

# Solidarity in operation?

## Reaction of the European Union to the Russian Invasion of Ukraine

Prof. Adam Lazowski

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UNIVERSITY OF  
WESTMINSTER



# Outline

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- EU-Ukraine relations before the war
- EU-Ukraine relations at the time of war
- EU-Ukraine relations after the war

## ANDREY KURKOV

The author of *Death and the Penguin* and *Grey Bees*

"Ukraine's greatest novelist is  
fighting for his country"

GILES HARVEY, *New York Times*



## DIARY OF AN INVASION

# EU-Ukraine relations before the war

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- In 1993 Ukraine makes European integration its priority (at least figuratively)
- Partnership and Cooperation Agreement signed in 1994
- During EU-Ukraine summit in 1998 bilateral relations referred to as 'strategic and unique partnership'
- Impact of 2004 EU enlargement on EU-Ukraine relations and launch of European Neighbourhood Policy
- Negotiations of new EU-Ukraine Agreement commence in 2007

# EU-Ukraine relations before the war

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- Note: several EU Member States against mentioning the membership perspective in the Preamble of the Association Agreement (contrast with Stabilisation and Association Agreements with the Western Balkan countries)
- It confirms that : ‘the European Union acknowledges the European aspirations of Ukraine and welcomes its European choice, including its commitment to building a deep and sustainable democracy and a market economy’
- In 2011 Ukraine becomes a member of the Energy Community

# EU-Ukraine relations before the war

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- Association Agreement initialed in 2012, however signature delayed as a result of strict enforcement of political conditionality
- 2013-2017 – delay in ratification of the Association Agreement
- Association Agreement: 3 steps forward, 1 step back (deep and comprehensive free trade area but no direct effect)
- 2017 - onwards - implementation of the Association Agreement and application of visa liberalisation regime

# Ukraine-EU relations before the war

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‘Коли взяти маленьку  
незалежність кожного з  
нас, мою, кожного з вас  
і зібрати разом, вийде  
велика, велика, велика  
незалежність’

Sviatoslav Vakarchuk, Lviv, 24 August  
2014

ОКЕАН  
ЕЛЬЗИ

#HELP  
FOR  
UKRAINE  
TOUR





# Ukraine-EU relations before the war

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# Ukraine-EU relations before the war

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- Ukraine gains independence in 1991 and Soviet Union collapses
- Transformation of a divided country built on soviet legacy and painful history typical for Central and Eastern Europe:
  - economic and environmental disaster
  - rampant corruption
  - volatile political climate
  - difficult relationship with the past and the neighbours
- 2004 – the first Maidan and the disappointment that followed
- 2013-2014 – the second Maidan and, again, disappointment that followed



# Ukraine-EU relations before the war

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- Signature of the EU-Ukraine Association Agreement followed by the beginning of the war (Russian army 'a.k.a green people' invade Crimea and Eastern Ukraine)
- Figurative solidarity of the European Union in the sprit of 'grave concern'
- 2014 onwards - internal political tensions continue; however many reforms are being implemented
- 2019 – amendment of the Ukrainian Constitution: EU and NATO accession
- 2019 - presidential elections: a protest vote against political elites
- 24 February 2022 - unthinkable becomes thinkable, impossible becomes possible

# Opening line

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Volodymyr Zelensky

February 2022



# Solidarity in action?

## EU-Ukraine relations during the war

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# Application for EU Membership

28 February 2022



Президент України

28 лютого 2022 року  
м. Київ

Ваша Високоповажносте!

Цим листом Україна, як європейська держава, яка поважає цінності, закріплені в статті 2 Договору про Європейський Союз, має честь подати заявку на членство у Європейському Союзі відповідно до статті 49 Договору про Європейський Союз.

Спільна заява представників органів влади в Україні щодо подання заявки на членство України в ЄС додається.

З повагою

Володимир Зеленський

Його Високоповажності  
пану Еммануелю Макрону  
Президенту Французької Республіки,  
Головуючої в Раді Європейського Союзу  
м. Париж

Копії:  
Його Високоповажності  
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Її Високоповажності  
пані Урсулі фон дер Ляєн  
Президентці Європейської Комісії

Її Високоповажності  
пані Роберті Мецолі  
Президентці Європейського Парламенту

м. Брюссель

# Solidarity in action?

## EU-Ukraine relations during the war

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- '[...] solidarity is perhaps most readily forthcoming when the emergency to be met is clear and obvious and immediate'
- 'The reasons for that engagement may vary along a spectrum that ranges from pure altruism to enlightened self-interest, but for solidarity to manifest itself, the engagement must be there.'

(E. Sharpston, 'Thinking About Solidarity and EU Law'  
in E. Kassoti, N. Idriz (eds), *The Principle of Solidarity* (Springer, 2023) 155,156.

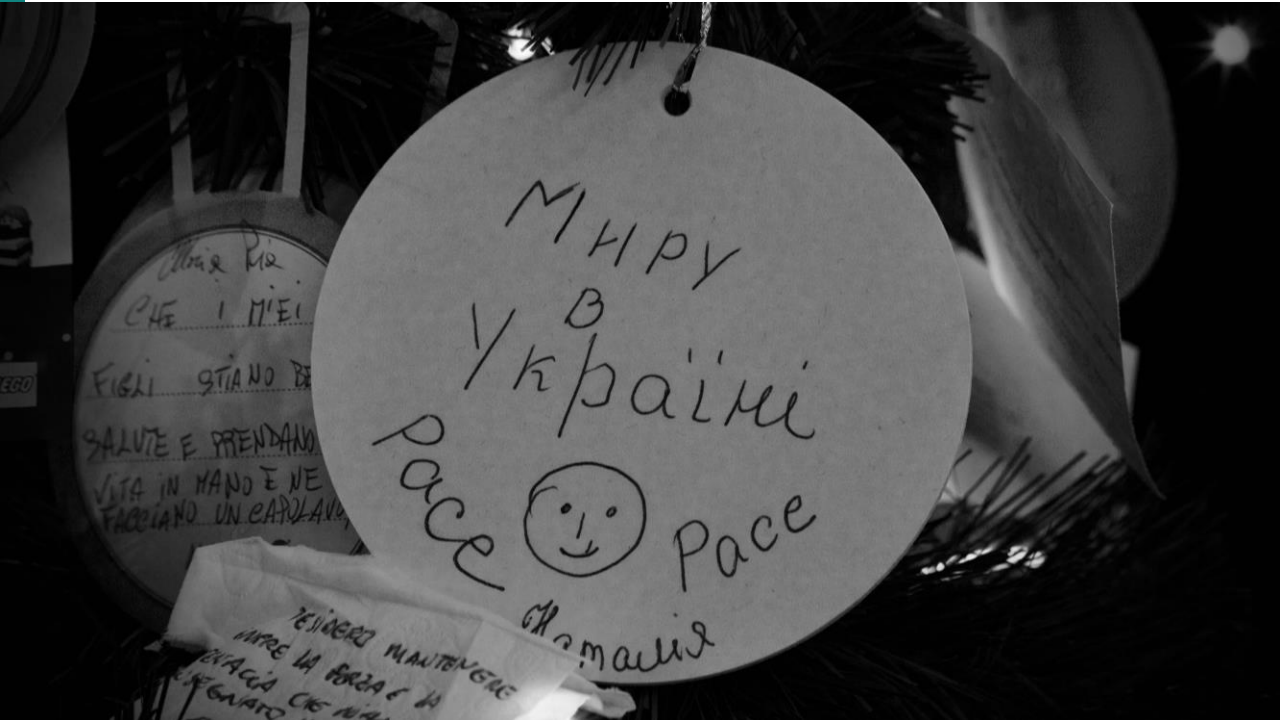
# Solidarity in action?

## EU-Ukraine relations during the war

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- Grassroots solidarity: ordinary members of the public joining the war effort:
  - assistance with evacuations and help for refugees
  - assistance to internally displaced Ukrainians
  - humanitarian aid
  - collections of money and equipment for the Ukrainian army





# Solidarity in action?

## EU-Ukraine relations during the war

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- Member States solidarity:
  - assistance to refugees
  - humanitarian aid
  - donations of military equipment for the Ukrainian army
  - regular contact with Ukrainian authorities and visits to Kyiv
  - hosting of Volodymyr Zelensky, the Ukrainian President

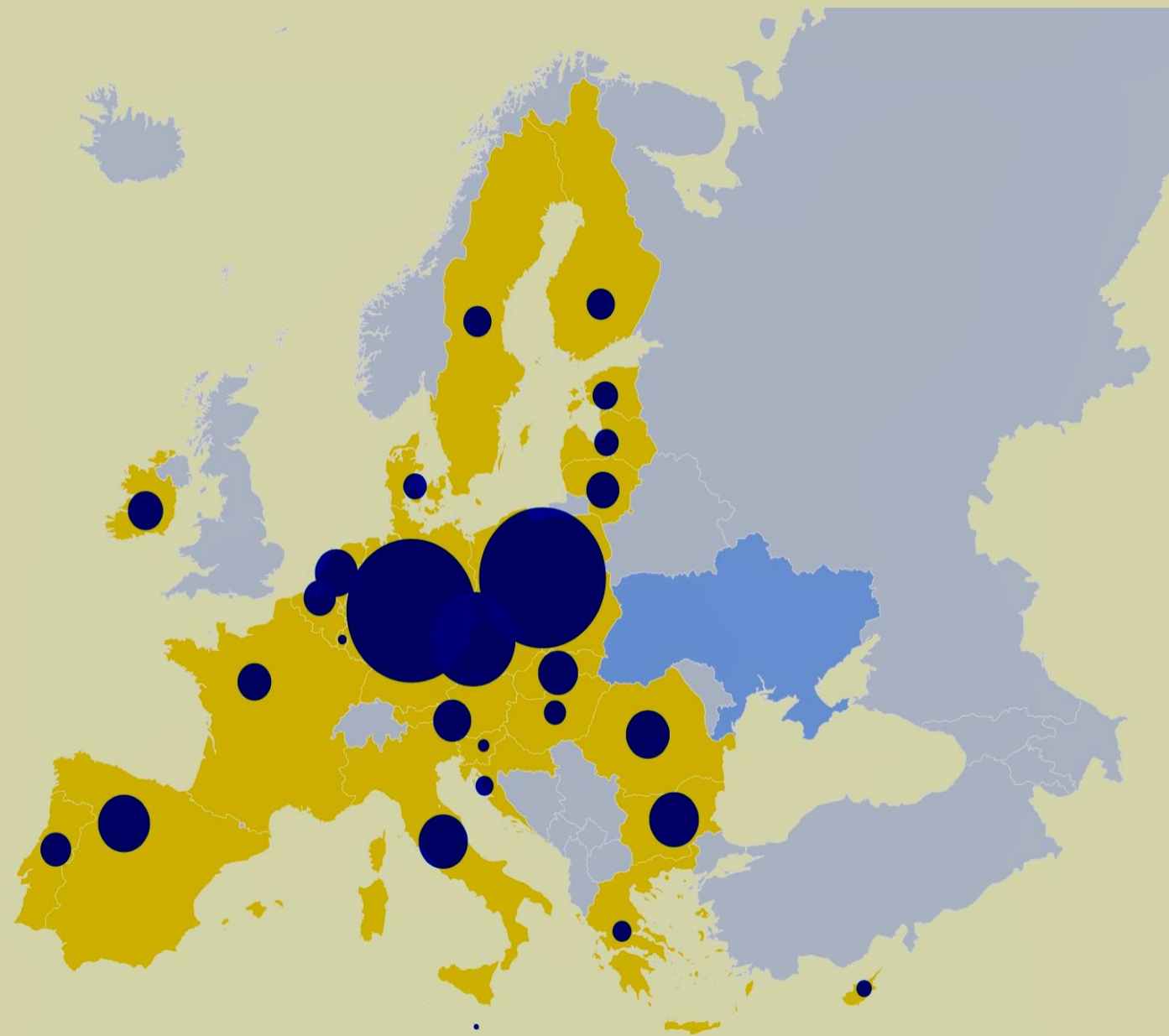


# Solidarity in action? EU-Ukraine relations during the war

March 2022 – activation of  
Temporary Protection  
Directive:

- residence permits
- access to labour market  
and housing
- medical assistance
- access to education for  
children

BUT: selective solidarity?



# Solidarity in action?

## EU-Ukraine relations during the war

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- EU financial solidarity, inter alia:
  - €7.2 billion in EU macro-financial assistance (2022)
  - €620 million in budget support (2022)
  - €18 billion, in the form of highly concessional loans (2023)
  - €1.5 billion in EU macro-financial assistance (25 April 2023)
- €668 million available for humanitarian aid projects (food, water, healthcare, shelter and helps cover people's basic needs)

# Solidarity in action?

## EU-Ukraine relations during the war

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- EU Civil Protection Mechanism (over 600 interventions since creation, including first aid kits, shelter equipment, firefighting equipment, water pumps, power generators, and fuel)
- So far 88 000 tonnes of life-saving equipment, food, and medicines, have been sent to Ukraine (for instance over 5 000 power generators were provided by the EU)
- On 20 April 2023 Ukraine has joined EU Civil Protection Mechanism in order to provide assistance to beneficiaries (mutual solidarity?)
- Rehabilitation of damaged schools in Ukraine (€100 million) with €14 million penciled in to purchase school buses

# Solidarity in action?

## EU-Ukraine relations during the war

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- electricity grids of Ukraine and Moldova synchronised with the Continental European Grid
- supplies of power generators
- supplies of LED bulbs

Together, we are bringing light to Ukraine!

Ukrainians can exchange their old bulbs at the post office for energy-efficient LED bulbs.

The EU is gladly providing 35 million of them.

Every kW of energy saved is precious to counter Russia's energy war.





# Solidarity in action?

## EU-Ukraine relations during the war

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- Temporary suspension of all customs duties and trade defence measures on imports from Ukraine into the EU
- 26 April 2023 – extension of the scheme for another year (the end of solidarity with Poland, Hungary, Slovakia, and Bulgaria voting against but not being able to form a blocking minority)
- Solidarity Lanes easing up border procedures to allow Ukraine to continue exporting goods, including agricultural products
- European Peace Facility: €4.6 billion to support the delivery of military equipment to the Ukrainian Armed Forces
- EU Military Assistance Mission for Ukraine addressing urgent and longer-term training needs of the Ukrainian Army

# Solidarity in action?

## EU-Ukraine relations during the war

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- Rounds of sanctions imposed by the EU and Member States on Russia and Belarus
- Effectiveness?
- Solidarity at risk: difficulties in reaching unanimity required for adoption of sanctions and their extensions

# Solidarity in action?

## EU-Ukraine relations after the war

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- Assistance in post-war recovery
- Taking lead in prosecution of war crimes (Eurojust Regulation already revised and Joint Investigation Team set up)
- Continued financial assistance
- Elephant in the room: is accession through war possible?
- EU enlargement (again) a geo-political issue – implications for all current candidate and potential candidate countries

# Solidarity in action?

## EU-Ukraine relations after the war

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- June 2022 – Ukraine and Moldova granted candidate status (without opening of accession negotiations, Georgia is a potential candidate)
- Ukraine is hoping to commence accession negotiations early next year
- Despite the war, public administration is operating normally (considering)
- Currently self-screening of all 35 negotiation chapters
- Troubles ahead: a change of paradigm required (more transitional arrangements than ever before)
- Absorption capacity (the fourth Copenhagen criterion back to the table)



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