



BRUSSELS UKRAINE REVIEW

ELMAR BROK: "WHO HAS DONE FOR UKRAINE MORE THAN THE EU?!"

DIGITAL BATTLEFIELDS AND THE
"WEAPONIZATION" OF THOUGHT

CAPITULATION? OR NO CHANGE ON THE WESTERN PATH

SEMI-FUNCTIONING LAND MARKET IN UKRAINE

DECEMBER 2019

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EDITORS' FOREWORD

One of the biggest countries in Europe is currently experiencing profound transformations which, like the “butterfly effect”, has repercussions in different parts of the world. With its significant intellectual and natural resources, Ukraine’s political, technological, and industrial solutions amaze the world.

But how will the deterioration of international relations influence Ukraine? Will it meet the expectations of millions of people by being reborn despite the Kremlin’s hybrid war, which distorts universal human values and brings nations into conflict? How will the EU and its member states react if the Ukrainian leadership fails to resist the Russian lobby in Europe? And what is the input of information manipulation in these affairs?

These questions inspired us to launch a platform for rethinking Ukraine’s commitments to further European integration, states’ attitudes to the international legal obligations that bind all involved sides, and the common search for preventing the threats presently facing the global community.

Working both in Brussels and Kyiv, with a rich network of partners (experts, journalists, officials, policymakers, representatives of nongovernment organisations and international institutions) in the EU and Ukraine, we believe that through open communication and compromise we will be able to provide the sustainable development of our economies, the stability and safety of our political systems, and the welfare of our communities.

Therefore, we offer leading experts from Ukraine and the EU an opportunity to comment with “an advisory capacity” on vivid reforms, business, political, and legal issues for us, the consumers of this information, to decide if their professional competent views will influence our spirit and intentions.

This collage of popular-science oriented analytics, interviews with personalities offering unique insight, and the possibility to use your skills and capacity to make the world better – these are some of the functions of the bilingual publication we provide our readership to help them venture outside the constraints of official or imposed information.

We are proud to present you with the first issue of Brussels Ukraina Review.

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THE NEW REALITY OF EUROPE – WHAT DOES IT MEAN FOR UKRAINE?

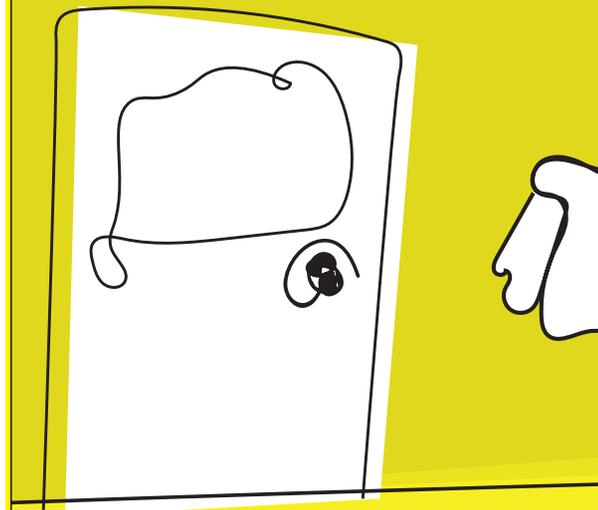
ROLAND FREUDENSTEIN, POLICY DIRECTOR OF THE WILFRIED MARTENS CENTRE FOR EUROPEAN STUDIES, BRUSSELS



After a decade of crises, the European Union – soon with new leadership in its institutions – finds itself in a mixed mood:

On the one hand, the setbacks and contingencies of the recent past are not over and done with, but in many cases persist, and could even come back or get worse. The Euro crisis is not ultimately solved, while a global economic downturn is looming. Russia has begun to use military aggression against its neighbors and hybrid meddling in our democracies. China is becoming a systemic threat to liberal democracy by globally exemplifying a new type of authoritarianism. Brexit is weakening Britain and the EU. Transatlantic relations are in a bad state, some would say, an existential crisis.

**POI-
TICS**



Europe is still trying to come to grips with irregular migration and numbers of asylum seekers slowly rising again. And populism and nationalism have achieved ominous electoral successes inside the EU, putting into question liberal democracy, checks and balances and many of the values on which our Union is built. Finally, climate change is beginning to weigh on economies and putting additional strain on our political systems.

On the other hand, the Union has not fallen apart, as some speculated after recent populist electoral successes and especially after the Brexit referendum and Trump's victory in 2016. The worst of the Euro crisis is over. NATO is alive and kicking, despite Trump's tweets, and the United States is investing more, not less, in Europe's security. In the last European Parliament elections, the feared big shift to the nationalist right did not materialize. And while liberal democracy is challenged at home, it is being reborn under punches in unlikely and faraway places such as Moscow and Hong Kong.



The European Union is not in its best shape right now, though there is some optimism in relations with Ukraine



All this taken together, the European Union may not be in brilliant shape, but it has every reason to optimistically tackle the challenges ahead. The energy with which Ursula von der Leyen has begun to prepare her Commission Presidency is remarkable.

This is the European Union that Ukraine will be facing over the next few years. As regards Ukraine itself, three things are obvious.

First of all, the modernization impetus that the Revolution of Dignity (the Euromaidan) has given the country, is not as exhausted 5 years down the line as it had been after the Orange Revolution of 2004. The balance sheet of the Poroshenko administration has some very positive elements: Russia's invasion of 2014 has been stopped militarily and thanks to support from the West. Ukraine's economy, as well as its currency, have been successfully stabilized. Public service has undergone some reforms and the relationship with the EU has developed nicely, with visa-free travel and considerable financial support. Ukraine's civil society has also performed extraordinarily in recent years. But too much remained to be done for the old Ukrainian administration to stay in power in 2019: especially corruption was not tackled sufficiently by the previous government.

The second fact about Ukraine is that Russia's military and hybrid aggression of 2014 has, in most respects, spectacularly backfired: Ukrainians have found an unprecedented sense of national unity. Their desire to live in a normal, modern European democracy has been greatly strengthened, and the certainty that Ukraine's future is with the West and not with Russia, has significantly increased.

The third fact is that Volodymyr Zelenskyy's new drive for anti-corruption policies may have its merits. However, that his efforts to build a durable peace in Eastern Ukraine are doomed

to fail as long as Putin sticks to his current line – and that may be a long time. Ukraine's energy security will greatly depend on the extent to which Germany and its EU partners are ready to put pressure on Russia not to discriminate against Kyiv when the gas agreement has to be renewed early 2020.

What does all this mean for Ukraine in the next couple of years? Above all, it means that Ukraine must continue



Given all the crises, further EU enlargement is not exactly desired by most populations in the EU. Especially Germany, France, the Netherlands, and Austria are wary of new member states joining.





to reform and modernize, not because the EU is saying that, but for its own sake. That is the main point about reform. The positive side effects are strengthened relations with NATO, with the EU and its Member States – and a greater readiness of these countries to support Ukraine in its defence against Russian aggression.

Given all the crises listed above, further EU enlargement is not exactly desired by most populations in the EU. Especially Germany, France, the Netherlands, and Austria are wary of new member states joining. And if there will be any enlargements over the next decade, most likely they will involve countries from the Western Balkans. That means that Ukraine cannot, in the foreseeable future, count on a clear accession perspective but it will be able to tighten its ties with the Union if it keeps reforming and modernizing and, above that, actively cooperating with the EU in economics and security. Both Ukraine and the EU have gone through rough times recently. They have demonstrated that solidarity, built on common values, is a valid concept when faced with global insecurity as well as with Russian aggression. This is a good basis for a common future in Europe.



BEHIND THE DIGITAL CURTAIN CIVIL SOCIETY VS STATE SPONSORED ATTACKS

**P | Promote
U | Ukraine**

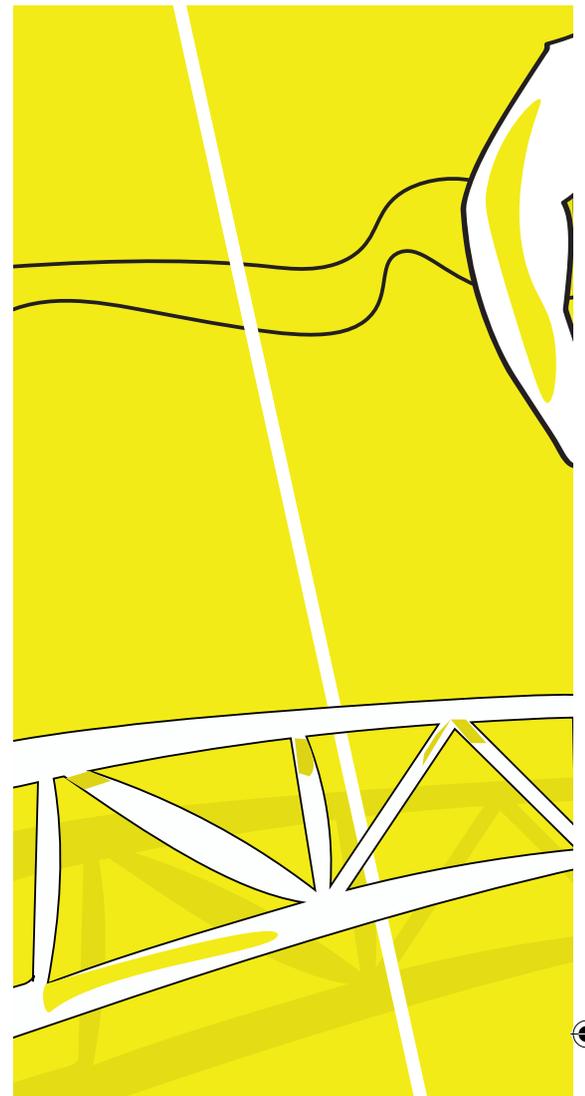
SUPPORT GROUP FOR UKRAINE: JUST ANOTHER TASK FORCE?

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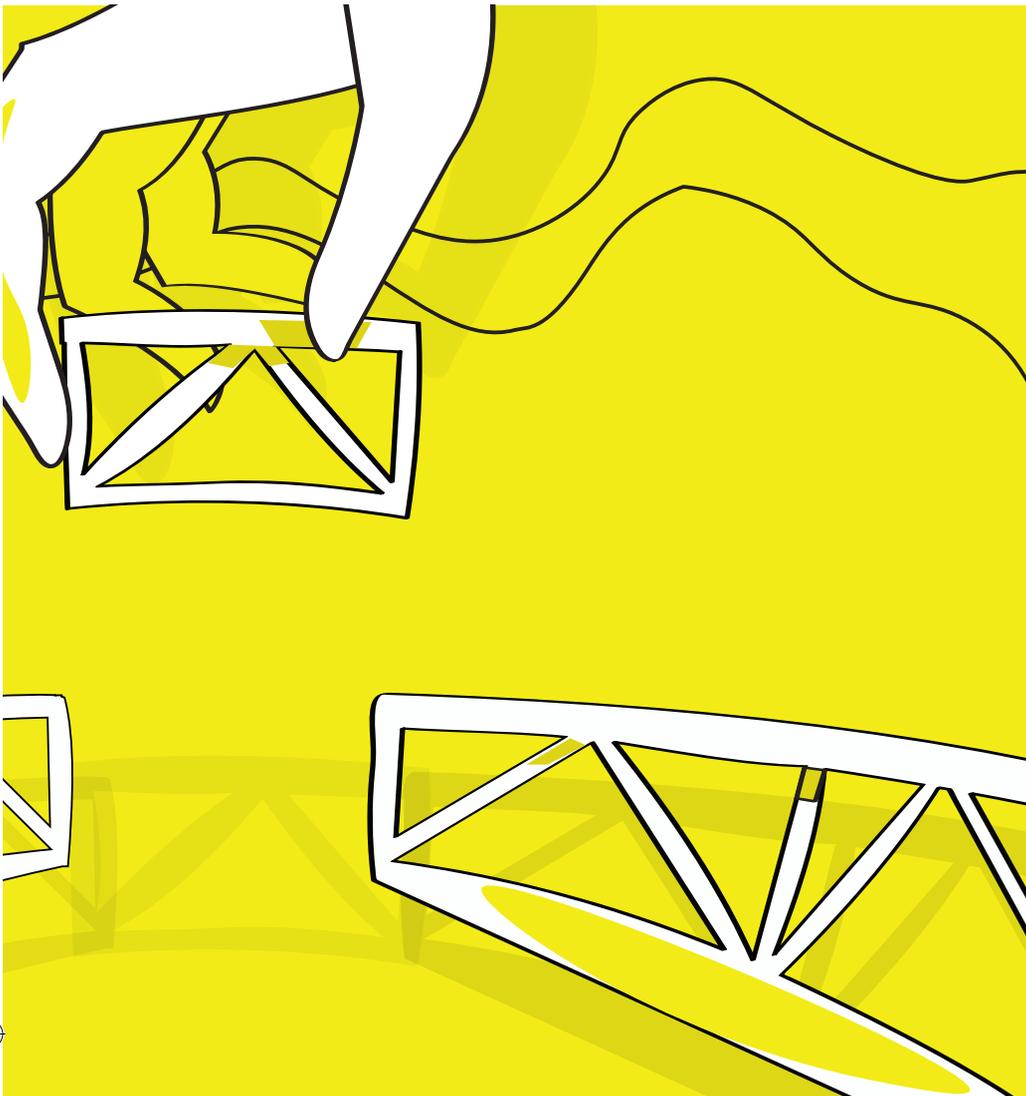
*HE SERVED AS A BLUE
BOOK TRAINEE AT
SGUA (OCTOBER 2018 -
FEBRUARY 2019).*



The aim of SGUA is
to support and
speed up
reforms in Ukraine



Since the illegal annexation of Crimea by Russia in March 2014, the EU and its member states have significantly stepped up support for Ukrainian political and economic reform. In the immediate aftermath of these events, the European Commission swiftly responded institutionally with the establishment of a special Task Force, which came to be known as the Support Group for Ukraine (SGUA). How can we understand this institutional innovation, and most importantly, does SGUA's structure effectively facilitate political and economic reforms in Ukraine? This article seeks to touch upon both questions in order to demonstrate SGUA's added value.



The Support Group also designs, manages, and monitors the implementation of reform programmes (2) together with the EU Delegation in Kyiv. Given that a handful of SGUA policy officers are permanently located within the EU Delegation, the Brussels-based headquarters has direct contact with Ukrainian stakeholders to these reform programmes, including local civil society and business circles. It is the EU Delegation that organises regular meetings with these stakeholders, monitors implementation of ongoing programming, and proactively looks to Ukrainian society for priority needs that may feed into new programming and support.

Positioning SGUA in a multi-institutional environment

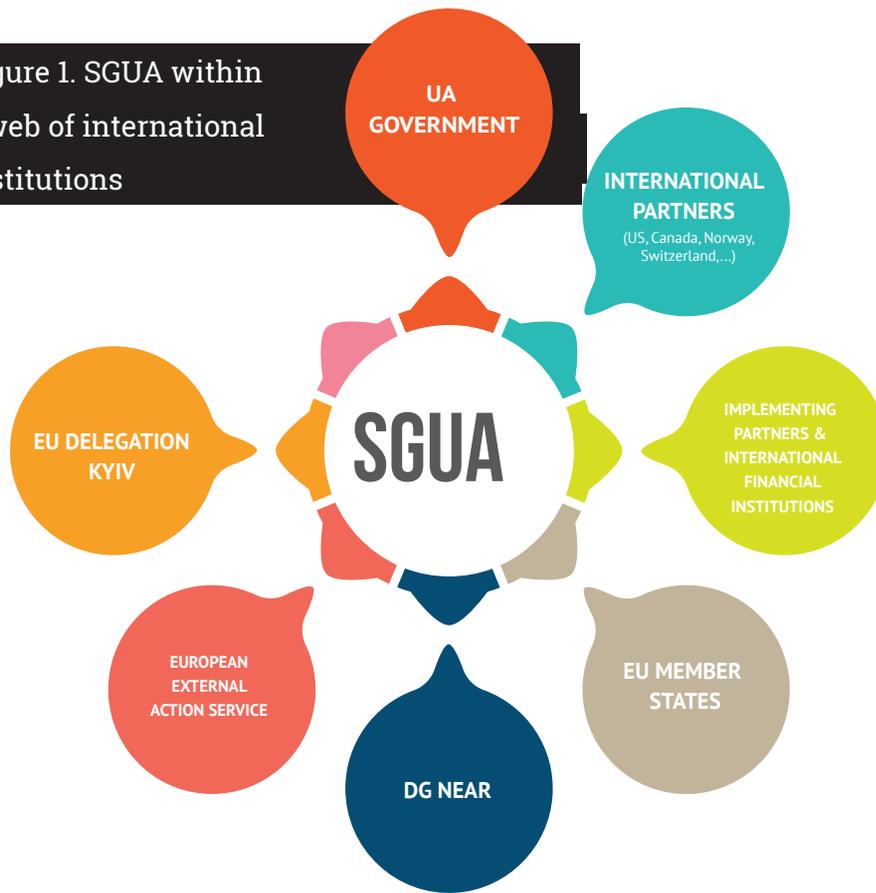
In order to understand SGUA as an entity, it is important to situate the Task Force within the institutional setting. SGUA operates in a multi-institutional environment, both within EU institutions and in cooperation with international partners (Figure 1), with the aim of fostering reforms along the lines of the EU-Ukraine Association Agreement/Deep and Comprehensive Free Trade Area (AA/DCFTA) and broader structural reforms.

As concerns diplomatic relations with Ukraine, SGUA supports and operates in close cooperation with the European External Action Service (EEAS).

Through these official channels and many expert-level exchanges, the Support Group, directly and indirectly, maintains regular contacts with Ukrainian government officials. This facilitates close and regular dialogue with Ukrainian partners to provide expertise, share information, follow up reforms, and review support.



Figure 1. SGUA within a web of international institutions



This ensures that reform packages are implemented as efficiently as possible, with international financial institutions (IMF, EBRD, EIB), as well as a myriad of large and small implementing partners (UNDP, KfW (3), Norwegian Refugee Council, etc.). Coordinating assistance between these international partners and implementers to foster reform in Ukraine is paramount in avoiding duplication and ensuring a targeted response. The EU Delegation in Kyiv is in charge of donor coordination on the ground. Pooling funds is another asset in increasing the effectiveness of reform initiatives.

Within the Commission's internal structure, SGUA is located in Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR). This DG, amongst others, deals with all Eastern Partnership countries, which is an important asset given best practices for shared challenges in the Eastern Partnership may be disseminated, and regional programming can be coherently coordinated.

SGUA regularly coordinates and interacts with EU member states, which, in addition to contributions for EU-funded programmes, provide additional bilateral support to Ukrainian reforms, contributing over 1.4 billion euros since 2014. This amount, however, cannot be called all-inclusive as comprehensive data on individual member states' support is rather difficult to obtain and there is a lack of single methodology and comparative data to report on as-

sistance amounts extended to Ukraine per donor. Many of SGUA's programmes are implemented by member states' development agencies and some also involve contributions of several member states, providing another strong link of cooperation between SGUA and member states. SGUA helps coordinate support and informs member states on EU programming and other topics of common interest such as strategic communication.

With regard to relations with international partners – such as the IMF, EBRD, EIB, UNDP, US, Canada, Switzerland and Norway – regular coordination meetings are held both within the DG NEAR structure, and bilaterally with SGUA on subject-related issues.



Given that a handful of SGUA policy officers are permanently located within the EU Delegation, the Brussels-based headquarters has direct contact with Ukrainian stakeholders to the reform programmes.





In sum, SGUA can be called a catalyst of political and economic reform, as it plays a crucial role in coordinating reform efforts and initiating needs-based programming within this web of institutions.

Policy officers from line DGs (directorates-general) of the Commission, such as Economic and Financial Affairs, Home Affairs, Justice, Energy, and Climate, are united into one Task Force focused on one third country, Ukraine.

SGUA's unique characteristics

Apart from its institutional position, the Support Group has unique characteristics of its own. The first trait is SGUA's expertise-based structure targeted at key reform areas such as Justice, Energy, and Education (Figure 2).

This constellation additionally results in country experts that not only are professionals in each of the relevant policy fields, but also involve their entire network of policy officers beyond the strict institutional borders of SGUA and even the Commission. The latter fact cannot be underestimated: as many SGUA members have work experience in other EU institutions, member states, and partner organisations, and therefore lines of communication are open to swiftly address the most pertinent issues by the most appropriate policy makers.

Given that many SGUA officers have their roots in Eastern European member states and Ukraine, and/or have long-term experience in policies towards this region, they have a deep understanding of required political and economic reform, political culture, and local

sensitivities. Thanks to the shared past of similar fights for independence from the Soviet Union, and first-hand experience with adapting national political structures and culture to EU rules and regulations, best practice sharing is facilitated, expected obstacles are identified early-on, and credibility between partners is built. The language factor may not be underestimated, as most policy officers understand both Ukrainian and Russian, granting direct access to policy documents, media, as well as personal relations with stakeholders within Ukraine. This makes SGUA an indispensable centre of expertise.

As a Task Force rather than a classic directorate within DG NEAR, SGUA also benefits from its relatively more autonomous position and flatter hierarchy. First, it acts as a facilitator between different EU institutions and services such as the EEAS, the Council of the European Union/member states, as well as Ukrainian line ministries and implementing organisations like UNDP. Second, the more horizontal internal structure, in combination with each policy officer having a specific expertise, results in a culture of continuous sharing and coordination of policy experiences.





Weekly staff meetings are more-over open to frankly discussing policy issues at hand, wherein each SGUA member actively thinks along to effectively solve problems as a joint responsibility.

Another important characteristic is SGUA's crucial role in designing large support programmes, some of which are implemented by member states' development agencies, to tackle institution building and fundamental reforms such as in the rule of law sector, anti-corruption, and decentralisation. Since July 2015, SGUA manages financial support to Ukraine, backing up Ukraine's reform programme by putting the money where their mouth is.

On average, SGUA, in close cooperation with other EU institutions, designs 200 million euros worth of Annual Action Programmes each year since 2014 on bilateral support to Ukraine (4). In

addition, committed Macro-Financial Assistance between

increased budgets of Ukrainian municipalities, enabling them to invest in improved public services towards citizens, qualitative local transport, and modern school infrastructure. This transfers the EU principle of subsidiarity towards Ukraine, wherein local communities are best placed to address local issues.

Another aspect of effective SGUA coordination with member states is its ability to react swiftly to acute crises. The EU response towards the Kerch Strait crisis, in which Russia attacked three Ukrainian vessels and continues to hinder free navigation to Ukrainian ports in the Sea of Azov (as of November 2018), is a clear example of flexible support. Thanks to an extraordinary coordination meeting with member states, convened by SGUA, as well as timely site visits of EEAS and SGUA to better understand local needs, the EU was able to accelerate and front-load existing programmes (5) together with the implementing partners to alleviate

financial hardship of citizens in Berdyansk and Mariupol ports.

Last but not least, a key characteristic of SGUA is its integrated approach towards reforms involving all EU actors on the ground. A topical example is the close coordination in planning and implementing programmes in the justice, police, and anti-corruption field with the EU Advisory Mission, which is a civilian Common Security and Defence Policy Mission, mandated to reform the civilian security sector.

This intersectoral approach to reforms is exemplified by the measures taken to strengthen civil society.

By (1) supporting independent media which can signal societal and political issues,

(2) building capacity of law enforcement in order to address impunity, and

(3) establishing a new anti-corruption institutional framework to support the rule of law (6), SGUA introduces sustainable reforms that reinforce each other.

This triangle of judicial, media, and police reform structurally strengthens civil society, transferring skills to local actors and thereby gradually eliminating the need for international support.



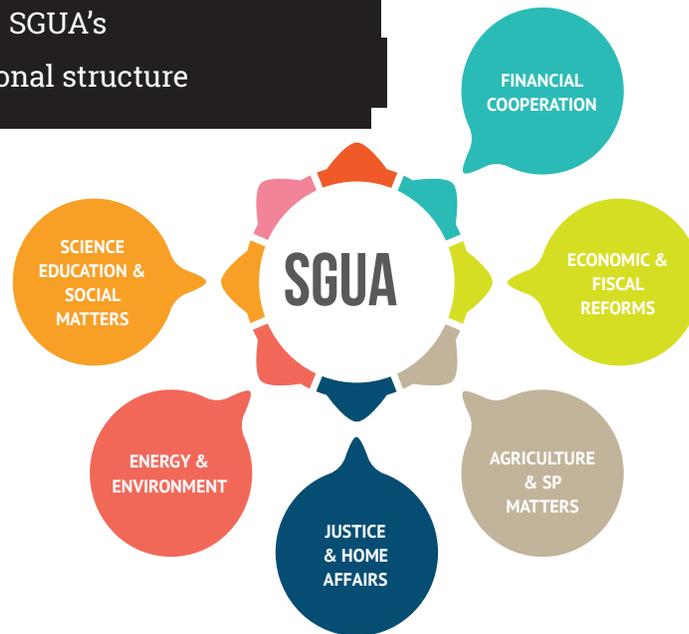
This triangle of judicial, media, and police reform structurally strengthens civil society, transferring skills to local actors and thereby gradually eliminating the need for international support.

2014-2019 amounted to 4.4 billion euros, of which 3.3 billion have been released following the implementation of the agreed underlying reform measures. Together with international financial institutions (EIB, EBRD), EU support for Ukrainian reforms totalled a commitment of more than 15 billion euros during 2014-2019, linked to furthering reform.

A concrete example of how such support programming impacts on daily lives is the decentralisation programme, which results in



Figure 2. SGUA's institutional structure



Conclusion: facilitating reforms with tangible results for citizens

This article explained how the Support Group for Ukraine (SGUA) is positioned within a web of international and Ukrainian institutions, as well as the features of its internal institutional design. It is argued that both institutional aspects help explain how SGUA is able to effectively design political and economic reform programmes based on local needs, and improve the chances of full implementation thanks to the support of a wide spectrum of stakeholders.

In conclusion, priority setting within the framework of the Association Agreement on one hand, and regular and close cooperation on the other, ensure the continuing relevance of reform. A strict review process during programming with EU member states and the Commission's line DGs increases efficiency of reform. Effectiveness of reform is ensured by regularly monitoring projects, and timely adapting programming whenever unexpected challenges arise. Sustainability of reform is promoted thanks to the

intersectoral approach, creating synergies between reform areas, as well as building capacity in order to prepare the local institutions to continue implementing reform after EU financial assistance is discontinued. In this way, the impact of reforms is maximised by being embedded in local ownership, bringing Ukraine closer to the EU.

Disclaimer: Information provided in this article is from open sources and the opinions expressed in this publication are those of the author. They do not purport to reflect the opinions or views of SGUA or any of its members.

Annotations:

(1) This project is kindly financed by KU Leuven Internal Funds.

(2) Within four priority areas: Institutions and Good Governance; Economic Development; Connectivity, Energy Efficiency & Climate; Mobility and P2P; as well as two horizontal areas: Capacity development for the implementation of the AA/DCFTA and support to Civil Society.

(3) Kreditanstalt für Wiederaufbau, a German state-owned development bank.

(4) SGUA and the EU Delegation jointly draw up Annual Action Programmes within the Association Agreement framework. Importantly, this programming is developed in close cooperation with Ukrainian partners reflecting their needs, and systematically reviewed by both member states and the EU Commission to build wide support and transparency of public spending.

(5) Special Measure II 2017 Support to the East.

(6) High Anti-Corruption Court of Ukraine (HACC), National Anti-Corruption Bureau of Ukraine (NABU), Specialized Anti-Corruption Prosecutor's Office (SAPO).



FOREIGN POLICY OF UKRAINE DURING THE TRANSFORMATION PERIOD: OLD CHALLENGES AND PRIORITIES, NEW APPROACHES?

In traditional societies, foreign policy is often secondary to domestic concerns; almost all citizens are much more interested in their own wellbeing, employment, access to high-quality medicine, and education. Friendly relations with neighbouring countries or overseas partners consequently often take second place. However, domestic and foreign policy in Ukraine have always been aligned, especially in recent years, because for six years the everyday life of our citizens has been affected by unconcealed Russian aggression. As a consequence, along with the discussions in terms of economic growth, ways to combat corruption, and diminution of the impact of oligarchs, political discourse in Ukraine is dominated by statements about the “de-occupation of Crimea”, “ending the war”, “restoring peace”, “the Minsk agreement” and, recently, the “Steinmeier formula”. The use of new approaches with old tools is a new tactic of President Volodymyr Zelenskyy, who finds both considerable support and resistance in society. His desire to reach an agreement as soon as possible in order to shift the situation from a dead point is understandable and justified, since every new leader has only a limited “window of opportunities”, which, for a number of objective and subjective reasons, will inevitably shrink every week he is in office. However, it is also possible to understand those who are afraid of “rapid arrangements” without proper public consultation, as the rapidly gained positive results can conceal long-term geopolitical losses, which may result in far greater and more drastic damage than the wounds caused by the existing conflict.

Therefore, in order to successfully resolve Ukraine’s complex problems, three principles must be respected: prudence, proactivity, and expediency, because the situation remains unresolved

The cost of aggression should be made unacceptably high for the aggressor

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and the international community is ready to decide the future of Ukraine in collaboration with Russia without Ukrainian participation. In fact, we have already witnessed Russia being returned to the Parliamentary Assembly of the Council of Europe (PACE), with Ukraine not consulted, but only notified, in respect of the outcome of this collective decision. The démarche of the Ukrainian delegation or the boycott of the autumn session, although not unnoticed and even partially supported by friendly states, still had more symbolic, rather than practical, content. The political situation in Europe, as well as in the United States, is changing, so there is a need to act otherwise one one would be excluded from the negotiating table. However, there is one important issue. We should not act alone, as direct negotiations without intermediaries, especially with an aggressor acting with impunity, is a trap that can put us in an even worse situation than before. At the same time, the part played by society cannot be reduced to simply criticising the actions of those in power and their own inaction. On the contrary, the task of citizens is to avoid all forms of enmity – social, linguistic, interethnic, and religious – which, in addition to polarising society, aims to weaken it. Therefore, everyone’s role lies in vigilance, tolerance, and constant awareness of the problem and the potential ways of solving it, instead of cheap speculation drawn from pro-Russian sources.

We need a deep understanding that a complete solution to the situation in the Donbas requires comprehensive measures, such as:

- The cessation of hostilities which have caused direct damage to both military and civilian populations;
- The elimination of external interference through

the withdrawal of foreign troops and other illegal armed formations, as well as the restoration of full border control with Russia. This should put an end to the gradual aggression and further incitement of the conflict from the outside;

- The attraction of financial assistance, especially foreign investments, for the reconstruction and development of Donbas; and
- The creation of preconditions for inclusive dialogue with the population of Donbas, as well as with the parties involved in the conflict, through the mediation and supervision of Western partners.

The “ends justifying means” approach of prioritising the cessation of hostilities in Donbas over Ukraine’s national interest has the potential to play a destructive role. The correct course is finding a way to end the conflict without compromising Ukraine’s interests. Ukraine’s next challenge is to efficiently prepare to defend its position among heads of state during the Norman Quartet meeting, where Ukraine should strive to demonstrate flexibility, principle, and remarkable diplomatic agility. These geopolitical and security tasks are the responsibility of the President and the Ministry of Foreign Affairs (MFA). Ukraine’s parliament, the Verkhovna Rada, should adopt legislation on the status of the Donbas and the procedure of holding elections in Ukraine’s temporarily uncontrolled territories. But what role should the government play?

Earlier the government introduced, and the Verkhovna Rada approved, the Programme of Activities for the Cabinet of Ministers of Ukraine for the next five years. The positive points of this programme include a separate section devoted to the issues of

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The use of new approaches with old tools is a new tactic of President Volodymyr Zelenskyy, who finds both considerable support and resistance in society.



European and Euro-Atlantic integration, together with mention of Ukraine's intentions to move closer to world standards, in particular European standards, in a number of industries. Among the negative points are a lack of clear and comprehensive explanations of Ukrainian plans to further counter Russian aggression and restore territorial integrity while protecting its independence and sovereignty. Instead, the programme makes only abstract declarations in terms of plans to combat potential and speculative threats.

The programme's main focus is the people's well-being, which is, of course, correct. However, can one really achieve collective happiness without looking after those who have experienced significant suffering because of the war, a war which may potentially inflict far more economic, political, and personal damage if not stopped soon? The question is a rhetorical one. For the time being we must limit ourselves to the hope that established priorities are more than just empty promises, but instead are aspirations transformed into action plans and supported by steadfast commitment.

In terms of European integration, these action plans include:

- maximising compliance with all economic criteria for candidate countries to access the European Union (the Copenhagen criteria); and
- Ukraine's acceptance into the EU's common economic, energy, digital, legal, and cultural space;

The government plans to achieve these goals by:

- implementing at least 80 percent of EU laws envisaged by the Association Agreement into Ukrainian legislation;

The political situation in Europe, as well as in the United States, is changing, so there is a need to act otherwise one one would be excluded from the negotiating table.

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- providing citizens and businesses with the opportunity to take full advantage of the free movement of people, goods, services, and capital between Ukraine and the EU;
- increasing foreign direct investment and EU financial assistance to Ukraine; and
- creating European integration offices in all Ukrainian regions and promoting the development of cultural and educational projects, business contacts; and EU involvement in economic and infrastructure initiatives.

In relation to Euro-Atlantic integration, these action plans should involve:

- maximising compliance with the criteria enshrined in the Washington Treaty, including the political, economic, and military criteria;
- introducing NATO standards and procedures in Ukraine's security and defence sector; and
- facilitating the Annual National Programmes under the auspices of the NATO-Ukraine Commission, in the content and form of the NATO Membership Action Plan.

The government plans to achieve these indicators by:

- maintaining an active dialogue, involving assistance, joint exercises, and training with relevant NATO units and the NATO member states' armed forces, in particular geared towards

strengthening the security of the Black Sea; and

- elaborating an effective mechanism for democratic civil monitoring of the security and defence sector, as well as the National Sustainability System in accordance with NATO criteria and practices (with an integration of gender component).

In terms of Ukraine's defence, the action plans foresee:

- the ability and willingness of the state to respond to military aggression in all realistic scenarios;
- the enhancement of combat capabilities, including equipping the defence forces with modern weapons, military and special equipment, and infrastructure and supplies;
- the enlistment of motivated, professional, well-rounded, and trained personnel into the defence force; and
- the engagement of citizens in the territorial defence of Ukraine.

These tasks will be realized by:

- developing a new state defence policy, in particular, the development of Ukraine's Military Security Strategy in accordance with Euro-Atlantic approaches, as well as the Complex Development Program of the Armed Forces of Ukraine;
- implementing the Defence Plan of Ukraine, which will determine the content, scope, performers, procedure, and terms of political, economic, social, military, scientific,

technical, informational, legal, organizational, and other measures for the protection of the state; and

- improving the legal framework and management of defence resources.

Conclusions

The task of Ukraine's new political leadership in the short term is to develop strong relationships with its Western partners in order to form a coalition against Russia and thus prevent Western leaders from creating a "bloc" with the Kremlin to exert pressure on Ukraine, particular with respect to implementing the Minsk security arrangements.

In the medium term, Ukraine should strengthen its defence and security capabilities, develop and deepen its relations with the EU and NATO, and, with their help, deter foreign aggression against Ukraine by ensuring the cost of aggression is unacceptable to the aggressor. Ukraine's medium term aims should also include reducing opportunities for an aggressor to exploit Ukraine's internal vulnerabilities, engage the international community to support Ukraine's territorial integrity, and accelerating the development of the state.

Annotations:

(1) Since 1 October 2019, protests against the adoption of the so-called Steinmeier formula have been held in Ukraine. At least 10,000 people participated in the People's Council in Kyiv on 6 October, protesting against the formula, which provides for the withdrawal of troops from the line of demarcation, amnesty for terrorists involved in the de facto statelets on Ukrainian territory, and the holding of elections in the temporarily occupied territories of Donbas.

INTERVIEW - POLITICS

One of the mammoths of European parliament and a famous supporter of Ukraine in the EU, Elmar Brok had been a Member of the European Parliament for 40 years. Now, due to his deep knowledge of Ukraine, the former Chair of the Foreign Committee was temporarily appointed as an Advisor on Ukraine to the current President of the European Commission, Mr Juncker, during his final months in office. What can be expected from the new European Commission, and what kind of strategic approach should Ukraine adopt to fight Russian aggression? Mr Brok shared his insight in an interview.

ELMAR
ELMAR BROK:

“WHO

HAS DONE
FOR

UKRAINE

MORE THAN

THE EU?”



Is it a new position - Advisor on Ukraine? Will the position be kept with the new Commission?

This position was created by Mr Juncker, current President of the European Commission, and with the intention that it should be helpful to both sides during this time of transition. This position is pro bono. I was asked to help during this transitional period because of my long experience with Ukraine. So, my assistance may help to set up good relationships on both sides during this period of transition.

What is your opinion on how the EU should approach Ukraine under Zelenskyy?

We see that President Zelenskyy has very constructive goals and we should help him with that. We should also be helpful in regard to the legislation needed for the full implementation of the Association Agreement or other issues which may be an obstacle to the further integration process of Ukraine. We talk about government, judicial reform, the independence of the judicial system from politics, full respect of parliamentary procedures and scrutiny, public administration etc.

What should the approach of the EU towards Ukraine be? And towards Russia? What should we expect from new European authorities?

I think that the EU has always been for the independence of Ukraine and its right to get its territories back.

What is your opinion on the agreement of Zelenskyy in regard to the Steinmeier Formula?

This is about the implementation and the follow up. The issue is under which conditions the elections in the occupied territories will be held. The key position in Ukraine is that Ukraine can keep control over the Ukrainian-Russian border, in the interests of Ukraine.

So, the Minsk agreement is the best way for now?

At the moment, it is the only way which is on the table. And we can see that with a step-by-step solution we can come to fulfilling this agreement. But this step-by-step solution also needs a balance, so that we don't have advantages only for one side.



The new EU Commission President Ursula von der Leyen supported Merkel's initiatives on Ukraine while being the defence minister in Germany. So, I don't think we have to expect some radical changes in the EU's policy.



Will France and Germany take an assertive stance towards Russia or towards Ukraine in the next Normandy Format talks?

Surely. We are in the situation when we have to state that Russia has violated international law. And step-by-step we have to come to the situation when international law is re-established in Ukraine. Thus, we are in a position of condescension to Russia.

Do you think the new European authorities will support Ukraine?

The new EU Commission President Ursula von der Leyen supported Merkel's initiatives on Ukraine while being the defence minister in Germany. So, I don't think we have to expect some radical changes in the EU's policy.



But the new President of the European Council, Charles Michel, says that the sanctions against Russia should be lifted, for example.

He is the head of the European Council and it is not an operational role. These functions are executed by the European Commission. And about the position of Charles Michel, I don't think he is on the Russian side, I think it is a wrong interpretation of his position to say so. In fact as Prime Minister and a member of the European Council he has been part of the unanimous adoption and extension of sanctions.

You should also write about what the EU does for Ukraine, directly and through its financial institutions. Since 2014, the EU and its member states have supported Ukraine with around 18 billion euros in loans, grants and guarantees. We have also opened our borders, nobody else has done it, not even the Americans. We also have a free trade agreement, which caused a sufficient increase of Ukrainian exports to the EU. No other country, not even the USA, has done for Ukraine as much as the EU has done. We should consider not Trump's telephone calls but facts and figures!

So, do you expect the sanctions to be prolonged?

For the moment we pay much more for the sanctions than the Americans. Meanwhile the Americans have increased trade with Russia in the past five years. Look into the figures. But they will be prolonged under the current circumstances.



Even though there is a lot of criticism from the USA and other countries saying that the EU does little for Ukraine?

It is propaganda! They do nothing! In financial terms, we do 20-25 times more than the USA. One day Ukraine will take note of it.

What developments in Ukraine may influence the visa-free regime?

Actually, did the USA grant a visa-free regime to Ukraine? Did they agree to a free trade zone? Is there an Association Agreement between Ukraine and the USA?

So you think that the EU policy towards Ukraine in the last five years was quite positive?

Who has done more?

Do you think the EU is still united in the question of Ukraine?

Different EU nations have different approaches to the question of Ukraine, but nevertheless the sanctions are unanimously prolonged and prolonged ... But what is difficult is that all the time we are blamed for doing nothing. Then it becomes difficult for us to explain it to our citizens..

So, you expect this policy to continue?

Are there any reasons not to believe this?

What do you think about Crimea? Do we have any chance to get it back? The new Ukrainian president believes it, but many people are sceptical.

Firstly, the question of eastern Ukraine should be solved.

By the Steinmeier Formula?

Whatever is possible ... Step-by-step, keeping in mind the interests of Ukraine. All options will be discussed by the Ukrainian government.

Do we still have any chance see Crimea returned? In 10 years, 20 years?

I know only that it took 45 years to get Germany united again. So we have some experience in that.



Different EU nations have different approaches to the question of Ukraine, but nevertheless the sanctions are unanimously prolonged and prolonged ... But what is difficult is that all the time we are blamed for doing nothing. Then it becomes difficult for us to explain it to our citizens.

So, there is a chance?

Make it successful, a democratic state with high level of life so that the people in Crimea will see that they can be more successful in free Ukraine than in Russia. And then it is possible. Reform your state! And you will be stronger with it. And here we, the EU, are helpful. With strategy, with visa-liberalisation, with investments in Ukraine, with strong and independent institutions underpinned by the rule of law. And we will never recognize this annexation, and Kyiv should never recognize it. But for the moment concentrate on how to get rid of this devastating war.

ADVOCACY- INTERESTS



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According to the “King of Networking”, Ukrainians are not yet linked to these trade or professional associations, think tanks, or civil society organisations because Brussels, even more than Geneva or New York, is a place of proactive behaviour.

UKRAINIAN LOBBYING IN BRUSSELS: MOTIVES, WAYS AND OPPORTUNITIES. HOW TO NETWORK EFFICIENTLY TO BENEFIT UKRAINE

One of the cofounders of the German Greens and the first Green German Member of the European Parliament – Frank Schwalba-Hoth – is known in Brussels as the “The King of Networking”. For more than 30 years in the EU’s capital, Frank has developed a great variety of projects, organised dozens of conferences, and helped hundreds of people bring their inspiring ideas closer to policy-makers. He also organises events, which connect people of different nationalities and backgrounds, because he believes that “one person alone cannot change the world for better, he/she needs to communicate with others in order to do so.” Moreover, every month he recruits young people from all over the world as his interns; they go to various events in Brussels, meet high ranking politicians and famous social activists, and learn from Frank’s stories. Frank is adamant that one month in Brussels can be a life-changing experience for everyone.

BASED ON AN INTERVIEW WITH FRANK SCHWALBA-HOTH – BRUSSELS’ “KING OF NETWORKING”

As capital of the European Union, headquarters of NATO, and home to many other international political and business organisations, Brussels remains one of the best places to advance new ideas that benefit the whole world. The city has even bigger value for developing countries, which try to catch up – and keep pace – with democratic and economic developments. Therefore, making its voice heard in Brussels is crucial for Ukraine – a country which

aspires to adopt European values and seeks closer integration with the EU. There are a number of Ukrainian organisations working towards this goal in Brussels. Apart from official diplomatic Ukrainian missions to the EU and NATO and its embassy in Belgium, Ukrainian organisations including the Ukrainian Think Tank Liaison Office, Promote Ukraine, Ukrainians in Belgium, EU – Ukraine Business Council, and more operate from the Belgian capital. Some of them concentrate on cultural matters; others are struggling to become influential actors in EU – Ukraine political relations.



There are also a number of individual Ukrainians who have taken on the responsibility of promoting Ukraine in the EU's capital through their work in politics or business. As the most active period of Ukrainian lobbying in Brussels started only after Euromaidan, Ukrainians still have many lessons to learn. We asked Frank for his tips on how best to use the lobbying opportunities Brussels affords – like the possibility to influence EU policy towards third countries – for Ukraine's gain.



Ukrainian associations or NGOs should start with examining the organisations in Brussels in their field of expertise to which they can become attached – in the case of universities, there is a European University Association, for trade unions, there is a European Trade Union Confederation, etc.

24

Frank stresses that the European Union's policymaking is very much based on consultation. The EU's quasi-government – the European Commission – regularly consults stakeholders such as associations and unions before and during the process of drafting new policy or legislation. Importantly for Ukraine, most of the organisations, associations, and think-tanks in Brussels allow partners outside the European Union to be full, associate, or visiting members. For example, the largest networking opportunity for those working on environmental issues in Brussels is the European Environmental Bureau (EEB) – a network of some 150 environmental NGOs. Some non-EU countries have partnered with the EEB, including, for example, the International Environmental Association of River Keepers from Moldova (Eco-TIRAS), a full member of the EEB. The most experienced Eco-TIRAS member is even on the EEB's board.

According to the “King of Networking”, Ukrainians are not yet linked to these trade or professional associations, think tanks, or civil society organisations because Brussels, even more than Geneva or New York, is a place of

proactive behaviour. He says: “In my experience, being proactive in an institutional way is not something which is a part of the genetic structure of post-Soviet culture.” Frank Schwalba-Hoth himself is always open to the new opportunities life gives us. While walking in Brussels, he looks around and, if he sees something interesting, he does not miss the chance to stop (even when he has an appointment somewhere else) and introduce himself and meet somebody new. He actively spreads business cards and takes ones in return.

While Frank and I walk in the European Parliament, he greets various MEPs, their assistants, and even total strangers. This extraordinary person is always open, happy, and free in communication with new people. He is passionate about integration, uniting the most diverse people one can imagine, and teaching them to work together. Frank continues: “Ukrainian associations or NGOs should start with examining the organisations in Brussels in their field of expertise to which they can become attached – in the case of universities, there is a European University Association, for trade unions, there is a European Trade Union Confederation, etc. Participation in these organisations isn't necessarily based on membership fees. Most of these associations are interested in having geographically broad participation. They don't always charge a company, university, or other organisation from Ukraine the same fee as they charge members from France or Germany.”

According to Frank, there are four advantages for a Ukrainian organisation to lobby as part of an existing group in Brussels:

1. You become aware of future developments in the European Union in respect of legislation,





and have the opportunity of influencing such developments;

2. You can partner with people doing similar work under different conditions, who offer different experiences and different challenges. This not only helps you discover new approaches, but also advances you professionally;

3. Psychologically, you do not feel abandoned as a remote place between the European Union and Russia, but rather you feel as a part of a family;

4. You get a partner in your prospective European project.

Frank continues: “The best time to visit Brussels is certainly when a lot of things are happening here in your area of expertise. All of these associations have general assemblies – meetings of their members. That would be the right moment to come, but not only for that meeting. It is certainly productive to stay two or three days more in order to intensify your contacts with those people you met at these conferences. You should also use the opportunity to meet officials in the European Commission and committee members of the European Parliament working on Ukraine etc.”

After our short time with Frank Schwalba-Hoth, we start thinking that the world would be a better place if every person with different views was as open as Frank is to communicating with others.

We exit the European Parliament and, seeing a new exhibition, we catch ourselves thinking “No time; go home!”, but instead start to see it as “This may be an opportunity for something!” We get closer, have an enjoyable time, and exchange business cards with other participants.

It might be difficult to leave our small comfort zone, to meet new people, and to approach strangers, but this is what our global world is about nowadays. To become a fully democratic country open to global opportunities, Ukraine has to follow this path as well. As we have explored, working and developing amazing projects in Brussels requires a proactive approach, enthusiasm, optimism, and openness.

Hopefully, by using these recommendations and the opportunities which the EU-Ukraine Association Agreement provides, there will be more and more Ukrainian stakeholders in Brussels who will bring Ukraine closer to the European Union.



The best time to visit Brussels is certainly when a lot of things are happening here in your area of expertise.





EU VS. RUSSIAN DISINFORMATION: FROM MOGHERINI TO BORRELL

EU VS. RUSSIAN DISINFORMATION: FROM MOGHERINI TO BORRELL

**YANA BROVDIY, ACADEMIC ASSISTANT AT
THE COLLEGE OF EUROPE, BRUGGE**

**Mogherini's
record on
disinformation**



In all probability, the outgoing High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini, will be remembered neither for her effective policies on, nor for her strong dedication against, Russian disinformation. Federica Mogherini is leaving her successor, Josep Borrell Fontelles, Spain's Foreign Affairs Minister, who will take over from her with a baggage of half-finished business on this problem. Will the new High Representative be more uncompromising and make the fight against Russian disinformation one of his top priorities during the next five years?

During her tenure, Federica Mogherini has been criticised for not doing enough to tackle Russian disinformation. One target of criticism is the 'East StratCom Task Force', the first initiative on disinformation launched by the High Representative in 2015. Tasked with analysing and reporting on disinformation trends, as well as explaining EU policies to the Eastern Partnership countries (Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine), the Task Force has been constantly underfunded and understaffed, and had to rely on volunteers for conducting many of its information gathering activities. In an open letter, coordinated by the European Values think tank, and organisation specialised on Russian disinformation, various experts and analysts from around the EU and the neighbouring countries have called on the High Representative to "start taking the Russian disinformation threat seriously" and to increase the funding of the Task Force.



RUSSIAN DISINFORMATION: THE HERINI FILE

The overall record in the fight against disinformation of the outgoing High Representative has somewhat improved with: (a) the adoption of the 2018 Action Plan against Disinformation, a set of actions aiming to build up capabilities and to strengthen cooperation between Member States and EU institutions, and to proactively address disinformation, (b) the EU-wide Code of Practice on Disinformation, which outlines self-regulatory standards for the online platforms from transparency in political advertising to the closure of fake accounts, and finally, (c) the creation of the Rapid Alert System, to help facilitate the sharing of insights related to disinformation campaigns, and coordinate responses between the EU and member states. Without doubt, these were important and necessary steps in the fight against Russian disinformation.

However, it took the High Representative a long time to get these initiatives off the ground, especially considering that only five months passed between the adoption of the Action Plan and the European Parliamentary Elections 2019. In addition, there are concerns about the overall effectiveness of the self-regulatory approach compared to the adoption of hard measures, and the latest Commission's report on the implementation of the commitments from the Code of Practice seems to confirm the fears. Facebook is a case in point, having introduced changes for making political advertising more transparent, including by creating Facebook ad library.





Despite this, Politico reports that “it remains almost impossible to effectively track how political ads are bought and targeted across Facebook’s digital platforms”.

The Rapid Alert System is also not living up to the expectations because the EU does not have proper strategy for what kind of materials should be shared via the system, nor a plan for analysing them.

Finally, some critics say the EU’s policies are a double sided sword. There are fears that Europe is going too far, because restricting what type of communication can be shared online will inevitably curtail freedom of speech.

What’s next under Josep Borrell?

Will the new High Representative be able to revitalise the fight against Russian disinformation and offer new ideas?

Josep Borrell has a long history in the Spanish domestic politics and has previously served as the President of the European Parliament from 2004 to 2007. He has been Minister of Foreign Affairs, European Union and Cooperation of the Government of Spain since 2018. The High Representative-designate is respected among his colleagues not only in Brussels, but also in the capital cities of member states. This certainly played an important role in his nomination as it was not contested by the member states.

Contrary to his predecessor, this high-ranking Spanish politician is very outspoken, which can mean a new communication strategy and more assertiveness for the European External Action Service. Borrell’s priorities will be based on the EU’s New Strategic Agenda and Ursula von der Leyen’s expectations from him.



During the confirmation hearing in the European Parliament on 6 October, Borrell adopted a tough language on Russia, labelling it as one of the major challenges for the EU, in line with a more assertive China, a tumultuous Middle East and terrorism.



Federica Mogherini



Josep Borrell

In public, Borrell has expressed somewhat contradictory views on Russia. Earlier this year, in the interview to the European Council on Foreign Affairs, he said he is not too concerned with Russia because the country is “economically and socially weak” and is only an “awkward neighbour”. At the same time, during the confirmation hearing in the European Parliament on 6 October, Borrell adopted a tough language on Russia, labelling it as one of the major challenges for the EU, in line with a more assertive China, a tumultuous Middle East and terrorism. He also expressed the view (unpopular among many EU Member States) that sanctions should be decided by qualified majority voting instead of unanimity.

When it comes to Russian disinformation, it is not yet clear if a new approach will be adopted. During the hearing, when specifically asked about

disinformation, he replied that “this is something which doesn’t simply come from Russia, though a lot of it does”. His previous record on the topic is controversial. After reports that Russia interfered in the 2017 Catalan independence referendum, Borrell agreed to set up a joint cyber security group between Russia and Spain to stop the spread of misinformation. It seems the High Representative-designate believes in the proverb “keep your friends close, and your enemies closer”, yet it is highly questionable if this approach can bear any fruit.

Federica Mogherini refused to acknowledge the depth of the Russian disinformation problem: in the Action Plan outlining the objectives of the East StratCom, Russia was never mentioned. Hence, it is not surprising that the problem has not been tackled correctly and, according to recent reports, it got even worse

with the number of disinformation cases attributed to Russian sources doubling in the last year. It remains to be seen whether Borrell will continue to implement the loose policies of his predecessor or offer a new vision. One thing is clear, however: if he is to succeed, Borrell has to treat the Russian disinformation threat seriously and to make the fight against it one of his top priorities.

Disclaimer: This article is written in a personal capacity.

DIGITAL BATTLEFIELDS AND THE "WEAPONIZATION" OF THOUGHT

Cyberwars can become fully fledged conflicts offline

The world has become digital. Digitisation has affected not only office workers, students, and bureaucrats of all levels, but now also the military. After all, expressions like "cyber soldier" and the "weaponization of thought" are now commonly used.

The threat of a global cyber war between Russia, its authoritarian allies, and the West is increasingly being discussed. Despite the significant technological backwardness of Russia as compared to the West, its ability to conduct cyber operations and information attacks is difficult to overestimate. The effects of virtual wars are also being discussed. "The biggest threat is that online incidents can lead to a full-scale war offline," said the special envoy of the President of the Russian Federation for International Security Cooperation, Andrei Krupsky, at the UN Cyber-General High Level Panel in June this year.

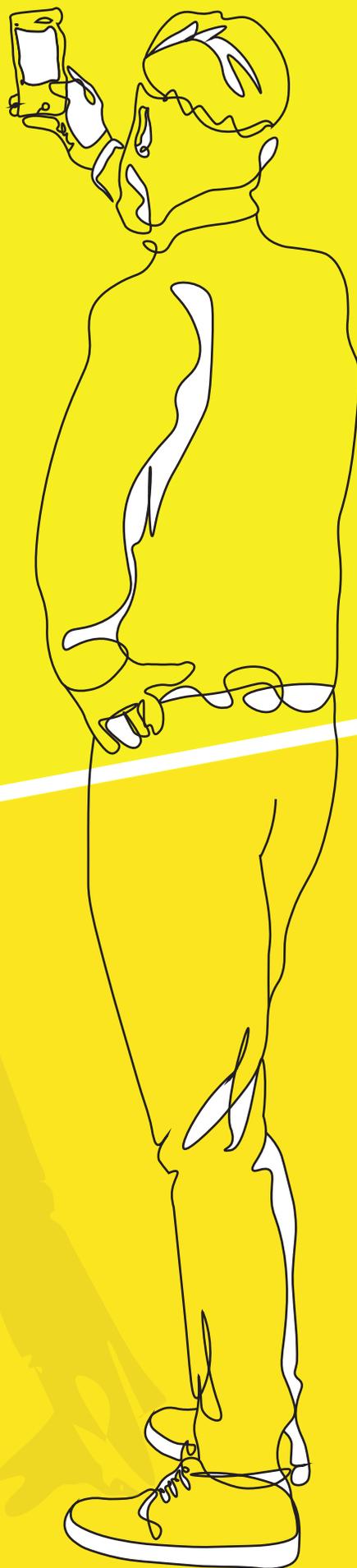
Kremlin-backed cyberattacks, informational and propaganda operations, attacks on objects of critical infrastructure, and the bribing and intimidation of political opponents are repeatedly reported by NGOs, authorities, and the victims themselves. This was a specific focus of the conference "Behind the Digital Curtain: Civil Society vs. State Sponsored Cyber-attacks", organised by the NGO Promote Ukraine this summer in Brussels.

"The challenges we now have in Europe: how to defeat Putin without becoming Putin; how to protect democracy without becoming non-democratic. There are several things that non-democratic forces do to us and their population.

VIKTORIA ROZENDAAL, EXPERT OF THE NGO "PROMOTE UKRAINE", BRUSSELS



TOPICS OF THE DAY



The rapid development of Russian hacker activity began in 1998 – a period of crisis when a lot of programmers were left unemployed.





They spread fake news, conduct influence operations, they hack elections, and they involve us in cyber wars,” says Professor Ziga Turk, member of the High Level Expert Group (HLEG) on fake news (Slovenia), during the conference in Brussels.

Certain experts argue that this relatively new military doctrine has not significantly changed warfare. The only thing that separates the ways in which Russia conducts its operations nowadays as opposed to during the Cold War is the abundance of new technology, specifically the emergence of cyberweapons. In this case, it is correct to call Russian aggression against sovereign states an act of hybrid warfare, a large part of which is played by cyber soldiers. However, battles on the digital field are no less fierce than the real ones.

“During the Cold War, we were worried about nuclear weapons - as weapons of mass destruction. But now our societies are deploying cyberweapons at such an extent that they have become weapons of mass disruption,” said Stanislav Secieru, an analyst at the European Institute for Security Studies (EUISS).

Who are hackers working for the Kremlin?

With the invention of the internet in 1983 and its rapid development, Russia faced hard times as the information flows on the internet were hard to control. Russian special operations had to search for new solutions to combat these new challenges. And one of these solutions was a change in thought - if you cannot overcome something, then you have to tame it. Following this, the rapid development of Russian hacker activity began in 1998 - a period of crisis

when a lot of programmers were left unemployed. They were thus used by the government and transformed into hackers working for the Kremlin.

The first massive hacker groups began to appear in the 2000s. They are now known as APT28 and APT29 (Advanced Persistent Threat 28 and 29) and are mostly known for conducting cyber espionage and stealing data. In fact, German special operations forces accused APT28 of hacking into the Bundestag. Furthermore, hackers from the same group are also responsible for attacking the French TV station TV5Monde, causing the channel to stop broadcasting for

several hours. (In addition, the ISIS flag was displayed on the news channel’s website).

APT29 was first noticed in 2015, when the group hacked the US White House, Department of State, and the Joint Chiefs of Staff. As a result of this cyberattack, cyber warfare became a topic of discussion throughout the world.

“I’m from Venezuela and can confirm everything you say. We have the Caribbean version of it all,” said Irene Perez-Merbis, a participant in the conference, speaking about interference in elections and the Russian Federation’s information campaigns in sovereign states.

“Friendly” election support

According to experts, in the last 20 years, Russia has meddled in the election processes of almost 30 different countries, especially those located within the orbit of Russian interests such as Ukraine, Georgia, and the EU countries.



According to experts, in the last 20 years, Russia has meddled in the election processes of almost 30 different countries.

In the case of the Ukrainian presidential elections in 2019, Russia did not have a favourite candidate. Thus, most experts agree that Russian hackers attempted to discredit the electoral process as a whole rather than target any specific candidate. However, during the parliamentary elections two months later, there was a favourite candidate and that candidate managed to end up in second place, although with significantly less votes than Zelenskyy’s party. In the case of the European Union, it is important to note that during the European parliamentary elections, there was a serious threat of the emergence of Eurosceptics, or far-right and far-left radicals whom the Kremlin is openly friendly with.

“We saw that elections to the European Parliament were not free from outside interference,” notes Eموke Peter, European Commission Policy Officer, “but we should not take this as a norm.”

Experts who have worked on this question for a long time reveal that multiple steps or phases must be taken into account before a state might seize power in sovereign states:

1. The search for contacts and access points:





EU-Ukraine Women in Politics

Within Ukraine there are many oppositionists who are friendly with the Kremlin. Accordingly, the day before the Ukrainian parliamentary elections, these oppositionists actively campaigned on the basis of lowering the price for gas between Russia and Ukraine. Within Europe, parties like Marine Le Pen's National Front (Rassemblement National) and the Alternative for Germany (AfD) also have a friendly outlook towards Russia.

2. The financing of politicians loyal to the Kremlin:

As evidenced by the Surkov Leaks, it is crucial to understand that there has been financing, on the part of Russia, of certain parties during the local elections in Ukraine in 2015. In the case of Europe, such financing is witnessed by the nine million euros Marine Le Pen received from the Kremlin.

3. Strategic cooperation with these partners:

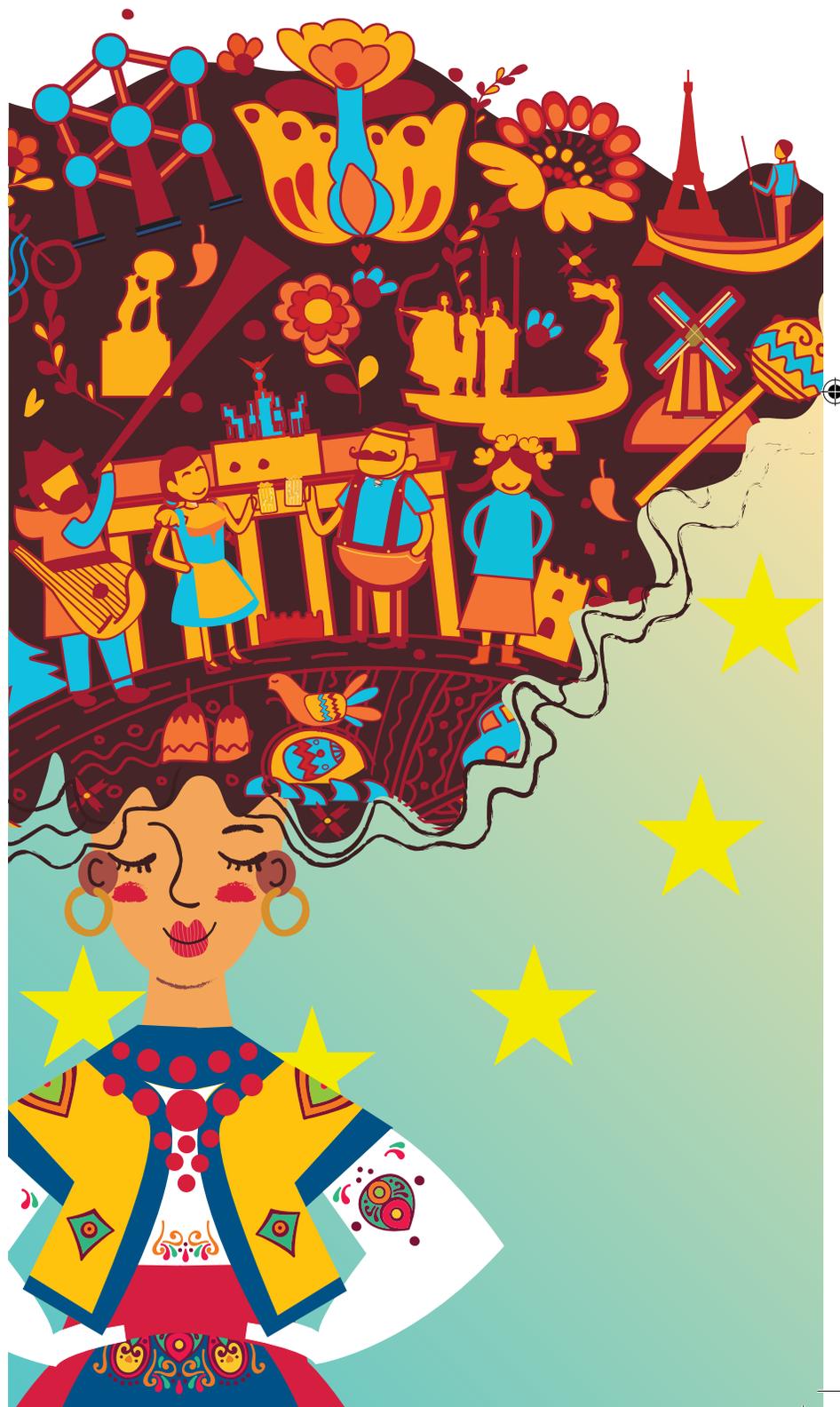
An example of which is the above-mentioned arrangement for lowering gas prices.

4. Discreditation of opponents:

Evidenced in the discrediting of authorities and the demonstration of the incompetence of said authorities. This is where cyber operations, such as hacking opponents, become a reality.

5. Soft change in power – the rise of politicians loyal to the Kremlin.

This is how Yanukovich managed to rise to power and, at present, we are observing the rise of similar forces in Austria, Greece, Moldova, and other countries.





WHY IS IT NOT BENEFICIAL FOR RUSSIA TO ORGANIZE CYBER OPERATIONS, AND WHY SHOULD PROGRAMMERS REJECT WORKING FOR THE KREMLIN

Nowadays, governments, private entities and hackers are becoming more skilled and have gained more tools to expose those behind cyberattacks. When it comes to large-scale attacks, experts often identify Russia.

Russian and foreign programmers who participate in Kremlin-organized cyberattacks can intentionally or unintentionally reveal their employers' names and air any information publicly. They thus facilitate the attribution of cyberattacks to foreign entities and this, in turn, causes international incidents.

Although these programmers work with special services, they are not professional intelligence officers, but only hired hackers. More often, the Kremlin has simply "found" them because they had previously broken the law, giving the Kremlin leverage to coerce them to collaborate.



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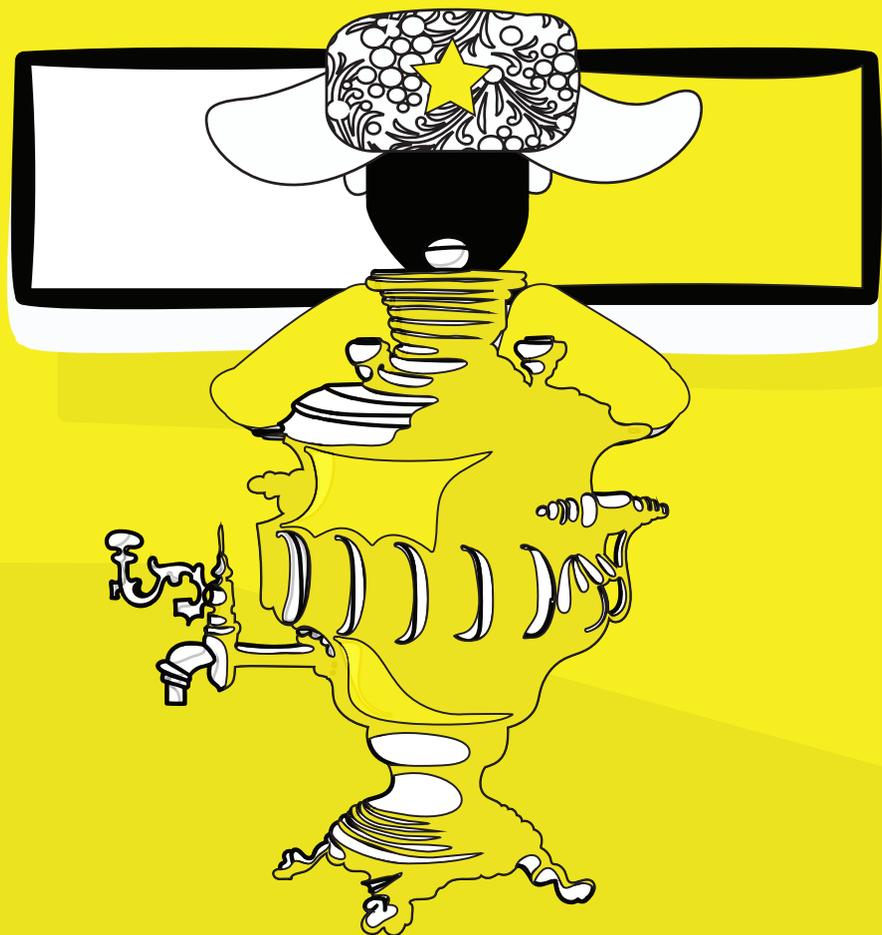


IT companies which accept the offer to work for the Kremlin in the cyber sphere compromise themselves, losing their reputation and profits.

In 2013, Russian Deputy Minister of Defence Oleg Ostapenko stated that they were forming special units – scientific squads that could include hackers with criminal backgrounds. In the same year, cyber-criminal Oleksii Belan was arrested in Greece at the request of the United States, but he escaped extradition and fled to Russia. He was trapped there and forced to work with special services to avoid further criminal charges. At the behest of Russian intelligence and with the help of another “hacker-mercenary” from Canada, he carried out cyber attacks on Yahoo.

In some cases, by employing hackers, the Kremlin uses the motivation of patriotism (national pride) and offers the revenge on Western structures that allegedly downplay Russian values and the idea of the “russkiy mir” (“Russian world”). For patriotic or other reasons, even anti-Kremlin activists “justify Moscow”, convincing others that the Kremlin is not always responsible for the cyberattacks attributed to it.

In his speech “Behind the Digital Curtain”, held in Brussels last summer, activist Aleksandr Isavnin, with the Russian opposition public organization





“Roskomsvoboda”, asserted that not all the attacks for which Russia is blamed were carried out with the Kremlin’s support, including the “NotPetya” cyberattack, which is associated with Russia by most experts. He believes that, by conducting these attacks, ordinary programmers are testing their capabilities.

To properly identify the perpetrators, one should determine the beneficiaries of cyberattacks, and whether they can be conducted under a foreign name when servers in other countries are being used specifically.

On the other hand, IT companies which accept the offer to work for the Kremlin in the cyber sphere compromise themselves, losing their reputation and profits. For instance, in 2014, the Italian company Hacking Team lost its export license because it sold hacking iPhone software to the Russian company Advanced Monitoring, which works with the Federal Security Service.

In any case, when the attacks are exposed, Moscow denies its involvement. Despite holding public hacking campaigns to employ hackers, Moscow does not recognize that they work for it, and abandons them when they get into trouble. At the same time, hackers themselves, and their families, risk financial or legal consequences and, when trapped in Russia, cannot travel to Europe for study, vacation, or work.

In May 2019, the European Union decided that these hackers would be subject to a similar sanctions regime as applied to those charged with the use of prohibited chemical weapons. The sanctions include asset freezing and entry bans.

In 2014, the first criminal case on a large-scale hacking operation sponsored by Russia was opened in the USA. Russian spies Dmytro Dokuchaiev and Igor Sushchin paid two programmers, a Canadian of Kazakh origin, Karim Baratov, and the above mentioned Latvian citizen Oleksii Belan, to crack 6,000 Yahoo accounts and get the information of another half billion users. British intelligence MI-5 played a key role in the detection of this attack. Baratov was sentenced to five years in prison, while Belan was listed as “the most wanted criminal” in the United States. Dmytro Dokuchaiev was arrested in Moscow on suspicion of sharing information with foreign intelligence.

Programmers should be aware of the fact that, even if the operations are ordered by the government, they still bear criminal responsibility. Hackers may even risk their lives. For example, in June 2019 a new form of war was launched – physical destruction in response to digital aggression. Namely, in response to a (planned) cyber-attack by Hamas activists, Israeli forces bombed a house where “cyber-operations” were taking place.

As cyberattacks are increasingly being revealed, hackers find themselves trapped between criminal charges and blackmail – and even death – while companies risk losing their reputations or licences. Cyber operations therefore expose anyone who works for the Kremlin in this sphere to harm. Further, Russia’s involvement in cyber operations itself undermines international cooperation on issues of global importance.



Programmers should be aware of the fact that, even if the operations are ordered by the government, they still bear criminal responsibility.





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CAPITULATION? OR NO CHANGE ON THE WESTERN PATH

CAPITULATION? OR NO CHANGE ON THE WESTERN PATH

While Moscow is trying to turn Ukraine to its side, the government is working on deepening of Eurointegration

UKRAINE - RISE TO THE

Protests of active Ukrainian citizens against the surrender to the Kremlin represented by the new government's adoption of Steinmeier Formula, and the intensity of public debate on the subject, encourage us to assess the place of Ukraine on its path to European integration and identify what the Ukrainian authorities and the Ukrainian people really want.

Strange as it might sound today, having voted for Volodymyr Zelenskyy and his party, a large part of Ukraine's population expressed support for European integration. The reasons for supporting a candidate other than Petro Poroshenko were not related to foreign policy, but to the internal political failures of his team. Therefore, accusations made by the 25 percent of Ukrainians who voted for Poroshenko against the 73 percent of Ukrainians who voted for Zelenskyy that Zelenskyy supporters are not "pro-Ukrainian" or do not care whether Ukraine is "moving to Europe" or "surrendering to Russia" do not give regard to the motivations behind the expression of political will of a majority of Ukrainians.



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The new president and his government are currently declaring a course for the West. Key appointments confirm this statement: Foreign Minister Vadym Prystaiko was Ukraine’s representative at NATO during Poroshenko’s presidency; Vice-Prime Minister for European Integration Dmytro Kuleba is a former ambassador to the Council of Europe. In addition, the government, headed by Oleksii Goncharuk, presented a programme which established goals for the fulfilment of the four Copenhagen criteria, namely the economic criterion, which in turn will boost the effective implementation of the other three criteria: democratic governance, human rights and implementation of *acquis communautaire* (legislation of the EU). In addition, the pro-

gramme identifies European integration as a priority, though it is not mentioned on the first pages of the document.

In the very near future, Ukrainian experts – and Ukrainian society – will make assessments of the adoption of the Steinmeier Formula, the opening of the land market, oligarchic influence, or the possible other “hidden agenda” of the country’s new leaders. These developments, and other controversial actions by the new government, might suggest a different direction for Ukraine than European integration.

It is equally important to focus on what the Ukrainian people expect in foreign policy, in spite of their expectations of domestic policy.

According to Pew Research Centre’s data from 14 October 2019, 79 percent of Ukrainians have a positive attitude towards the EU.

Polls conducted by Rating, the Social Monitoring Centre, and the Ukrainian Institute of Social Research, which took place between 30 April and 10 May 2019, that is, after the second round of the presidential elections, reveal that 57 percent of Ukrainians viewed European integration positively.

At the same time, 19.6 percent of people spoke in favour of restoring pragmatic economic relations with Russia, Belarus, Kazakhstan, and other CIS countries.

Thus, the majority of Ukrainian population, including those who voted for Volodymyr Zelenskyy in the second round, strive for what Europe has achieved in terms of



The majority of Ukrainian population, including those who voted for Volodymyr Zelenskyy in the second round, strive for what Europe has achieved in terms of economic wellbeing, respect for human rights, and partnerships, and do not wish at all for what Russia offers.

economic wellbeing, respect for human rights, and partnerships, and do not wish at all for what Russia offers, being structures such as the Eurasian Economic Union (EAEU), and the Kremlin enforcing its own approach to domestic policy and economic blackmail on its partners. The most recent striking example of such blackmail is Russia’s attempts to pressure its partners in the EAEU and Ukraine following complications in coal transit processes from Kazakhstan and Kyrgyzstan. A representative of the Entrepreneurs’ Chamber of



K a - z a k h s t a n complained at one EAEU meeting that the Russian economic ministry imposes quotas – that is, blocks – on the export of Kazakh coal to Ukraine, despite this being a violation of the EAEU’s Customs Code. This is simply one example of Russia’s “friendly” pressure on its partners.

In addition to equal relations, the benefits that the EU provides to Ukraine, compared to what the Eurasian Economic Union offers, are immense:

- Visa-free travel to Schengen countries – countries which care for their citizens’ welfare. A record number of Ukrainians holidayed in Europe in summer 2019;

- 500 million potential consumers in the EU, from whom the Ukrainian economy may benefit, given free trade arrangements with countries where widespread and endemic corruption has been eradicated – countries respecting the rule of law; and

- EU educational programs and financing of infrastructure projects.

All of it offers Ukraine a significant chance to improve the standard of living of its nationals.

Finally, of course, the permanent monitoring, by the EU, of Ukraine’s implementation of the Association Agreement should act as a safeguard against a breach by the Ukrainian authorities of the trust extended to Ukraine by its European partners.

No initiative of Moscow can therefore compare to what the EU offers for structural changes in Ukraine’s economy – changes to stimulate business, improve financial wellbeing and, at the same time, positively impact the rights and freedoms of Ukrainian citizens.

Fortunately, the new Ukrainian government’s intentions are now, at least publicly, directed towards

Brussels, rather than Moscow. In an interview with European Pravda, Ukraine’s Vice-Prime Minister for European Integration, Dmytro Kuleba, said that Ukraine should not turn to the CIS, which he called a “club of losers”. Moreover, Mr. Kuleba stressed his belief that Ukraine is able to meet all criteria for EU membership, and reiterated that he does not consider mere association with Europe as an end-goal for Ukraine.

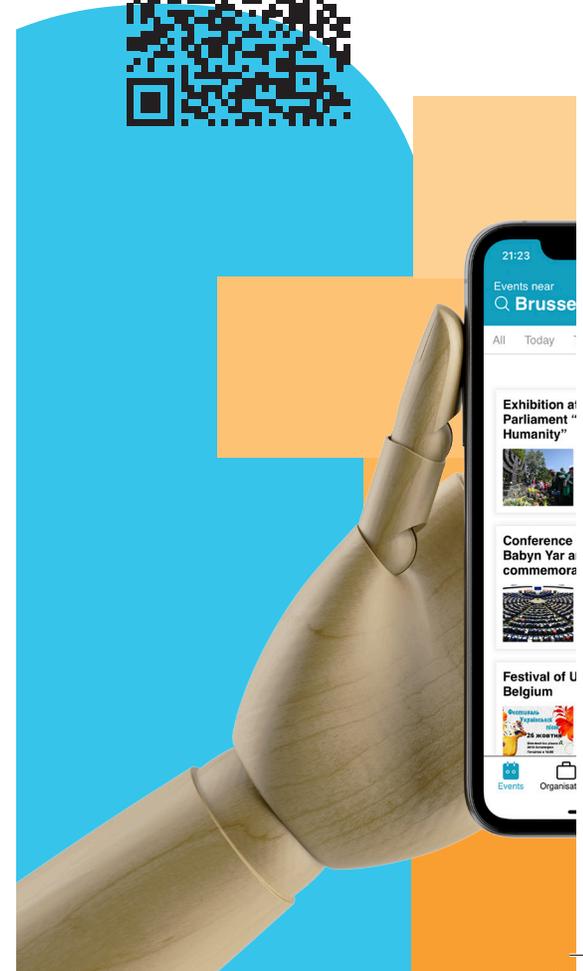


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**LEADS
UKRAINE**

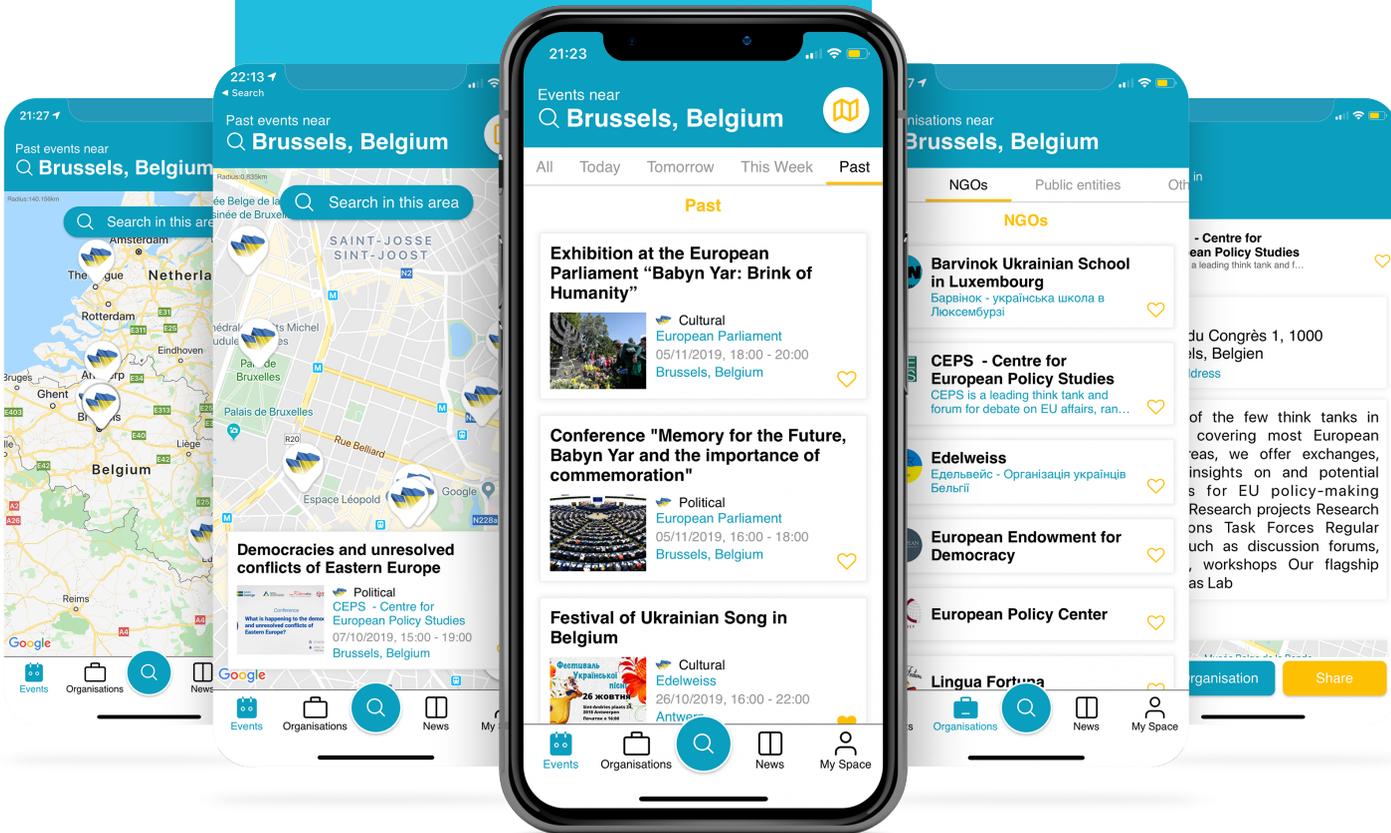
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NORTH STREAM-2: CONSEQUENCES FOR UKRAINE AND THE EU - THE UKRAINIAN PERSPECTIVE

**MYKHAILO GONCHAR, IGOR STUKALENKO,
CGS STRATEGY XXI, KYIV, UKRAINE**

NORTH STR CONSEQUEN FOR UKRAIN AND THE EU THE UKRAIN PERSPECTIV

Russia is preparing to use gas as a weapon. European companies and Ukraine are stocking it up.

Mykhailo Gonchar



Background

After the Revolution of Dignity in 2014, Ukraine implemented EU energy legislation and started reforming the energy sector. The ultimate goal of these reforms is sectoral integration into the EU's energy markets: gas and electricity. This objective has been recognized by the European Parliament and the European Commission. After the signing of the EU-Ukraine Association Agreement in 2014 and a half-year gas blockade by the monopoly supplier, Russian Gazprom, the gas market reform process has significantly speeded up. Both Ukraine and the EU are closely linked to each other by gas infrastructure. Natural gas moves both from Ukraine to the EU (transit of Siberian gas), and in the opposite direction (reverse supplies by European companies to Ukraine through Poland, Slovakia and Hungary).

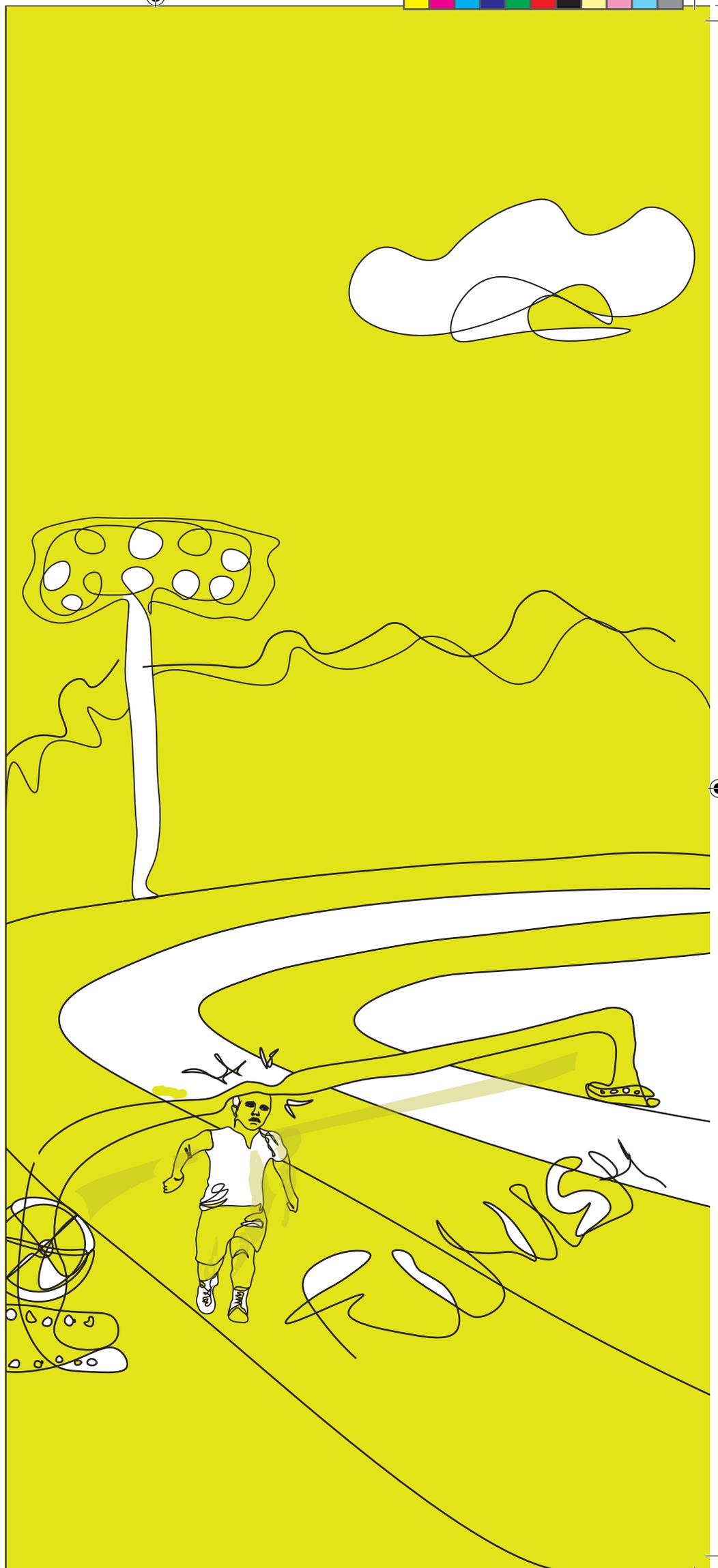
Igor Stukalenko



REAM-2: NCES NE U - NIAN IVE



It also raised moral and political questions – whether the leading European countries should implement a strategic project in cooperation with a country that had brutally violated international law.



Scheme 1. Gas transportation system of Ukraine



Large-scale gas transportation projects are part of a geopolitical strategy aimed at splitting the transatlantic community of Western countries and binding Europe to Russia by abuse of energy dependency.

The Association Agreement contains the important Article 274 “Cooperation on infrastructure: “The Parties shall endeavour to facilitate the use of gas transmission infrastructure and gas storage facilities and shall consult or coordinate, as appropriate, with each other on infrastructure developments. The Parties shall cooperate on matters related to trade in natural gas, sustainability and security of supply. For further integration of energy markets each Party should consider energy grids and other Party’s capacities while working out program documents on demand and delivery plans, interrelations, energy strategies and infrastructure development plans”.

The key point is to take into account the capacities of the Parties (EU and Ukraine) in terms of demand for gas in Europe and the available capacity for its transportation. When Russia proposed the idea of the Nord Stream-2 (NS2) project in 2015, and a number of companies and governments of EU member states supported it, this naturally raised the question in Kyiv whether this project was in line with the EU’s interests and the Association Agreement.

It also raised moral and political questions – whether the leading European countries should implement a strategic project in cooperation with a country that had brutally violated international law, resorted to aggression against a neighboring country, by occupying and annexing part of its territory. In addition, it happens under the circumstances when the EU imposed sanctions on Russia for aggression against Ukraine. Moreover, there have been alternative supplies globally, there is not only Russia: for instance, the gas from Caspian Sea, Central Asia, the Eastern Mediterranean, or LNG.

We must pay tribute to the European Parliament, which has always opposed the implementation of this anti-European project. EU Energy Union program documents clearly state: “The EU will strive for diversity of its energy sources, routes and suppliers, in particular in the gas sector”. Considering that the gas originates in Russia, is extracted and dispatched by the Russian state-owned company Gazprom, and the pipeline is being built by Gazprom, the Nord Stream-2 project does not contribute to the desired diversification.

Many EU member states were against this project, in total 10 countries from Central and Eastern Europe, headed by Poland, which has become a leader of resistance within the EU. Nord Stream-2 had an unconditional support in Germany, Austria, France and the Netherlands. Paraphrasing Orwell, in the EU all member states are equal, but some are “more equal”. So the project is being realized under pressure of the largest European player – Germany.

Not just a commercial project

Why do Ukraine – outside the EU – and Poland – within the EU – strongly oppose Russian gas flows, while the Russian Federation and Germany consider this project to be purely commercial? Because Ukraine and Poland have experienced themselves (and understand) that these large-scale gas supply projects are not just commercial. Russia is not Norway. For Russia, large-scale gas transportation projects are part of a geopolitical strategy aimed at splitting the transatlantic community of Western countries and binding Europe to Russia by abuse of energy dependency. Few people in the West paid attention to the words in the first edition of the Russian Federation Energy Strategy, which was adopted in the “early Putin” age: “Russia has significant reserves of energy resources, and a powerful fuel and energy complex, which is the basis for economic development and a tool for conducting domestic and foreign policy”. So, according to this paragraph, it is easy to conclude that gas is not just a commodity for Russia, it is also a foreign policy tool. No wonder the former Polish Foreign Minister Radoslaw Sikorski called the first “Nord Stream” a new

Molotov–Ribbentrop Pact. The story of his twin project confirms Sikorski’s words. The gas pipeline has not been completed yet, but it has already caused a split between the US and Europe, and within Europe itself. This is one of the goals of Putin’s regime – to divide and conquer. An idea of Russia’s gas strategy can be gained from the following diagram, which illustrates the Kremlin’s real intentions, which go far beyond the commercial boundaries.

Russia intends to outflank all transit countries with its “Nord Stream” gas pipelines in the Baltic Sea and the “Turkish Stream” pipeline in the Black Sea, and to retain the monopoly of gas supplies to the EU from the East. It also does everything possible to prevent the emergence of competitive gas flows in the European market from the Caspian region, the Eastern Mediterranean, West Africa, and of LNG from the USA.

“North Stream-2”: lobbyism versus rights

It is known that any new infrastructural project should not impact the existing reliable infrastructure. Such projects require an agreement with the parties whose interests are concerned – this is a requirement of EU law. The project must respect the principles of the European gas market. Does NS2 fit into the EU-Ukraine Association Agreement on cooperation and coordination when it comes to the construction of new gas infrastructure? Of course, it does not. The gas transportation system of Ukraine has available capacities which can be effectively used. In total Ukraine’s Gas Transport System (GTS) is capable of transporting 142 billion cubic meters of gas to Europe and Turkey per year. Currently, the untapped capacity is about 60 billion cubic meters, which almost equals the capacity of NS2. Thus, on the basis of Article 274 of the Association Agree-

ment, initially the EU should have suggested to the NS2 project initiators to use the available capacity of the Ukrainian gas supply route.

Although the European Commission has never been committed to NS2, it did not take an active position when it ignored Article 274 as an important argument against the project. It is clear that this was a result of NS2 supporting lobby, led by the former German Chancellor. Moreover, in October 2016, the European Commission allowed the German regulator to lift restrictions on the use of the OPAL pipeline – a branch of the existing Nord Stream - which allowed Gazprom to use it not at 50 percent capacity, as required by the EU’s Third Energy Package, but at full capacity. Despite Poland’s efforts to temporarily suspend the entry into force of the European Commission’s decision on OPAL for several months, the restrictions were lifted and the Nord Stream became fully operational. Gazprom was proudly stated that in 2018 it pumped 57 billion cubic meters of gas to Germany while the project’s pipeline capacity was 55 billion cubic meters). This story made Russia confident that the same could be achieved with NS2 (see Scheme 3) in case EU restrictions were also imposed on it.

Gazprom became even more confident after the conclusion of the EU antitrust case. In 2012 the European Commission initiated an investigation about Gazprom's anticompetitive behaviour, accusing it of abuse of dominant position, by disrupting gas supply in Central and Eastern Europe markets, in breach of Article 102 of the Treaty on the Functioning of the European Union. In 2015, the European Commission informed that "Gazprom" was preventing competition in gas supply markets in eight Member States: Poland, Czech Republic, Slovakia, Hungary, Bulgaria, Estonia, Latvia, Lithuania. Gazprom was accused of implementing a strategy of abuse in these markets, consisting in particular in territorial restrictions and unfair pricing policy. Gas deliveries were made dependent upon investments in Russian gas pipeline projects, or upon the acquisition or strengthening of Gazprom's control over the gas infrastructure of those Member States. On May 24, 2018, a set of commitments was adopted by "Gazprom" to ensure the free flow of gas at competitive prices in Central and Eastern Europe markets for the benefit of consumers and businesses. However, at the same time, "Gazprom" managed to avoid a multibillion-dollar fine, which seemed to be inevitable... The European Commission's case on "Gazprom's" violations in eight member states could be supplemented by the Ukrainian case. In Ukraine, Gazprom's behavior was even more brutal, having resorted to blackmail, corruption schemes (Eural Trans Gaz, RosUkrEnergo), suspension of gas supplies in 2006 and 2009, imposition of asymmetric price formulas with discounts conditional upon

political requirements. For example, in order to obtain a discount on the price of gas in 2010, Ukraine was forced to agree to prolong the Russian Black Sea Fleet's stay in the Ukrainian base of Sevastopol until 2042, while, under the Ukraine-Russia agreement of 1997, Russia would have had to leave this base in 2017. One should take into account the fact that dealing with Gazprom means risking not only dealing with a counterparty failing to fulfill its obligations, but also keen on ignoring arbitral decisions. For example, "Naftogaz of Ukraine" took legal actions against Gazprom and applied to the Stockholm Arbitration, as stipulated under the transit contract with Gazprom, and won the case in 2018. However, Gazprom ignored its obligation to pay "Naftogaz" the amount of nearly \$ 2.65 billion. Moreover, it insists "Naftogaz" should drop its claim which, so far, has grown to \$ 2.8 billion including penalties. This case should make European gas consumers consider how "Gazprom" can be expected to behave, if it succeeds in strengthening its gas supply monopoly by implementing NS2 and TurkStream and by controlling gas route to the EU via Belarus.

Factors of uncertainty

Russia was already very close to the total success on the gas front earlier this year. Yet Poland's persistence and Ukraine's resistance, along with the joint support of the United States, Romania's EU presidency in the first half of 2019, gave its results. In spring of 2019, the European institutions modified the EU Gas Directive and extended its scope to offshore gas pipelines similar to the Nord Stream-2. This means that this pipeline cannot be used at 100 percent capacity, but only at 50 percent. In September, the European Court of Justice ruled on a joint complaint by Poland, Lithuania and Latvia against the decision of the European Com-

mission on the OPAL gas pipeline. Based on Article 194 "Treaty on the Functioning of the European Union" the Court reversed this decision. Although this applies to the existing Nord Stream system – OPAL, it also has an impact on Nord Stream-2, as its EUGAL pipeline is an analogue to OPAL.

"Gazprom" is currently resisting the implementation of the modified EU Gas Directive, and it is attempting to appeal the ECJ ruling on OPAL. Nevertheless, all this makes the perspective of NS2 even more uncertain, despite Gazprom's reports of miles of pipes being installed on the bottom of the Baltic sea and the Denmark's permission to construct a pipeline in its exclusive maritime zone.



There is a risk that Russia is preparing to use proven gas weapons on New Year – the third gas crisis. Of course, Russian propaganda will blame Ukraine, who "cut off transit", "steals gas", or "does not want to sign a new contract".



Dealing with Gazprom means risking not only dealing with a counterparty failing to fulfill its obligations, but also keen on ignoring arbitral decisions.

On the night of November 8, Russia and its lobbyists in Berlin had a desperate attempt to change German legislation in Bundestag, to make the legislation draft beyond the modified EU Gas Directive.

Thus, the fight around the NS2 continues. The threat of US sanctions against contracting companies is the Damocles' sword for this project, as the project can't be completed without their participation and "Gazprom" does not have the technology to build deep-water pipelines on its own. There is still a probability to appeal the Danish Agency's decision on permission to construct the pipeline. But even if Russia manages to complete the pipeline, its exploitation will be complicated by both EU restrictions and increasing competition on the gas European market.

In addition to everything mentioned above about NS2, there are some other aspects to take into account. One issue relates to Russia's tendency to use civilian infrastructure to expand its military presence by protecting it from malicious acts. Russia's construction of a bridge from Crimea to Taman across the Kerch Strait, and the construction of «TurkStream» at the bottom of the Black Sea were accompanied by the increase of Russian military forces in the Black and Azov seas, which led to a dangerous incident: the Russian attack on Ukrainian ships on November 25, 2018. This serves as a confirmation of the risks of Russia's military expansion going step by step with its energy plans.

Now let's make a projection on the Baltic Sea, where there is one Nord Stream and another one is under construction, but Poland wants to build an alternative (Norwegian gas transferred via a Baltic Pipe). Russia will follow the same pattern in the Baltic Sea as in the Black Sea. Under the claim of protecting strategically important four pipeline threads for Russia and Germany!

Russia is gradually strengthening the Baltic Fleet as part of a rearmament program by 2020. The Russian media recently reported that the Baltic Fleet continued to receive new warships and security vessels. It is reported that 20 new ships

have arrived, but for the period from 2010 to 2019 it was 56 units. Thus, the dynamics of the Russian built up of the Baltic Fleet are quite obvious and one must have no illusions about the Kremlin's further intentions and actions.

There is a risk that Russia is preparing to use proven gas weapons on New Year – the third gas crisis. Of course, Russian propaganda will blame Ukraine, who "cut off transit", "steals gas", or "does not want to sign a new contract". This should be a compelling argument for the Europeans to push for the completion of NS2, as Ukraine is said to be an unreliable transit link. European gas companies understand this. The schedules for filling the underground gas storage dramatically differ from the last year. In general, European gas storage facilities were almost full in early October 2019. Ukrainian "Naftogaz" also pumped 21,7 billion cubic meters of gas into the underground storages before the start of the heating season – a record for the current decade. The trilateral Ukraine-European Commission-Russia meetings in Brussels, although were noted by the participants' mutual compliments about each other's constructive position, ended with the parties agreement to agree. Therefore, in such circumstances, it is important to have gas in stock. Hoping for the best, we need to prepare for the worst, given the experience of Russia "gas diet" for Ukraine and the EU in 2006 and 2009.





OCCUPIED CRIMEA: FIVE YEARS OF CONTINUED CRIME



**ELNUR AMETOV,
ASSISTANT TO
THE MEMBER
OF THE
PARLIAMENT
OF UKRAINE**

**Crimean Tatars
and ethnic
Ukrainians
are those who
suffer the
most from the
violations of
International
Law by Russia**

Since the dissolution of the Soviet Union in 1991, Russia has set its gaze on Crimea. During the turbulent years of the 1990s, the Kremlin attempted to dispute the internationally recognized borders of Ukraine, creating two major sources of risk for Crimea: 1) the granting of Autonomous Administrative status to the peninsula essentially enshrined the dominance of Russian language and culture in Crimea, thus securing a level of Russian influence; 2) the Russian Black Sea Fleet remained stationed in Sevastopol. Both of these risk factors subsequently facilitated the illegal occupation of Crimea.



Indeed, during a moment of vulnerability for Ukraine following the Revolution of Dignity of 2014, the Russian Federation initiated armed aggression against the country first, illegally occupying Crimea; next continuing the invasion into Ukraine's Donbas region. It is important to underline that the illegal occupation of Crimea and parts of eastern Ukraine are elements of the same international armed conflict, in which the Russian Federation has extensively used the means and methods of hybrid warfare. This includes the use of a combination of regular and irregular forces. The intensity and nature of hostilities and violations of international law differ vastly between the cases of Crimea, and the Donbas region. A key legal distinction is that in the case of Crimea, the Russian Federation committed a grave violation of international law by annexing part of Ukraine's territory: the first annexation in Europe, since the Second World War. Subsequent to the annexation, violations of international law continue, through the illegal occupation of Crimean territory. In the interests of international security and the rule of law, there is a need for further response from the international community and increased pressure on the Russian Federation with the goal of de-occupation of the peninsula. The international community – notably the European Union (EU) and United States (USA) – was quick to denounce invalid Russian claims, reaffirm “commitment to the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders” (United Nations General Assembly Resolution 68/262 of 27 March 2014), and impose sanctions against the Russian Federation. However, further countermeasures are urgently required to compel Russia to comply with its erga omnes international legal obligations.

This stands in relation not only to aggression against Ukraine, but also against Georgia and Moldova.

The illegal occupation, and violations of human rights and international humanitarian law have taken a severe toll on the population of the Ukrainian peninsula. Those who opposed the Russian aggression are particularly affected. The Report of the United Nations (UN) Secretary-General on the “Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine” (2 August 2019), paints a vivid picture. The Report is based on information collected by the Office of the UN High Commissioner for Human Rights via the Human Rights Monitoring Mission in Ukraine, which was deployed on 14 March 2014, and documents human rights violations related to: the right to life, liberty and security; the right to physical and mental integrity; freedom of thought, conscience and religion; freedom of opinion and expression; freedom of peaceful assembly and association; administration of justice and fair trial rights; rights of detainees; the right to nationality; the right to maintain one's identity, culture and tradition; the right to education in one's native language; property rights; the prohibition on forced conscription and population transfers. In the context of armed conflict, certain human rights violations may also constitute war crimes and crimes against humanity, for which perpetrators must be held accountable. In this regard, there are high expectations in Ukraine for the ongoing preliminary examination by the Prosecutor of the International Criminal Court.





Many human rights and international humanitarian law violations are directed against those opposed to the illegal occupation, particularly the indigenous Crimean Tatar people, and ethnic Ukrainians. The Russian Federation aims to intimidate and force them out of Crimea. Indeed, many Ukrainian citizens have left the peninsula since the beginning of the occupation. According to official figures, there are approximately 39,000 registered internally displaced people (IDPs) from Crimea in Ukraine. This figure does not contain IDPs who - for various reasons - are unregistered, and experts estimate that the real figure may be 55,000. Approximately half are Crimean Tatars. The Russian policy of changing the demographic composition in Crimea is further aggravated by the huge number of people moving to Crimea from Russia. According to the statistics of the Russian Federation cited by the UN Secretary General in its Report, 140,198 people changed their residency registration from Russia to occupied Crimea during the period 2014-2018. At the same time, due to the fact that many people who move do not undergo this registration procedure, the real number of ethnic Russians who have relocated to Crimea is estimated to be at least 500,000.

Indigenous Crimean Tatar people, who have consistently and strongly resisted the illegal occupation, and support the territorial integrity of Ukraine, have faced particular suppression by Russia. This is illustrated by the fact that, despite accounting for only approximately 12 percent of the total population, the majority of the c. 100 Ukrainian political prisoners held by Russia are Crimean Tatars. In 2019 alone, an unprecedented wave of repression took place. On 27 March

2019 occupation authorities conducted 26 house searches unlawfully arresting 24 Crimean Tatars. Russia's aim of suppressing Crimean Tatar resistance is further indicated by the ban on Mejlis - the supreme representative and executive body of the Crimean Tatar people. This was in blatant violation of the International Court of Justice Order from 19 April 2017.

The role of international organizations for the protection of human rights in temporarily occupied Crimea is invaluable and

Many human rights and international humanitarian law violations are directed against those opposed to the illegal occupation.

unique. The possibility of international response limits the scale of human rights violations. Nevertheless, the Russian Federation continues to keep the population of Crimea hostage. Thus, on 9 October 2019, just a month after the widely celebrated Ukraine-Russia "35 for 35 [prisoner] exchange" of 7 September 2019, Russia took another political prisoner - Ukrainian activist Oleh Prykhodko. Prykhodko's case resonates strikingly with those of two of the 35 exchanged



The Russian policy of changing the demographic composition in Crimea is further aggravated by the huge number of people moving to Crimea from Russia.

political prisoners: Volodymyr Balukh and Edem Bekirov. De-occupation is the only durable solution to end the ongoing human rights violations in Crimea, and respect for international law and justice.





**VIKTORIA
ROZENDAAL,
EXPERT OF NGO
“PROMOTE
UKRAINE”,
BRUSSELS**

During five years of illegal occupation, Crimea has transformed from an idyllic resort destination into a militarised territory. Russia actively brings its troops and equipment there. Experts warn that the active militarisation of the peninsula, coupled with Moscow’s nuclear arsenal, threatens not only Ukraine, but the entire continent.

**As a result of
militarisation
peninsula became a
militarised
territory**



Military gatherings of children and young people are regularly held on the peninsula, where they are taught the basics of military affairs. The aim of such activities is to encourage the younger generation to serve for the benefit of the Russian Federation.



THE PENINSULA'S NUCLEAR STATUS?

Russia began to actively increase its military presence in the Black Sea almost immediately after the annexation of the peninsula. Experts estimate the amount of armaments has more than doubled. Journalists and human rights activists state that the Kremlin wasted no time and restored numerous Soviet military installations, built new military bases, and seconded military personnel there.

It took off from there. Ukrainian officials say that Moscow is preparing the ground for nuclear weapons to be deployed on the peninsula. Volodymyr Yelchenko, the Permanent Representative of Ukraine to the UN, declared this threat in the spring. At a meeting of the Preparatory Committee for the 2020 Review Conference for the review of the Non-Proliferation Treaty, he warned that Russia's preparation of infrastructure for the deployment of weapons of mass destruction "threatens the European continent and the world."

Information regarding plans to move nuclear weapons to Crimea has also been confirmed by Ukrainian intelligence. Missiles capable of carrying nuclear warheads have allegedly appeared on the peninsula, and the Russian Defence Ministry is actively conducting training in their use.

The OSCE resolution on the militarization of Crimea, adopted in July 2019, shows that this is not just an assumption. "[The OSCE] expresses serious concern about the intensification of militarization of the Crimean peninsula and the intention of the Russian Federation to deploy nuclear weapons in the area, which violates Ukraine's non-nuclear status and further undermines global, European



and regional peace and security”, the document outlines.

The fact that the danger of nuclear weapons being deployed on the peninsula is not illusory is also indicated by the increased military training of NATO countries in the Black Sea. This training includes exercises aimed at settling a conflict involving the use of weapons of mass destruction.

Through the military build-up in this region, Vladimir Putin kills several birds with one stone. The first is the pressure on Ukraine by blocking shipping and creating constant tension in the region. Second, Crimea has been a strategic pressure point for NATO allies in the Middle East for several years; the Kremlin has been trying to hold back the deployment of NATO forces in Turkey and other countries. It is alleged that Russia delivers weapons to Syria through Crimean ports. The former President of Ukraine, Petro Poroshenko, has repeatedly said this. In late August, the Syrian and the so-called Crimean Republic authorities signed a trade agreement which, among other things, provides for the establishment of a regular maritime cargo run between Crimea and Latakia. Both republics, which are under EU and US sanctions, plan to transport fruit, natural resources, equipment and tools.

MILITARISATION FROM A YOUNG AGE

Statistics show that Crimea is gradually being transformed into a hub of military activity. Before Russia’s annexation of Crimea, 12,000 Russian troops were based in Sevastopol, which was at the time rented from Ukraine by the Russian Federation. The number amounts of Russian combatants in Ukraine

has now grown to 31,000, according to Ukrainian intelligence. It is expected that the contingent of forces will increase to 40,000. Furthermore, the number of Russian armoured personnel carriers, for example, increased more than sevenfold (!) — from 92 in 2013 to almost 700 units.

Of course, residents of the peninsula feel they are now living in a new, militarised reality, where the struggle for tourists and the cleanliness of local beaches is a low priority. The United Nations Commissioner for Human Rights Report on the Human Rights Situation in Ukraine of 16 May-15 August 2019 makes the following observation:

In the reporting period, the 9th campaign on recruitment of male residents of Crimea into the armed forces of the Russian Federation took place.



Moscow is preparing the ground for nuclear weapons to be deployed on the peninsula.

During this campaign, which ended in June 2019, at least 3,300 men were called up for military service from Crimea. This has been the largest number for one campaign in Crimea since 2015, when the compulsory conscription [sic] began. Based on this figure, the total number of Crimean recruits constitutes at least 18,000. Some recruits of the 2019 Spring Campaign, as in the previous four recruitment campaigns since 2017, were sent to military bases in the Russian Federation.

The Human Rights Commissioner further condemned the forcible recruitment as a violation of international law: “[a]s an occupying state, the Russian Federation must abide by international humanitarian law, which prohibits forcing people under protection to serve in its armed or auxiliary forces. Any pressure or propaganda on voluntary enlistment in the armed forces shall be prohibited”.

However, as commonly known, international norms carry little weight for the quasi-governors of the peninsula. Military service is actively promoted to children and adolescents in Crimea; representatives of the so-called Cossack squads hold “patriotic” events in the schools, calling on the children to be ready to “serve the country”.

Military gatherings of children and young people are regularly held on the peninsula, where they are taught the basics of military affairs. The aim of such activities is to encourage the younger generation to serve for the benefit of the Russian Federation.

Many Crimean schools have formed military classes, and children from the age of eight are invited to enroll in “Yunarmia”, a Russian patriotic youth movement. Such a phenomenon as a military-patriotic education is mainly observed in totalitarian regimes, and has already caused concerns among experts and human rights activists. However, while the sanctions of the international community continue to have a “mild effect”, thousands of peninsula residents are forced to endure new and severe conditions with an adverse impact on their lives and livelihoods. Very few dare to protest.

VIKTOR CHUMAK: “I WANT PUBLIC TRUST IN THE UKRAINIAN PROSECUTOR’S OFFICE TO BE RESTORED”

The European community is closely watching the law enforcement authorities in Ukraine. It is up to these authorities to investigate high-impact crimes, while not stepping away from the path of reform, of becoming more independent and transparent. We discuss these issues with Deputy Prosecutor General and Chief Military Prosecutor of Ukraine Viktor Chumak.

VIKTOR CHUMAK:
“I WANT PUBLIC
TRUST IN THE
UKRAINIAN
PROSECUTOR’S
OFFICE TO BE
RESTORED”

Mr. Chumak, please tell us how the Military Prosecutor's Office was established. As is known, it did not exist until 2014. Which countries' experiences were drawn on to form it?

By and large, the Military Prosecutor's Office is a heritage of the Soviet system. The fact is that the Soviet model of the military prosecutor's office had to be changed. After all, it performed supervisory and other functions that are not exercised by any prosecutor's office in the world. For example, it provided oversight of law enforcement by all authorities, enterprises, and institutions, and monitored the legality of the decisions they made. We are currently transforming the Military Prosecutor's office. The newly-created Specialised Prosecutor's Office for Security and Defence will provide procedural guidance to investigate all crimes related to military personnel, all crimes committed by military personnel, and crimes against security and defence of the state. Procedural guidance for the investigation of war crimes, that is, crimes against Ukraine in the form of aggression against its

civilians, such as shelling, will be investigated by another unit of the Prosecutor General's Office.

Does this unit already exist, or is its establishments still just planned?

Such a unit already exists within the Military Prosecutor's Office, and another one exists outside the Military Prosecutor's Office. These units will be combined and will conduct investigations of crimes in the field of international humanitarian law.

Who will be responsible for investigating the crimes committed by Russia-backed militants in Donbas?

This will be within the competence of the newly created units.



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You see, people are very impatient; they want quick decisions and quick actions. The prosecutor's office cannot operate as a factory.



Your posts on social media suggest people ask you about “imprisoning criminals”, and that you would rather talk about reforms. What questions are you not asked, what would you like to say about the reform to people, in particular those who are not interested in the changes?

You see, people are very impatient; they want quick decisions and quick actions. The prosecutor’s office cannot operate as a factory. Criminal proceedings are the processes of evidence gathering for criminal hearings in court. Evidence must be properly collected, properly documented, and admissible in litigation. This is not a job that can be done in one day. It is not possible to register criminal proceedings today, lay criminal charges tomorrow, and send those proceedings to court the next day. A great amount of evidence is collected to establish whether a person is guilty or innocent. In addition, the problem is that a new team has come to the prosecutor’s office, and we can see that the crimes have either been ignored or improperly investigated. The new team of executives is made up of 5-10 people, for the whole prosecutor’s office of 11,000 prosecutors. The same crimes were investigated by the same people who now work in the office. We cannot tell them that they were doing things illegally, so we need to start investigations from scratch. That is why the recruitment of new personnel, who will have a high level of integrity, is extremely important for us today. But the recruitment process takes time. That’s where

the discord between expectations and realities arises.

Is it possible for suspects to leave Ukraine while investigations are being carried out?

If a suspect wanted to leave Ukraine, they would have done so already. Of course, this is a risk. These are complicated cases. A great number of time-consuming analyses are required to prove a financial scheme, a corruption-related crime, or latent, that is, hidden crime.

Does your jurisdiction include procedural guidance for investigating the Ilovaïsk tragedy?

Yes, the prosecutor’s office will take measures with regard to this case. In particular, investigative actions will take place in the Office of the President of Ukraine, namely the seizure of documents related to this tragedy. Following this, the political, organizational, and military decisions made will be assessed. (The day after the interview, an announcement was made that the Prosecutor had obtained the permission of the investigating judge to temporarily access the Office of the President of Ukraine and remove documents concerning the circumstances of conducting the anti-terrorist operation in August 2014 in Ilovaïsk District – Ed.)

Does your jurisdiction include procedural guidance for investigating Maidan crimes?

My responsibility is to supervise the activities of the Office of the Prosecutor General of Ukraine, which is responsible for investigating these crimes. But there is a problem. In accordance with the regulations of the Constitution of Ukraine from November

2019, the prosecutor’s office is deprived of the function of pre-trial investigation and all materials for conducting investigative actions should be submitted to the State Bureau of Investigation (SBI). The procedural guidance for the investigation, however, remains within the competence of the prosecutor’s office. We now need to create a special unit to conduct procedural guidance of the SBI investigators responsible for investigating the Maidan crimes. We would like the investigators from the prosecutor’s office investigators to become part of the unit within the SBI. We would also like prosecutors, who are now the procedural heads in the Maidan crimes, to enter the unit of the Prosecutor General’s Office, which will be in charge of the procedural management of the Maidan cases. I have already made these suggestions about the possible structure of such a unit in submissions to the Attorney General.

When are you planning to complete the reform?

Full reform of the prosecutor’s office will take up to a year. In terms of stages, the Office of the Prosecutor General of Ukraine will start operating from about January 2020 and should be staffed by prosecutors by April 2020. In June-July, we plan to complete such reform at the regional level, and at the local level by the end of 2020.



In terms of global trends on gender issues, how many women currently serve in the Military Prosecutor's Office?

Indeed, only a few women currently work in the military prosecutor's office, about 7 percent of military personnel, without taking into account employees working in administrative positions. We aim to level the gender balance.

Are there statistics on how many female military personnel have committed crimes and how many women may have been victims of crimes committed by servicemen?



The Prosecutor General's Office has established a structural unit for procedural guidance on the investigation of cyber crimes.

There are only a few of them. There is, for example, Nadiya Savchenko, who has been the subject of several investigations from both Ukrainian and Russian investigators. Unfortunately, there are no statistics regarding violence of military personnel against women.

Is the Turkish and Greek experience of Cyprus used to optimise the work of the military prosecutor's office on the return of the Crimea to Ukraine, and what actions can possibly be taken by the Military Prosecutor's Office to return Donbas?

We do not use the experience of Cyprus and the experience of other countries where armed conflicts have taken place. At the same time, I do not want to say that the conflict between Russia and Ukraine is unique. The situation is that we do not have the internal conflict. This is another type of war, the so-called hybrid war, which is being waged by new means. Aggression against Ukraine is conducted using

diplomatic, economic, political, and information instruments. Military tools are used in this war as a last resort. We have become participants in a new generation conflict.

Does the prosecutor's office have any competence to investigate so-called "cyberattacks"?

Yes, of course. The Prosecutor General's Office has established a structural unit for procedural guidance on the investigation of cyber crimes. In order to investigate such crimes, the necessary knowledge of the regulatory framework, the Criminal Code of Ukraine and the Criminal Procedure Code of Ukraine, is required, as well as special knowledge in the

field of information technology. But our times require the investigation of such crimes.

The military strategy of the Russian Federation includes "information troops" subordinate to the general headquarters. Does Ukraine deploy any similar type of soldier?

Many countries currently face the information war. It is conducted through social networks. All countries are considering how to resist such phenomena. I do not think that any country other than Russia is considering the option of launching an information attack. Today, only Russia has such serious tools for such an attack. In Russia, there is a doctrine of hybrid war that stipulates conducting informational and cyberattacks. But every country should have mechanisms against "cyberattacks", "cyber crimes", and "cyberwars".



Do you consider the occupation of Crimea to be an act of war?

Undoubtedly. You have to understand that with all the international rules, international legal mechanisms that ensure the territorial integrity and inviolability of another country, one state makes a decision on international level and illegally annexes a part of the territory of another state. And everything happens while holding a referendum at gunpoint.

Was it then necessary for Ukraine to declare martial law in 2014?

It is difficult to say. This is probably a political issue, rather than a prosecutorial one. I am not sure whether the country was capable of using all the mechanisms of martial law at that time. Martial law is not just words. It is an appropriate toolkit that includes diplomatic relations, the mobilization of the army, and the mobilization of the economy and other measures. The previous leadership of the state had such intentions. However, it is difficult to predict what the consequences of introducing martial law in Ukraine would have been.

The Dutch Minister for Foreign Affairs has said that the Dutch parliament wishes to receive information on the shut-down of airspace over Donbas immediately prior to the shoot-down of flight MH17. Does your office have jurisdiction to investigate this catastrophe? How will your office communicate with the Netherlands on this issue?

No, it is not within my competence to investigate this case. I cannot say if it will be so in the future. I cannot say whether Ukraine has any fault in this tragedy. We will monitor what ques-

tions the Netherlands will raise during the investigation.

Might it be related to Ukraine's transfer of those suspected of involvement in the tragedy to Russia during an exchange of prisoners?

No, I do not think so. Dutch investigators had access to the suspect.

Is there any correlation between the Ukrainian and Russian Prosecutor's Office in connection with the war?

I have been in this new position for almost a month. I do not have any information about maintaining any contacts between the prosecutors' offices of the countries and I have not personally seen any documents confirming such connections.

What message would you like to send to Europe?

I would like to say that Ukraine's problem was that foreigners did not want to visit Ukraine, investors did not want to make investments, and Ukrainians left the country and did not return. There was no access to justice and fairness. My task is very simple. I want public trust in the Ukrainian Prosecutor's Office to be restored. I want people to trust the law enforcement system, investors to trust the courts, and human rights protection to become a top priority in prosecuting. I want investor protection to be a general practice, not a state-sanctioned raiding. The only reason why I agreed to take this position was to restore public confidence in this institution. When the prosecutor's office starts operating, criminal justice in Ukraine will then start operating too, because all law enforcement institutions revolve around the prosecutor's office and therefore they



The Prosecutor's Office is the place from which all reforms in the system of justice and restoration of justice is launched.

will change the nature of their activity. This mechanism will start working precisely due to the reform of criminal justice and the prosecutor's office. It is not only me; the whole team of newly appointed first executives have come to the prosecutor's office for this purpose.

Do you believe the reform of the Prosecutor's Office will affect judicial authority?

Yes, without a doubt. I believe that the Prosecutor's Office is the place from which all reforms in the system of justice and restoration of justice is launched. I consider, therefore, that the reform of the prosecuting authorities is crucial. After all, the court will not make an unlawful decision unless the prosecutor consents. Because of the prosecutor, the court is objective in its decision. Another key to a fair judicial decision is the prosecutor's integrity. The prosecutor must not falsify the cases, "sell" them, or ignore their investigation.

Mr. Chumak, we wish you the best of luck in your professional career and in your plans. Thank you for the interview!

Thank you!





OEKRAÏENSE BASISWOORDENSCHAT

VOOR NEDERLANDSTALIGEN



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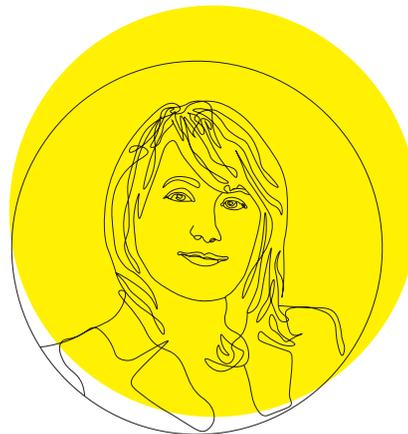
NIELS SMEETS





NEW UKRAINE-EU
ACTION PLAN IN
THE SECTOR OF
JUSTICE, FREEDOM
AND SECURITY

NEW UKRAINE-EU ACTION PLAN IN THE SECTOR OF JUSTICE, FREEDOM AND SECURITY



**The Next Tasks
for Ukraine and
Monitoring their
Completion**

**IRYNA SUSHKO,
EXECUTIVE
DIRECTOR
OF THE NGO
“EUROPE
WITHOUT
BARRIERS”,
KYIV**

The decision to introduce a visa-free regime with the European Union (EU) was, in particular, a recognition of the successful implementation of the reforms in Ukraine. Significant changes have taken place in such government policies as “document security”, “migration and border control”, “public order and security” and “fundamental human rights”. Formally, Ukraine has completed more than 140 tasks in these sectors. In practice, society has been given the opportunity to use modern biometric passports, and citizens’ personal data has become more secure. Collaboration with Europol, initiated under visa liberalization, has also facilitated the control lost and stolen documents. Now there are less opportunities for identity fraud.

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Joint border control has been introduced, to speed up border crossings, and strengthen security through data exchange. Digital and online services have been introduced in the sector of migration to ease registration. New anti-corruption bodies have been established. In addition, Ukraine has fulfilled requirements in the field of anti-corruption, including the obligation on high-ranking officials to declare their wealth. Law-enforcement cooperation between Ukraine and the EU has become closer through operational protocols with Europol and Eurojust. And new strategic documents have been issued on the protection against discrimination against women and children. The authorities now have more commitments for representatives of IDPs and the LGBT community. The fight against organized crime and human trafficking has intensified through cooperation with international partners.

Thus, in 2017 the visa liberalization process has been recognized as successful, but the potential of this tool has been almost exhausted. Therefore, all those interested in further policy modernization have begun discussions on next steps, following the completion of the Visa Liberalization Action Plan (hereinafter referred to as the VLAP). In particular, discussions have been held on future tasks, which could logically continue the changes initiated, and capture the results obtained. For this purpose, a post-liberalization monitoring regime was established, to monitor how Ukraine fulfills the criteria of the VLAP.

At the same time, EU member states are facing new challenges in the sectors of justice, freedom and security. Increasing numbers of migrants and asylum seekers, and the emergence of new internal security threats, demand greater cooperation in these areas. Responding to common challenges, the EU approves the Global Strategy with a key message that, EU security is increasingly dependent on the stability of other neighboring countries due to intertwined internal and external security. A practical manifestation of the Declarations

of Cooperation was the EU's decision to facilitate Ukraine's involvement in the EU Action Plan in the field of actions against organized crime. In particular, this refers to the strengthening of cooperation with such international organizations as Europol, Frontex, the European Police College (CEPOL) and Eurojust.

New needs and challenges have contributed to the emergence of a new document covering all the criteria of the Visa Liberalization Action Plan to continue changes. The document has been named the "New Ukraine-EU Procedure for Justice, Freedom and Security" (hereinafter referred to as the New JSB Procedure). The institutional framework for the implementation of the New JSB Procedure is the meeting of the Association Council and the subcommittee "Justice, Freedom and Security" established within its framework.

The New JSB Procedure Action Plan has expanded the range of tasks corresponding to common challenges, and distributed across policy sectors. Security and freedom sectors cover migration and borders control, including asylum and the fight against illegal migration, document security, and promoting contacts between people. The plan also includes actions on combating terrorism, organized crime, and human trafficking. Equally important is the reform of the judiciary to ensure its transparency and independence, and effective legal cooperation between Ukraine and the EU in civil and criminal matters.

The updated Procedure goes beyond the traditional sectors and includes the issues of simplification of border and customs control. In particular, this includes the introduction of a "single window" at the border, to expedite procedures. The plans of the New



The New Procedure reflects new trends and initiatives in the field of cyber security.

Procedure also include the construction of new checkpoints, aimed at reducing queues at the border.

The New Procedure reflects new trends and initiatives in the field of cyber security. In this respect, Ukraine already has signed the Budapest Convention on Cybercrime, and has adopted a Cybersecurity Strategy, developed on the basis of EU and NATO standards.

The fulfillment of the tasks of the New Agenda for the JSB has an impact not only on the stability of the visa-free regime with the EU, but also on security and respect for human rights. The New Procedure is a sectoral document containing practical benefits for both Ukraine and the EU.



THE EUROPEAN VISA-FREE REGIME IS NOT LOST FOR UKRAINE

**VIKTORIA
ROZENDAAL,
EXPERT OF THE
NGO “PROMOTE
UKRAINE”,
BRUSSELS**

**As per 2018
statistics,
Ukrainians received
the highest number
of European Union
(EU) resident
permits**

For ordinary Ukrainians, the visa-free regime evoked dual feelings. On one hand, the happiness of being able to travel within Europe without having to go through difficult (and sometimes humiliating) bureaucratic procedures. On the other hand, due to the crisis and financial troubles, many Ukrainians simply don't have enough money to discover the Old World.

“The visa-free regime hasn't helped me at all. Before, I had the money to get a visa and visit Paris for the weekend. Now, even without the need to pay for a visa, I do not have that money as all my earnings have decreased due to inflation,” says entrepreneur Denys Nikiforenko.

However, the dynamics of the increased flow of tourists to EU countries is more than obvious. During 2016, the first year of the visa-free regime, 560,000 Ukrainians visited the Old World, according to the State Border Service. And in 2017, 2.35 million Ukrainians travelled to the EU. Overall, as at June 2019, Ukrainians have made 42.6 million

trips to the countries of the European Union since the beginning of the visa-free regime, Ukrainian border guards have confirmed. This number also includes residents of the Crimea. After all, Crimeans with Russian passports cannot obtain visas for European countries because of the sanctions regime imposed by the EU. This is one of the key planks of the EU's strategy: to make Ukraine and its citizenship more attractive to Crimeans than Russian citizenship. “I have lived in the Crimea all my life, and my daughter moved to Amsterdam 10 years ago. Therefore, I have two passports – Russian and Ukrainian. I visit my daughter with Ukrainian passport, and I use my Russian passport at home, it is impossible otherwise,” says pensioner Sergiy Kornieiev.

A similar situation faces residents of the occupied territories, the so-called Donetsk People's Republic (DNR) and Luhansk People's Republic (LNR), who can get Russian passports under the simplified procedure endorsed by Russian President Vladimir Putin. But such “newly made” Russians are not allowed to enter Europe. Consulates of European countries have clear instructions not to grant visas to Ukrainian defectors. Residents of Donetsk and Luhansk oblasts can get a “pass” to the





democratic world only through consulates and embassies in Ukraine. This rule generally operates, although cases of its violation are reported by public activists from time to time.

However, the visa-free regime is not limited to tourists. According to data from the State Statistics Service of Ukraine, cited in a study by the Centre for Economic Strategy, labour migration increased by 10 percent in 2017, following the introduction of the visa-free regime, as compared to 2012. Thus, last year, Ukraine topped the list of countries whose citizens have obtained EU residency. In 2018, up to 527,000 Ukrainians obtained residency, predominantly (78 percent) in Poland on the basis of employment, as the European Bureau of Statistics (Eurostat) reports.

The number of Ukrainian illegal migrants in Europe has increased, but not critically. However, variations on the topic of the “lost visa-free regime” are periodically heard on Ukrainian talk shows from opposition politicians and experts although there were no references to Ukraine as a candidate for visa-free travel cancellation in the EU. The reasons for such cancellation, if there was any reference to it, could boil down to the word “insufficient”: the fight against organised crime,

the fight against illegal migration, the destruction of anti-corruption infrastructure.

Nevertheless, the Ukrainian authorities are not going to give Europe a reason for cancellation of Ukraine’s visa-free status, but instead have big plans for the future. They now actively promote the idea of an industrial visa-free regime – an Agreement on Conformity Assessment and Acceptance of Industrial Products – which will allow Ukrainian exporters to supply products to the EU without additional certification. The Ukrainian government hopes the EU mission may arrive in Kyiv as early as the first half of 2020 to assess Ukraine’s readiness to sign and execute this agreement. They plan to deepen integration in other areas as well. Therefore, the visa-free regime will be even more useful for Ukrainians.

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*“Newly made”
Russians are not
allowed to enter
Europe. Consulates
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clear instructions
not to grant visas
to Ukrainian
defectors.*





SEMI-FUNCTIONING LAND MARKET IN UKRAINE



**VALERII
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Leaving the political aspects aside, it becomes clear that the market is operating, although in its limited form. At present, the moratorium on the sale of land applies to land used “for commercial agriculture” (which represents more than 80 percent of all land used agriculturally). At the same time, lands used for personal farming, which are also classified as “agricultural” land and may be used commercially, can, with certain restrictions, be sold (subject to the notary’s consent to conclude such deal). The land rental market is also functioning effectively.

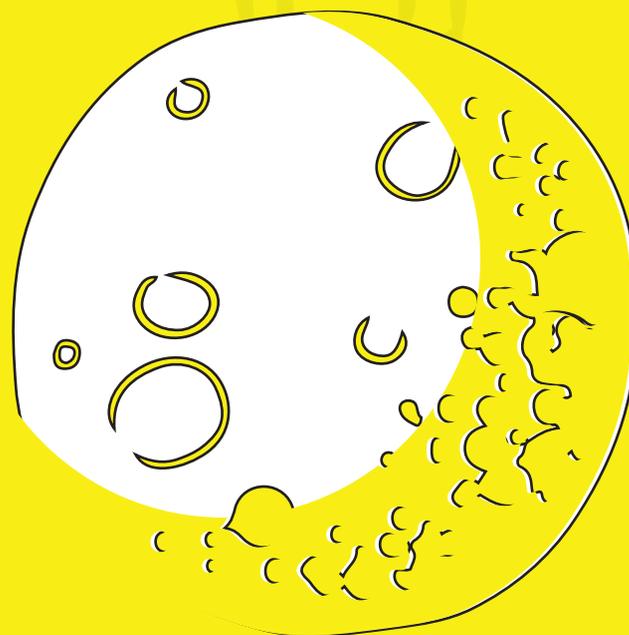
At the same time, neither a farmer nor a tenant can use land they own as collateral for bank loans. Also having funds, the farmer cannot purchase the required amount of land. According to experts, such conditions hamper the development of farming, especially small farming. Market conditions force agricultural producers to seek other tools for the land turnover regulation in accordance with legislative requirements. This applies primarily to the purchase of corporate rights of companies that have already concluded land lease contracts, lease of land shares (long-term lease) for a long term (15-20 years), or emphyteusis (up to 49 years).



After the lifting of the moratorium, it will not be immediately easy to conduct business in Ukraine. There is a lot of work to be done

Draft law on turnover of land

The new government has decided to lift the ban in the Land Code on the alienation of agricultural land, having introduced only restrictions on the total area of land owned by a citizen or a legal entity of Ukraine (related persons) within one region of a maximum of 15 percent of agricultural land of such region and a maximum of 0.5 percent of the agricultural land of Ukraine, which is stipulated by the draft Law of Ukraine “On Amendments to Some Legislative Acts of Ukraine on the turnover of agricultural land”. In addition, a tenant will have the privileged right to purchase agricultural land. Also, in accordance with the propositions of the new government set out in the draft law, lifting the moratorium will give the right to purchase Ukrainian lands only to individuals and legal entities of Ukraine. On one hand, it will meet the interests of those concerned about the invasion of foreigners, but on the other, there will remain a market with figureheads who will act in the interests of foreigners.





Market opening is not a simultaneous sale

Can we expect the immediate resale of land after the opening of the land market? We asked the land relations expert, head of GisTechnology – Yuri Patyk. According to him, “[t]he opening of the land market does not necessarily mean the sale of the land. People who are waiting for the opening of this market need the rules and, in fact, ‘permission’ to exercise the right to manage their own property. In addition, the land, as the object of right of property, should be legally formalized: the cadastral number should be assigned, and the ownership of the land should be registered in the immovable property rights state register. Before the State Land Cadastre came into force major errors were made in the course of land allocation. This has led to the fact that not all land plots of citizens of Ukraine are recorded in the State Land Cadastre, indicating their boundaries, location, properties, fertility of the land, and quality. Besides, if you refer to the public cadastral map, you can see that the boundaries of many land plots overlap or cross the boundaries of other plots.

This problem also concerns land owned by the state, which is about 60 percent of the resources that can potentially be put up for sale. However, these lands are also not registered properly as ‘objects’. All the land cannot be bought; this is simply impossible, since at least an inventory of land must be made first.

The sale of land will also be limited by the fact that more than 65 percent of all agricultural land is under contracts (leased) and the change of owner cannot become a ground for termination of such a lease. This means that the land will be used by the tenant within the period specified in the lease.

The benefits of a land market opening

Yurii Patyk emphasizes that land under the moratorium cannot serve as collateral for a bank loan. This prevents agricultural producers from using the land as a financial tool. Currently the agricultural producer leases land and forms a ‘land bank’ (land lease fund) in accordance with the lease agreements signed and registered according to the legislation of Ukraine. This enterprise may then sell its corporate rights to this ‘land bank’ to another enterprise. The market seems to be operating somehow, but if the land issue moves from the political arena to the economic one, then particular companies will be much more interested in buying land, as they will be able to use it as owners and managers, and also as an investment tool.

At the same time, Yurii Patyk believes that it is difficult to make any forecasts about the market, given the political and economic situation in the country, as well as the set of unresolved aspects in the field of land law. An investor who wants to run a proper agribusiness in Ukraine is interested in transparency of rules, which is related to the proper legal mechanism of the land market, taxation, protection of investments and business against corruption and criminal encroachments (raiding or unlawful appropriation of another’s property). There is still much work to be done for Ukraine.

Another very important factor is the profitability of agribusiness itself. One possible scenario is when the price per hectare increases the payback period and reduces the attractiveness of the land as an object for investment. Thus, there is a high possibility that agricultural producers will be more interested in leasing land rather than purchasing it.



The market seems to be operating somehow, but if the land issue moves from the political arena to the economic one, then particular companies will be much more interested in buying land.





Conclusion

The lifting of the moratorium on the alienation of agricultural lands will not immediately lead to the transparent agribusiness in Ukraine. Firstly, the State Land Cadastre should be arranged properly and an audit of agricultural land is required. At the same time, even if it is done, it will not mean that land owners will immediately agree to sell the land, and investors, in particular, foreign investors will invest in the Ukrainian agricultural sector. The volatility of the political and economic situation, the lack of legislation and the uncertainty in terms of investment security can be the major constraining factors to the full activation of the land market.



LIFTING THE MORATORIUM ON THE SALE OF AGRICULTURAL LAND IN UKRAINE - A NATIONAL SECURITY ISSUE?

REFORMS-TIA-RIES

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According to the latest sociological survey of one of the most well-known sociological groups in Ukraine "Rating" – 73 percent of Ukrainians are strongly against land market introduction, and 81 percent oppose permitting foreigners to buy land in Ukraine, while only 13 percent support this idea. 58 percent of respondents believe that farmland should be state-owned, similar to in Israel or Canada. In light of this, we have compiled the following commentaries, from experts and civil society activists, to elucidate the issue.

“I support the idea of lifting the moratorium on the sale of agricultural land. At the same time, the sale of land should be not be free, but subject to significant restrictions. These restrictions should relate to the right to land ownership by a single legal person, for instance, when the beneficiary is a single company, as well as the amount of land, regulations on land use, such as crop rotation, use of pesticides, herbicides, organic and inorganic fertilizers, and include regular reporting requirements and inspections of the land quality and restorative ability. Moreover, the person seeking to acquire the land should hold qualifications in agricultural education. The following system operates in the European Union (EU): a land market exists, governed by numerous regulations, the violation of which incurs significant financial penalties. The continued moratorium on the sale of land in Ukraine over many years, enables the development of a corrupt land use lobby.





The continued moratorium on the sale of land in Ukraine over many years, enables the development of a corrupt land use lobby.

Yet, the notion of lifting the moratorium on the sale of land and the regulations for its use, should be put to a national referendum. Indeed, the Constitution of Ukraine stipulates that land and subsoil belong to the people of Ukraine, and only they can decide on its use” – NAAS Corresponding Member, Serhiy Nychyk.

“Land reform threatens Ukraine’s national security. In the 1990s, the privatization of state-owned enterprises took place under identical free-market slogans, and caused dramatic economic decline. Every Ukrainian was “robbed” through a voucher system, while those who were able to profit the most, became oligarchs. The Ukrainian people remember this lesson, and will not allow the repetition of this scenario, over the sale and use of land, which is the basis of national wealth. Ukrainian land is a limited non-reproducible resource, being the territory of Ukraine – 72 percent of the territory is occupied by agricultural land. It is the living space of the Ukrainian people and the main means of food production, which sustains the nation. Indeed, according to official United Nations (UN) statistics, about

one in every nine people globally is currently suffering from hunger. 72 percent of the territory of Ukraine contains subsoil, which is one of the richest in the world. Ukraine lives poorly, not because it lacks raw materials, or intellectual resources, but because it is plundered by internal enemies. In addition, this land “reform” violates Articles 5, 13 and 14 of the Constitution of Ukraine. Thus, people have started to protest against its implementation. For instance, on 22 August 2019, the First Farmers’ Forum, of 12 regions, was held in Myrhorod, Poltava region. At the suggestion of the ‘Hero of Ukraine’ Stepan Khmara, the resolution of this Forum contains a “categorical ban on the sale of [agricultural] land”. Headquarters for the Protection of Ukrainian Land are currently being established. The main initiators were the ‘Societal System’, the Association of Farmers and Private Landowners, the Agrarian Union, the Fronts of Resistance of various regions, scientists of the Institute of Economics at the Academy of Agrarian Sciences, military volunteers, and veterans of the war with Russia. We believe that the Ukrainian people, as a sovereign, should determine for themselves how the turnover (not sale) of Ukrainian land should take place” – noted one of the initiators of the headquarters, co-coordinator of the “Societal System” Nazar Mukhachov.

In the video message of November 11, Volodymyr Zelenskyy announced that the draft Law on the Land Reform would be amended for “only Ukrainian citizens and Ukrainian companies founded exclusively by Ukrainian citizens will have the right to sell and buy land. Foreigners and companies founded by foreigners would get the right to buy Ukrainian land only if «the people of Ukraine give their consent at an all-Ukrainian referendum”. On 13 November 2019, the Parliament of Ukraine voted for the draft Law №2178-10, which did not consider the rules suggested by the President.



In the 1990s, the privatization of state-owned enterprises took place under identical free-market slogans, and caused dramatic economic decline.



MARK ANDRIES: “UKRAINE SHOULD FIND ITS OWN WAY TO SUCCESS”

ECONOMICS — ENTREVIEWS 70

In an interview with the Head of the Innovation and Entrepreneurship Agency of Flanders (Vlaio) Mark Andries, we tried to learn the secrets behind the Belgian economy’s success. An innovative approach and responsible business practices are the main preconditions of economic growth and prosperity, according to Mark. It is also crucial that the next government continues, rather than stops, the good initiatives of its predecessors.

Mr. Andries, thank you very much for receiving us and agreeing to an interview. Our first question is, do you have any special relation with Ukraine?

Marta and I (Marta Barandiy, pictured left in the photo – Ed.) know each other from my former job, where I worked for four years. I used to be a chief-of-staff to the former Flemish prime minister, who was also responsible for foreign trade in Flanders. In my current job, until now, there has not been much connection to Ukraine. There probably could be some within our international activities, but until now the relationship of Vlaio with Ukraine is rather limited. But, of course, we are interested in what is happening in the country, which is so close to the European Union, which is so frequently in the news, and which can bring business opportunities for our companies.



You say that the relationship with Ukraine is limited? Does this have something to do with Russian sanctions, which also impact Ukraine and the crisis in general?

The sanctions and the situation between Russia and Ukraine, which escalated into the crisis between Russia and the EU, are very important as they influence a part of Flemish economy. It is primarily about the agricultural sector, especially fruit growing. A lot of our famous Flemish pears were exported to Russia. But after Russia implemented the sanctions against the EU, Flemish pears were no longer welcome in Russia. So, it is important for this part of our economy.

Do you know of cases where companies tried to bypass sanctions by trading via third countries?

I have no knowledge of this. And this is not what we are focusing on. It is important to know that we are a Flemish agency for entrepreneurship and innovation. Our focus is therefore on promoting new entrepreneurship in Flanders and supporting existing entrepreneurs, especially when they have ambitions for growth. Our aim is also to promote innovation, in particular with economic valorisation. Our colleagues at Flanders Investment and Trade (FIT) are promoting Flemish trade, attracting foreign investors into Flanders, and supporting Flemish companies when they look abroad for internationalisation. This is the division of the work between Vlaio and FIT but, of course, we cooperate very closely.

You support companies which operate in special fields? Could you give an example?

There is no single sector or field of the economy where we want to stimulate innovation. Every company in Flanders therefore can apply to us for support with their innovation project. There is no



part of the economy in which we don't work, with the exception of the agricultural sector, which is beyond our scope. All other companies can apply for grants.

Do you currently prioritise any field, such as cybersecurity?

The Flemish government made an action plan on artificial intelligence and an action plan related to cybersecurity. A budget is involved for this action and part of this budget goes to companies that file innovation projects in this field. These might be companies from any sector, as the issues of artificial intelligence are now important across all industries, and not only the IT sector. It is a kind of prioritisation, as well: because of the action plan on artificial intelligence, we have more money to subsidise those projects.

Furthermore, the Flemish government has appointed six spear head clusters. Clusters are groups of companies who



The sanctions and the situation between Russia and Ukraine, which escalated into the crisis between Russia and the EU, are very important as they influence a part of Flemish economy.



unite to innovate together. We support those cluster organizations, but we also earmark a part of our budget for projects introduced by the spearhead clusters. These are sustainable chemistry, food and agro-food, energy, the Blue Economy, materials, and logistics. We allocate part of our budget to the projects of companies working in these six fields, but, of course, ensure there are enough funds left for other projects.

Is there any international association you participate in and from which Ukraine can learn?

We are an innovation agency and I think that most EU countries, and countries outside the EU, have innovation agencies. There is one strong network involving all innovation agencies within and beyond Europe, called TAFTIE (the Association for Technology Implementation in Europe – Ed.), in which we are a very active member. Participation in this network is open to all EU and non-EU affiliated innovation agencies. To my knowledge, no Ukrainian innovation agency participates.

But is it possible for Ukraine to participate?

In my opinion, yes. Ukraine is a European country with an Association Agreement with the EU. However, there are some standards which must be met, and there is a procedure when a new agency seeks to become a member. TAFTIE members decide whether a new candidate for membership should be admitted. I am not aware of whether a discussion took place about Ukraine. It is very important to note that TAFTIE only allows agencies which are more or less independent from the government to join, so an agency cannot be a ministry.

Recent democratic shifts in Ukraine now lead us to describe the country as a “cradle of innovation”. A lot of new projects are boosted and developed. Have you heard anything about this?

I think that this is something we don't know about in Flanders and in the EU. If this is happening now in a country so close to the EU, Flemish businesses should learn know about it too. Perhaps Promote Ukraine might play a role in promoting this information. To be honest, if people in Flanders only read about Ukraine in Belgian or international newspapers, then all they know about Ukraine is corruption and political difficulties. In the last few years, we have not heard much good news about Ukraine. I think that this could be frightening for potential investors. But if good things are happening in the field of innovation, for example at universities, or if new companies engaging in innovation are being established, it would be good if they are brought to the attention of the public, and especially the business community. This is what can give Ukraine a boost and raise positive interest in Ukraine.

About 20 years ago, Belgium was also quite corrupt. For example, some people say that just 10 years ago they could drink beer with a port inspector and “solve their problems”. How did Belgium get rid of corruption? Does it have to do something with automatisa-

tion?

I talk now about Flanders and its industry now. I think that it took significant investments into specific sectors, by successive governments, over a long time to overcome corruption. Since the 1980s every government has strongly concentrated on industry, renewing industries, and innovation. I look back to the 1980s, when the Belgian economy performed very poorly, unemployment was very high, and a lot of industries, like mines and textile companies, were



To be honest, if people in Flanders only read about Ukraine in Belgian or international newspapers, then all they know about Ukraine is corruption and political difficulties.

closing, disappearing, and fading away. There was a lot of bad news in Belgium at that time, as in most of Europe. The Flemish government then said: we want to invest in a third industrial revolution, in new technologies, and, at the same time, we want to communicate about it to the public.

This was more than 30 years ago. Since then, each new government continued this policy by, for example, investing in strategic research centres like IMEC (An international research, development, and innovation hub, active in the fields of nanoelectronics and digital technologies – Ed.), which is now world famous. IMEC was founded more than 25 years ago, and we are only just now seeing the results. Overcoming corruption therefore requires targeted investments into specific sectors, and the commitment of successive governments with a forward-looking perspective. It is very important that when



an outgoing government has implemented correct policies, an incoming government must not do something completely different. I think it is important to keep investing in right things. For example, Flanders is now very successful in biotechnology: very strong companies operate in this field. and we introduce new products to international markets. However, the basis for this successful was made not yesterday, but instead a long time ago. This explains our economic success and the fact that we have such strong innovative companies.

But can we talk about the shift in the mentality? When did people stop doing business via their “friends”, i.e. politicians? This is a huge problem in Ukraine.

Attitudes have indeed changed. In the 1970s, when people wanted to get something from the government – such as, at that time, a fixed telephone line – they went to politicians, or someone in the government, whom they knew to get it faster. People who wanted a fixed telephone line normally had to wait, sometimes for almost a year, and those who didn't want to wait so long tried to contact people in the government to arrange it for them. At this time, only one state-owned telephone company existed; now there are no such monopolies. What you call “friends in politics” is “I know somebody who knows somebody who will fix it for me.” This kind of mentality has disappeared.

Because of the disappearance of monopolies?

I think that is very important, but it's also because the mindset within state companies and agencies has changed drastically. In the agency like ours, this could not happen. We are professional, we follow clear procedures on how to deliver services. A strong shift towards a professional civil service took place. And government companies now mostly are in competition with private companies, so they no longer can afford to work like that and to force people to wait for so long.

Another shift of mentality is about entrepreneurship, which did not have a good image 5-10 years ago. Not many people wanted to start a business. Now we see that students who are still studying are starting their own business. They now see it as a perspective for their career. And the number of new start-ups is really very high now. I think this is a success.

This is also about the ability to take responsibilities, and about paying taxes. How did the Belgian government make people pay their taxes?

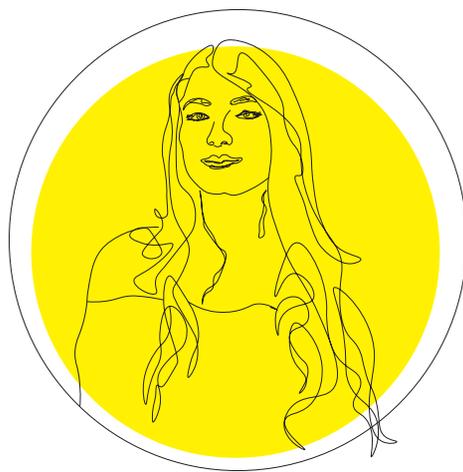
For me, it's simply normal for everyone to pay taxes. We live in a country where government services are important and these services are paid for through taxes. People can go to school and use public transport, roads, and airports. This has to be paid by somebody. Paying taxes makes governments function. We can discuss, surely, the level of taxation. If you go out on the street and ask people if they are too heavily taxed, they will reply: “yes, we pay too much.” There can be political discussion of whether tax should be decreased. I think they taxes shouldn't be too high, so people are still motivated to work. But paying taxes is the responsibility of every citizen and corporate social responsibility dictates that companies should fairly pay tax. Most serious businesspeople accept this principle.

There are a lot of parallels between Belgium and Ukraine. Both countries are multilingual. You also have Flanders and Wallonia, where Flemish people say that they “pay for Walloons” through heavy government subsidies. How did you solve this problem?

This is a political question. I can talk about Flanders, but I cannot say anything about Ukraine. In Flanders, as a result of a successful state reforms, broad autonomy was given to two regions – Flanders and Wallonia, and also the Brussels region. For Flanders, this has worked and our economy became stronger. We can implement tailor-made economic policies here that are different from the policies of Wallonia. But Wallonia has to find its own way. There are a lot of challenges. For Wallonia, these challenges are primarily concerned with the high level of unemployment. But government and industry have to find their own way; we cannot tell them what to do. The same is true for Ukraine; it should find its own way to success. In which specialisations does Ukraine wish to invest? It is not for somebody else to make that decision. But, of course, Ukraine needs investments, strong policies, and a lot of support from society and industry to become a successful country in the global economy.



UKRAINIAN GOVERNMENT BONDS - A PIECE OF CAKE FOR FOREIGN INVESTORS



Due to the support of international donors, European business interest towards Ukraine will grow

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As both the European and the US interest rates keep sinking, investors wonder off the beaten path to look for new investment opportunities in emerging markets. After the years of political and economic uncertainty Ukraine has shown the distinct pattern of strong economic performance. This has been based on the recovery of private consumption after the recessions, stabilized inflation rate that shifted to single-digit values, and the establishment of close collaboration with the EU and the IMF. In 2019 Ukraine became one of the main destinations for the risk-tolerant investors in search of high yields.



The reasons for the strengthening of Ukraine's account are the country's reorientation of exports toward the European Union as a part of the Association Agreement, the resulting strong growth of the Ukrainian economy in the years following the two recessions, in 2009 and 2015, and the government bonds yield rising to double-digits. In winter 2019 the nerve-wracking path of elections has manifested itself in securities markets with all shades of bond price volatility, but after the newly-elected president Volodymyr Zelenskyy and his Servant of People party restated their commitment to continuing the reformist, anti-corruption agenda, investors have been encouraged that the pro-European reform path is going to accelerate over the next few years. According to Oliver Williams, emerging market debt portfolio manager at Insight Investment, close collaboration of Ukraine with the IMF in handling of the Ukrainian external debt (approximately 60 percent of its GDP) gives investors faith in the country's debt repayment profile over the medium term. Only in 2019 Ukraine is expected to receive two billion dollars as a part of the IMF support.

At the end of 2018, Ukraine caused quite some buzz by reaching its seven-year high of 3.3 percent economic growth, catching the eye of the global investor community. And if the followers of the Ukrainian story found the performance of 2018 startling, seeing the country's economic growth reaching 4.6 percent at the end of the second quarter of 2019 surged the level of investors' confidence even higher. This exceptional performance was facilitated by striking numbers of grain harvest and steep exports of grain, outpacing Russia for the first time in three years and making of Ukraine the first grain exporter worldwide.

Apart from being attracted by the outstanding exports performance, another factor fund managers find appealing is the "orthodox" approach of the central bank

to tighten monetary policy by setting interest rates even higher. While still far away from the target range, in 2019 inflation rate finally entered single-digit numbers and hit 7.5 percent in September. In its turn, interest rate has been set to almost double the inflation rate - at 17.5 percent. According to the Financial Times, in 2019 the hryvnia was ranked as the second best performing currency by growing 9 percent against the dollar. Such double digit yields on local currency government bonds are considered to be some of the highest among emerging markets.

Overall, the exchange rate has been significantly liberalized with the opening of the international securities depository Clearstream, in May 2019. On top of making entry to the Ukrainian market easier, reducing costs and improving the efficiency of settling the deals, Clearstream boosts liquidity of Ukrainian bonds. From now on, investors will not have to go through expensive local brokers. The Ukrainian government, in its turn, benefits from higher volumes of borrowing with lower cost.

So far, the new government path of compliance with the supervision of the EU and IMF backed pathway, the improving

economic environment, stabilised the exchange rate and the choice of political and economic reforms in Ukraine strengthened investors' confidence. As an effect, the combination of speeding up economic growth, stabilizing exchange rates, and settling the path of pro-European reforms made Ukraine extremely attractive to foreign investments. The improved prospects of the country's economy are reflected in the decision of S&P Global Ratings to upgrade the rating 'B-' to 'B' of the long-term foreign and local currency sovereign rating on Ukraine. According to Mykhailo Rebryk, Raiffeisen Bank Aval in Ukraine, and Andreas Schwabe, RBI, in the first half of 2019 the share of portfolio held by foreign investors grew 10 times and reached its 12 years maximum of approximately 2.1 billion euros. Investors thirsty for high yield funds are attracted to Ukraine in view of the high interest rates on offers in debt denominated in local and foreign currencies. During its first offer to international markets after the elections 2019, Ukraine sold one billion worth of Eurobonds with seven-year maturity at the rate of 6.75 percent per annum. This is the first time in 15 years that Ukraine issues Eurobonds denominated in euros.

Finally, the interest of foreign investors in Ukraine is expected to increase in the future, as the volatility of the country's economy is minimized through continuing collaboration with the EU, the IMF and other international partners, facilitating the stability of the political situation and further introducing pro-European reforms.



From now on, investors will not have to go through expensive local brokers.



THE CURRENT STATE AND PERSPECTIVES OF UKRAINIAN FOOD EXPORTS TO THE EUROPEAN UNION



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The EU-Ukraine Association Agreement sets ambitious goals for Ukrainian farmers. The agreement stipulates the veterinary, sanitary and phyto-sanitary measures that must be taken in order to bring Ukrainian food products into the EU market. At the same time, it is still necessary to follow closely those changes introduced to other industries that are directly related to the agricultural sector.

Food safety should become a priority for Ukraine and should meet European standards

Since the signature of the Association Agreement in 2014, EU legislation on food and food safety has undergone a number of amendments. The latest Action Plan for the Implementation of the EU-Ukraine Association Agreement, approved by the Cabinet of Ministers of Ukraine on 25 October 2017, takes into account these changes, citing new regulatory acts. However, at present, unfortunately, agricultural producers' level of awareness of these legislative changes remains rather low. For example, food safety in Ukraine has deteriorated, especially in recent years. This situation caused by the de-monopolisation of the food industry, the weakening of controls over the production and marketing of foodstuffs, and the reduction of inspection work by competent authorities since their reorganisation.





Presently in Ukraine, the slaughter of large amounts of livestock is carried out in unsuitable places, in the absence of veterinary and sanitary experts.

The above gives cause for serious anxiety. According to expert evidence, quality control in the food industry indicates a high level of contamination of the products with toxic chemical compounds, biological agents and microorganisms. More generally, in Ukraine 12-15 percent of dairy products, fish and cooked fish products, and 7-12 percent of meat products do not meet bacteriological standards. Meanwhile, 1.5-10 percent of food samples contain heavy metals, including mercury, lead, cadmium, copper, zinc, of which 2.5-5 percent contain concentrations exceeding the maximum permissible.

Contamination of fruit and vegetable products by processing enterprises has also increased, due to the use of substandard raw materials. At the same time, the contamination of food with toxins possessing immunosuppressive action and the ability to cause malignancies has exacerbated.

One more thing to be mentioned is the usage of antibiotics in Ukraine. The use of antibiotics in medicine brings obvious benefits. Yet the side effects of uncontrolled

use of antibiotics, have also been proven. These include:

- the formation of antibiotic resistance (including food-borne pathogens) makes effective treatment impossible;
- the spread of infectious disease by mutated pathogens with different properties and increased aggressiveness;
- increasing amount of allergic reactions caused by antibiotics in human population; and
- intestinal dysbacteriosis.

At the same time, due to their use as a food supplement, and in veterinary practice, medical antibiotics are found in 15-26 percent of livestock and poultry products.

Presently in Ukraine, the slaughter of large amounts of livestock is carried out in unsuitable places, in the absence of veterinary and sanitary experts. Meat produce from non-expert livestock slaughter may be sold on roadsides or in market squares through private shops, where the produce generally accepted without branding and veterinary documents. This puts the population at constant risk of contracting infectious diseases.

Moreover, the irrational use of fertilisers in agriculture leads to excessive accumulation of nitrates and heavy metals in crop production. As a result of streamlining the use of plant protection chemicals, and reducing the chemical load in plant growing, there has been a dynamic of reducing pesticide residues in food. At the same time, the fact that several pesticides are detected simultaneously in certain types of food, including baby food, is alarming.

The situation in the consumer market indicates an increase in entities engaged in illegal business activities related to the illegal production and sale of counterfeit products.

The reasons for the entire above are:

1. The low quality of raw material and technical facilities, and insufficient equipment of many food and trade enterprises;
2. low level of veterinary, sanitary and industrial culture;
3. poor quality raw materials and components;
4. severe reduction of production and sectoral control in connection with the reorganisation of state regulatory bodies for veterinary and sanitary control regarding the conditions of production and sale of food products; and
5. the structure, which is non-compliant with EU requirements, and low professional and organisational level of the appropriate authorities.

In order to address these negative phenomena, Ukraine's leadership must first amend the policy of the State Consumer Service, which by its inactivity or non-professional activity has contributed to such a situation, and must consistently fulfil the obligations undertaken with the signature of the EU-Ukraine Association Agreement.



Thus, according to “White Paper. On the policy of adaptation of national legislation in the field of norms and standards to European requirements”, in EU member states, food safety and consumer protection are governed by specific laws and regulations. The legislative framework of each member state includes and incorporates all European standards (currently about 18000), adopted by the European standardisation organisations of CEN (the European Committee for Standardisation) and CENELEC (the European Committee for Electrotechnical Standardisation). In this way, each member state accepts them as national.

Purely national standards represent a small proportion (2 to 15 percent of the total), reflecting the specifics of a particular country's economy. The standards also include the demonstration of compliance with the requirements of European directives. These standards are developed by CEN and CENELEC under a special mandate from the European Commission.

The international experience of product quality assurance attests to the need for domestic legislation to ensure the implementation of the relevant product quality

requirements. Such anchoring takes place in specific legislation based on European directives in the field of technical regulation, supplemented by the so-called triad of directives on defective products (Directive 85/374/EEC), general product safety (Directive 2001/95/EC) and “CE” to a modular approach to conformity assessment and marking product “CE” (CE marking has been introduced by the COUNCIL DIRECTIVE 93/68/EEC of 22 July 1993 amending Directives 87/404/EEC (simple pressure vessels), 88/378/EEC (safety of toys), 89/106/EEC (construction products), 89/336/EEC (electromagnetic compatibility), 89/392/EEC (machinery), 89/686/EEC (personal protective equipment), 90/384/EEC (non-automatic weighing instruments), 90/385/EEC (active implantable medical devices), 90/396/EEC (appliances burning gaseous fuels), 91/263/EEC (telecommunications terminal equipment), 92/42/EEC (new hot-water boilers fired with liquid or gaseous fuels), 93/42/EEC (medical devices) and 73/23/EEC (electrical equipment designed for use within certain voltage limits). Taken together, this can be considered as a generalised European model of the system of technical regulation.

Goods imported into the EU customs union must comply with EU health and phytosanitary requirements for human and animal health protection. These requirements are classified in the sectors of food and feed safety (Regulation (EC) No 852/2004 and



Ukraine's government, together with interested non-governmental organisations, should make food safety a priority in health and agriculture.

853/2004, Regulation (EC) No 178/2002), plant health and public health (The Treaty on the Functioning of the European Union).

According to European Food Safety Authority, EU regulations on official controls in the field of official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules established by Regulation (EC) 882/2004 of the European Parliament and of the Council of 29.04.2004, On the Control of compliance with legislation in the areas of food, feed, animal health and welfare, and Regulation of the European Parliament and of the Council 854/2004 of 29.04.2004, On Special rules for the organisation of official controls on products of animal origin intended for human consumption. SPS control is carried out by the competent authorities of the EU Member States, coordinated by the European Food Safety Authority.





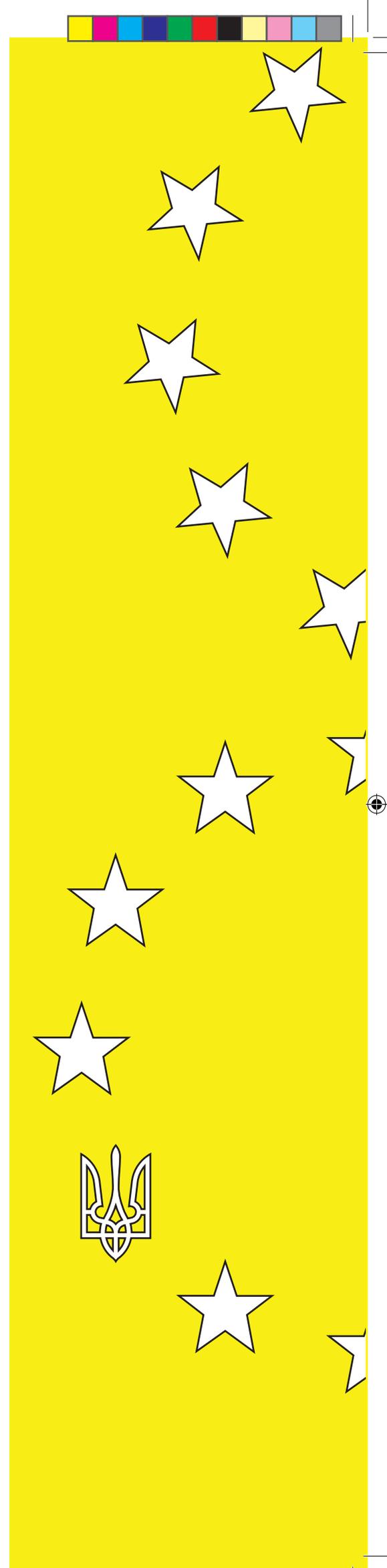
Foods imported into the EU must comply with the following conditions: general principles and requirements of food law (Regulation (EC) No 178/2002); registration by EU importers of product suppliers from the country of origin (Regulation (EC) No 2015/2447, Commission Delegated Regulation (EU) 2015/2446); general rules for the hygiene of foodstuffs and specific requirements for the hygiene of foodstuffs of animal origin; rules on microbiological criteria for food (Regulation (EC) No 852/2004); rules on pesticide residues, veterinary preparations and contaminants in food (Directive 96/22/EC, Directive 96/23/EC, Regulation (EC) No 396/2005, Commission Directive 2005/34/EC, Regulation (EC) No 1881/2006, Regulation (EC) No 470/2009, Regulation (EU) No 37/2010); special rules on genetically modified food and feed (Directive 2001/18/EC, Regulation (EC) 1830/2003), bio-protein and novel products (Regulation (EC) No 178/2002); special rules for particular groups of foodstuffs (mineral water, cocoa, frozen foods) and food products targeted at specific groups of the population (infant and child products) (Regulation (EU) 2017/2470); specific marketing and labelling requirements, requirements for starting materials, feed ingredients and feeds intended for specific nutritional purposes (Regulation (EC) No 767/2009).

Imports of animals and products of animal origin shall be subject to the following rules: the exporting country must be included in the list of countries authorised to export the relevant product category to the EU; products of animal origin may be imported into the territory of the EU, provided that they

are produced at approved processing plants in the exporting country; all imports of animals and products of animal origin must be accompanied by a health certificate issued by the official veterinary authority of the exporting country; each consignment is to be inspected at the point of intersection at the EU customs border.

Council Directive 2000/29/EC defines the essential requirements applicable to plants and products of plant origin imported into the EU. In particular, when importing products of plant origin, a phytosanitary certificate issued by the appropriate authority of the exporting country must be presented, phytosanitary controls carried out at the point of entry into the EU customs territory. In addition, specific marketing conditions are imposed on seeds and planting material imported into the. These all is described at Ukraine's Ministry of Foreign Affairs website in the section on EU export/import.

Ukraine's government, together with interested non-governmental organisations, should make food safety a priority in health and agriculture, and create an effective system to guarantee adherence to quality and standards by producers, suppliers and control authorities. For Ukrainian farmers, taking advantage of the European integration process and incorporating EU standards into domestic legislation has several advantages, including a potential increase in exports and expansion of the range of production. In addition, Ukrainian consumers set to benefit from improved product quality, and improved information on the content, origin and production of agricultural products.





WHY HAVING
WOMEN IN
POLITICS IS
IMPORTANT: THE
STORY OF EU-
UKRAINE WOMEN
IN POLITICS
POLITICS

Ukrainian women are still often deprived of possibility to find their dream job. Therefore, the struggle for political participation of women goes on!



ALINA NYCHYK, DOCTORAL RESEARCHER IN POLITICS AT THE UNIVERSITY OF MANCHESTER, SOCIAL ACTIVIST, PROJECT MANAGER OF EU - UKRAINE WOMEN IN POLITICS

Being born and raised in Ukraine, I moved abroad seven years ago and lived in Poland, Germany, Belgium, and the United Kingdom. I enjoy looking at specificities of different countries and taking the best of what each culture offers. Nevertheless, I am convinced that universal human rights are a basic entitlement of all people. I do not think that oppression of some social groups is inherent for any culture. I think that by learning and developing every society is able to become democratic and inclusive. Living in countries which are members of European Union, I came to realise the kinds of oppression women face in Ukrainian society.

EQUALITY



From my childhood, I was frequently told that the main goal in life for every woman was to find a husband. I had different plans for my life and could not accept this idea. However, growing up in a culture where such ideas are commonplace prepares you to challenge this pressure on a daily basis. In the European Union, I have noticed that women are free to follow any path in life: whether to pursue the career they want, to start a family and have children (whenever they themselves decide to do so), or both. Society is not as restrictive to women as it is in Ukraine, and girls know from a young age that they are allowed to follow their dreams. I was impressed and thought that it is important to tell women in Ukraine that they can also be free.

More than a year ago, I took over leadership of the project EU – Ukraine Women in Politics. When we started, only 12.5 percent of deputies in the Ukrainian parliament (the Verkhovna Rada) were women, placing Ukraine at 145th position globally for female participation in politics. After the latest elections this summer, the situation has improved: now women comprise 20.5 percent of the Verkhovna Rada. However, this number is still small, especially considering 51 percent of the Ukrainian population is female. Moreover, stereotypes about powerful women are still widespread, with the Ukrainian media often portraying female politicians in a sexist way, and society pressuring women to choose a “traditional” way of life – i.e., to find a husband and have children as the top priority. There is still much work to be done to empower Ukrainian women, such as improving legislation and changing social attitudes. As a strong advocate for Ukraine’s EU integration, I thought that there are so many women in Ukraine whose dreams of becoming influential opinion leaders in EU – Ukraine relations – politicians, diplomats, journalists, businesswomen or scientists – were not realised because there were pushed

into another role they did not want. Giving every woman the chance to choose her own path and discover her true potential will reveal a great source of untapped potential for Ukraine. Happy and self-realised people create sustainable societies and benefit the whole country.

Therefore, the project EU – Ukraine Women in Politics aims to bring more women into Ukrainian politics and to accelerate EU-Ukraine integration with the help of the women’s movement. Moreover, we work towards empowering Ukrainian women to realise their potential and overcome gender discrimination in various parts of life. The project conversely offers women from EU member states to learn from Ukrainian women’s experience fighting for their rights. The project’s network comprises female opinion leaders from both Ukraine and the EU. The project’s supportive network consists of men who agree with our goals. Being a project of Promote Ukraine, we have various partners, such as the EU Delegation to Ukraine, the Bohdan Hawrylyshyn Foundation, the Professional Government of Ukraine, Harmony of Equals, Business Woman Magazine, Journalist, We Are and others.

EU-Ukraine Women in Politics has several initiatives to help achieve our aims. First, we organize networking events to foster cooperation between our members and the public. In this way, EU-Ukraine Women in Politics was presented at the Business Woman Forum 2019. Secondly, the project initiated Gender Talks, which are public events – featuring special

guests – exploring different gender-related topics, with the goal of raising awareness in Ukraine about gender issues. We have so far have hosted discussions about topics ranging from the EU’s support for female political participation in Ukraine and gender engineering, gender quota legislation, to Polish experiences of fighting for women’s rights, and more. Thirdly, the Project organizes school visits called Inspire to Lead, during which our EU and Ukrainian members visit Ukrainian schools with the aim of inspiring young people to follow their dreams in spite of gender stereotypes. We also plan to start an Academy for Girls and a Mentorship Program.

Ukrainian women are still often deprived of possibility to find their dream job, follow their passions, and influence politics in their country. With more organizations and initiatives emerging to support Ukrainian women, the project EU-Ukraine Women in Politics contributes to developing a democratic, wholly inclusive, and prosperous society in Ukraine. The project’s uniqueness is in its exchange of EU and Ukrainian experiences of fighting for female political participation, the fruitful cooperation of EU and Ukrainian opinion leaders, openness to the public, and close work with the young generation of Ukrainian female leaders. We believe that by learning from more developed democracies and collaboration, we can faster reach gender equality and EU-Ukraine integration.



BREXIT AND UKRAINE: THE OPPORTUNITIES

BREXIT AND UKRAINE: THE OPPORTUNITIES AND CHALLENGES OF A BRITISH EXIT FOR UKRAINE

CHALLENGES OF A BRITISH EXIT FOR UKRAINE

Brexit might weaken the pressure through sanctions on Russia

UKRAINE AND THE WORLD
82



ARTEM KYZYM, VRIJE UNIVERSITEIT BRUSSELS

Despite Boris Johnson's promise that the UK will leave the European Union (EU) by 31 October 2019, the British exit ('Brexit') has once again been postponed and the deadline extended until 31 January 2020. With a new deadline approaching, delegates from both sides are scrambling to agree on the exit terms that could lay out the future of EU-UK relations in a post-Brexit environment.



Yet in any case, deal or no deal, Brexit highlights that European integration is no longer a one directional road with a constant promise of an “ever closer union”. In fact, Brexit tarnishes the success story of EU integration and serves as evidence for the first instance of EU disintegration. As a consequence of this, the self-conception, as well as the external perception of the EU has suffered.

In turn, this failure of the EU project to maintain the notion of European commonness among its Member States becomes rather challenging, particularly when it comes to countries, like Ukraine, that hold the Union in high regard. Accordingly, Brexit poses certain opportunities and challenges for Ukraine, especially in the context of Ukrainian aspirations for EU accession. This begs the question: what are the implications of the British exit for Ukraine?

In order to answer this question, perhaps it is easiest to turn to the notion of common European defence. When it comes to common European defence, the UK is its biggest contributor. According to a report published by the Clingendael Netherlands Institute of International Relations, with 52 billion dollars spent on defence, the UK is responsible for the largest portion of the total military capabilities among the EU Member States. These capabilities include five military headquarters able to command operations on the global scale, Intelligence, Surveillance, and Reconnaissance (ISR) capabilities, as well as over a quarter of the total military assets in quantitative terms. In addition to this, the UK is one of the two

Member States (the other being France) that is both a nuclear power and a permanent member of the UN Security Council.

Accordingly, the British exit will entail a significant diminution of collective EU forces, as well as a diminution in the EU’s outlook on security and defence matters. As a result of this loss, the EU’s global basing as a military power will be reduced, and the Union might be rendered a weaker power, one with depleted influence economically, militarily and politically.

Compounded by the Eurozone and migration crises, the EU’s external perception will further deteriorate and this might lead to actors such as Russia, an actor that already perceives the EU as a hostile opponent, to increasingly recognise the EU as a weak opponent as well. The danger in this perception is that, given a weakened EU, Russian leaders might opt for a more confrontational approach, and take Brexit as an opportunity to push further their national interests, particularly in dealing with Ukraine. In fact, one can argue that the Russian readmission into the Council of Europe, after it was sanctioned for illegally annexing Crimea and backing separatists in the East of Ukraine, could be understood as a manifestation of a Russian resurgence in times of a weakened EU.

Apart from military capabilities and hard power, the UK also has a range of administrative and diplomatic capabilities which have proven useful to the EU. Accordingly, the loss of the UK would not only diminish the EU’s military influence, but perhaps also weaken the most crucial foreign policy tool the EU has at its disposal, namely sanctions. According to a compendium report published by RAND in 2017, within the EU, the UK is one of the most avid and outspoken supporters for tougher sanctions, espe-

Given a weakened EU, Russian leaders might opt for a more confrontational approach, and take Brexit as an opportunity to push further their national interests, particularly in dealing with Ukraine.

cially against Russia. Consequently, with the UK gone, this could change the current EU sanctions regime into one that benefits Russia by strengthening the voice of certain Member States supporting the relaxation or the lifting of sanctions for their national and economic interests, such countries being Hungary, Bulgaria and Italy among others.

Alternatively, however, following the 2016 Bratislava Summit and the publication of the Global Strategy for the European Union’s Foreign and Security Policy (EUGS) by the European External Action Service (EEAS), emphasis has been put on strengthening European defence by further integrating and harmonising EU military capabilities within the framework of the Common Foreign and Security Policy (CFSP). This comes amid the fact that the UK was a staunch critic of most policies advocating for further EU integration within the area of security and defence.



In fact, according to a 2018 study published by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs, during Council votes, the UK voted against the majority 35 percent of the time when it came to CFSP matters, the highest rate among any other Member State.

Consequently, given the UK's tendency to oppose major steps towards military harmonisation, Brexit is likely to remove a key obstacle to further EU integration. Accordingly, in a post-Brexit environment the EU should be able to push forward initiatives that otherwise would have been blocked by the UK. Such initiatives include the expansion of the European Development Fund (EDF), which finances joint military research and development, the Permanent Structured Cooperation (PESCO), which provides a binding framework for Member States to work together on common defence projects, and the European Peace Facility, which funds operational actions under the CFSP. As a consequence, this is expected to significantly increase the EU's military capabilities, and increase the Union's efficiency in responding to external crises, especially in the European neighbourhood.

In particular for Ukraine, further EU integration in the foreign and security sector might result in an opportunity for Ukraine to seek closer cooperation on issues of security and defence with the EU. In fact, according to the Security and Defence Implementation Plan (SNIP) published by the EEAS in 2016, emphasis has been put on the need for the EU to reevaluate existing mechanisms for third country participation in Common Security and Defence Policy (CSDP) projects. This comes amid the fact that after Brexit, the British government wants a privileged partnership with the EU in terms of security



The British exit will entail a significant diminution of collective EU forces, as well as a diminution in the EU's outlook on security and defence matters.

and defence, which goes beyond existing arrangements the EU has with other third countries. However, according to Nicole Koenig, deputy Director of the Jacques Delors Institute in Berlin, any upgrade to the UK model of partnership might lead to other closely engaged third parties, like Norway and Turkey, to also seek an improved partnership with the EU. In this case, rather than privileging one party over the other, the EU might opt for a meritocracy-based approach when evaluating a third country's willingness to cooperate on issues of security and defence. This approach might entail a more scalable CSDP partnership for third countries, where cooperation is intensified proportionately to the level of a country's contributions and added value. Accordingly, the UK, having vast military capacity and influence, might be able to retain a close partnership with the EU post-Brexit, but this meritocracy-based approach would not limit other third countries, like Ukraine, to also seek closer cooperation with the EU in matters of security and defence.

In conclusion, Brexit is laced with uncertainties and possibilities for the UK, the EU and

Ukraine. Ostensibly, Brexit might mean the weakening of the EU sanctions regime against Russia as well as the diminution of collective military capabilities among the Member States. This bears certain security implications in the Eastern neighbourhood, especially in stimulating the resurgence of Russia in the region. Yet, at the same time, Brexit allows for further integration in the EU security and defence sector, which might lead to closer cooperation between Ukraine and the EU in matters of defence and accession. Brexit also provides the EU with the opportunity to reconsider its priorities in a rapidly changing world. In fact, given the recent French block of the EU accession talks with Albania and North Macedonia, rather than expanding, the EU might seek the deepening of the Union in a post-Brexit environment. Even though this might imply that EU-Ukraine integration might remain distant, this does not mean that the EU will stop supporting the Ukrainian choice for a democratic future, as well as the sovereignty and territorial integrity of Ukraine.





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SERHIY HAYDAYCHUK: “UKRAINE WILL BE ONE OF THE TOP 10 COUNTRIES SETTING GLOBAL TRENDS AND VALUES”

The world faces global challenges while existing social, economic, political models do not meet the demands of our times. In conversation with Brussels Ukraina Review, Serhiy Haydaychuk, President of the Ukraine CEO Club, offers insights on how the world might overcome the chaos of our times to create new and effective rules, and what Ukraine’s place might be in this new world.

Islamic extremism, war in Syria, Putin’s imperialism, “Trump’s impeachment”, “twiplomacy” (Diplomacy via Twitter – Ed.), the media’s diminishing role, populism, environmental problems – the world faces huge challenges. Governments and elites are unable to respond to these challenges using old methods encapsulated by the sovereign state. At the same time, there is a redistribution of power on the planet. The world has transitioned from a unipolar to multipolar model, with many centres of influence involving governments, international organisations, national non-government organisations, transnational Facebook users and groups, and individual bloggers, all on an equal footing. The only chance for the planet is to find new models of interaction between them.

We are currently experiencing a trend of anti-globalisation. Faced with chaos, states begin to revert to the policies of nationalism and protectionism. This is happening even in Europe, which, because of globalisation, has enjoyed the longest period of peace in its history – almost 75 years. We are now witnessing once marginalised political actors in the United States, Italy, Hungary, Czechia, and even Germany begin to roll back the global gains of recent decades. French President Emmanuel Macron, seeking to adopt informal leadership in the development of the European Union (EU), also supports the trend of “stopping the process of globalisation” by stemming plans for the EU to expand into the Balkans, criticises the free movement of labour within the EU, or speaks of Ukrainian or Bulgarian

“trafficking networks” in his interview with the far-right French magazine Valeurs Actuelles (Current Values).

However, the world is the only living organism where a crisis on one side of the planet triggers a reaction in the other. Any actions or words from the leaders of key countries provoke an immediate worldwide response.

Although Ukraine responds to Macron’s words about “Ukrainian trafficking networks” by calling the French ambassador, or accepts a “formula” imposed on us (The Steinmeier Formula – Ed.), the world is not Ukraine-centric. Ukraine should therefore not rely on, but instead “join”, this process of “anti-globalisation” and take an active position regarding it.

Despite Ukraine being in a state of war, with Crimea and Donbas occupied, and despite the country’s outdated economic system, in Ukraine a new political class is being born, one which is beginning to consider Ukraine’s place in the world.

I believe that Ukraine will be one of the top ten countries establishing global trends and values. The CEO Club Ukraine was created for this exact purpose – to create a place of trust between successful, professional, and ambitious personalities (owners and directors of companies – Ed.) who implement socially significant projects and shape the new qualities of Ukraine’s business elite. These places of trust are horizontal structures; the more numerous they are, the stronger Ukraine will become and the greater its contribution to the improvement of global processes, in different spheres of our coexistence, will be.



Although Ukraine responds to Macron’s words about “Ukrainian trafficking networks” by calling the French ambassador, or accepts a “formula” imposed on us (The Steinmeier Formula – Ed.), the world is not Ukraine-centric.



LEADS CONNECTS PROFESSIONALS WORKING TOWARDS UKRAINE'S FUTURE FUTURE

Ukrainians and Friends of Ukraine will receive a modern tool for coordination and information

Recent years have shown that Ukrainians inside the country and abroad can unite and become a driving force for the protection of Ukraine's interests. Euromaidan and the Russian military aggression that followed have activated conscious citizens ready to engage in local or national social projects.

In order to engage people with changes inside Ukraine, non-government organisations and activists, both domestically and internationally, have created websites, including the GURT Resource Centre, Global Ukraine, and ukrinform.ua, which regularly publish interesting and relevant information about the Ukrainian diaspora, political analysis, information about activities, Ukrainian success stories, and opportunities to invest in different projects.

However, these resources are presently aimed at involving representatives of the diaspora and Ukrainians in dialogue and cooperation.





The app will consist of an organisations and events map, with organisations themselves able to post their news, videos, and research.

However, more and more foreigners are interested in Ukraine, its history and culture, seek truthful and objective information, join Ukrainian events in their countries and cities, and seek to cooperate with organisations representing Ukraine in the world.

For this reason, NGO “Promote Ukraine” has developed a free application named “LEADS Ukraine” (LEADS: Learning, Engaging, Activating, Discovering, Sharing Ukraine), which will serve as a platform for coordinating Ukrainian foreign friends and Ukrainians abroad with each other. Yana Brovdiy, who participates in many events held by “Promote Ukraine”, shared her thoughts on the idea of the app:

“I believe the application is the next step in communication and interaction between foreigners and Ukrainians, and therefore it has a great potential for development,” she says. “One of the possible elements of such application for a foreigners interested in Ukraine or and Ukrainians abroad could be the ‘Engagement Map’. It would highlight the organisations directly working in European countries and in the world, universities studying Ukraine, volunteer projects, and businesses working with Ukraine or seeking partnership.” Yana believes that “experts will be able to share their

research or policy papers, activists – cultural and social projects and so on. All this will contribute to the creation of connections between Ukrainians and Ukrainian friends. It will be easier to unite professionals for the benefit of Ukraine. I understand that this is

a key objective of LEADS.”

The main task of this tool is to connect foreign professionals, activists, and engaged citizens with various pro-Ukrainian projects in Europe.

The app will consist of an organisations and events map, with organisations themselves able to post their news, videos, and research. For organisations that have their own audience, the app will help identify new people who do not already know about the activities of those organisations. In addition, the app will help to find volunteers.

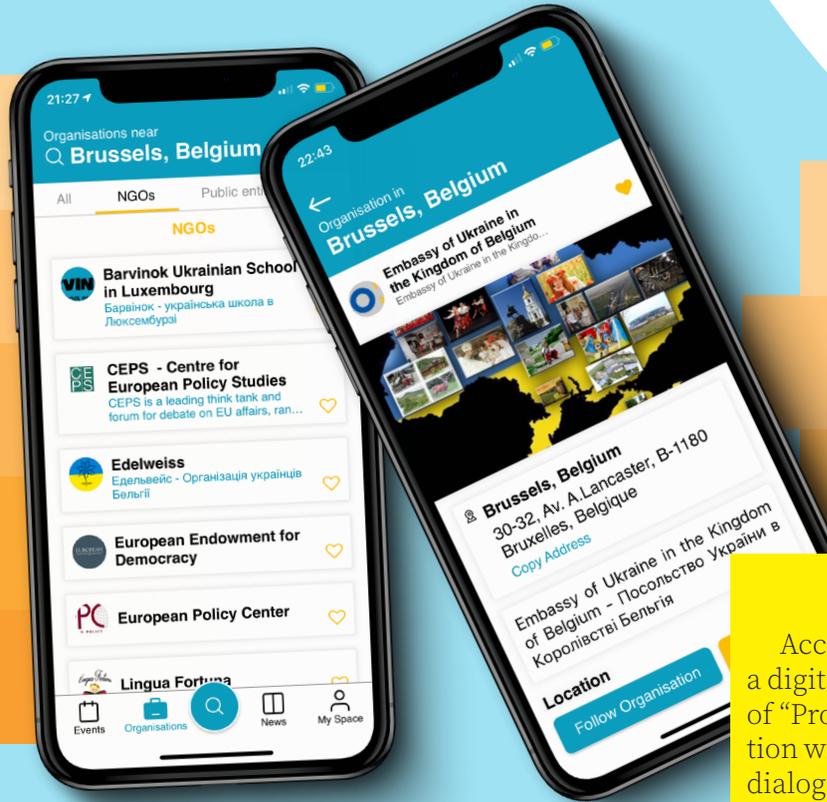
“The potential is great because not everyone interested in Ukraine knows about the existence of varying organisations or about their activities,” says Yana, “and the combination of informativeness, creativity and simple design will guarantee the popularity of this mobile application”

“As there is no effective tool for promoting pro-Ukrainian activities in Europe, we, as an organisation, do not have access to every potential participant, while potential participants themselves are not able to learn about our activities in time,” says Marta Barandiy, the initiator of the LEADS. “So we want to solve this problem, not only for ourselves, but also for everyone who is professionally involved in the Ukrainian issues. Facebook

and meet-ups do not solve the problem of missing information, because they aim at an indefinite audience that exchanges huge amounts of data. It’s really difficult to monitor important moments on the news-feed. Despite these modern platforms, we have repeatedly had situations when two organisations in one city are holding an event at the same time. This significantly reduced the number of people attending such events. But the goal of these organisations corresponds to ours – to enhance the effect, but not to reduce it.”

The LEADS app therefore offers the following advantages:

1. All Ukrainian organisations dealing with Ukraine are in one place; these organisations and their activities are easily searchable on the map;
2. There is a target audience ready and receptive to receiving information.



According to Maxim Stepanov, a digital marketer and coordinator of “Promote Ukraine”, the application will help to establish an active dialogue not only with Ukrainians abroad but first of all, with foreigners interested in Ukraine. “The app will give impetus for greater involvement of foreigners in the activities of pro-Ukrainian organisations, as well as help to tell about Ukraine from the first mouth. Because the service foresees two roles: the seeker and the organizer (the representative of the organisation) - it will help to unite everyone: those who are in one way or another related to Ukraine and promoting its interests abroad.”

The LEADS team is currently working hard to attract participants from all over Europe and Ukraine. Volunteers, public leaders, activists and active citizens can all contribute to the Ukraine’s global coordination. The experience of recent years has shown that the Ukrainian community has been left wanting the appropriate tools to promote Ukrainian interests to the world. The LEADS app will realise the great potential of foreign Ukrainians and friends of Ukraine and direct this potential to help build a prosperous Ukraine.

Anyone wishing to participate in Ukrainian life in Europe or interested in the activities of foreign organisations in Ukraine can download the application for free;

3. Users are able to subscribe to organisations in which they are interested. The app sends users notifications about new events, news, and jobs. The notification function can also be turned off;

4. Users can add an organisation to their ‘Favourites’ and monitor its activity independently without using the notification function;

5. Users can configure

their smartphones to automatically add appointments to their phones’ calendars;

6. The app focuses on organisations’ activities, research, and jobs. This information therefore will not be lost in the ocean of other information, statuses and news;

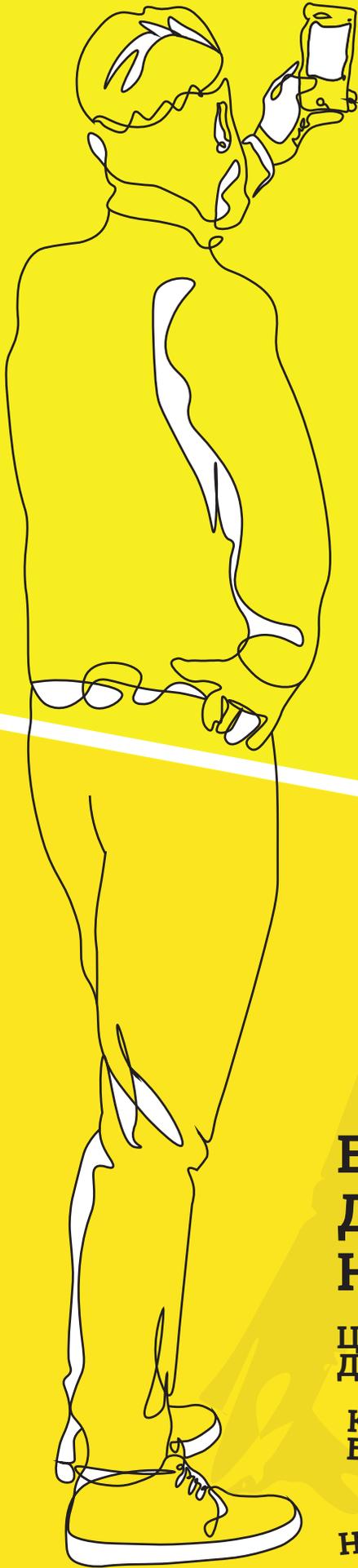
7. Users can search for necessary information using keyword searches; and

8. The app is managed by the LEADS Ukraine Coordinator, who is responsible for keeping it up-to-date with current information. Sometimes, organisations do not post their events on Facebook, and it is impossible to follow every single site. This function will initially be performed by the coordinator, and subsequently organisations will be given access to administrative accounts to allow them to post information themselves.

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**ЦИФРОВЕ ПОЛЕ БОЮ ТА «ВЕПОНІЗАЦІЯ»
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