



# EU expansionism and the crisis in Ukraine

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The recent events in Ukraine have caused even the most timid among the political class to express their views on the Kremlin and its attempts to sabotage the integrity of the Ukrainian state. The cascade of increasingly strong rhetoric coming from Washington, London, Paris, and even Berlin was recently joined by none other than Herman Van Rompuy, the President of the European Council.

In a press statement in Kiev on Monday, May 12<sup>th</sup>, Mr Van Rompuy firmly rejected the credibility of the two independence 'referendums' held in the eastern provinces of Donetsk and Luhansk the day before. *"We do not recognise the so-called referendums of yesterday. They are illegal, illegitimate and not credible"* he asserted – believing, no doubt, that he represents all that is legal, legitimate, and credible.

Though Van Rompuy's statement does not greatly differ from those of other Western leaders, where he stands out is as the personification of the proverbial pot calling the kettle black. How? Primarily in the fact that he has reached the position of Council President (who presides over 28 elected heads of state and government) without ever appealing to the peoples of Europe, and without ever being elected.

His office was created by a treaty that was designed to circumvent the voices of Europeans, as it was drafted in the wake of its predecessor's demise following the 2005 EU

Constitution Referendum. One must at least commend the EU in its conspicuous attempts to avoid the ballot-box, rather than the farcical 'democratic' masquerades that were the three so-called 'referendums' held in Ukraine's eastern provinces. Though the appointment of Van Rompuy is 'legal', the legality of his position was devised in the wake of three resounding 'no' votes by the French, Dutch, and Irish electorates. Democracy is therefore as inconvenient to Brussels as it is to Moscow, if not more so.

As for legitimacy, Van Rompuy has no lessons to bestow upon Russia. For all his electoral fraud, some Russians actually voted for Mr Putin. Even a single genuine vote for the Russian president or the independence of a 'People's Republic' between Ukraine and Russia garners more legitimacy than that of the European Council's President, for whom not a single vote was cast.

In terms of credibility, the man with the title 'President', who has no popular mandate and whose position exists due to the systemic avoidance of public consultation, holds absolutely no weight on the global stage. When compared to Angela Merkel, who not only holds a strong public mandate by Europe's largest electorate, but stands at the helm of the continent's strongest economy, Van Rompuy is a side note.

When political leaders point to the 25<sup>th</sup> of May as the only important day for Ukrainian democracy, they do not realise that



it is in fact the only important day for democracy on the whole continent. While Ukrainians hold their presidential elections, the voters of the EU's Parliamentary elections expressed their true sentiment towards Brussels, and Herman Van Rompuy's claim to legality, legitimacy, and credibility.

We do not have to be enthusiastic advocates of Vladimir Putin's policies to recognise that this entire Ukrainian crisis was avoidable. Nor to recognise that the Crimea – handed over by Khrushchev within the Soviet Union to Ukraine in 1954 – has been and remains a vital national security and defence interest for Russia, including the Black Sea and its fleet for centuries. The European Union's Eastern Partnership and Association Agreement were clearly anticipated to be Ukraine's stepping stone to membership of the European Union, and probably of NATO as well. On both counts the EU has pursued a remarkably naïve foreign policy.

There has undoubtedly been fault on both sides, and the best thing is to be realistic. Ukraine itself is said to be in such financial turmoil that it would require a bailout of something of the order of \$35 billion over the next two years – much of which would presumably fall on British taxpayers. But the original fault lies with the EU and the way in which it has gone about all this.

Whilst not arguing that there should not have been some form of political cooperation and trade – because they are essentials – a key problem has been the manner in which the EU Eastern Partnership and Association Agreement was pursued, and the terms on which EU negotiation was presented and the EU attitude towards Russia – all of which was compounded by the refusal to attend the Winter Olympics in Sochi.

There has to be a rational and statesman-like way of dealing with the Ukrainian situation and to guarantee that it becomes a truly democratic country. The interim government with which the EU has been negotiating with was not even elected and in fact achieved power after a violent putsch overthrowing a democratically elected President, and yet we hear extravagant claims of democracy and the rule of law. Both are conspicuously absent.

For example, when the new interim unelected government was set up, the Ukrainian Parliament passed a law that would have stripped the Russian language of its special status in the constitution – despite this having been pivotal to Crimean voters and interests during the 1991 referendum on Ukrainian independence. Oleksandr Turchynov, the then interim President, then vetoed the law that would have demoted the Russian language, in a move aimed at reducing the hostility of Russian-speakers in the east of the country.

The dismal failure by the EU over the last several years properly to take into account the sensibilities of Russia in relation to the Crimea and the Ukraine in their relentless pursuit of the Eastern Partnership and the Association Agreement is a matter of grave concern.

The EU's ambitions for the Eastern Partnership and the Association Agreement and its Deep and Comprehensive Free Trade Agreement is responsible for damaging the relationship between Russia and Ukraine.

The agreement between the EU and Ukraine is not just about trade. It includes foreign policy, defence and regulatory integration with the European Union.

## *“Western backed regime change in Ukraine has only succeeded in bringing to the fore and provoking divisions in a fundamentally divided nation”*

In Article 7 Ukraine must now, ‘...promote gradual convergence in the area of foreign and security policy, including the Common Security and Defence Policy (CSDP)...’

In Article 10, ‘... increasing the participation of Ukraine in EU-led civilian and military crisis management operations as well as relevant exercises and training activities, including those carried out in the framework of the Common Security and Defence Policy (CSDP).’ and:

‘... explore the potential of military-technological cooperation. Ukraine and the European Defence Agency (EDA) shall establish close contacts...’

This is alarming Russia. What is more as most of Ukraine's industrial exports depend upon the Russian market the peoples of east Ukraine do not want their jobs to be threatened by the re-orientation towards the EU. It is not just a matter of economic links, the industrial east also has close family, linguistic and cultural ties with Russia. The Moscow Patriarch is their religious leader. What is more, the Donetsk region was briefly an independent republic in the early 1920s. The referenda in the east have reconfirmed this status.

It is understandable that the east of Ukraine would reject the western putsch and seek to determine their own future.

The genesis of the crisis was the overthrow of the elected President Yanukovich who had postponed signing the Association Agreement with the EU in the hope of achieving a free trade deal with the EU and with Russia. This suggestion was rejected by Brussels in December 2013. Yanukovich saw that Ukraine could be neither solely Western European nor Russian but in fact both. This neutrality was rejected by the west and Russia has understandably reacted.

To understand the rationale for Russia's actions, we need to view recent events in Ukraine from Moscow's point of view. Ukraine is regarded as the cradle of Russian civilisation with the founding of the first eastern Slav state in the 9<sup>th</sup> century. The majority of present day Ukrainian territory was only transferred to the province during the time of the Russian Empire and much of it had historically been Russian.

Far from condemning inflammatory statements by far-right groups and dampening anti-Russian sentiment, from Moscow's perspective the EU appeared to be actively encouraging it. The new Ukrainian parliament's first actions exacerbated Russian speakers' fears. Recent events have shown us that the far-right in Ukraine holds a growing and disproportionate influence in the new government – and it is wrong of the EU to overlook this just because their hostility is directed towards Russians.

Events in Ukraine have been presented as a simple case of good versus evil, of democracy versus dictatorship, and of Europe versus Russia. Viktor Yanukovich is often described as being 'pro-Russian', as if that in itself was sufficient reason to depose him, while Russia has been accused of bullying Ukraine to keep it in Moscow's sphere of influence.

Although he was hardly a role model for selfless public service, Yanukovich did try to chart a course for Ukraine that sought to balance relations with Russia against European aspirations. He was no pro-Russian politician, supporting intervention in Iraq, refusing to follow Moscow in recognising the breakaway republics of South Ossetia and Abkhazia as independent, and continuing cooperation with NATO.

Russia undoubtedly placed pressure on Ukraine to reject the Association Agreement, but the reality is that the EU also did a lot of bullying and exacerbated the crisis by trying to force Ukraine to choose between a European future and ties to a country with which it feels a deep and historical cultural affinity. The EU placed restrictive quotas on Ukrainian exports to the Single Market. These would only be waived if the Ukraine entered into the Association Agreement with Brussels. Forcing Ukraine to adopt EU regulations that would harm the industrial east of Ukraine.

The EU refused to countenance Yanukovich's suggestion of a trilateral EU-Russia-Ukraine commission to address trade disputes. They made it clear that they would lobby the IMF to refuse Ukraine the bridging loans it needed to cover its external debt if he did not sign the agreement. It refused to offer any concession to address the real pain and bankruptcy that would be caused if Ukraine were to surrender free trade access to the Russian market. Rather than recognise that Ukraine will always

have complex and intertwined relations with Russia and that its economy is largely dependent on Russian goodwill, the EU instead demanded a clean break.

Faced with an impossible situation and both sides placing Ukraine under unbearable pressure, Yanukovich had little option but to postpone the agreement. That his decision to do so would prompt protests should not have been unexpected, but what was deeply unwise was the open support given by Baroness Ashton and EU foreign ministers to those who called for the overthrow of Ukraine's elected government. Moscow's statement that the West has shown little regard for international law in its handling of the Ukraine crisis has an element of truth. They should also have anticipated that the east would object.

Russia also has a valid point that the EU has shown double standards in its application of the principles of territorial integrity and self-determination, supporting the independence of Kosovo but refusing to countenance the demands of those who would prefer to break away from other European states to look towards Moscow, regardless of how valid their claims might be. Compared to Kosovo, Russia's actions in Crimea appear moderate – at the time of production there has been no warfare, no killings, no pogroms or ethnic cleansing, and there appears a clear democratic mandate for its incorporation into Russia. Compare this to the violence, bloodshed and ethnic cleansing that followed Western intervention in Kosovo, or similar interventions in Iraq and Afghanistan.

Western backed regime change in Ukraine has only succeeded in bringing to the fore and provoking divisions in a fundamentally divided nation. The intolerance of the EU, backed by the United States, to Ukrainian neutrality has brought this country to disaster. It is now time to recognise that it is a failed state. ■