With a little help from our friends
~The European Union and its relation to Ukraine
concerning regional cooperation
Abstract

This study examines the European Unions (EU) promoting of regional cooperation, included in its programme, the European Neighbourhood Policy (ENP). The thesis is based upon the agreed activities in the EU/Ukraine relation concerning regional cooperation.

The aim for this thesis is to visualise the policy outcome of the ENP concerning the EU/Ukraine relation and regional cooperation. The following questions are posed: What are the goals for the EU; what are the achievements and planned actions and what instruments are used by the EU in the ENP concerning the EU/Ukraine relation and regional cooperation?

The theoretical approach assumes that the Union is a power in international relations. It’s well suited promoting its policies in an asymmetric power environment, where the EU is the supremacy.

This study is conducted with a qualitative research method, based on text analysis on the European Unions official documents.

The result shows that the goals for the Union are the protection of its prosperity and its energy supply. Ukraine shall assist the EU, reaching these goals. In exchange, is the EU promising integration to the Unions internal market for Ukraine. But the EU has problems when this contravenes to Russia’s interests. This confirms the theory.

Keywords: EU, European Union, International Relations, ENP, European Neighbourhood Policy, Regional Cooperation, Ukraine.
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Abbreviations

AU  African Union
CFSP  Common Foreign and Security Policy
ENP  European Neighbourhood Policy
ESDP  European Security and Defence Policy
ESS  European Security Strategy
EU  European Union
EUBAM  European Union Border Assistance Mission
EUPM  European Police Mission
EUPOL PROXIMA  European Police Mission in Former Yugoslav Republic of Macedonia
FYROM  Former Yugoslav Republic of Macedonia
INOGATE  Interstate Oil and Gas Transport to Europe
IR  International Relations
NATO  North Atlantic Treaty Organisation
OSCE  Organisation for Security and Co-operation in Europe
UN  United Nation

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1. Introduction

*This part first introduces the subject and then the purpose of this study as well as the questions asked. The chapter is concluded with a disposition presenting the chapters and the structure for the thesis.*

1.1 The European Union (EU) and its relation with third countries

The European Union is today an economic superpower. Regarding this, the Union enjoys an outstanding reputation, mostly due to the success it has come to be. The EU is a partner which states outside the Union want to sign trade deals with. The internal market of the EU is appealing. But, in the aftermath of these international business negotiations a lot of other deals, outside the trade area, have been set up.

The EU generates strategies and blanket agreements to third country in subjects such as political economy, security, democracy, human rights etc. In their relations with states around the world they are promoting a set of values, which are in common for the European Union states. Theses values are peace, liberty, democracy, the rule of law and respect for human rights and fundamental freedoms. Add to that a wish from the Union that this third country should harmonise its security and defence policy to the Unions. This has produced a totally new situation for international relations from a world perspective. Individual nation states end up with new roles, both as a nation and for EU-members also as part of the collective EU.

The fact that 25 of the richest states in the world support the developing countries and help democracy movements in states ruled by dictators could any of us understand. We also understand the natural behaviour in supporting the accessing Union member states. But how can we make the new long-term agreement, European Neighbourhood Policy (ENP) intended for the Unions 16 closest neighbour states understandable? None of the neighbour states are as poor as the developing countries in Africa, neither are they seen as member state candidates. To that, add the budget of Euro 13 billion between 2007 and 2013 for this programme.

Countries participating all share border with the Union, though in some cases a sea border. It’s Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Palestinian Authority, Syria, Tunisia and Ukraine. These states comprise
the participator of what the EU has labelled the ENP. They also constitute the border to conflict areas and regions in which other world powers has interests. The US, Russia and different religious groups are sources of conflicts here. How is the Union managing to promote its values to these countries and to harmonise there security and foreign policies to the Unions?

Two areas are of top priority in this programme. First, common values and coordination of the foreign- and security policy and second, harmonisation of the economical and social developments. Doesn’t this sound quite odd? An organisation promoting values to other, sovereign states and also pursuing them to coordinate its foreign and security policy with this organisation. How can we make this understandable?

The EU could have been satisfied with the trade agreements, you could argue, but it insists on these radical contracts. This makes me wonder what these agreements look like, what they mean in practise and how they are implemented. We are far to often satisfy with answers found in the common statements of agreements and general objectives. Words like “promoting democracy” and “strengthening stability, security and well-being for all concerned”¹ are common, but they aren’t really telling us what is going on. This study intend to dig deeper in to the question by looking at agreements in the ENP, choosing one partner country, Ukraine, and revise an area in which the EU has declared important, regional cooperation. This will visualise the policy outcome of the ENP concerning the EU/Ukraine relation and regional cooperation.

1.2 Formulation of Purpose

The aim for this thesis is to visualise the policy outcome of the ENP concerning the EU/Ukraine relation and regional cooperation.

To reach my purpose, the following questions are asked.

- What are the goals for the EU regarding the ENP concerning Ukraine and regional cooperation?

¹ COM (2004) 373
What are the achievements and planned actions in the ENP concerning the EU/Ukraine relation and regional cooperation?

What instruments are used by the EU in the ENP concerning the EU/Ukraine relation and regional cooperation?

1.3 Delimitations

This thesis has some delimitations. It concerns the scope and the time aspect.

I’m not examining the full scope of the EU’s foreign policy, neither all the aspects of the European Neighbourhood Policy. I’m though providing the reader a more thorough guide to one particular field of interest, regional cooperation and explaining why that study is of interest describing the EU and International Relations.

Another delimitation is the time aspect. I have searched the latest reports, statements and agreements. I’m only using written, official, material from the European Union in my analysis. Sources earlier than 2003 has been excluded almost without exceptions, only non-renewed older agreements are included. I do not claim to make a historical retrospect here. The latest developments and the current positions are in focus.

1.4 Disposition

Chapter one introduces the reader to the purpose of this thesis and questions are outlined.

The second chapter presents the analytical framework and provide for background facts on subjects studied. Arguments on the EU as a power in International Relations (IR) are presented and so are the legal foundations for the EU’s foreign policy. The European Neighbourhood Policy is then introduced here and in particular the regional cooperation aspect. Then are the instruments that are at hand for foreign policy presented.

Chapter three presents the method used for this thesis. Materials are presented and so is critique of the sources used in this study. In the next chapter, number four, is the analysis presented. The questions are answered on the basis of the text analysis done. The last chapter summarize and position the analysis on a general level and personal reflections are made.
2. Background and theory

In this section I intend to present the theoretical approach for this study. I’m starting with arguments on the EU as a power in international relations followed by an introduction to the Union’s foreign policy and the ENP. Then are the instruments that are at hand for foreign policy presented together with existing theories.

2.1 The EU as a power in International Relations.

In the recent years has the development of the EU’s foreign policy been more in focus for IR researchers. It had earlier been more or less ignored by IR theorisers. Theories on the EU were to a great extent built upon the integration process. The EU wasn’t perceived an actor as in the way we perceive a state. Though, the Union isn’t a state. But the EU can through its affect upon the international scene, empowered by its recently developed Common Foreign and Security Policy (CFSP), now bee seen more a ”state alike” actor than earlier. As argued in the introduction section the EU has been generating strategies and proposals for framework agreements in areas also outside the ordinary trading deals offered to third country. Agreements in terms of political economy and in issues of security.

Another reason for IR-theorists rejecting the EU as a case is their preference in models of explanation in terms of broad phenomena. IR-theorists want to generalise. The EU is so far a unique phenomenon. But we have seen other, similar, organisations taking their first, faltering steps. One example is the African Union (AU), constituted in 2000. The AU’s objectives are the same as the EU’s, promoting democracy, peace, security and stability. It also has the same institutional framework as the EU with a Parliament, a Commission, an executive Council and so on.

In what way the EU acts in its foreign relations is interesting, not only from an integration perspective. The Union sets out in the international arena. On understanding why, explain how it is given a concrete form, predict actions and be able to argue for alternative policies, inquiring its international relation actions from a IR perspective are important.

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3 Smith, H. 2002:1-7
4 Hill & Smith 2005:12
6 Hill & Smith 2005:16
To conclude the arguments studying the EU regarding IR, I want to give prominence to the EU as a economic superpower. It’s affecting international relations due to its trade agreements and ‘spillover’ policy in form of value promoting, it has developed a common policy for foreign and security actions and the EU is no longer the sole organisation, assembling countries for similar function. With these claims I argue that this thesis lives up to the following motto: “the purpose of EU studies should be to say something about politics more generally, rather than developing a series of specific claims about the EU.” The figure below puts this study in relation to IR studies in general.

**Figure 2.1 Level of abstraction for this study within IR.**

<table>
<thead>
<tr>
<th>Level of abstraction</th>
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<tr>
<td>High</td>
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<td>International Relations and supranational organisations</td>
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<td>The EU’s International Relations</td>
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<td>Foreign affairs of the EU</td>
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<td>European Neighbourhood Policy, ENP</td>
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<td>Low</td>
<td>Regional Cooperation and Ukraine</td>
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### 2.2 Legal foundation for the Unions Foreign Policy

The end of the cold war, Germany’s reunion and the war in former Yugoslavia led to new threats and needs. The Unions member states decided it necessary to establish the second pillar of the European Union in the 1993 Treaty on European Union signed at Maastricht. This was the Common Foreign and Security Policy (CFSP). The aim of this policy was to:

- “safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principle of the United Nations Charter;
- to strengthen the security of the Union in all ways;
- to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter, as well as the principle of the Helsinki Final Act and the objectives of the Paris Charter, including those on external borders
- to promote international co-operation;

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7 Rosamond 2000:110
to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.”

CFSP is also mentioned in article 2 under Common provisions in this treaty. It is stated there that “to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy including the progressive framing of a common defence policy, which might lead to a common defence”.

This led to the establishment of a common European Security and Defence Policy (ESDP) in 1999. The European Council, the heads of state or government in the EU member states, confirmed their intention that the EU “shall play its full role on the international stage... give the European Union the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence”. The aim was to create the capacity for autonomous action, backed up by credible armed forces and decision-making bodies and procedures. Within the framework of the CFSP the EU Council is allowed to take decisions regarding political, economic and military means when it needs to respond to emergency situations. Also the need for capacity in situation analysis, sources of intelligence and a capability for relevant strategic planning was recognised. This could require structures such as a permanent body in Brussels, the Political and Security Committee; an EU Military Committee; an EU Military Staff etc.

This new policy for security paved the way also for a European Security Strategy (ESS) in December 2003. The security strategy recognises the significance of “security in our neighbourhood” and the creation of a “ring of responsibly governed states” around the EU. Relations between the Union and Russia have also become closer since the terrorist attacks of September 2001 due to the need of a common agenda towards terror and the need for information exchange in that matter. The upcoming enlargement 2004 would also alter the European Union geographically. New neighbours in the East were in sight. In 2004 the EU responded to these internal and external changes with the launch of a new “European Neighbourhood Policy” (ENP). The ENP promotes the above-mentioned objectives in the CFSP and the ESS towards third countries in the vicinity of Europe.

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8 Treaty on the European Union, title V article 11.
9 Also referred to as CESDP, including “Common” as well.
10 The European Council meeting in cologne 1999
13 Common Foreign Policy in Dialogue, 2006:3.
2.3 The ENP

Then, what are the ENP? Firstly it’s a programme in the EU’s foreign policies, dealing with third countries. As the name imply, the EU has grouped its neighbour countries into one group and is to some extent dealing with them collectively. The programme ENP, offers neighbouring countries to the EU a deeper political relationship with the Union.

Associations involving the EU and almost every country comprising the ENP are very much residential already prior to the establishment of this programme. In Eastern Europe, the Partnership and Cooperation Agreements\(^ {14} \) grant the foundation for relations. The EU-Mediterranean Partnership, including the Barcelona Process, presents a regional support for co-operation in the Mediterranean\(^ {15} \). The ENP is gathering all these agreements, trying to simplify and combine the EU’s relations.

Each country has or will have an agenda for the participation in the ENP. A so called Action Plan. All the measures the partner country and also the EU have to take, in fulfilling the objectives in the ENP, are declared here. This will be the tool, by which the ambitions of the ENP will be reached. The Commission and probing negotiating with the country in point will put these Plans forward.\(^ {16} \)

7 ENP Action Plans are already being implemented – with Israel, Jordan, Moldova, Morocco, the Palestinian Authority, Tunisia and Ukraine. In the beginning of 2007 Armenia, Azerbaijan and Georgia will begin implementing their Action Plans. Lebanon and Egypt are the next countries and for the last 4 countries, Algeria, Belarus, Libya and Syria, no predictions are made at this date.\(^ {17} \)

The ENP is perceived and interpreted from different views in previously research. Anne Morrissey Haglund has in a study stressed the export of the Unions values in the ENP. “The export of EU norms and values can also be seen as being institutionalised in the ENP…”\(^ {18} \) she writes. The EU stresses in reports and statements the significance of “the common values

\(^{14}\) For a overview see http://ec.europa.eu/comm/external_relations/ceeca/pca/index.htm

\(^{15}\) The European Council (2000/458/cfsp)

\(^{16}\) COM(2004) 373 p. 4

\(^{17}\) The European Commission  http://ec.europa.eu/world/enp/policy_en.htm

\(^{18}\) Morrissey-Haglund 2005:50
that underpin the ENP”¹⁹ and Morrissey Haglund sees this value promotion as the purpose of the ENP. Another researcher, Judith Kelly, sees the ENP as a replication of the 2004 enlargement process resting on the enlargements success. The EU has regarded the so far agreements with the neighbour states as not being effective enough and now tries another method, she means. Grouping states together and granting them rewards, as a stake in the internal market, would do the trick as in the 2004 process is what the Union hopes for, Kelly argues. Another purpose would, according to Kelly, be the Commissions languishing for power and influence. She gives examples of Commissioner staff now holding similar positions as in the case of the 2004 process. The ENP has made it possible maintaining these positions.²⁰

2.3.1 Regional Cooperation

The Regional Cooperation as a policy field in the EU originates from the establishment of the European Communities. The EU has continued to build relations from the perspective of its own success, stemming from cooperation. A definition of the term regional cooperation in a EU context is “all efforts on the part of (usually) neighbouring countries to address issues of common interest”²¹. A reason for grouping countries together concerning regions is the fact that they usually are interdependent. Problems like environmental pollution, drug trafficking and other cross-bordering activities must be dealt with on a regional basis²². Also states domestic issues such as economy or unemployment usually affect neighbouring countries, the problems could be transmitted. Cooperation can in these areas benefit from a regional approach.

The EU definition of Regional Cooperation includes elimination of policy-induced fences in movement of goods, services and factors of production in the group of cooperating states. Also barriers to transport and communication must be abolished. Harmonisation in these areas is a key issue. This was how the EU’s internal market was created and it’s the formula promoted. With this promotion the Union expects economic development, prosperity and peace among the cooperating countries.

¹⁹ Morrissey Haglund 2005:50
²⁰ Kelly J. 2006:3
²¹ COM (95) 219, p.3. and also Smith, K.E. 2003:69
²² Smith H. 2003:70
Another reason for the Union is of course forecasts for investments by EU actors. When the countries have reached the objectives for cooperation, the possibilities for EU companies increase to expand their market. They are also interested in natural resources and other production factors such as workers and infrastructure for plants and distribution. Christopher Hill and Michael Smith are arguing that to some extent is the EU’s international activities aimed to “seeking a stable and predictable environment in which to pursue its civilian activities”\(^{23}\). On the other hand, opportunities are also created for these third countries to better facilitate trade towards the Union, increasing their companies’ export.

This support for regional groupings is seen as a way to maintain links between an enlarging EU and the “rest” of the countries in Europe\(^{24}\). An objective for the ENP is, as mentioned above, “to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities”\(^{25}\). But it could also be seen as a way of keeping them out of reach for other dominances. The Islam extreme countries, USA or Russia is perhaps dominances seen as ‘threats’ when looking at countries participating the ENP.

The regional cooperation issues in the EU/Ukraine Action Plan build the basis for this study. It reflects the ambitions of the Union, being a power in international relations. The general goals for this policy presented above is providing means of assistance when analysing the EU/Ukraine Action Plan and related text material

### 2.4 Ukraine

Ukraine, a former Soviet Union republic, has previous with EU assistance established institutions leading to democratic elections. The latest parliament election, in 2006, was approved by the EU among others. The country holds status as a market economy, also this accomplished with help from the EU. But despite existing basic components, democracy and economic development are the EU launching new programmes. Ukraine isn’t a developing country, not run by a tyrant or by a nomenclature and the country isn’t an accessing member state of the Union. It’s a well-behaved neighbour the Union is signing extensive deals with.

\(^{23}\) Hill & Smith 2005:12  
\(^{24}\) Smith H. 2003:82  
\(^{25}\) COM(2004) 373, p. 3
Democracy status and economic development vary in respectively country participating the ENP. But what they all share is the countries geopolitical precarious situation. They constitute the border between the rich and poor world in Africa and in the Eurasia; between the white and black world in Africa; between Christianity and Islam in Africa and in the Middle East and between the EU and Russia in Eurasia. This makes the regional cooperation part of the ENP of special interest and Ukraine a country well suited as a case to study. Though democracy and economy exist, you can remove a number of arguments for the EU promoting its policies towards this country in particular,

2.5 The EU as a perfect negotiator.

In a theoretical framework, presented in the book “European Negotians”\textsuperscript{26}, Ole Elgström and Maria Strömvik identify four different types of negotiation situations in international relations. They vary in terms of symmetric and asymmetric power relation between the negotiators. Adding the EU objective for negotiation; status quo-oriented or change oriented.

\textsuperscript{26} Elgström & Jansson 2005:123
**Fig. 2.3** Four different types of negotiation situations, taken from Elgström and Strömvik.\(^{27}\)

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<td>Symmetric</td>
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<td>Status quo-oriented</td>
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<tr>
<td>EU-orientation</td>
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<td>Change-oriented</td>
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They stress that the EU is very well suited promoting democracy, regional cooperation, good governance and human rights in an asymmetric power situation, as in the case of the ENP programme with the characteristic change-oriented EU stance. The power relation is asymmetric due to the Union’s economic advantage to the participator. Further is the Union acting as a normative power, trying to change the normative structures and value system in international relations, being change-oriented. (box 4). In the other situations the EU is not as successful a negotiator.

In this thesis I am seeking these characteristics in the processes I’m studying, adding it to my analytical framework presented later. This will be labelled “environment” in this framework.

**2.6 The EU’s foreign policy instruments**

Elgström and Strömvik are also meaning, when explaining why the Union is seen as a compatible promoter, that the EU also has relied on soft power instruments such as economic instruments and persuasion instead of force\(^{28}\). This feature as a `gentle´ superpower has had success in the democratisation and stabilisation of Central and Eastern Europe\(^{29}\). One reason why the EU is well-suited promoting regional cooperation, Elgström and Strömvik point out,

\(^{27}\) Elgström & Jansson 2005:122
\(^{28}\) Elgström & Jansson 2005:123, see also Smith, K.E. 2003:21, 52
\(^{29}\) White, Batt and Lewis 2003
is the EU’s own achievements and therefore it “can act as a role model for other regional groupings”\textsuperscript{30}.

The term ‘foreign policy instruments’ comprises methods and means used to get other international actors to do what they wouldn’t do otherwise.\textsuperscript{31} Karen E. Smith specifies four types of instruments used in national foreign policy and also included in my framework for analysis:

- Propaganda, or the deliberate manipulation of verbal symbols
- Diplomatic, or the reliance on negotiation
- Economic, or resources which have a reasonable semblance of a market price in terms of money
- Military, or the reliance on violence\textsuperscript{32}

The EU uses, as mentioned above, for the most part diplomatic and economic instruments. Smith has divided the framework even further. ‘Gentle’ use of instruments is for Smith not that easily made up as for Elgström. She means that actors can use a “civilian model” or a “power bloc model” practising the ‘gentle’ instruments. The civilian model means that the EU relies first and foremost on persuasion and negotiation in its relation with third country. This model is often used by smaller states, instead of coercion.

The opposite, power bloc behaviour, means the use of the strength in its economic and diplomatic power. It could be either as carrots, offering grants or rewardings. And it could be as sticks, threats and use of conditionality.\textsuperscript{33} This conditionality can be promising benefits to a state, fulfilling agreed conditions with the Union. The opposite is reduction or suspension of benefits when states violate the conditions\textsuperscript{34}. In my analysis framework I will look for these features and classify them as ‘model’, civilian or power bloc, and ‘means’, carrots or sticks.

Another instrument the EU can offer is membership. In the negotiation with central and eastern European states for the 2004 accession, this offer proved to be the most powerful

\textsuperscript{30} Elgström & Jansson 2005:123
\textsuperscript{31} Smith, K.E., 2003:52
\textsuperscript{32} Ibid:22, also Holstí, K.J. 1995:125-126
\textsuperscript{33} Smith, K.E. 2003:22
\textsuperscript{34} Ibid:59
instrument. In the ongoing negotiation with Turkey, forcing them to undertake major reforms, this also has proved to be the best instrument. According to Kelly\(^{35}\) is the ENP only a new name for this accession policy. The Union wants to repeat its success from the 2004 accession and is reusing the policy but this time only without the membership offer.

Many countries want to be ‘inside’ the EU. This helps the Union in negotiations among the neighbouring states. ‘Inside’ can also mean taking part of the economic wealth, enticing for many other countries as well. The ENP offers “a stake in the internal market”\(^{36}\). These words have been the major carrot for the partners of the EU in this programme. In this study this instrument is seen as an economic instrument due to the economic benefits this provides a country.

A prospective EU membership carrot doesn’t exist in the ENP. But nevertheless is the EU stressing conditionality. As a Commission official explained in a interview made by Judith Kelly: “The countries that push more shared values will get priority in financial support, greater and speedier access to the internal market. We realize that we will have a gradual approach, but the strategy paper is very explicit about the values-ambitions link.”\(^{37}\). One example of this conditionality is seen in the case of Belarus. The EU has decreased its co-operation due to Belarus lack of adopting values, set out in the ENP strategy paper. Contractual links between Belarus and the EU will be adopted when Belarus has established a democratic form of rule. No Action Plan is deployed until then.

In my framework for analysis I’m presenting the Commissions reports about the success or failure in the implementation. This is from the Commissions perspective but I’ve compared the Commissions reports with other sources and this will be further discussed in the method section 3.3. In this thesis I’m looking at which actions have been undertaken and what instruments the EU uses. The result of its actions aren’t valued here, but of course discussed in general.

\(^{35}\) Kelly, J. 2006:30  
\(^{36}\) COM(2004) 373 p. 3  
\(^{37}\) Kelly 2005:36
The purpose of this analysis framework is to make a comprehensive tool for my work. But, in addition, it provides the reader with an accessible overview of the analysis made. It can also be used as a benchmark for comparison between cases now and in later studies.

**Fig. 2.4 Model for analysis**

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<th>Environment:</th>
<th>Means:</th>
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<tr>
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<td>1. Carrots</td>
</tr>
<tr>
<td>2. Symmetric/change oriented</td>
<td>2. Sticks</td>
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<td>3. Asymmetric/status quo oriented</td>
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<table>
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<th>Result:</th>
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<tr>
<td>1. Propaganda</td>
<td>1. Success</td>
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<td>2. Diplomatic</td>
<td>2. Failure</td>
</tr>
<tr>
<td>3. Economic</td>
<td></td>
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<td>4. Military</td>
<td>3. No result hitherto</td>
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| Model: | |
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| 1. Power bloc behaviour | |
| 2. Civilian model | |

<table>
<thead>
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<th>Environment</th>
<th>Instrument</th>
<th>Model</th>
<th>Means</th>
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3. Method and material

This chapter presents the method and technique used. The material used in this study is also being presented in order to make the thesis inter subjective. The third and last part of this section deals with critique of the sources.

3.1 Method

This thesis evaluates the policy outcome of the ENP and is a case study. The EU and its policy towards Ukraine is a case of International Relations from the perspective of a supranational/intergovernmental organisation promoting certain policies towards third countries.

I’ve used a qualitative method for this study. This is due to the thesis’s purpose and the question formulated in this study. My aim is to take a look into a policy field, ENP, within the EU and to answer empirical questions on why and how the Union is promoting this policy. Explanations of social activities involve understanding and interpreting actions. It includes searching for meaning, motives and reasons. Qualitative methods role is to identify and make the society’s character understandable. This makes an interpretive epistemology, which qualitative methods have been aligned with, necessary.³⁸

The single-case study is often criticised for the lack of comparativeness in order to make generalisations. In this study however, I’m examining four sub-cases in the search for my empirical questions. Four decided and agreed actions in the EU/Ukraine Action Plan are scrutinised in order to contribute to generalisations. Further is my aim to make this study both focused and structured to add to this generalisation. First, I focus upon one policy field promoted towards one country instead of a large number of policy fields including several countries. This gives me the time and space to carry out deeper analysis instead of quick sum-ups of events. This policy field, regional cooperation, is also one of the top-priority fields in the EU’s foreign policy. I also focus on topical material and not on historical backward looking in which a lot of different and not current or relevant factors would have to be

³⁸ Marsh & Stoker 2002:201
considered.\textsuperscript{39} And second is the study structured in that sense that the analysis follows an in advance theoretical approach, easy accessible for the reader.

The techniques that can be used in a qualitative method are observations, interviews and text analysis.\textsuperscript{40} I have chosen text analysis. This study is examining the EU, which has a reputation of keeping good records of its activities. I presume no lack of material for analysis and therefore chosen that technique. The alternative of making interviews I soon rejected, the defendants would have been at a too far away distance, both in terms of kilometres and approachability. When I considered posting a survey, I came to the conclusion that it would have been difficult to approach the right people also here, and follow-up questions, which are necessary in this kind of study, were out of the question due to the time aspect.

To reach the purpose of my thesis I have outlined three questions that I intend to use when analysing the texts. The answer to these questions will be the answer to my research problem in order to produce something more than just a sum up of the texts. To know if the generated analytical tool is good and relevant the question of validity comes up. Are my questions presented, reasonable empirical indicators on the examined phenomena?\textsuperscript{41} The first question, “What are the goals for the EU regarding the ENP concerning Ukraine and Regional Cooperation?” provides the study with backgrounds for the EU’s pursue in this policy area. The goals help me to understand and interpret the actions taken by the EU. What these actions consist of is then posed in the following question, the second, “What are the achievements and planned actions in the ENP concerning the EU/Ukraine relation and regional cooperation?” This question supply the thesis an empirical ground for analysis, it provides the study with activities to interpret. The last question tells us in what way the Union has carried out these activities, “What instruments are used by the EU in the ENP concerning the EU/Ukraine relation and regional cooperation?” Together they can be interpreted in the search for meaning, motives and reasons, explaining social activities as stated in the beginning of this chapter.

Other question to ask could have been what goals the Union have left out in this policy field, compared to other fields. Or, what other achievements could have been accomplished with

\textsuperscript{39} Such as older security regimes, security strategies and foreign policies.
\textsuperscript{40} Esaiasson, Gilljam, Oscarsson, Wångerud 2004:215
\textsuperscript{41} Ibid:239
these other goals. Or, what achievements should have been accomplished with the exposed goals in this study. The same approach is applicable on the instrument question. These are all interesting questions, but doesn’t shed any light to the purpose of this thesis, to visualise the policy outcome of the ENP concerning regional cooperation in the EU/Ukraine relation. I want to put the focus on what is happening, to visualise a part of the European Unions policy.

3.2 Material

In order to collect answers to my questions I’m going to analyse deals, agreements and reports regarding the policy field ENP in the Union. I will analyse reports from the Commission, statements made by the European Council, regulation decided by the Council and by the Parliament.

The statements from the European Council set the priorities for the Unions’ foreign policy. The head of governments from the member states agree upon the agenda and the Commission is given the task to produce reports and propositions. This material is decided and legalised in the Council, sometimes accompanied with the Parliament. After this, it’s up to the Commission to implement the policy. This “wheel” of initiating and deciding doesn’t stop here, it keeps spinning. The Commission reports the status of action taken and the Council or the European Council takes further actions. This communication is the base of material for my research. I have searched the European Unions website for information about the ENP. There are documents from The Commission, the European Council, the Council and the Parliament. All speeches made by officials, all reports from the Commission and of course all decision taken is well documented and available on the site. Though web pages can be removed and/or relocated. Therefore have I printed them all out and they are available for any reader who wishes.

In my empirical analyse I’m using written material from the European Union, researchers and newspaper articles concerning the ENP and I’ve chosen the latest published material. I have excluded older material, earlier than 2003 to make this study contemporary.

When looking into previous research in this area, I’ve used Karen E. Smiths book *European Union Foreign Policy in a Changing World* for theoretical approaches to build my model for analysis. Smith, PhD is Senior Lecturer in International Relations at the London School of Economics with special interest in European Union foreign policy. I have also used the theory
of Ole Elgström and Maria Strömvik about the environment in International Relations from their contribution in *European Union Negotiations*. Elgström is a professor at the University of Lund, Sweden, with several published books in this subject. Maria Strömvik PhD, is researcher at the same university with special interest on the development of the Unions foreign policy. Hazel Smith is another researcher used in this study. She’s professor in International Relations at Warwick University, UK. She has made research on the Unions foreign policy and she’s author of two books on that subject. Anne Morrisey Haglund, PhD is a researcher with European Union foreign relations in focus. Judith Kelley is assistant professor in Public policy and political science at Duke University, UK. Her interest of research is international relations and comparative politics. The two latter researchers’ materials are in this study used to provide a depiction on how researchers may interpret the European Neighbourhood Policy. The material used is available either at Växjö University Library or from the author of this thesis.

### 3.3 Critique of the sources

In this study I’m using text material from the European Union, they are first-hand sources and also official. It has been collected from the Unions website and therefore am I judging them as reliable regarding authenticity. Yet have I looked into other sources to see if there are any doubts about the realistic descriptions. Are the conflicts, measures and results described in a similar way in other countries and by other authorities? I’ve studied the U.S. Department of States website[^42] and compared information about the different cases this thesis is investigating. For the same reasons have I studied the Ukrainian governments website[^43]. For more details about particular web pages, see references pages very last in this thesis. I found nothing that contradicts to the Unions material and establish its independent in that respect.

Another aspect of independence is the distance between the author and the tale. The main rule is that first-hand sources are more reliable than second-hand. The Unions material is therefore considered independent in this respect also.

The third and last condition for independence is the authors’ degree of independency. The story should be unaffected by any other person or circumstance, but it is nearly impossible to

[^42]: [http://usinfo.state.gov](http://usinfo.state.gov)
[^43]: [http://www.kmu.gov.ua](http://www.kmu.gov.ua)
fulfil this criteria. When it comes to the speeches or the statements and legal acts from the EU, aren’t the text disputed. But when it comes to the Commissions reports about implementation of the ENP one must regard unconsciously influence. Expectations and/or hidden purposes could be affecting the author in certain directions. Implementation in a certain area is perhaps not as good or bad as reported, but for different reasons has the author decided to alter the report. That is why I looked up some other sources in order to see any tendency regarding that. As I wrote above was nothing found, this is of course not saying that there aren’t any. I regarded the Unions material as a part’s petition and consequently investigated systematic distortedness.\textsuperscript{44}

\textsuperscript{44} Esaiasson, Gilljam, Oscarsson, Wängnerud 2004:309
4. The Analysis.

In this section I want to present the answers to my three questions one by one on the basis of my text analysis. These answers will visualise the policy outcome of the ENP concerning the EU/Ukraine relation and regional cooperation, the purpose of this thesis.

4.1 What are the goals for the EU regarding Ukraine and Regional Cooperation?

The European Union has a set of common values. Participating in the ENP means for the partner country unconditional adoptions of these. In this study particularly one of these values is of special attention, this is “the promotion of good neighbourly relations”. 45

This value is common in international relations agreements. In the United Nations (UN) Thessaloniki Declaration on Good-Neighbourly Relations, Stability, Security and Cooperation in the Balkans, agreed upon in 1997, this value is in centre. Here was the aim to cooperate to ensure the fast economic expansion of the region, with stress on the liberalization of trade and infrastructure projects, in order to secure the prosperity of the people in the region. 46 The EU promotes similar objectives in the ENP 47 concerning regional cooperation.

The EU Security Strategy, quoted below, identifies the need to build security in its neighbourhood. The Strategy argues that it is in the Unions interest that countries on its borders are well-governed.

“Neighbours who are engaged in violent conflict, weak states where organised crime flourishes, dysfunctional societies or exploding population growth on its borders all pose problems for Europe.” 48

As discussed above, the ENP could be seen an agreement similar to union membership. It’s a close relationship between the EU and Ukraine. EU-Commissioner Gunter Verheugen 49 made a statement at a visit in Ukraine September 2003, prior to the adoption of the EU/Ukraine

45 COM(2004) 795
46 UN General Assembly, Declaration A/52/50.
47 COM(2004) 373 p.21
49 Verheugen was at the time Commissioner in charge of implementing the new neighbourhood policy. He was also Commissioner in charge of enlargement of the Union.
Action Plan, stressing the purpose. He explained that the policy of the EU intends at generating an enlarged area of peace, stability and prosperity encompassing Ukraine among others. He also said that this relationship must build on “shared values of freedom, democracy, the respect of human rights and the rule of law, the very principles on which the Union is founded”.

Ukraine is to be included in some key policies of the EU like; environment, research and development, energy and communications. Ukraine is also promised a possible option, integrating into the EU Single Market. In exchange Verheugen wants Ukraine to make moves forward to alignment with EU standards, “…including pursuing reforms to ensure a proper functioning of market economy and a full fledged democracy.”

Mr Verheugen doesn’t stop there, he also `insists´ on Ukraine to develop close neighbourly relations with its neighbours. This includes Russia and countries in the Russia `sphere`: Moldova, Belarus and Georgia. Nevertheless, Ukraine must at the same time “stick firmly to the strategically partnership with the Union”. The Commissioner recognises the need for economic cooperation between Ukraine and its neighbours but he `advises´ Ukraine to be cautious not to contravene its European integration aspects. The EU wants Ukraine to be tight to Russia, but not as tight as to the Union and especially not in terms of loyalties.

The ENP is based on the concept of shared values and common interests. This means that the country participating must share values which will ensure the prosperity, stability and security of the region, the EU and its partners. The objective is to move beyond existing cooperation to deeper economic and political, cultural and security cooperation and to include economic integration, for those ready and able.

Though, they need to commit to those common values, such as: the rule of law, good governance, the respect for human rights, including minority rights, the promotion of good neighbourly relations, and the principles of market economy and sustainable development. The EU will use conditionality and set the level of ambition in the relationship relative to the fulfilment of sharing these objectives.

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51 http://ec.europa.eu/world/enp/index_en.htm
“The objective of the ENP is (...) strengthening stability, security and well-being for all concerned. (...) to prevent the emergence of new dividing lines between the enlarged EU and its neighbours and to offer them the chance to participate in various EU activities, through greater political, security, economic and cultural cooperation (...) will bring them closer to the European Union...”\(^\text{52}\)

The quotation above from the outline of the ENP, made by the Commission in 2004, imply that the Union wants the neighbouring countries inside its sphere rather than outside. The Commission is repeating these words in a report in November 2005:

“It is vitally important for the EU to ensure a carefully managed enlargement process that extends peace, stability, prosperity, democracy, human rights and the rule of law across Europe.”\(^\text{53}\)

Here above also addressing the future enlargements and the processes going on. Negotiation for accession is in progress with Turkey and Croatia and so is also the pre-accession negotiation for other potential candidates from the Western Balkans. Once they have committed to the shared values they are welcome inside. And inside means a stake in the European Unions internal market. From the ENP policy act I’ve taking the following words “preparing partners for gradually obtaining a stake in the EU’s Internal Market”\(^\text{54}\) At the same time as opportunities are created for the Ukrainian industry, this elimination of barriers, makes the Ukrainian market more available for the EU companies. The Action Plan is also pushing for a border harmonisation, which will further increase the incitement for investments and trade.

Another subject that has been more to the fore is the energy issue. The European Commission president Barroso made some statements on the relations between the EU and Ukraine related to the ENP programme in the EU-Ukraine Summit 27 October 2006\(^\text{55}\). In this declaration Barroso only mentions one topic of “special attention” as it is written in this statement and that is the energy issue. The EU recognises it self as the consumer and Ukraine as the transit country for gas and oil resources.\(^\text{56}\) The EU is dependent on its eastern neighbours for its

\(^{52}\) COM(2004) 373, p. 3  
\(^{53}\) COM (2005) 561  
\(^{54}\) COM(2004) 373,p. 3  
\(^{55}\) Commission Press release IP/06/1480  
\(^{56}\) Ibid
energy supply. Pursuing regional cooperation in this region for “peace and stability” ensures the Unions goal of maintained distribution of energy.

To summarise this first question: the goals for the EU regarding Ukraine and regional cooperation identified here are four. First, to harmonise the Ukraine market to fit the Unions, second to generate an area of peace, stability and prosperity around the EU. The third goal is to Ukraine to stay friend with Russia, but outside the Russia sphere of ´interest´. And fourth and last, to Ukraine to launch or participate in regional cooperation to secure the energy supplies to the Unions member states.

4.2 What are the achievements and planned actions in the ENP regarding the EU/Ukraine and Regional Cooperation?

The European Union makes policies on the basis of the value “promotion of good neighbourly relations” In reports and statements we can read sentences like:

- “The ENP should reinforce the EU’s contribution to promoting the settlement of regional conflicts.”57

- “All European citizens benefit from having neighbours that are stable democracies and prosperous market economies.”58

But what do these rhetorical sentences mean in practise? The value, promotion of good neighbourly relations, is specified and connected to some activities in the ENP agreements. In this study I’m looking into the EU/Ukraine Action Plan agreement referring to regional cooperation. In that paper we find four actions decided.

- Further build on the good experience of Ukraine’s participation in the EU Police Mission (EUPM) in Bosnia and Herzegovina and the EU police mission (EUPOL) in

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57 COM(2004) 373, p.6
58 COM (2005) 561
Former Yugoslav Republic of Macedonia (FYROM). Jointly identify opportunities for Ukraine’s participation in future ESDP operations.

- Further EU involvement in supporting the OSCE\textsuperscript{59} and mediators, including Ukraine, in the conflict resolution process on Transnistria, towards a viable solution;

- Ukraine will develop co-operation with Moldova on border questions, covering the entire Ukraine – Moldova border, including effective exchange of information about flow of goods and people across the common border.

- Active engagement in, and practical follow-up to, the trilateral expert talks involving Ukraine, Moldova and the European Commission. \textsuperscript{60}

These four actions are now at the centre in this section of the study. They will be presented, trying to find out what achievements and planned actions there are regarding to the ENP and Ukraine’s action plan.

\subsection*{4.2.1 EUPM, EUPOL and ESDP operations.}

The EU Police Mission in Bosnia-Herzegovina is a EU police assignment launched in 2003. EU police experts are monitoring, mentoring and counselling the country’s police. They are also helping to fight organised crime as well as promoting European policing standards. Ukraine personnel is participating together with people from Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Norway, Romania, the Slovak Republic, Slovenia, Switzerland and Turkey.\textsuperscript{61}

The European Union also established the EU police mission in the former Yugoslav Republic of Macedonia (EUPOL PROXIMA) for the same objectives as for EUPM. The mission was

\textsuperscript{59} The Organization for Security and Co-operation in Europe (OSCE) provides a forum for 56 participating states to pursue a permanent political dialogue and to seek solutions together, on the basis of sovereign equality. It’s done by a numerous of field missions and operational activities. See http://www.osce.org/

\textsuperscript{60} The Council, 1051/05 EU/Ukraine Action Plan

\textsuperscript{61} The Council Decision 2003/663/CFSP
launched in 2003 and ended in 2005\textsuperscript{62}. It aimed to develop "…an efficient and professional police service, living up to European standards"\textsuperscript{63}. Ukrainian police force participated in both these missions, illustrating their capacity in regional cooperation.

The latest report from the Commission in December 2006 tells us that co-operation and dialogue on security matters has significantly increased. As of July 2006, Ukraine had aligned itself with 549 out of 589 CFSP declarations\textsuperscript{64}. Ukraine continued to take part in the EUPM, following its participation in the EUPOL PROXIMA which ended in 2005. Co-operation was underpinned by the signing in June 2005 of the Agreement establishing a framework for participation in EU crisis management operations and the Agreement on security procedures for classified information, although Ukraine hasn’t yet ratified these.\textsuperscript{65}

The report also recognises future assignments for Ukraine in ESDP operations in the Southern Caucasus, quoted below. The report from the Commission on strengthening the ENP is extending the scope of regional cooperation. The EU, through its framework ENP, should now get into more “dialogue” with the countries of the Southern Caucasus. This region will in 2007 get even closer to the Union due to the Bulgarian and Romanian membership.\textsuperscript{66}

"In the Black Sea region, where Moldova, Ukraine and the countries of the Southern Caucasus come together with the EU and with Russia and Turkey, the ENP also offers great potential for dialogue and cooperation at regional level. From January 2007, when the Black Sea will form one of the borders of the Union, a strengthened regional approach will become an essential part of our neighbourhood policy."\textsuperscript{67}

\textsuperscript{63} Solana, J. S0256/03
\textsuperscript{64} The CFSP declarations are the general expression of a political line in foreign- and security issues. They aren’t legally binding. Declarations are issued by the Presidency of the Council on behalf of the European Union
\textsuperscript{65} COM (2006) 726
\textsuperscript{66} Ibid
\textsuperscript{67} Ibid
A conflict is taking place in this region, involving Russia. It’s the Georgia-Russia conflict. Georgia wants to leave the Russia interest sphere and is instead aiming to join the North Atlantic treaty Organisation (NATO). Russia can’t accept this and has made some ‘arrangements’, making Georgia quit this policy.

Russia has prohibited import of wine and some other goods from Georgia, important for Georgia’s economy. Russia has also involved itself in the independence struggle of two regions in Georgia. It’s Abkhazia and South Ossetia. Here is still many Russian citizens living and therefore Russia has a reason for this involvement, they argue. Georgia is though arguing that Russia supports and promote these actions for the objective only of acquiring these regions in its sphere.

Russian State Duma, the lower house of Parliament, has recently even recognised their independence struggle and has called upon an international community that it will have to take into consideration sovereignty ambitions of the both separated regions. The Duma statement presumes that Tbilisi’s hostile policy towards Abkhazia threatens “lives of many thousands of citizens of the Russian Federation living on the territory of Abkhazia”. 68

68 The Georgian Times 2006:A
On the other hand has Georgian parliament `recommended´ their Russian colleagues no to recognize their independence struggle. Georgian parliament speaker said in an interview, “the world would obviously see once again Russia's real interests and goals if Russian MPs recognized the referendum held by Kokoity’s government and recognized Abkhazia's independence from Georgia”. No solution is in sight and the conflict is growing for each day and each political action. Airports, railways and other communications between the two have been closed down. And Georgia is suffering economically from all this.

What are the next actions? Shall Ukraine get yet another assignment, pushing for stabilisation in the region? This could very much be the case, reading the Commissions latest report on ENP from December 2006, quoted above. The Council has also made statements in October 2006 in this case, stressing that the they “aim to deepen relations with Georgia in the framework of the European Neighbourhood Policy”. They have also grave concerns on the measures adopted by the Russian Federation against Georgia and at their economic, political and humanitarian consequences. The Council also “calls on both parties to focus on reaching a peaceful resolution of the conflicts in Abkhazia and South Ossetia with full respect for Georgia’s sovereignty and territorial integrity. The Council calls upon the parties to comply fully with previous agreements and understandings regarding these conflicts, in compliance with the UN Security Council Resolution 1716.”

The action plan for Ukraine mentions these future engagements in the phrase: “Jointly identify opportunities for Ukraine’s participation in future ESDP operations.” This also follows the intention in the European Security Strategy. There it’s stated that “We should now take a stronger and more active interest in the problems of the Southern Caucasus, which will in due course also be a neighbouring region.”

And the Commissioner for external relations and the ENP, Benito Ferrero-Waldenr explained in a speech in Brussels, 30 May 2006 that ENP is, in essence, a Security Policy. The aim is to

69 South Ossetian leader
70 The Georgian Times 2006:B
71 As of December 2006
72 UN resolution 1716 (2006) In the resolution art. 1 it is stated that the UN “Reaffirms the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders”.
73 Council of the European Union, Press release 13340/06
74 The Council, The EU/Ukraine Action Plan, agreement referring to regional cooperation, first paragraph
promote greater prosperity, stability and security in our neighbours to the south. She continued with “It is in our interest that our neighbourhood is well-governed and prosperous. It is in our interest that conflicts in our vicinity are solved.”

In another speech in 2006 she expressed the similar objectives for the ENP. She consider the former integration policy, which the Union earlier rested it success on, nedd to change to a policy that mix foreign- and security issues with integration. The neighbouring states of the Union are situated in a twilight zone, not inside and not outside the EU. That’s why this strengthen European foreign policy, the ENP, is needed. In this framework we can promote “stability” and keep “instability” outside our environs, she continues. She also stresses the fact that this isn’t just words, the ENP is launched and she sees it as a policy of “security and stability” first and foremost. “Die ENP ist damit erstens eine Sicherheits- und Stabilitätspolitik.” as she expressed it.

The Commission’s report on strengthening the ENP also recognises these objectives of stability when explaining the premise of the ENP; “the EU has a vital interest in seeing greater economic development and stability and better governance in its neighbourhood.” Referring to the stability premise the Commission is warning for the consequences of the conflict in Transnistria and Georgia. It could lead to problems with energy supply for the Union, they argue. As a solution they propose more attractive offers to ENP-partner countries. Improved trade and investment prospect is one suggested offer.

4.2.2 The conflict resolution process in Transnistria and the Ukraine – Moldova border question.

The two next cases are analysed together in this part due to its connectedness.

A regional conflict is ongoing in the east part of Moldova bordering to Ukraine. The region wants independence but isn’t internationally recognised. Transnistria is a separatist region on the eastern border of Moldova. It has enjoyed de facto independence after a short war in 1992 and Russian troops are stationed in the region. Many ethnical Russian lives here and Russia has a motive for interest. The EU wants an end to the conflict and wants Ukraine to be a part
in this process. There are diplomatic negotiations taking place. Mediators are Ukraine, Russia and the OSCE.

The EU isn’t a part in the conflict, not even as a mediator. Still is the EU pushing for economic pressures, stated in the Action Plan both for Ukraine\textsuperscript{80} and for Moldova\textsuperscript{81}. The plan is to reduce the revenues on which the Transnistrian regime depends. Ukraine, bordering to Moldova and especially to the region in focus, has set up bordering control along the Transnistrian border with Moldovan custom staff stationed. This makes the revenues from export companies in the region not to reach the self-proclaimed government of Transnistria. The Transnistria economy is already fragile and troubled and now the EU hopes for a collapse.\textsuperscript{82}

This EU promoting for regional cooperation, stabilising the region, is in this case taking place inside the framework of the ENP and the Action Plan for Ukraine being the tool for this. The EU is exporting it’s common values, “to assert its identity on the international scene”\textsuperscript{83} as written in the Treaty On European Union.

The Commission reports in November 21, 2006 that representatives for Ukraine, Moldova and collaborators of Directorates General of external relation\textsuperscript{84} has stated the Ukraine’s success in fulfilling its international obligations on maintaining the customs regime. The Commissions report stresses the importance of further progress implementing the border information exchange, border demarcation and improvement of infrastructure for e.g. railway.\textsuperscript{85} The objective is raising the standards toward a EU-level, making economic integration with the EU-market easier.

As an answer to these measures, Russia has raised the price of gas to Moldova and closed the Russian market for Moldovan traditional export products, wine, fruits and vegetables. The country has very little natural resources and is to a great extent dependent upon imports for its

\textsuperscript{80} The Council, EU/Ukraine Action Plan
\textsuperscript{81} The Council, EU/Moldova Action Plan
\textsuperscript{83} The Treaty On European Union, title I, article 2
\textsuperscript{84} Comparable to a department of foreign affairs in a government ministry.
\textsuperscript{85} COM (2006)726
main energy needs. Effect of this tactic could perhaps disrupt the Unions plans but it’s too early to make predictions. 86

The Transnistrian conflict solution is two-sided, both setting up institutions harmonising the region, Moldova-Ukraine, and breaking the illegitimate regime in the regional. The Commission declares in a report on the ENP in general, in December 2006, that the EU needs to be more active in the ongoing conflict zone of Transnistrian. The report does recognise the success in the achievements in the border assignment. But it points to the fact that the regime still is present and that the diplomatic relations are frozen.

“The ENP has achieved little in supporting the resolution of frozen or open conflicts in the region, notwithstanding certain specific achievements (e.g. in relation to border management in Moldova and the Palestinian Territories). The EU needs to be more active, and more present, in regional or multilateral conflict-resolution mechanisms and in peace-monitoring or peace-keeping efforts.” 87

The economic pressure isn’t enough, they argue and recommend other measures. The report suggests more active participation for the EU in the region, meaning getting inside the negotiation room and to act as mediator. In other words, Ukraine has failed in its role as mediator on the behalf of the Union. The ENP hasn’t been successful in one of its objectives in the EU/Ukraine Action Plan agreement referring to regional cooperation and now the Union is ‘taking over’.

4.2.3 Trilateral expert talks

The fifth round of trilateral consultations of experts from Ukraine, Moldova and EU on border and customs aspects, related to the settlement of Transnistria conflict, set up an strengthen border cooperation in November 2006 88. Automated systems for exchanging pre arrival information on cargo crossing their shared border and for the exchange of information among border and customs services of the two countries were settled. The agreements are the result of discussions in trilateral format with the EU, and the countries´ co-operation with the EU Border Assistance Mission (EUBAM). The aim is to bring greater effectiveness in the fight

86 The Commission – The EU’s relation with Moldova
87 COM (2006)726
88 EUBAM 2006:B
against smuggling, trafficking of human beings and illegal migration. The commissioner for External Relations and ENP, Benita Ferrero-Waldner meant that this was a “direct result of the EU’s work with the two countries under the European Neighbourhood Policy. Today’s news shows that the ENP is bearing fruit in ways that make a real difference”.

When establishing this Mission, in November 2005, the goal was for the EU to work with Moldova and Ukraine to harmonise their border management standards and procedures with those prevalent in EU member states. It also included help in enhancing the professional capacities of the Moldovan and Ukrainian customs and border guard services at operational level and to develop risk analysis capacities. In addition it aimed to improve co-operation and complementarities between the border guard and customs services and with other law enforcement agencies. The ENP is about promoting prosperity, common values and security as well as to help breaking down trade barriers. This Mission has put these words into action and also facilitated the promotion of co-operations between neighbours.

As mentioned in the previous section above 4.2.2, on conflict solution in Transnistrian, the border mission has succeeded in settling a customs regime. But further has it developed a contemporary border control institution along the 1,222 km long border between Ukraine and Moldova. Information exchange has e.g. increased the number of people refused entry at border crossing points with 40%.

Another cooperation is the Interstate Oil and Gas Transport to Europe programme (INO Gate), an international co-operation plan for supporting regional integration of the pipeline systems. It comprises the transport of oil and gas in the former Soviet Union en route for the Europe market. Since 1996, some 30 technical assistance projects have been implemented or are still underway in the INOGATE framework. INOGATE is funded mainly by Tacis, and from 2007 by the ENP. In this programme, Belarus, Moldova and Ukraine participated for an increase in the transparency of gas trade. Precise and consistent gas flow measurements by means of internationally recognised techniques are vital achieving this,

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89 Commission Press release IP/06/1592
90 EUBAM 2005
91 EUBAM 2006:A
92 Tacis is a programme implemented by the Commission to restructuring the former Soviet republics after 1991
especially for cross-border metering. Between 2002 and 2005 the countries worked together, implementing this technique.

The success is two-folded, the European Union members, the oil consumers, can be more confident in what they receive and how much they receive. And the participating countries (the distributors) can jointly see an example of a succeed cooperation.

4.2.4. Summary of the second question
Ukraine has participated in ESDP-actions such as police missions in FYROM and Bosnia-Herzegovina, they have harmonised its foreign policy through alignment with most of the Unions CFSP declarations. A new customs regime is set up in cooperation between Ukraine and Moldova, putting pressure on the Transnistrian authority. Though, the conflict is still unresolved and Ukraine’s participation in the negotiation is seen as a failure. But the Ukraine – Moldova cooperation to strengthen border control has succeeded as well as a energy supply infrastructure programme, the Inogate, has. Future plans for Ukraine are engagements in the Georgia – Russia situation and new initiatives in the frozen Transnistrian conflict.

4.3 What instruments are used by the EU in the ENP concerning the EU/Ukraine relation and regional cooperation?
In this section I’m providing you with the answer to my third question for this study. I will go back to the above analysed actions and achievements on regional cooperation pursued by the EU towards Ukraine, and search for instruments, model used and means. I will present the table introduced in chapter 2.6 and fill in the blanks. The aim is to give a general view of the case examined.

4.3.1 The Economy Instrument
You can’t argue that the EU is a passive instigator concerning regional cooperation in this region. In addition has the Union recognised its economic strength as the main instrument pursuing this policy. The European Security Strategy from 2003, quoted below, is granting for remunerative business agreements but is also warning for exclusion from these trade deals when not participating in the reforms designate.
“Trade and development policies can be powerful tools for promoting reform. As the world’s largest provider of official assistance and its largest trading entity, the European Union and its Member States are well placed to pursue these goals. (...) those who are unwilling to do so should understand that there is a price to be paid, including in their relationship with the European Union.”

4.3.2 Power bloc behaviour

EU president Barroso made some statements on the relations between the EU and Ukraine related to the ENP programme in the EU-Ukraine Summit in October 2006. He argued, “We trust that Ukraine will continue to consolidate these achievements” referring to Ukraine’s free and fair parliamentary elections earlier the same year. He added “This is not only crucial for Ukraine, but will also strengthen EU-Ukraine relations” and now also referring to all the achievements accomplished and as well to future success on agreed actions. The opposite development would have lead to deteriorated relations but is not mentioned here. These are all positive ‘threats’ and of course use of persuasion instead of force. Barroso has indeed something to offer as he continues “On this basis, the EU and Ukraine can aspire to a qualitatively higher level in their relationship, through a new Enhanced Agreement”, meaning that a new, more lucrative deal is in sight for Ukraine. He’s clearly using the power of the Unions economy in pursuing the policy. In that respect this is Power bloc behaviour.

This behaviour is significant in the EU policy towards Ukraine concerning regional cooperation. The EU is using its economy instrument, using carrots or sticks supplemented with conditionality, as we have seen in the presented agreements, speeches and statements. In the studied cases of regional cooperation in the EU/Ukraine Action Plan we can see some differences though, which the following examples will prove.

The EUPM and EUPOL assignments are negotiated in an asymmetric and change oriented environment. The EU is acting without competition and is pursuing a change-oriented policy towards Ukraine. The instrument here is mainly diplomatic, in the action plan no specific economically carrots or sticks are mentioned. But, in general, the Action Plan provides for the economy instrument though the whole agreement build on “a stake in the internal market”. This means that carrots do exist. Further is the result judged a success from the Commission.

95 Commission Press release IP/06/1480
As I earlier explained I’m not making any own judgments at this moment, though referring to the Commissions reports.

The Union is pushing for further Ukrainian participation in ESDP actions. A deeper involvement in the Southern Caucasus should involve Ukraine. Here is the environment symmetric due to the Russia participation and it is change oriented, the Union wants a new security regime and supports Georgia’s new formula. The offer for pursuing the Unions goals is economical engagements with the Union. And in the latest report\(^{96}\) from the Commission they have recognised the dynamic, and to this point failure, of the problem and suggests even more enhanced trade and investments prospect for the ENP countries participating.

The Transnistrian conflict is still unresolved and has not been improved despite the Unions pursuit of conflict resolution measures in the Action Plan. In this case the EU has a contestant of range in Russia. The environment is symmetric in that respect. It is also change oriented from the Unions perspective. Here as well is the instrument economy used, the Union is trying to ruin the government in Transnistria in the course of the Ukrainians border mission. The Unions use of the economy instruments is now transferred to its partner countries. Diplomatic negotiation is taking place but seems to play a minor role. The model is power bloc behaviour and the means that the Union uses, promoting this in the ENP, are carrots, offering Ukraine “further integration into European economic and social structures.”\(^{97}\)

The Ukraine – Moldova border question and the trilateral expert talks involve to large extent economic factors. To facilitate a secure border is one of the pillars in international trade. Transparency in the border traffic means control of import and export with special attention to illegal distribution. The misconducts could be in quotas, illegal goods (drugs, weapons etc.) and means intended to the black market. The Union has a borderless inward but a strengthen border to its neighbourhood. To release some of the pressure upon the EU’s border, the pursuing of improved borders in these neighbouring states towards their neighbours is one way of consolidate “a ring of friends”\(^{98}\). Further, in order for the ENP participating countries to get inside the Unions market, meaning open up each other’s borders, they need to have fulfilled the obligation of securing their borders and implemented EU standards. As we can

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see there is a condition and the carrot is this stake in the Unions market. The Union is using its strength and has in this case set up a new, functioning customs regime in this area. The counterpart, the Transnistrian illegal government, is backed up by Russia in this, for the EU, symmetric and change-oriented environment. What effect Russia’s recent measures will have, we yet don’t know.

The table here below is now completed and gives a perspicuous picture of the cases studied.

Fig. 4.2 Framework for analysis completed.

<table>
<thead>
<tr>
<th>Case</th>
<th>Environment</th>
<th>Instrument (economy)</th>
<th>Model</th>
<th>Means</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>EUPM and EUPOL</td>
<td>Asymmetric/ change-oriented</td>
<td>Diplomatic</td>
<td>Power bloc</td>
<td>Carrots</td>
<td>Success</td>
</tr>
<tr>
<td>ESDP &amp; the Southern Caucasus</td>
<td>Symmetric/ change-oriented</td>
<td>Economy</td>
<td>Power bloc</td>
<td>Carrots</td>
<td>Failure</td>
</tr>
<tr>
<td>The Transnistrian conflict</td>
<td>Symmetric/ change-oriented</td>
<td>Economy</td>
<td>Power bloc</td>
<td>Carrots</td>
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<td>Power bloc</td>
<td>Carrots</td>
<td>Success</td>
</tr>
</tbody>
</table>

99 Including the trilateral expert talk
5. Conclusion and reflections

In this section I intend to develop the theoretical approach when connected to the empirical analysis made in previous chapter. The problem, formulated in the introduction chapter, on how the Unions foreign policy could be made understandable is discussed as well as personal reflections and suggest for further research.

The EU is the partner who many states see as the most appealing one. One of these is Ukraine. The Union has with the EU/Ukraine Action Plan in the framework ENP set up an agreement which involves both political and security issues in exchange of enhanced trading deals and participation in different developing projects. Ukraine isn’t that poor, developing country with an undemocratic regime and it isn’t that member prospect country which the Union normally aid. It is though a neighbour and is situated between the Union and Russia and also near the problematic Southern Caucasus. This region is full of conflicts and disputes, which could jeopardise the developing prosperity in the area. In these regions the Union has recognised reasons for promoting peace and the rule of law. It is dependent on energy from Russian pipelines, transiting Ukraine. This objective is also the only one mentioned important in the EU-Ukraine Summit, October 2006. Another aim is of course the expanding markets for the Unions companies both in terms of production factors and selling. And the Union wants a harmonised sphere in its closest neighbour to realize this. Also keeping all this out of reach for Russia is another purpose identified here. When looking in to these objectives for this promotion of values and pursuing of security coordination and policies it is understandable why the Union act in this wide-ranging manner, the ENP. They are acting in self-defence, protecting their “interests”, prosperity and the energy supply.

In the theory presented, the Union is outlined a perfect negotiator in regional cooperation, though in an asymmetric environment. This study shows the problems for the EU when another hegemony or ‘power’ is involved or concerned and this confirms that theory. What this depend upon doesn’t this thesis answer, thus one explanation could lie in the formula in which the EU originate, mentioned in the theory chapter, “the success in cooperation”. Pursuing value changes and security strategies in an environment where cooperation isn’t the aspiration, as in the Russia case, isn’t what the Union has been acknowledged for when
negotiating the integration of Europe’s states. The officials aren’t used with these foreign policy pursuing when the other part hasn’t identified the Union as the ‘appealing one’ meaning that they don’t cooperate for better trading deals or other advantages. This is of course a matter for further research. It’s an interesting one also, because of the very contemporary discussion on the EU and the other participating ENP countries. Lebanon is one example where the pursuit of this harmonisation towards the EU most certain will run into other conflicts and hegemonies such as Syria and the Islam fundamental countries and Israel with the US. For other organisations such as the African Union this matter should also be of special attention in their connections with third parties, as they are constructed with the very same recipe as the European Union is.

In the Ukrainian case, regarding regional cooperation, the EU is using its economic strength to exert the promotion of the policies. As stated earlier is the EU an economic superpower and Ukraine wants a piece of that cake. This is why the asymmetric environment is the best one for the EU, considering the above discussion on explanation of the Unions problems with Russia. The third countries in such a negotiation environment, is though more or less forced to obey to the Unions demands unless they don’t want to stay outside the appealing business deals and participation in different developing actions. The Union uses carrots and demands compliance. It can be discussed if the EU is a ‘gentle’ power, but for many countries it is of course an opportunity to participate in its programmes. It has also shown success previously, as in the 2004 accession of many Eastern European countries. But it can also be seen as an imperialistic way of incorporating other states resources and markets into the EU. Other means for pursuing the goal of a friendly neighbourly ring around the Union could perhaps be a solution and are also ground for further research.

The Union isn’t relying on its diplomatic skills in a civilian model of negotiating, as it uses its economic strength in a power bloc model. This has proved to be successful in that asymmetric environment where the Union seems so fit to be in. In other situations the use of other instruments or other way of using them, perhaps could improve the climate, as in the EU-Russia case. This thesis doesn’t answer this. But the economic strength, which the Union has applied to other states, doesn’t have any effect on Russia. This is exposed in this study. It seems to be quite the opposite; Russia uses its strength, as shown in the Transnistrian and Georgia cases and the Union is having difficulties promoting its policies. The Commissions latest report for recommendation in this matter suggests enhanced possibilities for the ENP
countries in economic integration with the EU. But the incitements for the countries to fulfil the struggle against Russia decreases as Russia seem able to fight back with blockades and import stops, causing great economic losses. This leads us back to the question whether the Union should put more effort in exercising its diplomatic instruments or in some way change and improve its negotiation actions in this environment due to the failures it has had with the economy instrument. The Union is a power in international relations, but not the sole one.
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