Dancing with the Devil: Explaining the European Union’s Engagement with Ukraine under Viktor Yanukovych

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Paper presented at the Biennial Conference of the European Union Studies Association, Boston MA, March 6 2015

 In February 2014, Ukrainian President Viktor Yanukovych was forced from office, capping three months of protests against his rule. The epicenter of the anti-Yanukovych rallies was Kyiv’s Independence Square, which gained the moniker “Euromaidan” because the demonstrations were sparked by Yanukovych’s last minute rejection of an Association Agreement (AA) with the European Union (EU) and protesters demanded closer integration with the EU as well as a government committed to democracy and the rule of law. Yanukovych’s ouster was celebrated by the EU, and he was subsequently widely pilloried as a “thug” and head of a “gangster regime.” Those with short memories were reminded of his past transgressions, including the attempt to steal the 2004 presidential elections, which led to the so-called Orange Revolution and subsequent installation of a pro-Western government.[[1]](#footnote-1)

 The Orange Revolution, alas, failed to fulfill its promise, and, in light of the Russian annexation of Crimea in March 2014 and the on-going, bloody separatist conflict in parts of eastern Ukraine, it is clear that Ukraine faces immense difficulties after the more recent “Euro Revolution.” Furthermore, there is no doubt that managing relations with Kyiv and Moscow will be a long-term challenge for EU foreign policy. This paper, however, asks a different question, one that looks back rather than forward and focuses attention less on the Euromaidan and its aftermath and more on the decision by the EU to proffer an AA to Ukraine while it was ruled by Yanukovych.

In short, the EU’s engagement with Yanukovych—now somewhat forgotten given his ouster and dramatic subsequent events—is a bit of a puzzle given its past policies and stated priorities. The EU, of course, has long pursued close ties with Ukraine, concluding a Partnership and Cooperation Agreement with Kyiv in 1994. It created numerous programs and supplied aid to promote security as well as economic and political reform. Membership, however, has never been on the table, and, particularly, under President Leonid Kuchma (1994-2005), Kyiv’s “declarative Europeanization” fit uneasily with its corrupt, semi-authoritarian political system (Wolczuk 2004). The calculus changed after the Orange Revolution, when a new government promised real change and expected rapid progress toward EU membership. This did not occur. While there were some initiatives from the EU, including new aid programs and an Action Plan, Ukraine was lumped together with countries that had no membership perspective in the 2004 European Neighborhood Policy (ENP). The later 2008-2009 Eastern Partnership (EaP) offered to six post-Soviet states was portrayed as an upgrade in ties but likewise had no statement about or roadmap for EU accession. Even concluding an AA with the EU long remained an elusive goal. A 2010 report from a Kyiv-based think tank concluded that Ukraine had mostly elicited “distrust, fatigue, disappointment, and irritation” from the EU (ICPS 2010: 42).

Both the ENP and the EaP were outgrowths of the EU’s largely successful use of democratic conditionality in its expansion to East Central Europe, and these programs sought to employ conditionality as well (Kelley 2006; Sasse 2008; Stewart 2015). In the language of the ENP, the “pace of development of the European Union’s engagement [with targeted countries] will depend upon commitment to common values,” including, *inter alia*, democracy, human rights, and the rule of law (Commission 2004). The EaP stated that the same principle applied: “how far we [the EU] go in relations with each country will continue to depend on the progress made by the partners in their reform and modernization efforts” (Commission 2009). In short, there would be more [aid, engagement, integration] for more [reform], and the EU stipulated that AAs were possible only if there was a “sufficient level of progress in terms of democracy, the rule of law, and human rights” (Commission 2008: 4). Although this conditionality was not as strong as that tied to membership, prior to 2010 Ukraine did make some reforms in these areas, although, to be sure, they were limited (Kubicek 2007; Solonenko 2009; Gawrich *et al* 2010; Freyburg and Richter 2013; Tolstrup 2014). This did not lead, however, to a major breakthrough or new dynamic in Ukraine-EU ties or a re-categorization of Ukraine in relation to other, less democratic post-Soviet states (Pridham 2011: 22).

This ultimately did occur, however, with the AA that offered, *inter alia*, a Deep and Comprehensive Free Trade Area, more sectoral cooperation and financial assistance, and prospects for visa-free travel for Ukrainians to the EU. This was, in the EU’s terms, “ambitious” and “innovative,” the “first of a new generation of Association Agreements” with post-Soviet states, putting EU-Ukrainian relations on a higher level than those with other EaP states.[[2]](#footnote-2) What is notable, however, is that while negotiations for this agreement were launched in 2007, they continued even after Yanukovych assumed the presidency in 2010 and began taking Ukraine in a more authoritarian direction. It was initialed by the two sides in 2012 and remained on the table throughout 2013, even as Kyiv failed to meet key, public EU demands for political reform and liberalization and some Ukrainian opposition parties called for EU sanctions, not engagement. The question, then, is why the EU, *pace* its pledges in the ENP, EaP, and other documents, ended up offering, in effect, “more for less”?

This question, which concerns the (non)application of conditionality, has relevance well beyond the Ukrainian case. The EU has committed itself to use of conditionality in numerous agreements with non-member states. Conditionality works on the logic of employing blandishments to reward good behavior and punishments or withholding of benefits to rebuke bad behavior. Of course, there can be problems employing conditionality (e.g. are the “carrots” and “sticks” enough to produce the desired effect?; are there countervailing domestic political calculations?; do targeted states have other options besides the EU? how much “reform” or “progress” is enough?).[[3]](#footnote-3) With respect to conditionality on issues of democratization, there is little doubt that the EU frequently engages with “reluctant democratizers” (Kubicek 2003) or is left trying to promote “democracy without democrats” (Youngs 2010: 72-77), and other goals (e.g. security, maintaining trade or energy ties) might make it difficult to manage relations with non-democratic regimes and affect the level and type of EU democracy promotion (Wetzel and Orbie 2015). However, the rewards offered to Ukraine under Yanukovych—which went far beyond other cases such as the “functional cooperation” offered under the EaP to dictatorial Belarus (Bosse 2012)—are rather jarring, particularly given how quickly the EU embraced his ouster. Understanding EU engagement with Ukraine is thus an interesting and important case of its application of democratic conditionality and can shed light on EU policy elsewhere, including, perhaps most significantly, with an increasingly autocratic and militant Russia.

This paper is made up of three additional sections. First, it will briefly suggest hypotheses that could explain EU behavior. Secondly, it will examine, based upon evidence both during and prior to Yanukovych’s 2010-2014 presidency, each hypothesis in turn to determine which one(s) best match with available evidence. Lastly, it will conclude reflecting upon what lessons can be derived from examination of this case.

**Possible Motivations of EU Policy Toward Ukraine**

If we consider the EU’s engagement with Yanukovych—“dancing with the devil” to invoke the title of this paper—a puzzle, what factors might help explain it? We present four alternative explanations.

First, one could argue with the assumptions guiding this paper and contend that the alleged puzzle is absent or overstated. In short, one could contend that Yanukovych was no “devil” (democratic regression in Ukraine was that marked) and/or that the EU did not really “dance” with him, meaning that while it was diplomatically engaged with Ukraine it noted democratic shortcomings and applied conditionality by insisting Ukraine take steps (e.g. the freeing of opposition leader Yulia Tymoshenko[[4]](#footnote-4) and other political figures) prior to any major upgrade in EU-Ukrainian ties, including adoption (as opposed to merely initialing) the aforementioned AA.[[5]](#footnote-5) With respect to the first point, one could note that Yanukovych came to power in 2010 via competitive elections and afterwards remained, at minimum, an “electoral democracy,” with opposition parties winning a sizeable percentage of the vote in 2012 parliamentary elections.[[6]](#footnote-6) Furthermore, Yanukovych neither completely turned his back on the EU, nor, rhetorically at least, a commitment to political reform. For example, in January 2012 Yanukovych advocated constitutional amendments to approve the functioning of government and stressed that Ukraine needed to adopt measures to reaffirm the “inseparability of Ukraine and the European space.”[[7]](#footnote-7) The EU thus may have focused more on the positive and thus did not conclude that conditionality required more “sticks” and fewer “carrots.” With respect to the second point, which acknowledges that the EU pressed Ukraine to make reforms, one can examine how consistent or strongly the EU stuck to its position and, crucially, its orientation by November 2013 when the two sides planned for an official signing ceremony of the AA even after the Ukrainian government had repeatedly missed repeated “deadlines” to meet EU reform demands.

As a second hypothesis, one could note that the EU had multiple, competing goals with respect to Ukraine, and these other objectives may have driven EU policy to offer, not withhold, benefits even as the country regressed with respect to democracy. In particular, one could imagine that security concerns and geopolitical competition with Russia might have been a more decisive factor in EU policy. Ukraine, the largest post-Soviet state after Russia, has long been deemed to hold strategic importance. Zbigniew Brzezinski famously opined that Ukraine was a “geopolitical pivot” and that without it, “Russia ceases to be an Eurasian empire” (Brzezinski 1997: ). Partially as a result of such thinking, both Western powers and Russia have competed for influence over Ukraine since the country gained independence in 1991, with Ukraine itself often pursuing a “multi-vector” foreign policy or trying to play the two sides off against each other in hopes of getting a good deal from one or the other (Tolstrup 2014). Certainly, after Yanukovych fell from power in 2014 the geopolitical competition over Ukraine has been acute, but to test this hypothesis one could examine whether security or geopolitical concerns (e.g. the West was in danger of “losing Ukraine”) became more pronounced in the 2010s, leading the EU to downplay democratic conditionality and offer an agreement to Ukraine that was more favorable than those offered in the past.

Third, rather than treating the EU as a unitary actor, one could imagine that particular actors within the EU propelled policy in a particular direction. These actors may have a distinct set of interests and norms, and may be in a position to shape policy. Ulrich Sedelmeier, for example, has argued that points of emphasis in the EU’s enlargement policy varied across EU institutions (Sedelmeier 2005). In addition, one could easily imagine that EU member states have different approaches to both to democratization and geopolitics (Youngs 2008), and some states that have been historically close to or identify with non-member states might become advocates for them within the EU, what Helene Sjursen calls an example of “kinship-based duty” (Sjusrsen 2002). Notably, studies of EU democracy assistance find some support for institutional explanations that focus on who is driving policy (Wetzel and Obie 2015). With respect to Ukraine, studies based on observations in the 2000s reveal that there were differences in approach between the European Parliament (EP) (typically more supportive) and the European Commission and European Council (more reticent) (Pridham 2011; Freyburg and Richter 2013). Among member states, Poland has stood out since joining the EU itself in 2004 as a staunch advocate for closer ties with Ukraine, and other countries have weighed the costs and benefits of engaging Ukraine differently, with Germany often less supportive of EU engagement (Kuzio 2012a). To examine the above hypothesis, one needs to peer into the “black box” of policymaking in the more contemporary period and look for differences in statements and decisions with respect to Ukraine and seek to discover if particular actors successfully engaged in lobbying for an agreement with Ukraine over doubts or objections of others.

Finally, one could suggest that EU policy toward Ukraine under Yanukovych was the result of evolution and learning on the EU side. Such “learning,” however, could be the result of multiple lessons. One could be that the EU recognized the ineffectiveness of ENP and EaP—in particular as tools for promoting democracy given the lack of membership incentives—and thus realized that it needed to offer substantially more in order to help realize its goals. Under this scenario, the EU remained hopeful of democratization, although it put itself in the position of taking the first step in the “more for more” conditionality equation. Alternatively, however, one could argue that pursuit of an AA signaled something more defeatist, an admission of the futility of using “sticks” to overcome policy stalemate—what was dubbed in the 2000s on the EU side as “Ukraine fatigue” (Pridham 2011)—or, more provocatively still, abandonment of the democratization agenda with a realization that it was better to stress, as it did with Belarus, “functional cooperation” knowing that Ukraine would not fully comply with EU demands. This explanation, if valid and not confined to calculations unique to the Ukrainian case, would have much broader implications about the EU’s engagement with non-democratic states.

These hypotheses, of course, are not mutually exclusive. One could imagine, for example, geopolitics affecting the calculations of particular actors and/or coloring perceptions about the utility of employing “sticks” to further democratization. At the same time, however, delineating in a more specified manner how factors (might) interact would be important in understanding how the EU behaves, not just with respect to Ukraine but on issues of promoting democratization more broadly.

**Examining the Evidence**

 As noted above, the best way to test these hypotheses is to look at EU policy toward Ukraine and the various rationales and expectations that factor into it. This includes examination both of the 2010-2014 period when Yanukovych was president but also the preceding years, particularly after the Orange Revolution, as one can ascertain if and how EU policy evolved in relation to the variables suggested in the hypotheses. We shall take them up in turn.

 *Democratic Regression under Yanukovych and the EU’s Response*

 The assertion that Ukraine, during Yanukovych’s presidency, regressed with respect to democracy, human rights, and the rule of law—core values stressed in the ENP and EaP—is supported by most observers and can be documented with much evidence. This is not to say, of course, that Ukraine was a well-functioning democratic state prior to 2010. Taras Kuzio, for example, suggests that rapacious political elites, weak political parties, low public trust in political institutions, and lack of political will to undertake serious reform have largely been constants in Ukraine since the country gained independence (Kuzio 2012b). At the same time, however, one did witness some progress in the aftermath of the Orange Revolution, notwithstanding problems of corruption, political infighting, and policy paralysis that eventually contributed to Yanukovych’s victory in 2010. Accomplishments included constitutional reforms to curtail presidential powers, development of independent media, and growth of a more vibrant civil society. As seen in Figure 1, after the Orange Revolution Ukraine’s score on the World Bank’s multi-dimensional Voice and Accountability (VA) index on political rights and freedoms, which employs a ±2.5 scale, substantially improved. This is in line with other indices such as Freedom House (FH) and the Bertelsmann Transformation Index (BTI)[[8]](#footnote-8), as well as an assessment by several foreign ministers of EU member states, who claimed that by 2007 Ukraine has become a “beacon of democracy” with a democratic record eclipsing other states in the ENP (Bildt *et al* 2012). It is worth noting as well that some credit Ukraine’s progress in this period to its engagement with the EU, including, at least in the immediate years after the Orange Revolution, “anticipated accession conditionality” as Ukrainian leaders thought, even absent an explicit pledge to consider future membership, that reforms would help Ukraine gain admittance to the EU (Freyburg and Richter 2013, Stewart 2015). This did not occur—the European Commission and European Council pointedly refused to offer even a long-term membership perspective—but the EU did open talks on an AA in 2007, which can be seen, given Ukraine’s democratic progress, as evidence of “more for more” conditionality.



Source: <http://info.worldbank.org/governance/wgi/index.aspx#reports>

 After 2010 and the ascension of Yanukovych, however, Ukraine took several steps backwards with respect to democracy. This is also captured in Figure 1, which shows Ukraine falling below Moldova and Georgia—each of which have their own European ambitions—but remaining better than Belarus and Russia, where political freedoms are far more limited. As before, the data for 2010-2013 are mirrored in other indices. Among the top concerns was a highly controversial decision in October 2010 by the Constitutional Court to annul the 2005 constitutional reforms and restore a strong presidential system. Although justified by Yanukovych on the grounds of re-establishing clearer lines of authority—and given some support by the EU (Kuzio 2012a)—this development ultimately did not contribute to democratization, for as one report noted, his new powers were “predominantly used to check his political opponents” (Matuszek and Sarna 2013: 7). Throughout Yanukovych’s presidency, there were crackdowns on critical media and civil society organizations, manipulation of the judiciary, pervasive corruption, and arrests of opposition politicians. In 2012, FH reported that Yanukovych “dominated the political system,” able to issue decrees and enjoying essentially unchecked power over courts, law enforcement, and regional governments. The final report on the 2012 parliamentary elections by the Organization for Security and Cooperation in Europe (OSCE) noted many problems, including lack of independent media, harassment of the opposition, and irregularities in tabulating votes, concluding that Ukraine had taken “steps backwards” compared to past elections.[[9]](#footnote-9) In 2013, prior to the protests that eventually helped remove him from power, FH noted that Yanukovych made “unrelenting efforts” to ensure his dominance over the system and victory in future presidential elections.[[10]](#footnote-10)

 These developments, it should be stressed, were all acknowledged by the EU. An EU Progress Report in 2011, for example, while noting some progress on economic issues and regulatory reform, claimed there was a “deteriorating situation” in the fields of human rights, fundamental freedoms, and the rule of law and that new elections and respect for democratic principles are at the “top of the EU’s agenda in Ukraine” (European Commission 2011: 6, 1). The Progress Report for 2012, again noting some positive developments, claimed that the country still had serious democratic shortcomings, including problems in the parliamentary elections, “selective justice” (politically-motivated arrest and jailing of government opponents), media freedom, and corruption (European Commission 2013). In 2012, EU foreign ministers decried developments in Ukraine, saying they “have caused us to question Kiev’s intentions” with respect to the values underpinning EU-Ukraine ties (Bildt *et al* 2012). Štefan Füle, then the Commissioner for Enlargement and the ENP, pointed to similar shortcomings, claiming that performance with respect for democracy and rule of law were “non-negotiable.”[[11]](#footnote-11) Specifically, freeing Tymoshenko stood out as a top EU concern, a “litmus test” that the EU repeatedly linked to deepening ties, including ratification of the AA (Stewart 2015: 126).[[12]](#footnote-12) Germany’s Chancellor Angela Merkel did not mince words, calling Ukraine in 2012 a “dictatorship” similar to Belarus.[[13]](#footnote-13)

 However, what is striking—at least for a good part of Yanukovych’s presidency—is that the EU was committed to conditionality in rhetoric *and* in practice. In other words, while it “danced” with Yanukovych—it did not, as was the case with Belarus in 2012, impose sanctions—it by no means embraced him. For example, while the AA, after considerable debate within the EU, was initialed by both parties in March 2012, the EU refused to put it up for ratification by the EP or member states. Several EU foreign ministers noted the AA was “imprisoned” by Ukraine’s substantial democratic shortcomings (Bildt *et al* 2012). European leaders and EU officials boycotted European soccer championship games in Ukraine in 2012 to signal displeasure with Kyiv. A European Foreign Affairs Council report in December 2012 explicitly employed conditionality, indicating that adoption of the AA would only be possible if Ukraine made “determined action and tangible progress” on electoral, judicial, and constitutional reform.[[14]](#footnote-14) In February 2013, during a EU-Ukraine summit European Council President Herman Van Rompuy echoed this sentiment, holding out the prospect of the EU’s signing the AA at the EaP summit in November 2013, but also declaring that Ukraine must demonstrate “concrete progress” by May.[[15]](#footnote-15) During this time period, although the EU continued to provide funds for some initiatives, other aid monies (e.g. Є 70 million for civil service reform) were held up because Ukraine failed to adopt adequate legislation. Susan Stewart (2015: 126) thus concludes that the EU upheld conditionality as it postponed “a hoped-for success (the Association Agreement) out of frustration and concern with losing credibility by offering substantial opportunities for economic integration to a neighbour drifting towards authoritarianism.”

One might therefore conclude that there is nothing mysterious or untoward about EU policy. Central issues, however, are whether conditionality produced the desired response in the targeted state and whether the EU stood firm in its commitment. On both counts, one finds the EU approach wanting, especially as it moved forward on the AA even as Ukraine rebuked EU demands and gave Ukraine innumerable chances to make good on pledges (usually unfulfilled) to undertake reforms. For example, prospects for signing the AA brightened in February 2013 after an EU-Ukraine summit, when the Ukrainian government pledged to take steps to meet EU demands. Yanukovych even declared that Ukraine needed to draft constitutional reforms to “meet the highest European standards.”[[16]](#footnote-16) However, his government’s actions often belied such rhetoric. Not only was Tymoshenko not freed, but in March 2013, Tymoshenko’s lawyer was stripped of his parliamentary seat, a development the EU labeled “disturbing.”[[17]](#footnote-17) In April, Yanukovych did pardon Yuriy Lutsenko, a jailed former Interior Minister whose release had also been sought by the EU. Western officials claimed they would “not be fooled” by what Füle described as only a “first step” to correct problems of “selective justice,” and that there would be no postponement in fulfilling requirements laid down by the EU. However, a former advisor to Yanukovych suggested this was a “calculated bet” on Yanukovych’s end to deliver the “bare minimum” to the EU, which, as suggested above, did not define what “tangible progress” and the like would entail.[[18]](#footnote-18) The May “deadline” passed (and was extended to June and then September) as Kyiv passed vaguely worded reforms to “string along” the EU, while at the same time Ukrainian officials demanded more from the EU, ostensibly to compensate the country from punitive actions (discussed more below) by Russia (Wilson 2014: 63-64). Despite the lack of a real breakthrough—prompting one official from the Commission to note in June 2013 that EU-Ukrainian relations were “running out of runway”[[19]](#footnote-19)—plans to sign the AA progressed, with the Ukrainian cabinet approving it in September, giving a go-ahead for a formal joint signing at the November EaP summit. This approval, one might note, included pledges to meet EU criteria, but, it is worth emphasizing, only pledges. These were not met. In November the Ukrainian parliament failed to approve a bill to free Tymoshenko, and Yanukovych, under pressure from Russia, backed away from signing the AA.

What does one make of this narrative? One interpretation is that the EU did apply conditionality but it failed because the costs, including freeing a major threat to Yanukovych’s power, were simply too high (Kudelia 2013). Thus, a generous reading might be the EU did the best that it could in persistently employing conditionality under difficult circumstances, and Yanukovych, like Alexander Lukhashenko in Belarus, was too tough a nut to crack.

Yet, it is the EU’s persistence that calls out for a fuller explanation, as, in the end, it appeared the EU was more interested in the AA than Kyiv, becoming a jilted would-be spouse as Yanukovych walked away from the altar.[[20]](#footnote-20) Of course, persistence can be a virtue, but after all the disappointments with the Yanukovych government—including the actions against Tymoshenko’s lawyer and, perhaps even more brazenly, the filing of additional charges against Tymoshenko in 2012 after the EU already complained about her imprisonment in 2011—it would have been, at best, naïve of the EU to sign an AA based upon “pledges” to adopt reforms from a government that had chronically relied upon, in Kuzio’s words (2012a: 1), “virtual policies” that existed only on paper and to move forward without waiting to see if and how these reforms would actually be implemented. True, merely “dancing with the devil” is not the same as selling one’s soul for eternity, and, even if the AA had been signed, one can imagine counter-factual scenarios (e.g. suspension of the agreement or refusal of member states to ratify it if Ukraine experienced more democratic backsliding) that would have put the EU in a better light. However, the fact remains that in November 2013, the EU was willing to say, with respect to democracy in Ukraine, “good enough,” watering down, if not abandoning, earlier pledges that AAs would be predicated on substantial democratic progress.

*Resurgent Russia and the Return of Geopolitics*

 Given these developments, how can we understand EU behavior? Was it driven by other motivations, above and beyond democratic conditionality? Among other possible explanatory factors, geopolitics—in particular competition from Russia—stands out a likely factor. As noted, Ukraine has always been seen as geopolitically significant, and it has been tugged—due both to external pressures and inducements and internal political dynamics—both East and West, but never was firmly ensconced on either side. Ukraine’s “European choice,” for example, remained vague in terms of content and its ultimate goal, and its priority in the country’s “multivector” foreign policy has varied over time. Meanwhile, maintaining good relations with Russia, due to economic ties, security concerns, and dependence on Russian energy, has also been a top, and at times, competing priority for Kyiv.

 On the EU’s side, concerns over Russia have clearly been a motivation for its engagement with its eastern neighbors. For example, the EaP emerged, in part, as a response to aggressive Russian behavior, including, in Ukraine’s case, open criticism from Moscow of the “Orange” government after 2005 and backing of its opponents (namely, Yanukovych and the Party of Regions), reanimating the question of Crimea’s status within Ukraine, and sharply raising the price of gas exported to Ukraine (Tolstrup 2014: 201-203).[[21]](#footnote-21) The EaP was thus designed to advance EU interests in this wider context, giving states a source of aid and support to counter Russian influence. However, some in the region, including Yanukovych, looked under Russia less fearfully, meaning that ties with Russia were seen as potentially profitable, useful perhaps to fend off unpalatable demands from Brussels. The net effect of this geopolitical environment, one could hypothesize, is that the EU’s ability to employ democratic conditionality was compromised, as it did not want to risk relations with local elites, many of whom had weak commitment to democratic principles and had other options besides the EU.

 Such was arguably the case in Ukraine. Jakob Tolstrup’s study advances this position most forcefully. Writing before November 2013, when the AA was due to be signed, he suggests that after 2008 “EU leaders increasingly loosened democratic conditionality” and that after 2010 rather than press Yanukovych, they promulgated “a strategy of constructive engagement,” lest “they would force the new Ukrainian leadership into the arms of Russia” (Tolstrup 2014: 195, 207). In a similar vein, one could contend that despite the apparent power asymmetry between the EU and Ukraine, meaning the EU had more to offer to Ukraine than vice versa, this played out in an unexpected manner, as the EU could not abandon Ukraine for fear of “losing it” (Freyburg and Richter 2013). Thus, for example, the EU continued with “business as usual” with Ukraine, even initialing the AA, even as adherence to democratic principles declined (Tolstrup 2014: 206). In this respect, one could argue that by 2013 the EU had got the most out of Ukraine it could reasonably expect (e.g. “pledges” of reform) and that supporting it given Russian pressure against Ukraine (e.g. trade restrictions placed in August 2013 to dissuade it from signing the AA) and ending its flirtation with the Russian-sponsored Eurasian Economic Union was more important than waiting to ensure that Ukraine really had turned a corner with respect to strengthening democracy. The Foreign Minister of Lithuania, a country usually seen as a strong advocate for Ukraine, noted that the AA was a “geopolitical process” and that failure to conclude the AA would be a major blow to the EaP and the EU’s vision of a “open and free” Europe.[[22]](#footnote-22) The ultimate refusal of Yanukovych to sign the AA was, unsurprisingly, put in stark geopolitical terms, a victory for Moscow, which had put “brutal pressure” on Kyiv and “made an offer they [the Ukrainians] could not refuse.”[[23]](#footnote-23)

 This explanation is, at its core, simple to understand and seems supported by some empirical evidence. Certainly geopolitics has mattered in EU-Ukrainian relations. EU documents routinely refer to its “strategic importance” or its status as a “key regional actor.” However, drawing from some of the points made above, it is clear that the EU did not fold its hand, at least initially, in its dealings with Yanukovych. Particularly in 2012, after the initial promise of “stability” under Yanukovych was revealed to be a cover for soft authoritarianism and the EU gained some leverage by being able to hold ratification of the initialed AA over Kyiv, the EU did try to employ conditionality.[[24]](#footnote-24) It stood by the demand for Tymoshenko’s release, although one could view that as a narrow *idée fixe* that by itself would not get to the root of Ukraine’s problems. It largely resisted Ukrainian efforts to “bribe” it for billions more in aid while Putin was simultaneously pressuring Ukraine with sanction and wooing it with a more generous aid package (Wilson 2014: 64-65).

In other words, if geopolitics was the primary policy driver, one would have expected—as Tolstrup found in his examination of the 2000s—for the EU to *consistently* “go soft” on Ukraine, or perhaps even go softer on Yanukovych because he was far more willing to play the Russia card. This is not entirely true. The EU, albeit perhaps in a limited manner, did respond to democratic decline in Ukraine. To the extent that one can identify the moment when movement on the AA became more likely—the “black box” is somewhat opaque but early 2013, at the time of the EU-Ukraine summit, seems to best qualify, as this is when EU officials expressed urgency about reaching a deal[[25]](#footnote-25) while there was still so time when EU —there was no burst of geopolitical pressure from Moscow that would have changed the EU’s calculations. When Russia began overtly pressuring Ukraine in mid-2013, this was condemned by the EU and was taken into account in assessments about how to make the ENP and EaP more effective[[26]](#footnote-26), but at the same time the EU officials expressed frustration with Ukraine for lack of progress in making fundamental reforms and stated the EU would not sign the AA “purely on geopolitical grounds.”[[27]](#footnote-27) And, to be fair, while the EU courted Ukraine throughout the fall of 2013, it continued to insist on reforms, not jettisoning conditionality for the sake of gaining a geopolitical advantage. Ultimately, once the geopolitical “battle” for Ukraine became evident by the end of 2013, the EU—which by now had clearly been chastened by Yanukovych’s actions—refused to deal with Yanukovych, decrying, in Füle’s words, efforts to “blackmail” the EU by playing the Russia card.[[28]](#footnote-28) Again, this is not to say that geopolitical concerns played no role in EU-Ukraine relations, only that they competed with, and did not always prevail against, other issues.

*Institutional Dimensions of EU Policymaking*

 An alternative to the externally-animated, geopolitical explanation is that EU policy is the outcome of its own “domestic” politics, reflecting the preferences of a particular institution or member state. As suggested above, some have identified institutional explanations in EU enlargement policy, and it is certainly true that some member states (especially Poland and Sweden) prioritized the EaP and lobbied in the past for closer engagement with Ukraine.

Institutional explanations can be difficult to demonstrate, as they require peering even more intensively into the “black box” of policymaking and determining who or what held sway at a given time. Ideally, one could delineate preferred policy differences (if they exist) across actors, allowing one to claim that one actor “won” over others. In the Ukrainian case, where the most significant development in terms of signaling a change in the EU’s approach to Ukraine was the go-ahead in 2013 with the AA and apparent retreat from strict conditionality, a question would be what actor(s) were most responsible for EU policy.

In terms of EU institutions, one can identify some differences in approach to Ukraine. For example, the EP, both prior to and during Yanukovych’s presidency, tended to be more positive with respect to Ukraine. For example, in 2009 and in 2010 (the latter immediately after Yanukovych’s election), the EP affirmed not only Ukraine’s “European choice” but its eligibility under Article 49 of the Treaty on European Union to apply for EU membership.[[29]](#footnote-29) Equivalent statements were never made by the European Council or Commission. Later, as the EU began, in Kuzio’s words (2012a: 11), to “wake up” to problems in Ukraine (in particular after Tymoshenko’s imprisonment), the EP established a mission led by former Polish President Alexander Kwasniewski and EP Speaker Pat Cox to help secure Tymoshenko’s release and it reports become more critical, but one can still detect some equivocation. For example, in a resolution in December 2011, the EP acknowledges that the political situation in Ukraine is “at odds with the spirit” of the AA negotiations, but nonetheless recommends “rapid initialing” of the Agreement and ratification within a year.[[30]](#footnote-30) True, this document does state that Ukraine needs to make political reforms, but a guiding assumption is that continued progress on the Agreement can act as a “lever” for reform.[[31]](#footnote-31) In other words, carrots, not sticks. In December 2012, the EP largely backed the aforementioned EU Foreign Affairs Council resolution on Ukraine, calling for signs of “clear willingness” on the Ukrainian side to adopt reforms, although some MEPs argued that the EU should sign the AA “as soon as possible” without waiting for reforms from Kyiv.[[32]](#footnote-32) Throughout 2013, as developed more below, EU bodies and member states debated whether Ukraine had demonstrated this “clear willingness.” The EP weighed in on this issue in October 2013, again noting problems in Ukraine but also referring positively to the *intent* of the Ukrainian government to adopt reforms and need for the EU to generously apply the “more for more” principle.[[33]](#footnote-33)

The EP, however, was not the driver of policy. The Commission, in particular the Directorate-General for Enlargement, was the lead actor (Stewart 2015: 127). Commission Progress Reports, as mandated by the ENP, were, as noted above, cognizant of a range of problems in Ukraine and affirmed principles of conditionality. For example, the Report on developments in 2011 lays out a host of issues for Ukraine to address before the AA can be concluded.[[34]](#footnote-34) The previously cited report of the EU Foreign Affairs Council in December 2012 re-affirmed this, expressing the desire on the EU’s side to sign the AA, but only if Ukraine demonstrated progress. In the words of Catherine Ashton, then the EU High Representative for Foreign Affairs, the “ball is clearly in Kyiv’s court.”[[35]](#footnote-35) In early 2013, Ukrainian officials, at least in rhetoric, accepted this challenge, and in February 2013 the President of both the European Council and the Commission indicated the EU’s willingness to sign the AA, provided Ukraine lived up to its commitments.[[36]](#footnote-36)

The Commission’s use of conditionality, however, was not entirely clear. While the Progress Reports contained critical elements, they also acknowledged progress in some areas, usually those of a technical or economic nature. For example, the Progress Report for 2012 acknowledges a “mixed picture” on creating a “deep and sustainable democracy” (European Commission 2013: 2). This type of approach, facilitated as well by Yanukovych’s willingness to engage with the EU on some issues, reflected the “grey zone,” “semi-democratic” nature of Ukraine, allowing the EU to keep carrots on and sticks off the table.[[37]](#footnote-37) It was also consistent with past statements by Commission staff in Brussels and Kyiv that they valued keeping dialogue and engagement open as opposed to adopting firmer, “take it or leave it” conditionality (Kubicek 2005: 285). From this perspective, the door to the EU for Ukraine, should always be at least half-open. In the words Olli Rehn, former Commissioner for Enlargement, “Were we to say ‘no, never’ to Ukraine, our political influence on the future development of Ukraine would be radically diminished.”[[38]](#footnote-38) This statement, made in 2009, is consistent with EU policy during the Yanukovych presidency, and helps explain why it was relatively easy for Ukraine to push the half-open door wider in early 2013.

Analysis of member-state positions on EU policy also reveal divergent approaches. As noted, Poland had been Ukraine’s primary advocate with the EU. Although Polish officials were critical of developments in Ukraine under Yanukovych, they believed it was better continue movement on the AA as a means to have leverage (Shapovalova and Jarabik 2012). In the wake of the 2012 Ukrainian parliamentary elections and debates within the EU about whether to proceed with the AA, there were clear splits in approach. Several post-communist states, including Poland, Lithuania, and Slovakia, favored signing the AA was soon as possible; others, including Sweden, Finland, and the Netherlands, were opposed, concerned, according to one report, that the EU would end up affirming a “more for more” bargain of “more violation of basic freedoms for more [concessions] from the EU.”[[39]](#footnote-39) However, in January 2013 Germany, which had previously not prioritized the EaP, switched course, joining with Poland in a letter to the Commission advocating for a more engagement.[[40]](#footnote-40)

Ultimately, EU policy reflected both concerns, keeping the AA alive but insisting the “ball was in Ukraine’s court.” Whether Ukraine was really doing enough thus became a frequent topic of discussion. While officials from the more “pro-Ukraine” states such as Poland and Lithuania continually expressed “hopes” for signing the agreement, they also expressed frustration with Kyiv’s foot-dragging on reforms, particularly the Tymoshenko case.[[41]](#footnote-41) Revealingly, however, the Lithuanian Foreign Minister, declared to his “Ukrainian friends” to pay heed to “*some capitals in Europe* [emphasis added] who are considering this personal case [Tymoshenko’s] as a symbol of the rule of law.” Furthermore, he noted that the EU was only hoping to “date,” not “marry” Ukraine, so “we should not expect too much.”[[42]](#footnote-42) While few would put the matter so bluntly, this latter inclination began to animate EU policy, which became more narrowly concerned with Tymoshenko as the “litmus case.” By mid-September, Radoslaw Sikorski, the Polish Foreign Minister, who earlier had been emphatic that Ukraine needed to do more, declared that the process of concluding the AA was in “its final lap,” but at the same time the Lithuanian President Dalia Grybauskaite made clear to an international conference in Yalta, there would be no EU signature on the AA without Tymoshenko’s release, which was proposed by the EU for medical reasons, not a full pardon.[[43]](#footnote-43)

Events, of course, did not play out that way. The Tymoshenko case remained a stumbling block until the end, and the Ukrainian government ultimately refused to release her. In Yanukovych’s own account, Russian pressure was decisive in compelling him to back out of his commitment to sign the AA.[[44]](#footnote-44) Thus, we do not know, ultimately, what would have happened had Yanukovych come to Vilnius intent on signing the AA with Tymoshenko still in jail. One question guiding this paper, however, is how it was possible, after years of frustration with Yanukovych, that the EU remained so ready—even eager—to sign an agreement with him?.

*Rethinking How to Use the Tools in the EU’s Toolbox*

 A useful way to answer this question is to reflect a bit on the above-mentioned phrase, “we should not expect too much.” Why not? Is this because an AA is not really that important (“only dating”)? If so, why the earlier insistence, cited above, that AAs would be concluded only if there was “sufficient progress” (admittedly vaguely-defined) toward democracy (also never fully defined)? What changed? Was it, perhaps, that the EU had simply “learned” not to “expect too much” from Yanukovych and therefore could and should take modest reforms and/or pledges to do so as enough?

 This explanation suggests that the EU, despite rhetoric—and, at times, actions—of conditionality, it ultimately lowered its expectations. It did not, to be sure, completely cave in, but one can see both that the EU had exceptional patience with Ukraine and that what it was, in the end, requiring of Kyiv was quite modest with respect to its proclaimed lofty goals. In this respect, one is tempted to agree with a 2014 assessment that the EU was naïve in its approach to Ukraine and that it was Russian president Vladimir Putin, who desperately wanted Kyiv to be in Moscow’s orbit, who “took the ENP far more seriously than the Europeans ever did.”[[45]](#footnote-45)

 This explanation takes some of what was suggested above as background variables and sets them in motion during the Yanukovych presidency. Ukraine was geopolitically important to the EU. The EU had made substantial investment in Ukraine, including years of negotiating an AA. The EU had, in the 2000s, seen conditionality work in Central Europe, and believed it could offer an attractive reward to Ukraine to induce further reform. While the EU was fully aware of problems under Yanukovych, Ukraine was not, as was Belarus, a pariah state bereft of democracy. It had advocates within the EU. If it was semi-authoritarian, this implied it was also semi-democratic. Opposition parties had done well in 2012 parliamentary elections, and numerous political groups and organizations in civil society were lobbying for closer ties to the EU. Yanukovych, while not abiding with all EU demands, clearly wanted to keep the door open to Europe. In other words, there was hope, and the EU could not, as it did in Belarus in 2012 after briefly trying to engage the Lukhashenko regime, easily walk away. While some—notably in the US Congress—advocated sanctions, the EU rejected this option, fearing they would alienate Kyiv and squander EU leverage.[[46]](#footnote-46)

 Thus, in early 2013 when Kyiv signaled that it was prepared to take steps to sign the AA, the EU was eager to oblige. This seemed to be, in fact, evidence of EU success. The trick became ensuring that the Ukrainian government’s commitment to carry out the reforms, which as noted above, became more and more dubious. The EU monitored compliance (or lack thereof) throughout 2013. However, the EU did not pull the plug on the process. The sunk costs were high. The AA with Ukraine was taken to be, in Herman Van Rompuy’s words, a “real test for the Eastern Partnership as a whole,”[[47]](#footnote-47) perhaps even more so after Armenia, also courted by Brussels, joined the Russia-led Customs Union in September 2013. The EU, simply put, had much at stake. Ensuring full implementation of reforms, particularly with respect to corruption and rule of law, would be impossible, at least in the short term. The freeing of Tymoshenko, however, remained central, not only because the EU had long insisted on this condition—and the Cox-Kwasniewski mission had visited Ukraine 27 times for this purpose—but also because it was tangible, could be done immediately, and lacked ambiguity—either she remained jailed or not.[[48]](#footnote-48) Despite the lack of response from Yanukovych on this issue, EU officials expressed hope up until the very end in November 2013 that he might budge. The past could then be put behind the two sides, allowing the EU to claim victory.

In other words, the EU had to cling to any shred of evidence justifying optimism while dampening down expectations. EU reports, while critical, noted progress on some fronts, and Yanukovych’s willingness to meet some EU conditions (e.g. the release of Lutsenko) was “proof” that he was not intractable. Meanwhile, Yanukovych “strung along” the EU while escaping significant sanctions. Deadlines for reform came and went, undermining conditionality. Furthermore, Russian sanctions and inducements to Ukraine in 2013 allowed him to play the Russian card even more so than he had in the past. The EU could not disengage.

But it could dial back expectations. One report noted dissatisfaction with the ENP and EaP approach of “uncompromising conditionality” linked to one “big” prize.[[49]](#footnote-49) This was not working. Instead, the EU began to offer to EaP countries, including Ukraine, smaller incentives, including work on visa liberalization, investment, and provisional application of parts of the AA even prior to full ratification. Progress on these fronts was more technical in nature, and did not touch on political questions such as the fate of Tymoshenko.

Whether this type of small-bore approach would have yielded more results represents yet another counter-factual argument. However, what does seem quite apparent is that even if Yanukovych had acceded to the last of the EU’s demands and signed the AA, the EU, in contrast to heady rhetoric surrounding the ENP and EaP, would have received, both in terms of political reform and in terms of a bona fide partner committed to democracy, “not too much.”

**Implications**

The EU’s engagement with Yanukovych now seems like ancient history, but it should not be, despite the temptation, conveniently forgotten. Clearly the EU is beset with new challenges, and it is surely true that the ENP in its current, “Polyanna-ish” form is now “dead” (Tocci 2014). The EU has been unable to replicate its success in fostering democratization in Central Europe, when it employed the carrot of membership. None of the ENP or EaP states are EU candidate countries. In the post-Soviet space, as seen in Figure 1, even relatively “successful” countries such as Moldova—which now, like post-Yanukovych Ukraine, has an AA with the EU—have seen only modest democratic progress. Along the EU’s Mediterranean border, with the exception of Tunisia, prospects for democracy in ENP countries are worse than they were prior to the “Arab Spring.” Even in cases of candidate-member countries negotiating membership—Turkey stands out in this respect—respect for many liberal democratic principles has weakened. Whether the EU can reclaim its role as a (successful) democracy promoter remains to be seen.

 What points or lessons stand out with respect to policies toward Ukraine? One is that the EU is highly reluctant to sanction states for falling short of democratic principles. Repeated violations by Kyiv of allegedly shared values resulted in expressions of concern and some high-profile but mostly symbolic measures (e.g. leaders’ boycott of the soccer championship), but the EU did not pull the plug on the AA even as the Ukrainian government imprisoned some of its leading opponents in what the EU itself acknowledged was “selective justice.” In 2011-2012, after the AA had been initialed, the EU did invoke conditionality with respect to signing it in full. However, as argued down, its demands were watered down over time, and while a few voices did lobby for sanctions or a harsher approach, the EU continually emphasized engagement. Given Yanukovych’s prior record and the obstinacy to take substantive measures on issues such as corruption and abuse of power, one wonders why this was so. Indeed, the EU proved more than willing to continue to “dance” with a partner who clearly was not in tune with fundamental EU norms and principles.

Part of the problem, of course, was that Kyiv had another potential dance partner—Russia—and Ukraine was simply too big and important for the EU to risk losing. The same could be said today of Turkey, Egypt, Algeria, Russia, Georgia, Azerbaijan, Kazakhstan, etc.; indeed, given the EU’s trade ties, need for energy and/or the ability of terrorist groups or other actors to create instability along the EU’s borders, almost any country adjacent to the EU could have geopolitical value. In all of these cases, the EU has preferred to proffer carrots over sticks; even the openly repressive turn by the post-coup government in Egypt in 2013-2014 has escaped major EU sanctions. The primary exception to the above list is that the EU was compelled to implement sanctions against Russia after its takeover of Crimea and arming of rebels in Eastern Ukraine—both clear violations of international law and European norms on alteration of borders—but even in this case the EU debated for several weeks what its response should be and once sanctions were announced many suggested they were too limited given the severity of the issue.[[50]](#footnote-50) While sanctions impose costs on the EU as well and offer no guarantee of success in producing desired policy change, the manner in which in EU dealt with the Yanukovych regime—when significant sanctions were taken off the table—clearly reveals that the EU believes it can employ conditionality on the basis of carrots and soft power alone.

The larger question, however, is whether this approach can work. In the Ukrainian case, EU-Ukrainian ties have greater prospects than ever better, but this is more due to the courage of the protesters on the “Euromaidan” and subsequent change of government than the EU. Other semi-authoritarian leaders may be more secure than Yanukovych was, and the notion that EU blandishments will be enough to produce significant change is open to question. Granted, a pro-EU platform carried parties to victory in elections in Ukraine in 2014, but whether the EU can provide enough to turn the Ukrainian economy around remains to be seen. In Moldova, the pro-EU parties—who are deeply divided—barely managed to win parliamentary elections in 2014, despite intense EU engagement in what was seen as a “geopolitical” election as many parties lobbied for closer ties with Moscow.[[51]](#footnote-51) In other cases—Azerbaijan, Armenia, Central Asia, and, most significantly perhaps, Turkey—the EU’s influence and “power of attraction” has faded.

Just as the EU dialed back its expectations about Ukraine, perhaps observers should do the same for the EU. In an examination of Ukraine in the 2000s, Gawrich *et al* (2010) argued that a top-down conditionality approach, particularly in cases where membership is off the table or a remote prospect, is unlikely to work, in large part because the EU cannot offer attractive enough incentives to promote reform but also because there is a lack of symmetry of interests between the parties. One potentially provocative point, suggested by Tocci (2014), is that the EU may need to re-align its policies, away from the geopolitically fraught and often internally contested notion of integrating with the EU as well as use of democratic conditionality, and focus instead on basic tasks such as state-building and security. Such a change would be an admission both of the EU’s limitations as well as the fact that it is unlikely to replicate its success in Central Europe in environments less fertile for democratization. If nothing else, such a sober-minded approach would avoid the discord produced when the EU, as with Yanukovych, employs both lofty rhetoric of shared values and offers significant measures for integration with regimes that actually committed to neither.

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1. For example see Diane Francis, “Iron fists needed to take on Ukrainian thugs,” *Financial Post* (Toronto), 21 February 21 2014, and Alexander Motyl, “Yanukovych Incites Violence,” *World Affairs Journal*, 22 January 2014. [↑](#footnote-ref-1)
2. The text of the Agreement can be found at <http://www.eeas.europa.eu/ukraine/assoagreement/assoagreement-2013_en.htm>.. [↑](#footnote-ref-2)
3. There is a vast literature on this subject. Useful sources with respect to EU policy in post-communist Europe include Kubicek 2003; Vachudova 2005; and Schimmelfennig 2007. [↑](#footnote-ref-3)
4. Tymoshenko served as Prime Minister in 2005 and again in 2007-2010 and ran against Yanukovych for the presidency in 2010. She was commonly viewed as is leading opponent. In 2011 she was convicted for embezzlement and abuse of power, in particular for signing an ostensibly unfavorable gas deal with Russia. She was sentenced to seven years in prison and was freed only in 2014, after Yanukovych’s ouster [↑](#footnote-ref-4)
5. One could also imagine that, even if Ukraine had signed the agreement as planned in November 2013, the EU could still have applied conditionality as its member states went through their ratification processes, holding up final approval until Ukraine met more of the EU’s demands. This is an interesting counter-factual, but does not obviate the fact that the EU offered a sizeable carrot to Ukraine in 2013 even as its behavior did not noticeably improve [↑](#footnote-ref-5)
6. As noted below, outside observers remarked on conditions that compromised these elections, and because half the members of parliament were elected in single-member districts, Yanukovych and his allies were able to secure a parliamentary majority. [↑](#footnote-ref-6)
7. “2012 is Critical for EU-Ukraine Relations,” Euinside, 9 March 2012, available at <http://www.euinside.eu/en/news/2012-is-critical-for-eu-ukraine-relations>. [↑](#footnote-ref-7)
8. Ukraine had improved scores on its democracy status in the BTI (reports available at <http://www.bti-project.org/reports/country-reports/pse/ukr/index.nc>) and saw improvement in its FH scores on respect for political rights and civil liberties, so that for 2005-2009, for the first time ever, it was judged “free” by FH (reports available at <https://freedomhouse.org/report/freedom-world/2014/ukraine-0#.VL_eCyw8r0p>). [↑](#footnote-ref-8)
9. OSCE, “Ukraine: Parliamentary Elections 28 October 2012,” Election Observation Mission Final Report, January 2013, p. 1, available at <http://www.osce.org/odihr/98578?download=true>. [↑](#footnote-ref-9)
10. FH, “Freedom in the World:2013: Ukraine,” and “Freedom in the World: 2014,” at <https://freedomhouse.org/report/freedom-world/2013/ukraine#.VMD_oC6YvaQ> and <https://freedomhouse.org/report/freedom-world/2014/ukraine-0#.VMEA-C6YvaQ>. [↑](#footnote-ref-10)
11. *Euinside*, “2012 is Critical for EU-Ukraine Relations,” 9 March 2012. [↑](#footnote-ref-11)
12. Wilson (2014: 63) makes a useful point, that the EU never specified under what conditions (e.g. amnesty, medical release) Tymoshenko should be freed. [↑](#footnote-ref-12)
13. *Financial Times*, 10 May 2012. [↑](#footnote-ref-13)
14. http://www.consilium.europa.eu/uedocs/cms\_Data/docs/pressdata/EN/foraff/134136.pdf [↑](#footnote-ref-14)
15. <http://www.businessweek.com/news/2013-02-25/ukraine-faces-eu-reform-deadline-as-key-to-association-pact> and [↑](#footnote-ref-15)
16. *Kyiv Post*, 28 June 2013. [↑](#footnote-ref-16)
17. RFE/RL Report, 14 March 2013, available at <http://www.rferl.org/content/eu-warning-ukraine-disturbing/24928227.html>. [↑](#footnote-ref-17)
18. “More than a nice gesture?” *The Economist* 9 April 2013, and *Kyiv Post*, 10 May 2013. [↑](#footnote-ref-18)
19. *Euactiv*, 6 June 2013, available at <http://www.euractiv.com/europes-east/eu-ukraine-relation-running-runw-news-528346>. [↑](#footnote-ref-19)
20. There was a report that Füle was ready to go to Kyiv with additional blandishments, including promises of new gas supplies and IMF aid, to keep the AA alive. See *Financial Times*, 21 November 2013. [↑](#footnote-ref-20)
21. The Russian incursion into Georgia in 2008 is perhaps the most dramatic example of Russian aggression toward its former Soviet neighbors, and it sped up implementation of the EaP, but did not spark its initiation (Tolstrup 2014: 195). [↑](#footnote-ref-21)
22. *Euractiv*, 4 July 2013, available at [↑](#footnote-ref-22)
23. Swedish Foreign Minister Carl Bildt in *Financial Times*, 21 November 2013, and Tocci 2014. [↑](#footnote-ref-23)
24. It is notable, for example, the more positive conclusion with respect to conditionality of Stewart (2015), who takes the 2011- early 2013 period more into account, as opposed to that of Tolstrup (2014), whose analysis essentially ends in 2010. [↑](#footnote-ref-24)
25. *Bloomberg Business*, 7 February 2013, available at **<http://tinyurl.com/pwnw3w3>.**  [↑](#footnote-ref-25)
26. For example, see EP Resolution on the European Neighbourhood Policy: Towards a Strengthening of Partnership, 23 October 2013, available at [**http://tinyurl.com/njyzezp**](http://tinyurl.com/njyzezp) [↑](#footnote-ref-26)
27. <http://www.reuters.com/article/2013/07/26/eu-ukraine-trade-idUSL6N0FW2VF20130726>, and *Euractiv*, 6 June 2013. [↑](#footnote-ref-27)
28. *The Guardian*, 15 December 2013. [↑](#footnote-ref-28)
29. See Statement of EU-Ukraine Parliamentary Cooperation Council, October 2009, available at <http://www.kmu.gov.ua/control/publish/article?art_id=243239992> and EP Resolution of 25 February 2010, available at [**http://tinyurl.com/kspcg5c**](http://tinyurl.com/kspcg5c)**.**  [↑](#footnote-ref-29)
30. European Parliament Resolution, P7\_TA-PROV(2011)0545, 1 December 2011. [↑](#footnote-ref-30)
31. Press Release of the European Parliament, 1 December 2011, at [**http://tinyurl.com/lj9fkr7**](http://tinyurl.com/lj9fkr7)**,**  [↑](#footnote-ref-31)
32. EP Resolution on the Situation in Ukraine, 13 December 2012, available at [**http://tinyurl.com/qccq8jl**](http://tinyurl.com/qccq8jl)**, and report in *Kyiv Post*, 13 December 2012.**  [↑](#footnote-ref-32)
33. EP Resolution of 23 October 2013, cited above.. [↑](#footnote-ref-33)
34. European Commission, “ENP Package, Country Progress Report—Ukraine,” MEMO/12/33, 12 May 2012, [↑](#footnote-ref-34)
35. *Kyiv Post*, 13 December 2012. [↑](#footnote-ref-35)
36. <http://eeas.europa.eu/top_stories/2013/250213_eu-ukraine_en.htm>. [↑](#footnote-ref-36)
37. The contrasting case is Belarus, where authoritarianism was stronger and willingness to engage the EU far less. In these circumstances, the EU, unable to achieve its goals, imposed sanctions in 2012. [↑](#footnote-ref-37)
38. http://ec.europa.eu/commission\_barroso/rehn/pdf/interviews/080612\_esharp\_magazine\_en.pdf [30.07.2009]. [↑](#footnote-ref-38)
39. *Kyiv Post*, 29 November 2012. [↑](#footnote-ref-39)
40. *EU Observer*, 22 February 2013. [↑](#footnote-ref-40)
41. *The Economist*, 15 July 2013, and *Kyiv Post*, 24 June 2013 and 4 July 2013. [↑](#footnote-ref-41)
42. *Euractiv*, 4 July 2013, available at <http://www.euractiv.com/europes-east/lithuania-sees-risk-eastern-part-news-529089>. [↑](#footnote-ref-42)
43. *Kyiv Post*, 20 September 2013 and 23 September 2013. [↑](#footnote-ref-43)
44. *Kyiv Post*, 22 November 2013. [↑](#footnote-ref-44)
45. Charlemagne, “Europe’s Ring of Fire,” *The Economist*, 20 September 2014, p. 53. [↑](#footnote-ref-45)
46. For this argument, see also Shapovalova and Jarabik, 2012. [↑](#footnote-ref-46)
47. *Kyiv Post*, 4 September 2013. [↑](#footnote-ref-47)
48. In the end, the issue was one of clemency and medical release, not a full pardon, which was designed to make her release more palatable to Yanukovych (Kudelia 2013). [↑](#footnote-ref-48)
49. Kateryna Pishcikova, “Seizing the Momentum: What to Expect from the EU-Ukraine Summit and Beyond,” *Transatlantic Academy*, 22 February 2013, available at [**http://tinyurl.com/lujqrqy**](http://tinyurl.com/lujqrqy)**.**  [↑](#footnote-ref-49)
50. For example, see Judy Dempsey, “Europe’s Weakness Over Russia,” *Carnegie Europe*, 17 July 2014, available at <http://carnegieeurope.eu/strategiceurope/?fa=56172>. [↑](#footnote-ref-50)
51. See report in *Financial Times*, 27 November 2014. [↑](#footnote-ref-51)