, the argumentation appeals to the following conclusion: the EU – Ukraine connections aren't taking the form of political correctness, as well as the strategic affiliation, although they are heading for this state consistently. Most aptly present relations may be defined as a unique form. This structure remains the EU

¹⁰ European Council Common Strategy (1999/877/CFSP) on Ukraine

searches its own identity. And this uniqueness lies somewhere between both mentioned. After that, relations still require many efforts to reach the aim – becoming the strategic partnership and to avoid failure – political correctness.