Taras Kuzio

Is Ukraine Part of Europe's Future?

From 1994 until 2004, under the two terms of President Leonid Kuchma, Ukraine's relationship with the European Union was troubled. After the Orange Revolution in late 2004 initiated a democratic breakthrough, ushering in Viktor Yushchenko as Ukraine's first reformist president, hopes were high that a corresponding breakthrough would occur in EU-Ukrainian relations. Yet, as time passed, such hopes proved unwarranted.

After his election in January 2005, Yushchenko soon announced "the end of multivectorism," Kuchma's shifting, incoherent, and ideologically vacuous foreign policy. Foreign Minister Borys Tarasyuk promised that Ukraine's foreign policy would now be consistent and predictable[1] and would be coordinated by a united group that was ideologically committed to Ukraine's Euro-Atlantic integration. The EU's door, however, has remained closed to Ukraine. Under Kuchma, because both Russia and Ukraine were experiencing democratic regression, Western fears of offending Russia were more legitimate. The EU often used the argument that it could not invite Ukraine into membership negotiations without also inviting Russia. Although the slowdown of reform under Kuchma could be blamed on the lack of a signal for membership from the EU, Kuchma's oligarchic allies actively opposed reform and sought refuge in a semiauthoritarian regime.

After his election, Yushchenko challenged the EU to embrace the new Ukraine. First, he argued it should recognize Ukraine as a market economy, a step the EU took in December 2005 and the United States took two months later. Second, he said the EU should support Ukraine's membership in the World Trade Organization (WTO), a step that would allow Ukraine to create a free-trade zone with the EU. Third, he said the EU should up-

Taras Kuzio is a visiting professor at the Institute for European, Russian, and Eurasian Studies at George Washington University.

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grade Ukraine from its Partnership and Cooperation Agreement (PCA), offered only to members of the Commonwealth of Independent States (CIS), to an association agreement. In the final step, he stated that Brussels should offer Ukraine EU membership.

The first two steps will be completed by the end of 2006, but the latter two are not yet on the horizon. Ukraine's March 2006 elections were recognized as free and fair by the Organization for Security and Cooperation in Europe, the Council of Europe, the EU, and the United States. Yet, the EU has still not offered anything substantial to Ukraine, although it is under increasing pressure from the European Parliament, which voted on two resolutions praising Ukraine's democratic progress. The European Parliament called on the EU "to draft an association agreement between the European communities and their member states and Ukraine, to replace the current Partnership and Cooperation Agreement which expires in 2008."[2] The resolution also called on the EU to support movement toward a visa facilitation agreement and WTO membership.

EU membership is not a divisive issue in Ukrainian domestic politics.

Ukraine's progress in establishing relations with the EU is unlikely to be similar to the progress it made with NATO. EU membership is not a divisive issue in Ukrainian domestic politics. All non-Communist parties support EU membership because of the benefits it would bring in terms of democratization and improved standards of living. NATO, on the other hand, is perceived differently. Decades of Soviet propaganda against NATO, coupled with NATO's intervention in Kosovo in 1999 and the U.S.-led invasion of Iraq, continue to cause regional divisions over attitudes toward NATO membership. Three of the five party factions in the newly elected Ukrainian parliament are against it.

The EU has effectively ignored the Orange Revolution and continues to treat Ukraine as part of the European Neighborhood Policy (ENP), introduced in 2003 as a mechanism to enhance cooperation with the EU's new neighbors following enlargement in 2004. The main mechanism of the ENP is the Action Plan, individually tailored to each neighbor. Ukraine's 2005 version effectively placed Ukraine on the same level as northern African states and Israel, which are not part of Europe and therefore have no right to join the EU, and Russia, which has never declared its intention to seek EU membership.

One reason for the EU's passivity toward Ukraine is that the country's democratic breakthrough came at a time of crisis in the EU, after the rejec-

tion of the EU constitution in referenda in France and the Netherlands. The EU was in the midst of difficult negotiations with Turkey, whose membership is opposed by large majorities in western Europe. The EU was also experiencing enlargement fatigue, referring to its inability to countenance opening the door to other countries, such as Ukraine, because its "absorption capacity" seemed to be stretched following enlargement by 10 countries in 2004 and with pledges to embrace Bulgaria and Romania in 2007–2008 and then Croatia and Turkey.

The EU and the United States have granted Ukraine long-overdue market economy status. Yet, it was a largely symbolic gesture, arriving four years after Russia was granted this status in the aftermath of the September 11 attacks and at the height of the U.S.-Russian partnership in the war on terrorism. Ukraine will join the WTO in 2006, paving the way for the negotiation of a free-trade zone with the EU, and Ukraine made a gesture to the EU by eliminating the need for EU citizens to have visas to enter Ukraine. The EU, however, has not reciprocated. It continues to refuse to open its door to membership to a Ukraine that, for the first time, is truly committed to "European values," as demonstrated by the March 2006 election.

A Decade of Stagnation

Under Kuchma, strategic foreign policy objectives such as Euro-Atlantic integration, outlined in election platforms, and subsequent foreign policy orientations were often disconnected. Although he was elected in July 1994 on a pro-Russia platform, Kuchma's foreign policy shifted toward a pro-Western stance when he came to power. Ukraine became the third-largest recipient of U.S. aid during the second half of the 1990s, and relations with NATO developed in a dynamic manner. In 1994, Ukraine was the first CIS state to join NATO's Partnership for Peace (PfP). Its multilateral cooperation within the PfP and bilateral cooperation with the United States and the United Kingdom remained at high levels throughout Kuchma's decade in office. In 1997, Ukraine and NATO signed a charter confirming these close ties; the only other country with which NATO signed a similarly important agreement was Russia. In 1998, Kuchma first outlined Ukraine's desire to join the EU, placing it on a different trajectory from Russia and Belarus, which have never sought EU membership. At least in terms of rhetoric, this placed Ukraine on the same path as other post-Communist states outside of the CIS.

In November 1999, Kuchma was elected to his second term on a pro-Western platform. It was also during this time that Yushchenko rose from chairman of the national bank to prime minister. Yet, following what became known as the "Kuchmagate" crisis one year later, Kuchma reoriented

Ukraine toward Russia and the CIS. This crisis was triggered on November 28, 2000, when a damaging audiotape implicating Kuchma in the kidnapping and murder of Heorhii Gongadze, co-editor of *Ukraiinska Pravda* and a vocal Kuchma critic, was released to the Ukrainian parliament. The ensuing crisis led to a deterioration in relations with the West at a time when the United States was looking toward Russia as a strategic partner in the global war on terrorism. This deterioration was brought to the fore in 2002, when Kuchma was implicated in other tapes of authorizing the sale of military radars to Iraq in 2000 in defiance of United Nations sanctions. Kuchma was advised not to attend the November 2002 NATO summit in Prague, a suggestion he ignored.

Ukraine for the first time is truly committed to 'European values.'

Ukraine's relations with the EU, NATO, and the United States stagnated during Kuchma's second term. Ukraine experienced democratic regression, making the prospect that the EU would embrace Ukraine even more remote. Ukraine's reorientation caused relations with the United States and the newly elected Bush administration to deteriorate. Kuchma's domestic support base became increasingly reliant on the oligarchs. Before Kuchmagate, national democratic reformers such as Yushchenko had allied themselves with centrist parties controlled by oligarchs to overcome the Communist Party, the country's main opposition force, and to counter Russia's reluctance to recognize Ukrainian sovereignty and borders. The removal of the Yushchenko government in April 2001 destroyed this centrist-national democratic alliance. The 2002, 2004, and 2006 elections were dominated by competition between parties and leaders hailing from these two political camps.

Both Ukraine and the EU failed to understand each others' concerns. The EU advised Ukraine to improve its record on reform before it could be seriously considered for membership. Ukraine pushed for a "signal" from the EU to encourage reform in Ukraine. Neither side budged.

Domestic and international scandals coupled with Kuchma's growing dependency on the oligarchs led to Ukraine's increasing isolation from the West. Although Kuhma's rhetoric continued to promote integration with Europe, the gap between this rhetoric and his domestic policies and international reputation had deepened. The EU had developed Ukraine fatigue. Brussels continued to put the ball in Ukraine's court, making it Kiev's responsibility to initiate reform and thereby move closer toward European values. This led, according to observers, to a situation where the EU "displayed an ambivalence toward Ukraine verging on coolness" and Kiev considered the EU's delay in acknowledging Ukraine's "European choice" a "calculated

snub."[3] Following Yushchenko's election, the EU has continued the same line of argument, namely, that Ukraine should first prove its commitment to reform before any talk of membership could begin.

As an institution with limited interest in security and geopolitics, the EU was unconcerned about the threat of Ukraine's reorientation toward Russia. This threat was successfully used by Kuchma vis-à-vis the United States and NATO, but not the EU. Moreover, the formation of the CIS Single Economic Space (CIS SES) in 2003 by Russia, Ukraine, Belarus, and Kazakhstan was perceived by the West as a signal that Ukraine had dropped its objections to deeper integration with the CIS. Under Kuchma's chosen successor, Viktor Yanukovych, integration into the CIS SES would have been prioritized in the face of an indifferent EU. The 2004 presidential elections were widely seen inside and outside Ukraine as a contest for Ukraine's geopolitical orientation. Yanukovych, who was in favor of deeper integration into the CIS SES, was opposed to NATO membership, and only viewed the EU as a distant, unattainable objective, was backed by Russian president Vladimir Putin. Yushchenko, who was poisoned in September 2004 as the elections approached, supported Ukraine's full membership in Western institutions—first NATO, then the EU.

On November 21, 2004, the world came face to face with a hitherto unknown Ukraine, personified by millions of citizens protesting the election fraud in what became known as the Orange Revolution.[4] Yushchenko's election in January 2005 meant that the EU could no longer conveniently file away and forget about Ukraine, which would undoubtedly have happened if the Orange Revolution had not taken place and Yanukovych had been confirmed as Kuchma's successor.

Early Optimism in Orange Ukraine

After Yushchenko came to power, there was widespread optimism in Ukraine and the West that a breakthrough in Ukraine's prospects for integrating into the EU would quickly take place.[5] One of the driving forces in the Orange Revolution had, after all, been the desire to move away from Russia and toward Europe. Ukraine's newly elected leaders were confident that, unlike the situation under Kuchma, the speed of the reforms and the reality of a new "Orange Ukraine" would pressure the EU to open its doors. Ukraine's deputy prime minister for European integration at the time, Oleh Rybachuk, threatened to "undertake an Orange Revolution in Brussels" if the EU continued to ignore Ukraine. Rybachuk was eager to launch a two-year drive to meet the Copenhagen criteria required for EU membership. He said, "I can understand Ukraine's entry into Europe as my life's aim."[6]

Speaking to the Parliamentary Assembly of the Council of Europe (PACE) in February 2005, Yushchenko expressed his belief that Ukraine's future lies inside Europe because "we, along with the people of Europe, belong to one civilization. … The realization of the strategy of our foreign policy aim is membership in the European Union." Directing a clear jab at the empty foreign policy rhetoric characteristic of the Kuchma era, he promised that domestic reforms in Ukraine designed to assist integration will "become a real, and not a declarative, reality." To applause and laughter, Yushchenko claimed that, after his reforms were implemented, Ukraine will have changed so much that the EU itself would ask, "Why are you, such a fantastic place, not yet in the European Union?"[7]

Four factors have impeded a clear-cut strategy in Brussels about Ukrainian membership.

In accordance with his new foreign policy, Yushchenko did manage to initiate a breakthrough in Ukraine's relations with NATO, in which Ukraine had first expressed an interest in membership in July 2002. The month after Yushchenko's successful April 2005 visit to the United States, NATO invited Ukraine to join the Intensified Dialogue on Membership. The Bush administration, supportive of Ukraine taking the next step toward NATO membership, is likely to invite Ukraine to participate in NATO's Membership Action Plan (MAP) during its November 2006 Riga summit. Ukraine has fulfilled the requirements for this to take place: holding free and fair elections in March 2006 and creating a pro-reform Orange parliamentary coalition and government.

The MAP process could lead to an invitation to join NATO at its enlargement summit in 2008 and to potential membership in 2010–2011. Bush sees Ukraine's democracy successfully ensconced inside NATO as one of the successful foreign policy legacies he would take with him when leaving office in 2008. NATO secretary general Jaap de Hoop Scheffer has said that "NATO will assist Ukraine wherever it can in realizing the reform process Ukraine has entered into on the basis of its Euro-Atlantic aspiration and ambitions, which of course NATO supports."[8] Such statements echo NATO's long-standing commitment to an open-door policy on membership.

With regard to the EU, however, Yushchenko was unduly optimistic, considering the EU's inability and unwillingness to formulate a new policy toward Ukraine. After Yushchenko came to power, his focus on Ukraine's EU membership caused consternation in Brussels. The EU already had a full agenda and was in a deep crisis following the failure of referenda on the draft EU constitution in France and the Netherlands.

The EU's caution during the Orange Revolution contrasted with the United States, which led the way in refusing to recognize the original official results. Ukraine's neighbors, Poland and Lithuania, who had joined the EU that year, led roundtable negotiations with Yushchenko, Kuchma, and Yanukovych to resolve the political crisis, hold fresh elections, and ensure a nonviolent outcome. Brussels initially refused to send its high representative for the EU's Common Foreign and Security Policy, Javier Solana, to join Poland and Lithuania at the negotiations because it did not want to risk offending Russia. The EU also feared that a reformist Ukraine would become a "second Turkey" and seek membership.

Impediments to Ukrainian Accession to the EU

Throughout the EU's engagement with Ukraine, four factors have impeded the formulation of a clear-cut strategy in Brussels about extending membership to Kiev: enlargement fatigue, an identity crisis within the EU, concerns about Russia's reaction, and lagging reforms within Ukraine.

Enlargement Fatigue

Ukraine's Orange Revolution and democratic breakthrough came at a difficult time for the EU. In 2004 it had added 10 new member countries, eight of which were post-Communist regimes, and in 2007–2008, another two or three post-Communist states are slated to join. The EU had never considered CIS states as future members, a fact enshrined in the PCAs signed between CIS states and the EU. PCAs do not offer Ukraine or other CIS states the possibility of future EU membership. For states on a membership track, such as central European states, the Baltics, and Turkey, the EU signed association agreements. These are similar to NATO's MAPs as a stage to prepare countries for membership. PCAs, similar to NATO's PfP, are mechanisms to facilitate cooperation between the EU or NATO with partner countries; they do not envisage membership as a final goal of cooperation.

Many in the EU believe there should be a period of time to "digest" the 10 new members. After enlargement in 2004, the EU has little appetite for additional members, except for Romania, Bulgaria, and possibly Croatia in 2007–2008. This could mean that Ukraine's membership prospects are not closed forever but will have to wait for the EU to feel ready to widen again. Bearing this possibility, as well as public opinion on Turkey's membership, the EU is seeking to avoid offending Ukraine's reformist leadership by continuing to keep the door to membership closed but pretending it has opened slightly. EU external affairs commissioner Benita Ferrero-Waldner, for ex-

ample, has stated that "[t]he door is neither closed nor open."[9] The Razumkov Center, a leading think tank in Kiev, concluded that "the European traffic light is no longer red, but it has not turned green either."[10]

The EU continued to repeat a refrain that was commonly heard in Ukraine when Kuchma was in power: the onus is on Ukraine to undertake reform without the EU's offer of any carrot of membership. Barroso said, "Our door remains open, the future of Ukraine is in Europe. The best way to get there is not to talk about EU membership all the time but achieve concrete results, show commitments to European values and standards."[11] Although refusing to open the door to EU membership, Ferrero-Waldner was forced to admit that "[w]e have to recognize this new political reality in Ukraine."[12]

Greater support within the EU exists for Ukraine's accession than for Turkey's.

In January 2005, the European Parliament issued an appeal to the European Commission and the EU Council calling on the EU to upgrade the EU-Ukraine Action Plan to an association agreement that would outline future membership. Following the 2006 elections, the European Parliament has continued to pressure the EU to move away from its passivity. Yet, the EU will not offer any change to the current relationship until after 2008, when the three-year ENP Action Plan and the 10-year PCA are finalized. Until then, under pressure from Ukraine, the European Parliament, and the United States, the EU has offered only the possibility of a vaguely formulated Enhanced Partnership, the contours of which remain unclear. Negotiations on an Enhanced Partnership will begin in the second half of 2006. Ferrero-Waldner has made clear, however, that it would not involve an offer of EU membership. It will therefore seek to appease those who called for the EU to offer more to Yushchenko than it would have to Kuchma and to upgrade its relations with Ukraine. Without the EU opening the door to future membership, however, the Enhanced Partnership will have little significance.

EU-Ukrainian relations have reached a difficult moment. The EU is unwilling to countenance further enlargement beyond Bulgaria, Romania, Croatia, and Turkey. At the same time, Ukraine's progress on reforms make it difficult for the EU to ignore Ukraine as a prospective member, as it is finally undertaking the steps that the EU has long demanded by proving its commitment to European values. An invitation by NATO into MAP would also make Ukraine more credible as a prospective future EU member, as NATO membership has usually been seen as presaging EU membership. The EU may have little choice but to open the door to long-term membership prospects for Ukraine along the lines of the western Balkans. With these

countries, the door has been opened, but no date has been set for EU membership, a formula that could be also used for Ukraine. The offer of EU membership, even in the long term, would provide support to democratic forces and the reform process inside Ukraine.

The EU's Identity Crisis

Western Europe has not welcomed the EU's enlargement process, and France in particular has found it difficult to come to terms with a widened EU. Influenced by Charles de Gaulle's unilateralist foreign policy and withdrawal from NATO's military arm in the 1960s, France's vision of the EU was that of an extension of Paris. After the collapse of its colonial empire, France was able to project its great-power national identity onto the EU. As long as France was at the center, the EU was not seen as a threat to French national identity. Yet, with a widened EU and a United States that is willing to conduct foreign policy outside the UN, France has grown anxious.

The Gaullist vision of the EU as a European superstate that could compete with the United States in a multipolar world unraveled with enlargement. This realization came to the fore in 2003 during the crisis in transatlantic relations prior to the U.S.-led war in Iraq. The central European and Baltic states that were set to join the EU a year later followed the United Kingdom's lead and backed Washington. French president Jacques Chirac's well-known quip to these aspiring members that they had missed an opportunity to keep silent merely served to embolden their pro-U.S. stance.[13] France had come to realize that an enlarged EU would now include eight, and later 10 or 11, pro-United States and pro-Atlanticist states.

Attitudes toward an EU defense force, for example, are divided between those that see it as an exclusively EU force and those that prefer to see it as the European pillar of NATO. Fashioning a Common Foreign and Security Policy in the face of these contradictory Gaullist and Atlanticist positions, which roughly conform to support for deepening versus widening, is nearly impossible. Those who prefer the former are blocking the EU from adopting a new open-door policy to welcome Ukraine, while those who support the latter want the EU to support Yushchenko's reform drive by opening the EU to Ukraine's potential future membership. The most notable outcome of this EU identity crisis was the French and Dutch voters' rejections of the draft EU constitution. Referenda are unusual in the EU, and when they have been held, they have led to opposite outcomes from what EU elites had envisaged. The euro, for example, has been routinely rejected in states that have held a referendum on the question of its introduction. The EU has always been an elite-driven project that has rarely consulted with the public, resulting in a democracy deficit.

The question of Turkey's accession to the EU has added to these difficulties. Turkey's membership is a cause for concern because of the country's size, large population, relatively low level of socioeconomic development, and Muslim majority. Because Turkey's addition would create an EU stretching from Ireland to Iran, spelling the end of the Gaullist vision of a French-led European superstate, opposition to Turkey's membership is particularly strong in western Europe. The United Kingdom, however, with its preference for widening over deepening and a vision of the EU as primarily a free-trade zone with limited delegation of national sovereignty to Brussels, would be expected to promote Ukrainian membership after Turkey's entry into the EU. Yet, during British prime minister Tony Blair's EU presidency in 2005, the United Kingdom failed to do so, and London has continued to pursue contradictory policies. The only step forward during the British EU presidency was taken when the EU granted Ukraine market economy status.

Imperial and totalitarian legacies have impeded Ukraine's transition to democracy.

It is significant to note, however, that there is greater support within the EU for Ukraine's accession than there is for Turkey's. In the eyes of the EU residents, Ukraine's Christian culture trumps Turkey's Muslim identity. According to surveys by a French company conducted in March and November of 2005, 51–54 percent of EU citizens favor Ukraine's membership, and only 31–34 percent oppose it. The highest level of support is found in Poland, Spain, and Italy (all 54–64 percent) and the lowest is in Germany and the United Kingdom (40 percent and 44 percent, respectively). Only 40 percent of EU citizens support Turkey's accession to the EU, and 46 percent oppose it. Germany and France exhibited the lowest level of support for Turkey's membership (36 percent and 33 percent, respectively) and the most opposition to it (57 percent and 61 percent, respectively). In France, 54 percent of those surveyed support Ukraine's membership, nearly 20 percent more than the number who support membership for Turkey. This result may be a sign that the Orange Revolution has changed French attitudes toward Ukraine.[14] A Ukrainian study of the country's foreign policy in 2005 concluded that "the French have learned to distinguish Ukraine from Russia. … Both the spirit and nature of French-Ukrainian relations have changed radically." The report cautioned, however, that this shift has not altered French "geopolitical priorities and general political strategy."[15]

The EU's new post-Communist members are no longer accepting western Europe's continued complacency over Ukraine and have formed a pro-Ukraine lobby within the EU. Today, Ukraine's EU allies include all eight of

the new post-Communist members, led by Poland, whose president, Lech Kaczynski, has stated that "the Ukrainian question is one of the priorities of our foreign policy. I do not know a single politician inside Poland who would not support such an approach. This position is not faced with any political competition."[16] In fact, Poland has become a major lobbyist for Ukraine both in NATO and the EU. Ukrainian troops stationed in Iraq between 2003 and 2005 served under Polish command. In the post-Communist era, Germany supported Poland's membership in NATO and the EU as a way to secure its eastern flank. Poland views Ukraine's membership in the EU and NATO in the same way.

Poland, which had backed Turkey's membership, broke ranks with the United Kingdom by lobbying for Ukraine to be invited to join at the same time as Turkey. In addition, the former president of the Czech Republic, Vaclav Havel, sent Yushchenko two statements of support. Austria, Finland, and Sweden also support Ukraine's membership in the EU. At a February 2006 summit to celebrate the 15th anniversary of the Visegrad Group (Poland, the Czech Republic, Slovakia, and Hungary), representatives stated their readiness to back Ukraine's full Euro-Atlantic integration.

Post-Communist EU members are acutely aware that the success of their reforms in the 1990s was attributable to the EU's offer of the "carrot" of future membership. The association agreements signed by the EU with central European and the Baltic states assisted their reform drives. The new EU member states do not believe that reforms in Yushchenko's Ukraine are sustainable in the medium term without such an incentive.

The Russia Factor

The Russia factor also plays a role, as an ally in the Gaullist EU project to create a new European superstate that would return multipolarity to the international system. New EU members are suspicious of any dealings with Russia and, similar to the United Kingdom, continue to support a strong U.S. presence in Europe and NATO.

Pro–United States, post-Communist Europe is dismayed about and distrustful of western Europe's continued Russophilia. The region sees the United States as the primary Western country that assisted them in their liberation from Communist rule and continue to revere former U.S. president Ronald Reagan as a local hero. Central Europe and Ukraine consider France, in contrast, particularly willing to talk to Russia over their heads. At the beginning of the Iraq war, Chirac and then–German chancellor Gerhard Schroeder built up their personal relationships with Russian president Vladimir Putin in an attempt to forge a closer alliance with Russia against the Bush administration's unilateralism. Schroeder's move after leaving of-

fice to head a Gasprom project to build a pipeline from Russia to Germany, bypassing the Baltic states and Poland, only confirmed post-Communist Europe's suspicions. Germany's close ties to Russia became less one-sided only after the election of Chancellor Angela Merkel in 2005, who attempted to mend relations with the United States.

The Orange Revolution has been recognized by the U.S. and NATO, but not by the EU.

New EU members take a harsher attitude toward Putin, who intervened heavily in the 2004 Ukrainian elections, confirming their suspicion of the continued threat posed by Russian imperialism and the neo-Soviet political culture pervading Russia's managed democracy. Poland hopes that Ukraine's European integration will provide a buffer between itself and Russia. This long-standing Polish geopolitical goal was first elaborated in the interwar period as *miedzymorze*, the need for the region lying between Germany and Russia to cooperate in the face of these two large threats. Since World War II, the German threat is no longer an issue, but post-Communist Europe remains fearful of Russia, especially under Putin. Before the Orange Revolution, Poland had been concerned about a Yanukovych victory that would have led to a "Belarus-lite" emerging along its eastern border. When the Orange Revolution was in its early stages, Lech Walesa, the former Polish president and leader of Solidarity, traveled to Kiev to provide his support.

Recent developments in Russia also contribute to changing Western attitudes toward Ukraine. Today, the contrast between a democratizing Ukraine and an autocratic Russia reduces concern about offending Russia and reduces the need to take its objections into account. Yet, the Russia factor also plays a role in perpetuating the view within western Europe that Ukraine is a non-European state. Under Kuchma, despite loud claims of Ukraine's links to European geography, culture, and history, the country's domestic policies were decidedly non-European. The EU never offered membership as an option for the 12 former Soviet states that joined the CIS. "Europe" was initially understood as extending only as far as the western border of the CIS. The CIS was therefore considered to be culturally part of "Eurasia." In more recent years, Putin has attempted to persuade the outside world that the western CIS is "Europe-east," part of Europe but nevertheless outside the EU.

Attitudes toward the EU are not unanimous among CIS members. Only Western-leaning Ukraine, Moldova, and Georgia seek EU membership. Russia and Belarus have never expressed any interest in becoming members of

the EU or NATO.[17] The EU has, however, been unable or perhaps unwilling to fashion a policy toward Ukraine that takes into account this major difference between Ukraine and the other two eastern Slavic states. Brussels and Paris have preferred to deal with Russia, Ukraine, and Belarus as one Eurasian group rather than as separate countries, unlike NATO and the United States in their policies toward Ukraine and Russia. NATO has always understood that Ukraine was different than Russia.

Of all the EU's western European members, France has found it the most difficult to appreciate the fact that Ukraine's European aspirations distinguish it from Russia. In 1992, French president Valery Giscard d'Estaing, an important father figure of the failed EU constitution, quipped that "Russia without Ukraine is as ridiculous as France without the Rhone-Alps region."[18] Yet, this attitude is a western European excuse for not changing the EU's indifferent policy toward Ukraine. Russia itself is nonchalant about Ukraine's membership in the EU. For Putin, the only "nyet" is to Ukraine's membership in NATO. This indifference may change only gradually over time if Ukraine's reforms succeed, at a time of democratic regression in Russia and Belarus, proving that Ukraine has chosen a path of Euro-Atlantic integration, distinct from its eastern Slavic neighbors.

Lagging Reforms

First Kuchma and now Yushchenko have reiterated that Ukraine's geography, culture, and history are European, but both leaders ignore the degree to which Ukraine has inherited a czarist and Soviet Eurasian political culture. Because Ukraine is the first truly post-Soviet state seeking membership, Ukraine is different from other post-Communist countries that have joined the EU. (The Baltic states were always treated differently and never joined the CIS.) Ukraine's imperial and totalitarian legacies have made its transition to democracy more difficult. It is undergoing not only political and economic transition but also state and nation building, two processes that were largely absent in the transitions of post-Communist EU member countries. It is this "quadruple transition" that makes Ukraine so similar to the western Balkans.[19]

What differentiates the two Ukrainian leaders, however, is their level of commitment to European values. Under Kuchma, this commitment was nonexistent, reinforcing western Europe's civilizational argument that Ukraine lies outside Europe and inside Eurasia. Yushchenko, in contrast, has made a growing commitment to European values. A pro-reform Orange parliamentary coalition after the March 2006 elections will further consolidate the democratic breakthrough that the Orange Revolution initiated. If this trend continues, the civilizational argument will gradually lose validity.

Because there has been democratic progress, it would be wrong to depict Ukraine as not having fulfilled any of the demands of the Orange Revolution. In its 2006 annual human rights report, Freedom House upgraded Ukraine's designation to a "free" state, the first CIS state to join this group, and in the same year downgraded Russia's status to "unfree."[20] The contrast between a slowly democratizing Ukraine and an autocratic Russia is now stark, as is the contrast between Ukraine's free elections and Belarus's establishment of a de facto lifetime presidency in March 2006. Constitutional reforms introduced in 2006 transforming Ukraine from the "super-presidential" system common throughout the CIS to a parliamentary system common in central Europe will further contribute to Ukraine's democratization. In transitions from communism, countries with parliamentary systems have been more successful at democratization than those with presidential regimes. In a region of the world where the media are regularly stifled, press freedom has also benefited from the Orange Revolution.[21] A major factor contributing to the success of the 2006 elections was the existence of an independent and freely competitive media environment.

The EU will only be able to put off formulating a policy until 2008.

These democratic advances have been complemented by limited progress in market economic reform. The EU and the United States have recognized Ukraine as a market economy, and Ukraine will join the WTO in 2006. Ukraine's progress, albeit limited, in battling corruption, as recognized by the watchdog agency Transparency International, led to its removal from the watch list of the Financial Action Task Force, an international body that investigates the use of the world's financial systems by organized crime.[22]

Yet, overall the high expectations of rapid reform within Ukraine optimistically predicted by Orange revolutionary leaders and by observers abroad have failed to materialize.[23] Dismay and uncertainty surrounding the sustainability of the reform process has centered on the collapse of the Orange revolutionary camp in September 2005 following corruption charges leveled against Yushchenko's entourage and the removal of the Tymoshenko government. The political forces that supported the Orange Revolution, Yushchenko's Our Ukraine bloc, the Tymoshenko bloc, and the Socialist party, each contested the 2006 parliamentary elections independently. Differences within the Orange revolutionary camp have focused on economic and political policies, specifically on populist demands for mass reprivatization backed by Yulia Tymoshenko and opposed by Yushchenko. Another contentious issue has been Yushchenko's failure to implement the Orange Revolution's pledge to put "bandits in prison," a reference to senior officials

from the Kuchma regime who were accused of abuse of office during Kuchma's decade in office, the Gongadze murder in 2000, and election fraud in 2004.[24]

Charting Ukraine's Future: The 2006 Elections

The 2006 elections can be understood as the second leg of the 2004 presidential elections. With constitutional reform, parliament's power has grown. The elections were held for the first time using a fully proportional law through which five political forces entered parliament. These five political forces would work inside a parliament whose term has been extended to five years, with a reformist president in place until October 2009. The success of Yushchenko's domestic reform agenda and Euro-Atlantic integration will be dependent on cooperation with a pro-reform parliamentary coalition and government.

The elections witnessed the marginalization of two hitherto powerful political forces. The Communists came in last, at 3.5 percent, a massive decline from 20 percent four years earlier. The 20 Communist deputies will be a significant reduction from the 120 in the 1998 parliament. Dominant Kuchma-era centrists also failed to enter parliament, such as the Social Democratic united party and Labor Ukraine. Although the Orange camp obtained a total proportion of votes similar to 2004, the hierarchy within this coalition has changed. The Tymoshenko bloc obtained 22 percent, giving it a sixfold increase in deputies over the outgoing parliament. Our Ukraine, whose honorary chairman is Yushchenko, slipped to third place with only 14 percent. The Socialists came in with 7 percent.

The outcomes of the 2004 and 2006 elections are remarkably similar, with the Orange camp dominant in western and central Ukraine and the Blue (Yanukovych) camp dominating eastern and southern Ukraine. The number of Orange deputies (Our Ukraine, Tymoshenko bloc, Socialists, and smaller national democratic parties) is slightly higher than the 52 percent who voted for Yushchenko in 2004. Similarly, the Blue camp (Party of Regions, Communists, and other extreme left-wing forces) obtained a similar number of deputies to the 44 percent that Yanukovych obtained in the 2004 elections.

The largest faction in the new parliament elected in March 2006 is Yanukovych's Party of Regions, and their victory is a sign that the election was free and fair. The Party of Regions has few allies in parliament if the Communists are discounted, and its attempts at forging a coalition with Our Ukraine are likely to be rebuffed. Three of the five political forces in parliament are Orange, and their parliamentary coalition will promote policies that Yushchenko espoused in the 2004 elections.

In the absence of an EU carrot, however, the Party of Regions will have an opportunity to prove that attempts to convince the EU to fashion a new policy toward Orange Ukraine have failed. Therefore, by not opening the door to membership, the EU is effectively giving sustenance to the Party of Regions and demonstrating that the EU, unlike the United States, was always agnostic toward the Orange Revolution and Yushchenko's election.

The newly elected parliament will have majority support for EU integration. Of the five political forces that have entered the newly elected Ukrainian parliament, only the Communists, a dwindling political force with the smallest faction, will continue to oppose integration. The Party of Regions has stated its intention not to review Ukraine's policy of European integration when the newly elected parliament addresses the issue.

A reformist president coupled with an Orange parliamentary coalition and government would be a signal within Ukraine and to the outside world that the 2004 democratic breakthrough is being consolidated. An Orange coalition and government in place until the 2009 presidential elections would give Ukraine three years of breathing space during which reforms could be introduced and corruption battled. If Ukraine has proven its commitment to European values as the 2009 presidential elections approach, then the EU should be morally bound to respond by opening the door to potential membership.

EU-Ukrainian Relations at a Turning Point

Yushchenko's election after the Orange Revolution represented a democratic breakthrough that has been recognized by the United States and NATO, but not by the EU. The breakthrough came at a time of enlargement fatigue, internal divisions over identity within the EU, and rising concerns among the EU's new members about the Russia factor. Ukraine's slower than expected reforms in 2005 were also a contributing factor confirming the need for the EU to wait and see what Brussels should do before fashioning new policies toward Kiev. Ukraine's free and fair elections in March 2006 and formation of a pro-reform parliamentary coalition and government shows that it has fulfilled its side of the bargain to prove its commitment to the democratic values that underpin the EU.

Yet, the EU has remained unmoved in its unwillingness to adapt to the reality of change on the ground in Ukraine, both following Yushchenko's election and the 2006 elections. Luxembourg's prime minister, Jean-Claude Juncker, who assumed the EU's rotating presidency in January 2005, warned against offering Ukraine the prospect of full membership. In a statement that drew criticism from the Ukrainian Foreign Ministry, EU commissioner

Guenter Verheugen has predicted that in two decades all European countries would be members of the EU, except Ukraine and other CIS members. Similar warnings are regularly made about the lack of any intention on the part of Brussels to open the EU's door to Ukraine.

Yushchenko had come to power optimistic that European values and standards would be introduced in Ukraine, after which Ukrainians would see "Europe knocking on our door."[25] Yushchenko has repeated such statements throughout his presidency, and there is little doubt that he, unlike Kuchma, is committed to European values. His commitment was demonstrated dramatically when he allowed free and fair elections, which permitted the Party of Regions, led by defeated presidential candidate Yanukovych, to finish first. Growing doubt rests not on the seriousness of Yushchenko's personal convictions but on his political will to implement tough policies against two odds: "a logically coherent system prone to stagnation and resistant to change"[26] and the lack of any carrot of future membership from the EU.

> The EU may have little choice but to open the door to long-term membership prospects.

Ukraine should be asked to prove its commitment to European values by instituting comprehensive reforms and battling corruption. A stable, pro-reform parliamentary coalition following the 2006 elections that works with Yushchenko to implement reforms will show to what degree the democratic breakthrough initiated by the Orange Revolution is sustainable. At the same time, the EU also has a role to play in encouraging Ukraine to stay on its democratic path, as it did for other post-Communist members. The EU has not acted on advice that "the United States, the European Commission, and EU governments must move rapidly to consolidate Ukraine's future as a democratic, market-oriented country."[27]

The EU cannot indefinitely insist that Yushchenko continue to pursue reforms to prove his commitment to European values with the pretense that Ukraine can succeed in its reforms without an offer of future membership. Because of the inevitable domestic unpopularity of reforms and the damage they could do to ruling parties at the ballot box, extending the prospect of EU membership was a crucial external stimulant in persuading post-Communist states to stay the course. As a post-Soviet state, Ukraine's democratic transition requires reforms that will be far more difficult to implement and unpopular than those of post-Communist Europe, making the need for an external stimulant even greater. The lack of any EU membership offer to Ukraine or Belarus has undercut support for pro-European, reformist forces in each country.[28]

The EU's decision to offer membership to the western Balkan states and possibly Turkey while denying it to Ukraine is untenable. None of the four western Balkan states—Serbia-Montenegro, Macedonia, Albania, and Bosnia and Herzegovina—have a clear timeline for joining the EU, and their reform programs are far behind that of Ukraine. Nevertheless, the prospect of membership has been offered to ensure there is not a return to the interethnic conflicts that ravaged the region in the 1990s. Turkish membership is also unlikely in the near term, but it was offered membership prospects at the EU-Turkish summit in October 2005. Turkey has been an associate member of the EU since 1963 and an official candidate since 1999, giving it a significant head start over Ukraine.

With an enlarged EU and NATO at Ukraine's western border, Ukraine no longer occupies the no-man's-land of the 1990s. The time has come for Ukraine to choose its future direction—east or west. Thus far, only NATO has offered Ukraine a safe haven in the West, whereas the EU has continued to resist changing its closed-door policy. Ukraine's business elite, small- and medium-business owners who supported the Orange Revolution, and former oligarchs (the national bourgeoisie in current parlance) who back Yanukovych today all support Ukraine's integration into the EU. Ukraine's large-business owners prefer to purchase businesses in the EU, rather than in Russia. As Viktor Pinchuk, a leading member of the Dnipropetrovsk oligarch clan argued, "We, the Ukrainian business community, can and should build a bridge for Ukraine to Europe. It is necessary and profitable for us to make every effort for Ukraine's integration into European structures and, at the same time, import and implant European values, rules, and standards into our reality."[29]

For the EU-Ukrainian relationship to move forward, the key for Ukraine was holding free elections in 2006 and the subsequent reconfiguration of its parliament with a pro-reform coalition and government. The key for the EU will come in 2008, when the 10-year-old PCA and three-year-old ENP Action Plan reach the end of their time limits. The EU will only be able to put off formulating a policy until this time.

Faced with these positive developments, the EU will come under strong pressure from the United Kingdom, Scandinavia, and post-Communist Europe, as well as the United States, to open the door to membership to Ukraine and give it, at the very least, the same future membership option as it gave the western Balkan states. Yushchenko continues to remind the EU that he does "feel comfortable striving to join Europe. I feel like I am a European. I live in a European country and possess European values."[30] Ukraine is proving its commitment to European values. It is now up to the EU to reciprocate by treating Ukraine as a European country.

Notes

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