

The EU has warned Ukraine

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On 7-8 February the EU *Commissioner* responsible for *neighbourhood*, Štefan Füle *paid a visit to Kyiv*, while on 6 February Ukrainian President Viktor Yanukovich visited Vilnius. The main subjects of talks during the two visits were the crisis in relations between the EU and Ukraine, and the prospects for signing the EU-Ukraine Association Agreement and a Deep and Comprehensive Free Trade Agreement (DCFTA). Mr Füle and Lithuanian President Dalia Grybauskaitė severely criticised Ukraine for its lack of progress in reforms and for persecuting the opposition and warned Ukraine that the signing of the Association Agreement and DCFTA at the Eastern Partnership summit in Vilnius in November this year might be at threat.

Commentary

- Füle's visit may be regarded as a "last chance mission" intended to mobilise the government in Kyiv to take measures in order to fulfil conditions which are necessary for the EU-Ukraine Association Agreement to be signed in 2013. He warned that if it were not to be signed at the Vilnius summit, it would be postponed for a longer time (he indicated 2016 as the next possible date). However, in order for the agreement to be signed, the EU requires Ukraine to take genuine measures in three areas: reforming electoral legislation, renouncing persecution of the opposition, and making progress in introducing reforms. Should the agreement not be signed, this will in fact mean a breakdown in the EU-Ukraine integration process in its present form.
- The chances that Ukraine will meet the EU conditions are slim. Progress would have to be made already in spring since in May the European Commission will publish an annual report on the implementation of the integration and it is on the basis of this document that the EU will make its decision on the EU-Ukraine Association Agreement. However, the actions taken by Ukraine so far have gone in the opposite direction to the EU's expectations. Examples of this are: on 18 January the state prosecutor's office filed another accusation against Yulia Tymoshenko; Ukraine intends to increase its customs tariffs in the World Trade Organisation, which is contrary to liberalisation of trade with the EU; and Ukraine has not implemented particular reforms (including reforms on electoral legislation, the legal and judicial system, anti-corruption as well as economic liberalisation laws). The Ukrainian government is pursuing a game of simulating certain

actions while counting on the EU to eventually agree to sign the Association Agreement anyway as it fears the implications which a failure of the integration of Ukraine with the EU might have for the whole Eastern Partnership and as also a rapprochement between Kyiv and Russia.

- In the EU there is growing disappointment and irritation with Ukraine's approach. Due to the fact that Ukraine has not delivered on the commitments it had made (for example a resolution of the Tymoshenko case) Kyiv has lost credibility within the EU, which translates into a fading interest in signing the Association Agreement. From the point of view of certain EU countries and institutions (Commissioner Füle, a section of the European Parliament) the Association Agreement and DCFTA would strengthen ties between Ukraine and the EU and would represent a more effective instrument of Ukraine's integration and modernisation. However, for the majority of the EU member states and commissioners the signing of the agreements is conditional and depends on the progress which has already been made.
- In the light of mounting criticism from the EU, the signing of the Association Agreement and DCFTA seems very uncertain. Therefore both Ukraine and the EU are currently playing a game over who will bear the responsibility for this fiasco of integration. The fact that Füle has given Ukraine a clear deadline to meet the EU conditions is intended to strengthen the view that Ukraine bears responsibility for the future of the Association Agreement. Ukraine in turn it is claiming that it is ready to sign the agreement but it is the EU that refuses.