

BILATERAL RELATIONS BETWEEN UKRAINE AND THE EUROPEAN UNION

Dir Ihor

DOI: <https://doi.org/10.61345/1339-7915.2023.6.5>

Annotation. The aim of the work is a comprehensive analysis of bilateral relations between Ukraine and the European Union from the moment of its inception until the decision to start the negotiation process.

The methodological basis of the study official websites of specialized institutions in Ukraine and the European Union, laws, analytical reports, articles by other scientists, etc.

Results. According to the results of the conducted research, it was found that Ukraine began to build bilateral relations with the European Union immediately after gaining independence and set the priority of joining European organizations as its key task in foreign policy. The first agreement that regulated relations between the parties was concluded in 1994, the Partnership and Cooperation Agreement, which entered into force in 1998, and under which relations were regulated for ten years. Later, there were difficulties in the process of negotiation, there were difficulties in concluding a new agreement. Therefore, relations between the parties were regulated by the "Ukraine-EU Action Plan", as well as under additional protocols. Only in 2014, Ukraine and the European Union reached new instrument and signed a new Association Agreement, which became the largest international legal act of Ukraine and the biggest agreement that the EU has ever concluded with a third country. In addition, the new treaty provided for the creation of a free trade zone. In the summer of 2022 Ukraine received the status of a candidate for EU membership.

Conclusions. As a result of the study, it was founded that Ukraine began to build bilateral relations with the European Union after gaining independence. The first bilateral act, which defined the goals and purpose of this cooperation, was signed in 1994, the Partnership and Cooperation Agreement, the term of which was calculated for ten years. Later, a new stage of negotiations between the parties began. It led to the conclusion of the Association Agreement, the signing of which took place in 2014. It became the fundamental document regulating Ukraine's cooperation with the European Union in many areas.

Key words: European Union, Ukraine, bilateral, relations, treaty, association, history.

1. Introduction.

Since Ukraine gained independence in 1991, our state began to develop bilateral relations with the European Union. Thus, in December 1991, the Minister of Foreign Affairs of the Netherlands, as a representative of the state presiding over the EU, recognized the independence of Ukraine [1]. In addition, the Resolution of the Verkhovna Rada of Ukraine "On the Main Directions of Ukraine's Foreign Policy" dated July 2, 1993 states: "The prospective goal of Ukrainian foreign policy is Ukraine's membership in the European Communities, as well as other Western European or pan-European structures, provided that this does not harm its national interests. To maintain stable relations with the European Communities, Ukraine will conclude a Partnership and Cooperation Agreement with them, the implementation of which will be the first stage of promotion to associate, and later to full membership in this organization [2]".

2. Analysis of scientific publications.

Separate aspects of the study of this issue were considered by several Ukrainian scientists, including O. Brovko, I. Zherebyatnikova, Yu. Voytenko, O. Sokur, S. Vidnyanskyi, N. Homonai, L. Huberskyi,

V. Kopyyka, N. Bondarenko, O. Semenyak, R. Kirin, O. Kurando, I. Smirnova, A. Mak, Ya. Lavrova-Eminak, T. Pshenichna, O. Pankevich, T. Yatsyk, etc., as well as many foreign scientists, including S. Costea, M. Roth, M. Davydchuk, T. Mehlhausen, W. Priesmeyer-Tkocz, P.J. Kubicek, J. Sherr, D.T. Roslon, C. Nitoiu, K. Wolczuk, A. Duleba, G. Van der Loo, P. Van Elsuwege, C. Hillion, D. Bebiakova, O. Spiliopoulos, R. Dragneva, S. Schubert, J. Pollak, E. Brutschin, T. Kuzio and others.

3. The aim of the work is a comprehensive analysis of bilateral relations between Ukraine and the European Union from the moment of independence until today.

4. Review and discussion.

In September 1993, the Delegation of the European Commission in Ukraine was officially opened in Kyiv. According to the Lisbon Treaty it was renamed to the Delegation of the European Union in 2009. It was the first positive sign for Ukraine that the European Union considers Ukraine as its partner [3].

Opening of the Delegation meant the beginning of a political dialogue between the parties, which led to the signing of the Partnership and Cooperation Agreement between the European Communities and Ukraine on June 16, 1994. This Agreement entered into force on March 1, 1998, and consisted of a preamble and 109 articles, a protocol on mutual assistance in customs matters, 5 annexes, and joint declarations related to articles 18, 19, 30, 31, 32, 43, 50 and 102.

Following Article 4, the goals of such partnership between Ukraine and the European Union were determined:

- 1) Creation and maintenance of a political dialogue within the appropriate framework, the purpose of which is the development of closer political relations.
- 2) Promotion of trade, investment, and harmonious economic relations between the parties and as a result acceleration of their more sustainable development.
- 3) Ensure the foundations of mutually beneficial economic, social, financial, civil, scientific, technical and cultural cooperation.
- 4) Supporting Ukraine's efforts to strengthen democracy and economic development, as well as complete the transition to a market economy.

It is also worth noting that the Agreement provided the possibility of creating a free trade zone between Ukraine and the EU. However, due to the uncertainty of Ukraine's accession to the World Trade Organization, this issue was not discussed. Also, within the framework of this Agreement, summits were held from time to time. The first summit took place in September 1997 in Kyiv.

The term of this Agreement was 10 years [4].

It should also be noted that after the expiration of the Agreement, a new one was not signed. Bilateral relations between Ukraine and the European Union were regulated by the "Ukraine-European Union Action Plan", which was signed on February 12, 2005. The validity of this Plan was intended for three years, but later in 2009, it was extended for another three years.

The action plan of the European Union is a special instrument for the implementation of the European Neighborhood Policy at the national level, which is concluded between the European Union and national governments [5]. In general, this plan contained the following key areas: political dialogue and reforms, trade and economy, sustainable economic and social development, justice, energy, transport, information society, environment, science, development of civil society [6].

In addition, with the aim of Ukraine's participation in all programs of the European Community, on November 22, 2010, Ukraine and the EU, in addition to the Partnership and Cooperation Agreement,

signed the Protocol to the Partnership and Cooperation Agreement between Ukraine and the European Communities and their member states on the Framework Agreement between Ukraine and by the European Communities on the general principles of Ukraine's participation in Community programs [7].

Under the Partnership and Cooperation Agreement, as well as the Action Plan, in March 2007, started the negotiations between Ukraine and the EU regarding the conclusion of a new agreement that would regulate mutual relations between the two parties. Already in September 2008, at the summit in Paris, the parties agreed that the new agreement would be called the Association Agreement. In total, from 2007 to 2012, there were 21 rounds of negotiations on a new agreement and another 18 rounds directly related to the creation of a free trade area.

Already on March 30, 2012, the Association Agreement was initiated at the level of negotiating delegations, and on July 19, 2012, the Agreement concerning the creation of a free trade zone was initialled. After that, the Agreement was translated into Ukrainian and the official languages of the EU.

The procedure for signing the Association Agreement took place in two stages: the political part was signed on March 21, 2014, and the economic part on June 27, 2014. The Agreement entered into full force on September 1, 2017 [8].

In general, the Agreement became the largest international agreement of Ukraine and the biggest Agreement of the European Union ever concluded with a third country. The structure of the Agreement is as follows: preamble, 7 chapters: "General objectives and principles", "Political dialogue and reforms, political association, cooperation and convergence in the field of foreign affairs and security policy", "Justice, freedom and security", "Trade and issues related to trade", "Economic and sectoral cooperation", "Financial cooperation", "Institutional, general and final provisions" and annexes [8].

On February 28, 2022, after the start of a full-scale war in Ukraine, our state applied to join the EU. After that, on June 23, 2022, at the summit of the European Union in Brussels, 27 EU member states voted to grant Ukraine the status of a candidate for accession, however, taking into account the fact that Ukraine must fulfill the recommendations of the European Commission. One and a half years later, on December 14, 2023, the Council of the European Union adopted a decision to start negotiations with Ukraine on joining the European Union [9].

In general, the evolution of bilateral relations between Ukraine and the EU is shown in Figure 1.

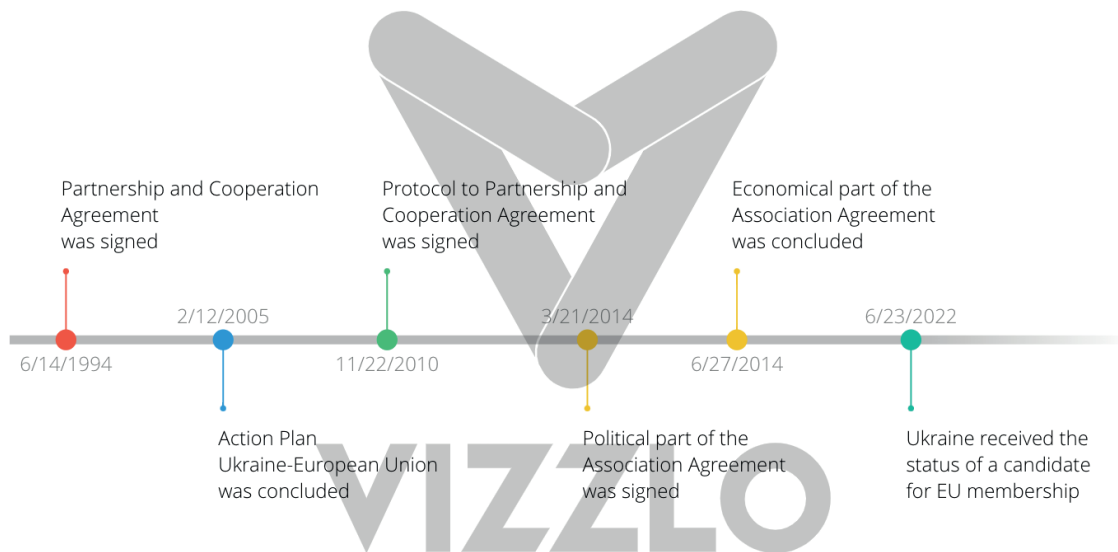


Figure 1. Bilateral relations between Ukraine and the European Union

Source: compiled by the author

5. Conclusions.

So, as a result of the conducted research, it can be concluded that Ukraine began to build bilateral relations with the European Union after gaining independence. The first bilateral act, which defined the goals and purpose of this cooperation, was signed in 1994, the Partnership and Cooperation Agreement, the term of which was intended for ten years. Later, a new stage of negotiations between the parties began. It led to the conclusion of the Association Agreement, the signing of which took place in 2014. It became the fundamental document regulating Ukraine's cooperation with the European Union in many areas. This cooperation led to the fact that in the summer of 2022, Ukraine received the status of a candidate for EU accession, and a year later the opportunity to start the negotiation process.

References:

1. Mission of Ukraine to the European Union. Overview of Ukraine-EU Relations. *Official website*. URL: <https://ukraine-eu.mfa.gov.ua/en/2633-relations/zagalnij-oglyad-vidnosin-ukrayina-yes#:~:text=Relations%20between%20Ukraine%20and%20the,on%20behalf%20of%20the%20EC>. (date of access: 25.12.2023).
2. Pro Osnovni napryamy zovnishn'oyi polityky Ukrayiny: Postanova Verkhov. Rady Ukrayiny vid 02.07.1993 r. № 3360-XII: stanom na 20 lyp. 2010 r. URL: <https://zakon.rada.gov.ua/laws/show/3360-12#Text> (date of access: 25.12.2023).
3. Delegation of the European Union to Ukraine. Delegation of the European Union to Ukraine. *Official website*. URL: https://www.eeas.europa.eu/ukraine/who-we-are_en?s=232 (date of access: 25.12.2023).
4. Uhoda pro partnerstvo i spivrobitnytstvo mizh Ukrayinoyu i Yevropeys'kymy Spivtovarystvamy ta yikh derzhavamy-chlenamy: Uhoda Ukrayina vid 14.06.1994 r.: stanom na 1 veres. 2017 r. URL: https://zakon.rada.gov.ua/laws/show/998_012#Text (date of access: 25.12.2023).
5. The Diplomatic Service of the European Union. ENP Action Plans. *Official website*. URL: https://www.eeas.europa.eu/eeas/enp-action-plans_en (date of access: 26.12.2023).
6. Plan diy "Ukrayina - Yevropeys'kyy Soyuz": Plan Yevrop. Soyuzu vid 12.02.2005 r. URL: https://zakon.rada.gov.ua/laws/show/994_693#Text (date of access: 26.12.2023).
7. Protokol do Uhody pro partnerstvo i spivrobitnytstvo mizh Ukrayinoyu i Yevropeys'kymy Spivtovarystvamy ta yikh derzhavamy-chlenamy pro Ramkovu uhodu mizh Ukrayinoyu ta Yevropeys'kym Spivtovarystvom pro zahal'ni pryntsypy uchasti Ukrayiny v prohramakh Spivtovarystva: Protokol Ukrayina vid 22.11.2010 r.: stanom na 1 lystop. 2011 r. URL: https://zakon.rada.gov.ua/laws/show/994_a41#Text (date of access: 26.12.2023).
8. Government portal. Association Agreement between the European Union and Ukraine. *Official website*. URL: <https://www.kmu.gov.ua/en/yevropejska-integraciya/ugoda-pro-asociacyu> (date of access: 28.12.2023).
9. European Council. Ukraine. *Official website*. URL: <https://www.consilium.europa.eu/en/policies/enlargement/ukraine/> (date of access: 28.12.2023).

Ihor Dir,

Extraordinary and Plenipotentiary Ambassador of Ukraine

Honored Lawyer of Ukraine

Ph.D., Associate Professor

Doctoral Candidate at Uzhhorod National University

E-mail: ihor.dir@uzhnu.edu.ua

ORCID: 0000-0001-9829-4294