

THE FUTURE OF THE EUROPEANIZATION PROCESS IN UKRAINE AFTER THE WAR IN UKRAINE

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Introduction

The European Union was established in 1951 under the name “European Coal and Steel Community” in order to increase cooperation between European countries. The legal base of the European Union was established through the Rome (1957), Maastricht (1993), and Lisbon (2009) treaties, which have undergone evolution since the time of its creation. The objectives of the European Union are diverse, including ensuring security in the world and within European borders, increasing the welfare of European citizens, creating a common internal market, and promoting and spreading “common values”. For this purpose, the European Union enters into various forms of relations both between member states and with non-member states. These relations can lead to the “Europeanization” of these countries in various forms. Historically, Ukraine has entered into relations with the European Union in various forms, until 2004 it was in the format of bilateral relations. With the launch of the European Neighborhood Policy in 2004, relations between Ukraine and the European Union began to develop from this framework. With the launch of the Eastern Partnership initiative in 2009, relations were carried out within the framework of this platform. The start of the Russia-Ukraine war in 2022 shook the European security architecture and revealed various new political realities. For this reason, this article will look at the historical development of relations between the European Union and Ukraine, as well as the impact of the Russia-Ukraine war that started in 2022 on these relations. The objectives of the research are diverse, the research aims to find out what political successes Ukraine has achieved within the framework of the European Neighborhood Policy and also to determine how the Europeanization of Ukraine evolved both before and after the war.

The research design of the article was chosen as qualitative. Many academic sources and articles were important for the study of the theoretical foundations of Europeanization, and also allowed to analyze the historical Europeanization path of Uk-

raine. A number of official documents of the European Union made it possible to analyze the relations of the European Union with Ukraine, as well as to analyze the Europeanization processes of Ukraine.

Theoretical Framework

Europeanization has been associated with different perspectives in the academic literature. Ukraine’s Europeanization path can be linked to two perspectives: top-down and top-out perspectives. The top-down perspective explains how the European Union affects and shapes political institutions and political outcomes in member states or candidate states. The key point here is that the member or candidate countries adopt the European Union policy and move towards respective domestic changes – changes in national laws, changes in national policies, amendments on constitutions, adopting comprehensive reform policies or plans [1, p. 110].

After the “Big-Bang” enlargement process of the European Union, the European Union did not take a positive approach to the next enlargement processes, therefore, from this period onwards, the Europeanization processes were also explained by the application, “export” of the European Union’s own rules and values in relation to the states that do not have the prospect of membership in the near future [10, p. 61]. This perspective has found its place in the academic literature as “top-out Europeanization”. Top-out Europeanization “seeks to conceptualize, explain, and evaluate the impact of EU policies and rules on the domestic structures, laws, and behavior of non-member countries”. Although this type of Europeanization is theoretically global, and states in other regions are also likely to be subject to this type of Europeanization, in practice this perspective emerged more in peripheries to the political borders of Europe (including the Eastern Partnership countries) [8, p. 386].

Europeanization path of Ukraine within common European Neighborhood Policy framework (2004-2009)

The European Neighborhood Policy was offici-

ally launched in 2004 after a series of discussions and meetings in 2003. The European Neighborhood policy was emerged in response to the Big-Bang enlargement process that took place between 2004 and 2007 in order to lay new foundations for the relations of the European Union with the neighboring countries of the newly created European political borders [9, p. 45]. The strategy paper published by the European Union in 2004 contains the main aspects of the European Neighborhood policy and provides a broad interpretation of this policy. Through the European Neighborhood Policy, the European Union intends to strengthen the political institutions of the partner countries and also the opportunities for political dialogue, it includes “foreign and security policy issues including regional and international issues, conflict prevention and crisis management and common security threats [2, p. 13].

In Ukraine, the European Union has started to promote political reforms since the beginning of the 2000s. Right after being elected, President-elect Yushchenko made important statements about European integration, stated that the perspective of Ukraine’s membership in the European Union is the main strategic goal, and promised to carry out relevant reforms [15, p. 200]. In order to be able to coordinate the European integration policy and carry out relevant reforms, the process of creating a number of relevant state bodies and institutions in Ukraine began in 2004, and the State Department for Legal Approximation (SDLA) under the Ministry of Justice was established in the same year. One of the directions of importance for Ukraine during this period on the way to European integration was the economic sphere, relevant reforms in this sphere and the strengthening of the Ministry of Economy responsible for it. Especially during 2005-2006, the Ministry of Economy set World Trade Organization membership as the main priority, because World Trade Organization membership was considered one of the main prerequisites for economic integration into Europe. Towards the end of 2006, Ukraine’s implementation of the main domestic reforms required for World Trade Organization membership in the economic field is considered one of the most important achievements of the Action Plan for that period [15, p. 203-204].

After the EU-Ukraine meeting held in January 2007, it was decided to start negotiations on the pre-

paration and adoption of a new enhanced association agreement that will replace the PCA agreement. Taking into account the fact that similar association agreements adopted in Central Europe in the 1990s were a preliminary mechanism for the European Union to start membership negotiations with Central European countries within the framework of the Big Bang enlargement, Ukrainian political circles realized the importance of this new agreement in terms of membership prospects for Ukraine [12, p. 309].

Europeanization path of Ukraine within Eastern Partnership framework (2009-2022)

On May 7, 2009, the creation of the Eastern Partnership initiative was officially announced at the Prague summit in order to increase the European Union’s cooperation with the countries on its newly formed political borders. There have been various mechanisms of European Union cooperation with partner countries within the framework of the Eastern Partnership. These included replacing the partnership agreements concluded with partner countries in the 90s with new and comprehensive agreements (Association Agreements), including partner countries in the Deep and Comprehensive Free Trade Areas (DCFTA) in order to strengthen economic cooperation, implementing visa liberalization through relevant visa negotiations with partner countries.

One of the first steps taken by Ukraine on the path to Europeanization for this period was the adoption of the Association Agenda in November 2009 in preparation for signing the relevant Association Agreement with the European Union. The Association Agenda was supposed to facilitate rapprochement between Ukraine and the European Union in the political and economic spheres. The important factor that stands out here is that within the framework of this agenda, Ukraine had to start implementing and applying the acquis chapters of the European Union [13, p. 55].

The Eastern Partnership summit held in Vilnius in November 2013 was expected to be a turning point in Ukraine-EU relations. Ukraine was expected to sign the Association Agreement with the European Union at this summit. However, a week before the summit, the Ukrainian government officially announced that it would refuse to sign the agreement. The government of Ukraine argued that it took this step in terms of security issues, including the development of relations with Russia and the CIS count-

ries [14, p. 40]. After the the change of power in the country, the most important of the steps taken by Ukraine towards Europeanization was the conclusion of the political part of the Association Agreement on March 21, 2014, and the economic part of the agreement (DCFTA) on June 27, 2014. In May of the same year, Ukraine also entered the final phase of the visa liberalization process. The presidential and parliamentary elections held in the country in May and October 2014 were evaluated by the European Union as successful in terms of the application of democratic election traditions. However, there were a number of difficulties in terms of Ukraine's internal reforms during this period: the Ukrainian economy was shaken due to the wars with Russia, and due to the strengthening of relations with the European Union, Russia activated economic leverages and created additional difficulties for the Ukrainian economy [7, pp. 12-13].

Despite the indicated difficulties, since 2014, Ukraine has started internal reforms in many areas of the country. In the same year, the European Agenda for Reform was created. This package of reforms was important in terms of the democratization of the country and the adaptation of internal structures and laws to European standards. In that year, Ukraine started a number of reforms in the field of public administration, including de-bureaucratization reforms [14, pp. 44-45]. The positive effects of the DCFTA signed between Ukraine and the European Union on the Ukrainian economy and the Ukrainian-European Union cooperation began to be felt from the first years of its signing. Since 2017, the volume of Ukrainian exports to the European Union has managed to exceed the volume before the 2014 war (2013), and in 2018 it exceeded the volume of 2017 by 12%. One of the most critical successes achieved within the framework of the DCFTA during this period was that in 2017, approximately 100 new Ukrainian companies were able to gain access to the European Union market. Looking at economic successes in general, it should be noted that, according to the analysis of the Ukrainian Centre for European Policy, the economy was the area in which Ukrainian legislation was most adapted to the European Union acquis in 2014-2018, as the reduction of technical barriers in the field of trade and taxation during this period, protection of consumer rights and issues covering many other economic spheres were successfully adapted to the

European Union acquis [16, p. 32-33].

One of the most successful steps taken during this period on the Europeanization of Ukraine was the making of relevant additions ("European integration clauses") to the country's constitution in 2019. The additions to the constitution declare Ukraine's European integration policy as an irrevocable and unchangeable policy of the country, emphasize that changes and improvements will be made in accordance with European standards in the legislation, and note the close cooperation of the judicial system of Ukraine with the relevant judicial institutions of the European Union in the judicial field. The most important point in these constitutional changes was the designation of the country's membership in the European Union and NATO as a priority direction [11, p. 25].

Impact of the war in Ukraine on Europeanization processes of Ukraine

One of the most noticeable effects of the war was that the European Union took its relations with the three EaP countries - Ukraine, Moldova and Georgia - to a new level. Thus, by the decision adopted by the European Council on June 23, 2022, Ukraine and Moldova received the status of candidate for membership, while Georgia was provided with the prospect of membership [5]. On June 17, 2022, the European Union announced that it had given Ukraine the relevant candidacy status on the condition of reforms in 7 areas. The 7 areas indicated in the document published by the European Commission on June 17 were as following: 1) judicial reforms; 2) establishing the High Qualification Commission of Judges with the selection of relevant candidates; 3) strengthening the fight against corruption, including the appointment for a new Director of the National Anti-Corruption Bureau of Ukraine; 4) Law enforcement sector reform; 5) implement the Anti-Oligarch law and decrease the influence of oligarchs in the country's political, economic and public life; 6) improvement of the legislation in order to reduce the influence of personal interests in the field of media; 7) carrying out relevant reforms in the legislation on national minorities [3, pp. 20-21].

On November 8, 2023, the European Commission presented a report on the level of Ukraine's implementation of reforms and improvements in the 7 areas mentioned. Regarding the first direction, Ukraine made relevant legislative amendments for

the election of Constitutional Court judges during December 2022 – July 2023 [4, p. 9]. Regarding the second direction, the High Council of Justice began to operate in Ukraine from 2023 [4, p. 9]. Regarding the third direction, Ukraine adopted the State Anti-Corruption Program in March 2023 [4, p. 10]. Regarding the fourth direction, Ukraine adopted a law on beneficial ownership in September 2022, the legislation on financial investigations was improved [4, p. 10]. Regarding the fifth area, the legislation on the Anti-Monopoly Committee in Ukraine has been improved [4, p. 11]. Regarding the sixth field, the media law was adopted in Ukraine in December 2022, and relevant amendments were made to the law in May 2023 [4, p. 11]. Regarding the last area, the law on national minorities was adopted in Ukraine in December 2022, and the law was amended in September 2023 [4, p. 11].

The successes achieved in the mentioned areas prompted the reactivation of the European Union conditionality mechanism, on December 14-15, the European Union officially announced the start of open accession negotiations with Ukraine and Moldova, and Georgia officially received the status of a candidate country for membership [6].

Conclusion

The conducted research revealed a number of results related to the Europeanization processes of Ukraine. Ukraine, created a number of European integration-oriented institutions during the 2004-2009 period. During this period, main Europeanization elements and successes of Ukraine were related to economic reforms and membership perspective to World Trade Organization. Between 2009 and 2022, Ukraine signed the Association Agreement with the European Union, signed the DCFTA, and was able to conclude visa liberalization negotiations. Positive effects of DCFTA on Ukraine were observed during this period, relevant statistical data confirmed this fact. In the period of 2022-2023, Ukraine took important steps in terms of Euro Integration and implemented judicial reforms and reforms in other areas as well. Reforms expected by the European Union have been implemented in the field of media. 4 of the 7 reforms were fully implemented and 3 were partially implemented. We determined that Ukraine has surpassed the previous periods that lasted longer in terms of the number and quality of reforms imp-

lemented in a short period (2022-2023). Finally, we found out that new reality – European Union membership candidacy status gave great incentives to Ukraine. With this incentives, Ukraine's Europeanization path shifted from top-out perspective to top-down Europeanization. Regarding the Eastern Partnership initiative, considering the fact that Eastern Partnership initiative was created for integration of countries with lack of membership perspective, it's clearly obvious that with new reality (membership perspective) relevance of Eastern Partnership initiative decreased for Ukraine comparing before the war period.

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The future of the Europeanization process in Ukraine after the war in Ukraine

SUMMARY

This article analyzes the main political aspects of the Europeanization path followed by Ukraine by entering into mutual relations with the European Union, and examines the source of the political courses followed by Ukraine in their relations with the European Union since 2004. It also includes a discussion of the impact of the 2022 Russia-Ukraine war on the changes on the Europeanization processes Ukraine. The Europeanization processes of Ukraine were analyzed by dividing them into periods. This includes the period of the European Neighbourhood Policy covering the years 2004-2009, the period of the Eastern Partnership from 2009 to the present, and finally the period after the start of the Russia-Ukraine war, which is of critical importance within the period of the Eastern Partnership. As a result, this article helps to understand more deeply the political results achieved by Ukraine in European Union relations during the indicated periods. The results obtained from the analysis also help to present the current level of political relevance of the Eastern Partnership initiative for Ukraine.

Keywords: *European Union, Europeanization, Eastern Partnership, Ukraine-EU relations*

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Ukrayna müharibəsindən sonra Ukraynada Avropalaşma prosesinin gələcəyi

XÜLASƏ

Bu məqalədə Ukraynanın Avropa İttifaqı ilə qarşılıqlı əlaqələrə girərək izlədiyi avropalaşma yolunun əsas siyasi aspektləri təhlil edilir və 2004-cü ildən Ukraynanın Avropa İttifaqı ilə münasibətlərində tutduğu siyasi kursların mənbəyi araşdırılır. 2022-ci il Rusiya-Ukrayna müharibəsinin Ukraynanın avropalaşma proseslərindəki dəyişikliklərə təsirinin

müzakirəsi də qeyd edilən təhlilə daxildir. Ukraynanın avropalaşma prosesləri məqalədə dövrlərə bölünərək təhlil edilmişdir. Buraya 2004-2009-cu illəri əhatə edən Avropa Qonşuluq Siyasəti dövrü, 2009-cu ildən bu günə qədər davam edən Şərq Tərəfdaşlığı dövrü və nəhayət, Şərq tərəfdaşlığı dövrü ərzində kritik əhəmiyyət kəsb edən Rusiya-Ukrayna müharibəsinin başlamasından sonrakı dövr daxildir. Bu məqalə göstərilən dövrlərdə Ukraynanın Avropa İttifaqı münasibətlərində əldə etdiyi siyasi nəticələri daha dərinlən anlamağa kömək edir. Təhlildən əldə edilən nəticələr həm də Şərq Tərəfdaşlığı təşəbbüsünün Ukrayna üçün mövcud siyasi aktuallıq səviyəsini təqdim etməyə imkan verir.

Açar sözlər: *Avropa İttifaqı, Avropalaşma, Şərq Tərəfdaşlığı, Ukrayna-Aİ münasibətləri.*

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Будущее процесса Европеизации Украины после украинской войны

РЕЗЮМЕ

В данной статье анализируются основные политические аспекты пути европеизации, по которому пошла Украина путем вступления во взаимоотношения с Европейским союзом, и исследуются истоки политических курсов, которые Украина взяла в отношениях с Европейским союзом с 2004 года. В упомянутый анализ также включено обсуждение влияния российско-украинской войны 2022 года на изменения в процессах Европеизации Украины. В статье анализируются процессы Европеизации Украины путем разделения их на периоды. Сюда входит период Европейской Политики Соседства, охватывающий 2004-2009 годы, период Восточного Партнерства с 2009 года по настоящее время и, наконец, период после начала российско-украинской войны, которая имела решающее значение в период Восточного Партнерства. Данная статья помогает глубже понять политические результаты, достигнутые Украиной в отношениях с Европейским союзом в указанные периоды. Результаты, полученные в результате анализа, также позволяют представить текущий уровень

политической значимости инициативы «Восточное Партнерство» для Украины.

Ключевые слова: *Европейский союз, Европеизация, Восточное Партнерство, Отношения Украина-ЕС.*