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THE EU–UKRAINE SECURITY PARTNERSHIP: STATUS AND PROSPECTS

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THE EU-UKRAINE SECURITY PARTNERSHIP: STATUS AND PROSPECTS

For Ukraine, European integration means a process of convergence with the European community, its principles and values, standards of protection of human rights and freedoms. The state's course towards Europe is supported by most of Ukrainian society, while implementation of the Association Agreement between the EU and Ukraine looms large in Ukraine's political agenda.

Partnership with Ukraine becomes increasingly important for the EU. According to Josep Borrell, High Representative of the European Union for Foreign Affairs and Security Policy, «the partnership with Ukraine is one of the most strategically important that we have in the world», and the EU-Ukraine Association Agreement is the most comprehensive among all EU agreements.

There is an increasing understanding in the EU that rapprochement with Ukraine must occur not only for the sake of political association and economic integration, which are the main focuses of the Association Agreement, but also for creation of a common security space. Despite having a few serious questions for official Kyiv concerning implementation of some Agreement clauses, the EU understands Ukraine's difficult situation and given the security interests of the entire European region, intends to continue broad financial, technical and expert support to Ukraine.

Periodic assessments of the Association Agreement implementation consistently emphasise the document's significant potential that is not being fully and effectively realised. European partners call the Ukrainian authorities' attention to the importance of full implementation of the Agreement and remind about the close link between EU's assistance and the need for Ukraine to show its commitment to reform and adherence to the Union's principles. At the same time, they recall the necessity to take due account of the evolutionary changes that have taken place since the signing of the Agreement, to strengthen monitoring mechanisms and to examine the possibility of updating its individual provisions.

The goals of this study include independent expert assessment of the situation in the field of Ukraine-EU security partnership in the context of the Association Agreement implementation, identification of success and failure factors, and analysis of how current formats, priorities and mechanisms of cooperation keep with reality and projected changes in the medium term.

The analytical report consists of three sections:

SECTION ONE	reviews the evolution of the EU's Common Security and Defence Policy and the development of the EU-Ukraine security partnership.
SECTION TWO	considers results of the realisation security commitments by Ukraine within Titles II and III of the Association Agreement.
SECTION THREE	assesses achieved results and offers conclusions and recommendations on further development of the EU-Ukraine security partnership.

Annexes include background information about PESCO projects, Ukraine's bilateral cooperation with individual EU Member States within the CSDP, cooperation of the Ministry of Internal Affairs of Ukraine with EU agencies and missions, EU and Member States' programmes and projects in Ukraine in the field of civilian security, as well as results of a survey of Ukrainian and foreign experts on the EU-Ukraine security partnership.

1.
POTENTIAL OF THE EU-UKRAINE SECURITY PARTNERSHIP

Ukraine's partnership with the European Union in the security sphere is one of the key principles of Ukraine's national security. Along with NATO partnership, the country's partnership with the EU outlines the external strategic security framework in which Ukraine expects to maintain and develop its statehood today and especially in the future. Current legislation specifies that «Ukraine's integration in the European political, economic, security, legal space» meets the fundamental national interests[1].

Ukraine rightly expects that cooperation with the EU and NATO – within partnership today and within full membership in the future – will make it much easier for the country to confront existing and potential security threats. Current threats to the national security of Ukraine, ways to counter them, as well as necessary measures and resources have been fairly adequately reflected in the National Security Strategy of Ukraine 2020. Consistent with the provisions of the Strategy, the most relevant issues of national security are as follows:

(1) in view of recent years' events, the Russian Federation, as expected, has been identified as a «source of long-term systemic threats to the national security of Ukraine»;

(2) the occupation of Crimea and Russian aggression on the territory of the Donetsk and Luhansk oblasts continue since 2014;

(3) despite the constant tension along the contact line with territories temporality occupied by the Russian Federation, there is a danger of scale-up of Russia's «hybrid war» against Ukraine, including the escalation of armed aggression[2].

[1] Article 3 of the Law of Ukraine «On the National Security of Ukraine».

[2] Article 39 of the National Security Strategy of Ukraine «Security of an individual – security of the country», approved by the Decree of the President of Ukraine No. 392 of 14 September 2020.

Accordingly, the National Security Strategy of Ukraine provides guidance for key areas of countering Russia's aggressive policy. Article 40 of the Strategy states that priorities for preventing the escalation of conflict with Russia are «strengthening defence and security capabilities, strengthening international support of Ukraine and effective use of international assistance, as well as maintaining consolidated international political, economic and legal pressure on the aggressor»[3].

Therefore, the overriding need to «strengthen defence and security capabilities» is directly linked to the need to «strengthen international support of Ukraine and effectively use the international assistance». Given the country's goal to become a member of the EU as enshrined in the Constitution of Ukraine, the potential of security partnership with the EU is viewed as one of the options for attracting international support along with cooperation with other key partners, namely NATO and theUnited States (Box «*"Weight" of the partnership*»).

«WEIGHT» OF THE PARTNERSHIP

When assessing the «weight» of Ukraine's partnership with the EU, NATO and the United States in specific security and defence areas, the national experts highly appreciated the importance of partnership with the EU in the judicial reform (3.5 points[4]), fight against corruption (3.5) and law enforcement reform (3.4).

Partnership with the EU in purely defence aspects (external security guarantees – 2.4, conflict settlement – 2.7, strengthening and reforming the Armed Forces – 2.4, procurement of weapons, military and special equipment – 2.3, development of the defence industry – 2.3) was seen as much less significant compared to the partnership with NATO and the United States.

In helping Ukraine fight corruption, the EU is behind the United States (3.5 and 3.8 points, respectively), but ahead of NATO (2.9). Meanwhile, foreign experts believe that the EU outstrips both the United States and NATO in this regard (anti-corruption efforts) (see p.65).

Although Ukraine's intentions are yet to receive a distinct positive response from the EU, the EU-Ukraine security partnership builds not only on the declared aspiration of one party. There already exist several fundamental factors that comprise a real potential for further deepening of the security partnership. Such factors include:

(*a*) proximity of the EU and Ukraine's interests in the security sphere;

(*b*) shared assessments of the security threats to Europe and Ukraine's national security threats;

(*c*) compatibility of values and readiness to defend them;

(*d*) gradual building of Ukraine's capacity to become not just a consumer but a real contributor to European security.

However, one must acknowledge some substantial differences between Ukraine and individual EU Member States in specific security interests and threat assessments. This particularly concerns the vision of relevance of the Russian threat and the perception of Ukraine as a contributor to European security. In general, **Ukraine's partnership with the EU in the security sphere today is not systemic enough, focusing mainly on civilian security aspects, and is rather limited in the defence sector**.

Speaking of the prospects of the EU-Ukraine security partnership, it is important for Ukraine not only to focus on Russia's aggressive foreign policy, but also to recognise other challenges and threats that may have different priorities for Ukraine and the EU or its individual members. It is equally important to involve partnership opportunities in planning forces and resources, including for the best consideration of future common threats that are just emerging and have no clear outlines. Such an approach will help the parties bring their interests closer based on generally accepted views on the improved effectiveness of countering the threats as a coalition or a security alliance with partner countries (Box «*Capabilities that Ukraine can offer to the EU in the security sphere*», p.6).

[3] Article 40 of the National Security Strategy of Ukraine «Security of an individual – security of the country».

[4] On a 5-point scale from 1 to 5.

Hereinafter the expert survey in numbers and figures is summarised in tables and figures in Chapter «*Expert assessments and forecasts of the Association Agreement implementation and prospects of Ukraine's partnership with the EU in the security sphere*» of this publication.

CAPABILITIES THAT UKRAINE CAN OFFER TO THE EU IN THE SECURITY SPHERE

The vast majority of Ukrainian and foreign experts believe that Ukraine is (fully or partially) capable of becoming an important EU partner in the following security areas:

- protection of the EU's eastern flank from Russia's aggressive actions;
- practical experience in countering Russian aggression in the training of EU forces;
- experience and practical involvement in countering Russian propaganda and disinformation;
- provision of forces and means for EU peacekeeping operations and missions;
- sharing experience in cybersecurity;
- participation in joint anti-terrorist activities;
- participation in joint activities to fight drug trafficking;
- cooperation in combating illegal migration;
- cooperation in introducing integrated border management.

Despite some differences in the assessments by the national and foreign experts on individual aspects, only a small share of Ukrainian experts (2-8%) and a much larger share of foreign experts (10-20%) were critical about Ukraine's capabilities as a contributor to European security. In contrast to foreign colleagues (40%), Ukrainian experts (66%) are more positive about Ukraine's ability to fully offer its practical experience in countering Russian aggression in the training of EU forces. Instead, Ukraine's cybersecurity capabilities were much higher appreciated by foreign experts (70%) compared to Ukrainian ones (34%) (See in detail on p.67).

It should be noted that deepening the security partnership with the EU should in no way be viewed as an alternative to Ukraine's strategic course to joining NATO. Building partnership and gaining membership in these international alliances are noncompeting and complementary processes[5]. NATO is the most powerful international security alliance, being both a global and regional organisation in terms of membership – North America (United States and Canada), Asia (Turkey) and Europe (European democracies). However, the Alliance relies heavily on the defence capabilities of one country, the United States, and focuses on defence and counterterrorism. Other security issues, especially regional, are mostly secondary, and this determines a quite logical need for a broad regional structure of European security.

According to experts, the EU's Common Security and Defence Policy (CSDP) should become such a structure in Europe. Although it is currently significantly inferior to NATO's potential with its US and Canadian allied commitments, in the future, it will probably have to assume more regional security duties[6]. Time will tell whether the EU will take full or partial responsibility for regional security, but the EU's imminent important role in the security sphere is already obvious for Ukraine, just like the need to develop not only traditional political and economic, but also security partnerships with this organisation.

Formally, four collective security systems already exist in Europe, including the Organisation for Security and Cooperation in Europe (OSCE), the EU, NATO, and the Collective Security Treaty Organisation of the Commonwealth of Independent States (CSTO). Ukraine is a member of the OSCE and a partner for the EU and NATO; it has never intended to join the Russia-led CSTO. At the same time, none of the three security systems that Ukraine cooperates with, can guarantee full security to our country, because of the OSCE's purely declarative nature so far and the lack of the EU and NATO's full security commitments to Ukraine as a partner.

It should be added that NATO, unlike the EU, provides its members with strong guarantees of protection against armed attack not only in view of Article 5 of the Washington Treaty, but also considering the potential of non-EU countries (especially the United States, as well as Canada,

[5] According to the Razumkov Centre's sociological study, the idea of interrelation between the European and Euro-Atlantic integration processes is supported by a relative majority of Ukrainians. Therefore, 46% of respondents view the EU and NATO integration as moving in one direction, whereas 34% consider this as different and unrelated processes. For more detail, see: Public support for Ukraine's Euro-Atlantic course: assessments and recommendations. The Razumkov Centre, p.8, *https://razumkov.org.ua/uploads/article/2021-nato-eng.pdf*.

[6] See: Potentials of Ukraine's cooperation with the EU in the security sphere. Report of the Centre for Army, Conversion and Disarmament Studies, developed with the support of the Konrad Adenauer Stiftung in Ukraine, 2011, p.5, *https://www.kas.de/c/document_library/get_file?uuid=3c38095e-4b0b-26e6-380a-7c3aa6ec671e&groupId=252038*.

Norway and the United Kingdom)[7]. Moreover, according to Ukrainian and foreign experts, the UK's exit from the EU has had a negative impact on both the EU's military capabilities and the prospects for military integration[8]. Even Ukraine, with its «special partner» status, has a mechanism of security commitments, formalised in the 1997 Charter on a Distinctive Partnership between NATO and Ukraine, which provides for joint consultations «whenever Ukraine perceives a direct threat to its territorial integrity, political independence or security»[9].

Over more than two decades of the CSDP existence, there has been a significant evolution of the European policy's security component, including in the level of commitment to EU partners. However, the EU remains less effective than NATO in defence matters. The EU's security potential still focuses on non-military, «civilian» security.

During the past 20 years, Ukraine has concluded several documents on security cooperation with the European Union. Issues of security partnership were also mostly taken into account in the fundamental EU-Ukraine Association Agreement (AA). Yet authors of this report believe that disproportionately small attention to security issues in the AA and the emphasis on civilian security may be one of the main reasons for failing to fully realise the potential of otherwise mutually beneficial cooperation. The dynamic changes that have occurred since the signing of the Agreement and the experience of its implementation encourage and create the basis for joint work aimed at improving the existing formats and mechanisms and introducing the new ones based on the AA principles and objectives.

1.1. The EU and Ukraine's security policies

The EU security policy in general and the role of CSDP in particular are *a priori* rather broad and complex. Deep **political and economic integration**, the absence of borders between Member States, the introduction of a common currency essentially **approximates the EU to the level of a national superstate with the entire spectrum of security and defence issues**, as opposed to more narrow and specific tasks of NATO or the UN Security Council. The scope of tasks that the CSDP may have to deal with is extremely wide, ranging from armed conflicts and counter-terrorism activities to police and rescue operations, from protecting human rights to fighting corruption and combating cyberterrorism and information attacks. Bearing in mind the number of EU members (27) and their veto power, it becomes clear why **EU security and defence policy is so broad and complex and often contradictory**, especially when it comes to relations with Russia or the United States, where different countries may have their own peculiar positions that make it difficult to reach a consensus across the EU.

Moreover, in contrast to economic and political issues that are historically fundamental for the EU, Member States are more reluctant to delegate relatively new EU-wide security and defence arrangements to the European Union's supranational bodies. This particularly concerns the allocation of necessary forces, means and financial resources. As a result, the development of both internal programmes and projects and the CSDP itself is generally slow and uneven. Obviously, the negative influence on the pace and balance of further advancement of the EU-Ukraine security partnership has different, not only Ukrainian, roots, though it should be admitted that the partnership's progress has somewhat accelerated in recent years.

In addition, for a more complete and systematic understanding of current state and prospects of the EU-Ukraine security partnership (see Section II of this report), it would be expedient to review the experience of previous cooperation, at least in general terms, specifically focusing on the main *stages*

[7] «The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area», the North Atlantic Treaty, 4 April 1949, Article 5, *https://www.nato.int/cps/en/natolive/official_texts_17120.htm*.

[8] Figure «*How Brexit affected the EU's capabilities in the following areas*?», p.69 of this publication.

[9] Article 15 of the Charter on a Distinctive partnership between the North Atlantic Treaty Organisation and Ukraine, 9 July 1997.

of CSDP formation and development since its introduction in 1999 and its current potential; exploring one of the many EU partnership formats called ***the Eastern Partnership***; and recalling *the experience of previous EU-Ukraine security cooperation, including* ***the EU Member States' attitude towards Russia's aggressive policy and their assistance to Ukraine.***

1.2. Formation and development of EU security formats

The main precondition for the Common Security and Defence Policy (CSDP) introduction in the late 1990s was the willingness of Europeans to reduce political and security dependence on the then-hegemony of the world's only superpower – the United States, and to develop European capacity to independently manage crises.

When the leaders of the EU Member States initiated the CSDP in 1999 and determined its core mission, they were still in awe of the bloody events in the former Yugoslavia (200 thousand dead and 1.8 million refugees), which Europeans could not cope without American help despite spending nearly $20 billion on the peacekeeping operation. Therefore, the military context of the CSDP mission at that time was totally predictable, seeking «determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises»[10]. The planning of CSDP activities began accordingly: on the basis of virtual Western European Union's Eurocorps, created back in 1992, it was planned to activate the real European Corps of up to 60 thousand, capable of performing the so-called Petersberg Tasks:

(1) humanitarian and rescue tasks;

(2) peacekeeping tasks;

(3) tasks of combat forces in crisis management, including peace enforcement.

To perform these tasks, EU Member States had to deploy certain forces, from 100 (Luxembourg, the smallest contributor), to 13.5 thousand troops (Germany, the largest contributor).

At the same time, given the spread of very real security challenges in the early 2000s, the EU already began to rapidly develop its capabilities to respond to non-military threats, such as combating trafficking in human beings, illegal migration, drug trafficking, contraband and weapons smuggling, proliferation of radioactive materials and so on[11].

However, the EU never abandoned the plans to develop the CSDP military component, although it was forced to primarily develop a civilian security component under the pressure of real threats. This phenomenon is evidenced by the statistics of missions and operations under the auspices of the EU. The first ever CSDP mission in Bosnia and Herzegovina in 2003 was in fact the police rather than military operation. Over the next five years (2003-2008), the EU initiated as many as 26 low-intensity «crisis management» operations in 15 countries on three continents[12].

Suspension of Russia's participation in the Treaty on Conventional Armed Forces in Europe and related international treaties in 2007, as well as Russia's military aggression against Georgia in 2008 signified and factored changes in the regional security environment. Since then, the EU's participation in «civilian» operations decreased significantly, while intervention in the Libyan civil war in 2011 mostly by French forces not under the auspices of the CSDP reaffirmed the EU's inability to cope with an armed conflict of higher intensity other than a peacekeeping or police operation without the US military assistance.

In 2013, on the eve of Russia's aggression against Ukraine, the EU was still at a crossroads in defence matters. Despite obvious changes in the overall dynamics of threats from civilian to military, the EU still did not want to recognise

[10] See: Presidency Conclusions Helsinki European Council 10 and 11 December 1999, *http://www.europarl.europa.eu/enlargement_new/europeancouncil/pdf/hel_en.pdf.*

[11] Already in 2001, the Razumkov Centre's experts warned against the inadequacy of the EU's inertial security «strategizing». See: L. Polyakov, M. Sunhurovskyi, «European security: new threats – old answers?», National Security and Defence, 2001, No. 9, pp.14-26 (*in Ukrainian*), *https://www.razumkov.org.ua/uploads/journal/ukr/NSD21_2001_ukr.pdf.*

[12] Howorth J. For a True European Defence Union. – Wilfred Martens Centre for European Defence, 2018, p.4, *https://journals.sagepub.com/doi/full/10.1177/1781685818769842.*

faraway conflicts in the Middle East, Georgia or Libya as direct external threats to its Member States. Accordingly, the EU had no intention to revise previous political decisions that resulted in a radical reduction in defence budgets and the size of the armed forces, less focus on the military reserve training and territorial defence issues. Making profit still dominated security considerations, with France building Mistral helicopter carriers and Germany constructing modern combat training centres for Russia.

In 2014, however, the security situation near the EU's borders deteriorated so badly that the EU was forced to urgently review the principles of its security policy and undertake urgent measures, including in defence aspects. According to the EU, the main factors for that included the emergence of the Islamic State and Russia's use of force against Ukraine.

A Global Strategy for the European Union's Foreign and Security Policy was adopted in June 2016 building on the conclusion that «peace and stability in Europe are no longer a given. Russia's violation of international law and the destabilisation of Ukraine, on top of protracted conflicts in the wider Black Sea region, have challenged the European security order at its core». Following the adoption of the Strategy, several important practical measures were taken to strengthen the defence component of the EU's security policy (Box «*Key measures for implementing a Global Strategy for the European Union's Foreign and Security Policy in the defence sector*»).

In November 2016, a few months after the adoption of the new Strategy, the European Parliament even came up with the idea of creating the European Defence Union and announced significant changes in attitude towards the CSDP in the light of «increasing deterioration in the security environment at the EU's borders, especially in its eastern and southern neighbourhoods»[14].

However, despite the measures taken, the EU is still unable to fully realise the CSDP's defence potential. This was essentially confirmed by the European Parliament in its December 2019 Report on the implementation of the Common Security and Defence Policy, noting that «the Union has been slow to react and adapt – politically, diplomatically and militarily – to new crises and to this new international context; considers that, in the specific area of defence, insufficient investments, lack of capabilities and a lack of interoperability, but also, and above all, a political reluctance to implement the robust provisions provided for in the European treaties and the numerous cooperation arrangements

KEY MEASURES FOR IMPLEMENTING A GLOBAL STRATEGY FOR THE EUROPEAN UNION'S FOREIGN AND SECURITY POLICY (2016) IN THE DEFENCE SECTOR

- Introduction of the European Defence Fund (EDF)
- Initiation of a Coordinated Annual Review on Defence (CARD)
- Establishment of the Directorate-General for Defence Industry and Space (DEFIS) with the European Commission
- Establishment of the Military Planning and Conduct Capability (MPCC) within the CSDP
- Introduction of an efficient financing mechanism for EU combat groups within the CSDP
- Initiation of the Permanent Structured Cooperation (PESCO) within the CSDP

Sources: https://eda.europa.eu/what-we-do/EU-defence-initiatives/european-defence-fund-(edf); https://eda.europa.eu/webzine/issue18/cover-story/coordinated-annual-review-on-defence-(card); https://ec.europa.eu/defence-industry-space/index_en; https://eeas.europa.eu/headquarters/headquarters-homepage/54031/factsheet-military-planning-and-conduct-capability_en; https://pesco.europa.eu/; Csernatoni Raluca. EU Security and Defense Challenges: Toward a European Defense Winter? Carnegie Europe, 11 June 2020, https://carnegieeurope.eu/2020/06/11/eu-security-and-defense-challenges-toward-european-defense-winter-pub-82032.

[13] See: A Global Strategy for the European Union's Foreign And Security Policy, June 2016, *https://eeas.europa.eu/sites/default/files/eugs_review_web_0.pdf.*

[14] See: European Defence Union European Parliament resolution of 22 November 2016 on the European Defence Union (2016/2052(INI)), paragraph 7, *https://www.europarl.europa.eu/RegData/seance_pleniere/textes_adoptes/definitif/2016/11-22/0435/P8_TA(2016)0435_EN.pdf.*

between Member States, hampers the Union's ability to play a decisive role in external crises and to realise its full potential»[15].

Moreover, at the height of the COVID-19 pandemic in 2020, the EU has once again affirmed the priority of non-military aspects of its security policy and its internal component. In July 2020, the European Commission adopted a new EU Security Union Strategy for the period 2020-2025[16]. This document provides detailed guidance exclusively in the field of «civilian» security and within the EU. It mentions the CSDP only once in the general sense that the security situation within the EU depends on the security situation in the EU's neighbourhood.

In other words, despite some strengthening of the security policy's defence component within the CSDP and in the framework EU Member States cooperation in defence industry after 2014, the EU remains a predominantly civilian security union. Despite declarations of intent and the potential to develop into a full-fledged defence alliance, the EU has not yet become one, and such prospects seem rather illusory in the medium term. In particular, the EU offers no mutual guarantees like Article 5 of the North Atlantic Treaty[17] and makes no commitments in relations with partners, even symbolic ones, like NATO's commitment to Ukraine. Unlike the United States in NATO operations, the EU does not cover the partners' individual costs for participating in EU missions and operations (upon agreement, the EU may only reimburse certain contri-butions to common costs). By itself, the EU can only plan and conduct «civilian» missions or low-intensity military operations. After 20 years of the CSDP, the EU can «chalk up» 34 missions and operations, including 23 civilian missions, one civilian/military mission and 10 military missions or operations. As of 2020, the EU has conducted 10 civilian missions and six military operations[18].

Recent EU security documents have shown a growing awareness of the need to pay greater attention to security issues, especially defence and intelligence, to ensure the EU's stability and progress in economic, energy, transport or environmental matters. There is also a growing understanding of the importance of territorial integrity, rule of law, human rights and the market economy in the EU neighbourhood for ensuring free trade and for meeting the EU interests. This particularly applies to the above-mentioned measures for implementing a Global Strategy for the EU's Foreign and Security Policy (Box «*Key measures for implementing a Global Strategy for the European Union's Foreign and Security Policy (2016) in the defence sector*», p.9), conceptually defined in the Implementation Plan on Security and Defence[19].

For successful implementation of this Plan, experts stress the exceptional importance of three reform areas. First, it is about innovations for strengthening the defence industry cooperation within the EU. In this regard, Europe has high hopes for financing of joint defence R&D and technological projects already in 2021 from the newly created European Defence Fund (EDF) rather than from budgets of individual Member States. Relevant defence industry measures are to be coordinated by the new *European Defense Industrial Development Program*[20].

[15] «Notes that the Union has been slow to react and adapt – politically, diplomatically and militarily – to new crises and to this new international context; considers that, in the specific area of defence, insufficient investments, lack of capabilities and a lack of interoperability, but also, and above all, a political reluctance to implement the robust provisions provided for in the European treaties and the numerous cooperation arrangements between Member States, hampers the Union's ability to play a decisive role in external crises and to realise its full potential». See: Report on the implementation of the common security and defence policy. – European Parliament, Brussels, 11 Dec. 2019, paragraph 12, *http://www.emilyo.eu/sites/default/files/GeII%20Other%20Documents%20and%20Reports/2019%2012%2011%20Report%20European%20Parliament%20Implementation%20Security%20Defence%20Policy%20Para%2047.pdf*.

[16] Communication from the Commission on the EU Security Union Strategy. – European Commission, Brussels, COM(2020) 605, 24 July 2020, *https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52020DC0605*.

[17] The Treaty of Lisbon (2007) is believed to formally provide EU Member States with collective security guarantees. However, the practice shows that these EU security guarantees can truly remain formal, especially without the US and even the UK potential.

[18] Daniel Fiott (ed). THE CSDP IN 2020: The EU's legacy and ambition in security and defence. – EU Institute for Security Studies, 2020, pp.9, 11, *https://www.iss.europa.eu/content/csdp-2020*.

[19] Implementation Plan on Security and Defence. – Council of the European Union, Brussels, 14 Nov. 2016, *https://www.consilium.europa.eu/media/22460/eugs-implementation-plan-st14392en16.pdf*.

[20] European Defense Industrial Development Program. – European Commission, 2018, *https://ec.europa.eu/growth/content/2019-calls-proposals-european-defence-industrial-development-programme-edidp_en*.

Coordinated Annual Review on Defence (CARD) is expected to ensure conformity of the European Defence Fund expenditure with the EU's *Capability Development Plan* and provide the link between Member States' national defence planning and EU defence priorities. Speaking of the EU defence planning, there are reasons to expect improvements in the quality of joint defence planning to achieve specified operational capabilities through the establishment of a new effective operational planning body with an unusually long title «Military Planning and Conduct Capability» (*MPCC*).

And the third key area under the Implementation Plan on Security and Defence directly concerns the partnership with Ukraine, as it envisages the overall intensification of the CSDP efforts to build capacities of the EU partners. As stated in the Implementation Plan, «Capacity building of partners is the objective of CSDP missions/operations with tasks in training, advice and/or mentoring within the security sector. The aim is to strengthen CSDP's ability to contribute more systematically to the resilience and stabilisation of partner countries...»[21].

In this context, the Implementation Plan also envisages the introduction of a separate format for implementing specific joint defence projects within the CSDP, called Permanent Structured Cooperation (PESCO). Examples of such projects include the already established *European Medical Command* and the *EU Training Mission Competence Centre*.

By setting up and advancing the above new strategies, programmes, plans and formats, the EU hoped to create a system of planning and performing security and defence tasks that would protect the EU from threats and emergencies through systematic and consolidated efforts within the EU security and defence architecture. However, external observers for now report substantial problems in establishing and coordinating the synchronous operation of planning, implementation and financing elements of this architecture, namely *CARD, PESCO* and *EDF*[22].

Despite significant reform efforts in the EU security policy, truly systemic progressive changes in approaches to key security policy sectors can still be seen only in the EU's «traditional» civilian security and «inherent»

[21] See: Implementation Plan on Security and Defence. – Council of the European Union, Brussels, 14 Nov 2016, *https://www.consilium.europa.eu/media/22460/eugs-implementation-plan-st14392en16.pdf*.

[22] Csernatoni Raluca. EU Security and Defense Challenges: Toward a European Defense Winter? – Carnegie Europe, 11 June 2020, *https://carnegieeurope.eu/2020/06/11/eu-security-and-defense-challenges-toward-european-defense-winter-pub-82032*.

defence industry, given the EU's economic identity. In the meantime, purely military activity at the EU level faces a few challenges. Inconsistencies between the EU and NATO, different threat assessments and commitments among key EU Member States (e.g. France and Germany), Brexit and some other factors still lead to insufficient coherence in joint defence planning and funding[23].

The Eastern Partnership

The concept of «partnership» in the EU is much broader than that in NATO. NATO partners include specific groups of countries and three international organisations – the UN, the EU and the OSCE[24]. The EU also has separate groups of partner countries and extensive partnerships with many international organisations. The EU also has the concept of core partners, such as the UN and NATO, as articulated in the official EU documents. For example, the European Commission's Reflection paper on the Future of European Defence states the following: «Our Union also provides a unique platform to coordinate security and defence policies with core partners such as the North Atlantic Treaty Organisation and the United Nations»[25]. But in addition to individual countries and international organisations, the EU also declares partnership with civil society organisations, the private sector and local authorities[26].

In the context of partnership with civil society, the private sector and local authorities, it is obviously about institutions in general rather than specific bodies or structures. At the same time, within the CSDP partnership, the EU identifies six groups of partner countries (Box «*Typology of EU partners*», p.13).

EU's cooperation with partners within the European Neighbourhood Policy (16 countries) is carried out through five separate initiatives, with the Eastern Partnership launched in 2009 being one of them. In addition to the EU governing bodies and individual EU Member States, this initiative includes six partner countries – Azerbaijan, Belarus, Armenia, Georgia, Moldova and Ukraine. In general, the Eastern Partnership aims to strengthen and deepen political and economic relations between the EU, EU Member States and partner countries. The Eastern Partnership envisages cooperation in both multilateral and bilateral formats and based on relevant bilateral agreements.

Historically, important changes in EU policies and formats usually occur after significant regional security crises. The Eastern Partnership format was launched immediately after Russia's aggression against Georgia, while Association Agreements with three most pro-European Eastern Partnership countries, Georgia, Moldova and Ukraine, were signed after Russia's aggression against Ukraine.

This format is not ideal too, especially in a security context. One of the key Eastern Partnership features is that five of its six members continue to suffer from conditionally frozen conflicts, while protracted political crisis in Belarus sees strengthening of the dictatorship of an illegitimate president, supported by Russia. While slipping into isolation from the EU, which has imposed sanctions against this «partner», Belarus risks becoming almost completely dependent on Russia. Also, a large-scale armed conflict broke out in 2020 between two other members of the Eastern Partnership, Armenia and Azerbaijan. The EU basically stepped aside, while Turkey and Russia were indirectly involved in this conflict, supporting one of the parties, and then acted as the main mediators in the conflict settlement.

The general framework of the EU-Ukraine partnership within the Eastern Partnership format is regulated by EU documents on the Eastern Partnership agenda and priorities, including the Joint Document «The Eastern Partnership – 20 Deliverables for 2020: Bringing tangible results for citizens» and its updated version «20 Deliverables of the Eastern Partnership beyond 2020». However, the security context of these documents is different.

[23] See: Howorth J. For a True European Defence Union. – Wilfred Martens Centre for European Defence, 2018, p.4, *https://journals.sagepub.com/doi/full/10.1177/1781685818769842*.

[24] Partners. North Atlantic Treaty Organization, *https://www.nato.int/cps/en/natohq/51288.htm*.

[25] See: Reflection paper on the Future of European Defence. – European Commission, Brussels, COM(2017) 315 final, 7 June 2017, *https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52017DC0315&qid=1506324887423&from=EN*.

[26] International partnerships. – European Commission, *https://ec.europa.eu/international-partnerships/our-partners_en*.

TYPOLOGY OF EU PARTNERS

In the general framework of the EU partnership, a typology of potential partners includes at least six categories that overlap to a large extent:

- countries where CSDP operations and missions are deployed (currently 11 countries for 16 missions and operations);
- countries that have signed a *Framework Participation Agreement* (FPA) with the EU regulating their participation to CSDP operations (18 countries + Switzerland, which although has not signed an FPA, regularly contributes to CSDP operations);
- countries with which the EU has political dialogues on counterterrorism (more than 20 states, including 13 where the EU has posted security officers);
- European Neighbourhood Policy (ENP) countries (16);
- candidate countries (5) and potential candidates (2);
- countries with which the EU has signed Migration Compacts (8).

Source: Tardy Thierry. Revisiting the EU's security partnerships. European Union Institute for Security Studies, 2018, *http://www.jstor.com/stable/resrep17452*.

The initial document «20 Deliverables for 2020», adopted at the EU Eastern Partnership Summit in Brussels in 2017, set out the general framework for fulfilling the tasks in the EU Working Document «The Eastern Partnership – Focusing on key priorities and deliverables» dated 2016[27]. The document expected achieving a series of ambitious targets by 2020, including in implementing paragraph 12 «Strengthening security cooperation». It states that:

«*12. The resilience of the Partner Countries will be strengthened through stronger cooperation in the area of civilian security. The aim is to support Partners, including through capacity building projects, to ensure the security of their population, to make them more resilient to security threats and to be better prepared to prevent and respond to conflict and crisis. Targets by 2020 include:*

- *Budapest Convention fully implemented, particularly as per procedural law for the purpose of domestic investigations, public-private cooperation and international cooperation.*
- *Fully-fledged, operational cybercrime units in law enforcement authorities created.*
- *List of risk indicators established in at least one country about potentially dangerous firearms transport and hotspots.*
- *EU Liaison Officers deployed in at least one country.*
- *Intelligence-led multinational Joint Actions.*
- *Conceptual and technical interoperability of Partner Countries' units with the EU facilitated, enabling systematic participation in EU missions.*
- *Stable participation in EU battlegroups.*
- *Measures for disaster risk reduction and preparedness based on risk mapping.*
- *EaP countries closely cooperate with the Union Civil Protection Mechanism.*
- *The societal resilience against the risk of industrial accidents in all EaP countries increased up to the EU standards at national, transboundary and regional levels*».

However, the results summed up in 2020 are quite different from expected 20 Deliverables, developed by the EU in 2016 and adopted by the EaP countries in 2017:

«*Georgia, Moldova and Ukraine have adopted strategies and action plans on cybercrime. Although they are not fully aligned with the Budapest Convention, all six EaP countries have set up specialised cybercrime units. Joint investigations between EaP partner countries and Europol have increased. Hybrid-threat surveys have been carried out with Moldova and Georgia. Five regional guidelines and tools were developed to address flood-risk management and raise awareness about disasters and civil-protection volunteering*»[28].

[27] Joint Staff Working Document Eastern Partnership – Focusing on key priorities and deliverables. – European Commission, Brussels, 15 Dec. 2016 SWD(2016) 467 final, *https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/near-eeas_joint_swd_2016467_0.pdf*.

[28] Eastern partnership – 20 Deliverables for 2020: Monitoring – State of Play in February 2020, *https://www.euneighbours.eu/sites/default/files/publications/2020-06/Monitoring%20Spring%202020_20%20Delive rables%20for%202020_UKR_NK.pdf*.

Probably this is the reason why expectations in the next document «20 Deliverables – the Eastern Partnership policy beyond 2020» are not so ambitious and the CSDP is mentioned in only two sentences:

«*Security dialogues and practical Common Security and Defence Policy (CSDP) cooperation will also be strengthened to support contributions by partner countries to the European civil and military missions and operations. The EU will consider providing training opportunities and capacity building to the partner countries, including on countering hybrid threats, where appropriate*»[29].

Within a specific legal dimension, provisions of the Association Agreement form the basis of Ukraine's security cooperation with the EU. Despite the dominance of political and economic issues, which is traditional for the EU, these provisions still define some security issues in Articles 7-16 of the Agreement (Box «*Security arrangements of the EU-Ukraine Association Agreement*», p.15).

After signing of the Association Agreement in 2014 and stemming from the focus on «civilian security», namely on law enforcement activities, border control, combating illegal migration, law enforcement reform in general and the like, the partnership with the EU in Ukraine became a tangible element of internal security policy. In addition to other key measures aimed at ensuring the development of the security and defence sector, the new National Security Strategy of Ukraine 2020 explicitly outlines the need to implement EU experience and standards in the above-mentioned sectors. According to Article 63, Ukraine shall ensure «the development of the National Guard of Ukraine taking into account the experience of EU Member States» and «the implementation of European standards of border security».

However, one can hardly find such specificities and effectiveness in the defence issues of the EU-Ukraine partnership. It seems that in matters of cooperation with partners in civilian security, the CSDP has a clear and effective mechanism under the auspices of its *Civilian Planning and Conduct Capability (CPCC)*. Meanwhile, Ukraine must turn to various EU structures regarding defence issues. In addition, an analysis of past experience and current practice of security cooperation with the EU creates an impression that the European Union deliberately «delegates» military partnership issues to the United States and NATO.

On the other hand, Ukraine's strategic documents do not set a clear task to develop defence partnership specifically with the EU. Article 4 of Ukraine's National Security Strategy states that one of its main principles is «interaction – development of strategic relations with key foreign partners, primarily with the European Union and NATO and their member states, the United States...»[30]. And the main goal of Ukraine's Military Security Strategy is to prepare in advance and to extensively support the comprehensive defence, which, among other things, «shall promote Ukraine's integration into the Euro-Atlantic security space and NATO membership, involve active participation in international peacekeeping and security operations»[31].

Comparison of goals of Ukraine's security strategies with the current EU security policy priorities prompts the need to better align our expectations with the reality of EU and NATO policies. This leads to a conclusion on the need to clearly define priorities of partnership with these international organisations, primarily with the EU.

It is obvious that rapid changes in the security situation in the region in general, and in relation to Ukraine in particular demand clarification of current plans and priorities and encourage partners to do so. Therefore, it is in the interests of both the EU and Ukraine not only to refine the security provisions of the Association Agreement, but also to formulate them more

[29] See: The EEAS and Commission Joint Communication on the «Eastern Partnership policy beyond 2020 – Reinforcing Resilience – an Eastern Partnership that delivers for all», 18 March 2020, *https://eeas.europa.eu/sites/default/files/1_en_act_part1_v6.pdf*.

[30] The National Security Strategy of Ukraine «Security of an individual - security of the country», approved by the Decree of the President of Ukraine No. 392 of 14 September 2020, *https://www.president.gov.ua/documents/3922020-35037*.

[31] The Military Security Strategy of Ukraine «Military security – comprehensive defence», *https://www.president.gov.ua/documents/1212021-37661*.

SECURITY ARRANGEMENTS OF THE EU-UKRAINE ASSOCIATION AGREEMENT[32]

Article 7. Foreign and security policy

1. The Parties shall intensify their dialogue and cooperation and promote gradual convergence in the area of foreign and security policy, including the Common Security and Defence Policy (CSDP), and shall address in particular issues of conflict prevention and crisis management, regional stability, disarmament, non-proliferation, arms control and arms export control as well as enhanced mutually beneficial dialogue in the field of space. Cooperation will be based on common values and mutual interests, and shall aim at increasing policy convergence and effectiveness, and promoting joint policy planning. To this end, the Parties shall make use of bilateral, international and regional fora.
2. Ukraine, the EU and the Member States reaffirm their commitment to the principles of respect for independence, sovereignty, territorial integrity and inviolability of borders, as established in the UN Charter and the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe, and to promoting these principles in bilateral and multilateral relations.
3. The Parties shall address in a timely and coherent manner the challenges to these principles at all appropriate levels of the political dialogue provided for in this Agreement, including at ministerial level.

Article 8. International Criminal Court

The Parties shall cooperate in promoting peace and international justice by ratifying and implementing the Rome Statute of the International Criminal Court (ICC) of 1998 and its related instruments.

Article 9. Regional stability

1. The Parties shall intensify their joint efforts to promote stability, security and democratic development in their common neighbourhood, and in particular to work together for the peaceful settlement of regional conflicts.
2. These efforts shall follow commonly shared principles for maintaining international peace and security as established by the UN Charter, the Helsinki Final Act of 1975 of the Conference on Security and Cooperation in Europe and other relevant multilateral documents.

Article 10. Conflict prevention, crisis management and military-technological cooperation

1. The Parties shall enhance practical cooperation in conflict prevention and crisis management, in particular with a view to increasing the participation of Ukraine in EU-led civilian and military crisis management operations as well as relevant exercises and training activities, including those carried out in the framework of the Common Security and Defence Policy (CSDP).
2. Cooperation in this field shall be based on modalities and arrangements between the EU and Ukraine on consultation and cooperation on crisis management.
3. The Parties shall explore the potential of military-technological cooperation. Ukraine and the European Defence Agency (EDA) shall establish close contacts to discuss military capability improvement, including technological issues.

Article 11. Non-proliferation of weapons of mass destruction

1. The Parties consider that the proliferation of weapons of mass destruction, related materials and their means of delivery, to both state and non-state actors, represents one of the most serious threats to international stability and security. The Parties therefore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction, related materials and their means of delivery through full compliance with, and national implementation of, their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations. The Parties agree that this provision constitutes an essential element of this Agreement.
2. The Parties furthermore agree to cooperate and to contribute to countering the proliferation of weapons of mass destruction, related materials and their means of delivery by:
   a) taking steps to sign, ratify or accede to, as appropriate, and fully implement all other relevant international instruments;
   b) further improving the system of national export controls, in order to control effectively the export as well as transit of goods related to weapons of mass destruction, including an end-use control on dual use technologies and goods, as well as effective sanctions for violations of export controls.
3. The Parties agree to establish a regular political dialogue that will accompany and consolidate these elements.

Article 12. Disarmament, arms control, arms export control and the fight against illicit trafficking of arms

The Parties shall develop further cooperation on disarmament, including in the reduction of their stockpiles of redundant small arms and light weapons, as well as dealing with the impact on the population and on the environment of abandoned and unexploded ordnance as referred to in Chapter 6 (Environment) of Title V of this Agreement. Cooperation on disarmament shall also include arms controls, arms export controls and the fight against illicit trafficking of arms, including small arms and light weapons. The Parties shall promote universal adherence to, and compliance with, relevant international instruments and shall aim to ensure their effectiveness, including through implementation of the relevant United Nations Security Council Resolutions.

Article 13. Combating terrorism

The Parties agree to work together at bilateral, regional and international levels to prevent and combat terrorism in accordance with international law, international human rights standards, and refugee and humanitarian law.

[32] See: Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, *https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A22014A0529%2801%29*.

clearly and deeply, or to supplement them as appropriate. At the same time, additions are probably needed not only and not so much to the «civilian security» matters that are successfully taken care of by the EU Advisory Mission (EUAM) in Ukraine. Instead, the defence / military cooperation needs to be clarified in the first place, as the EU offers ample opportunities for defence industry partnerships and but only declarations on military partnerships.

The EU's position on Russia's aggressive policy

Countering Russia's armed aggression against Ukraine is a separate important area of the EU-Ukraine security partnership. Since 2014, the EU has consistently declared its «deep concern» over Russia's aggressive policy and harshly criticised Russia's actions in the occupied territories in virtually all EU security and Ukraine partnership-related documents (box «*The EU attitude towards Russia's aggressive policy in relation to Ukraine. Extracts from official documents*», p.17). Specifically, the EU's main strategic security document «Shared Vision, Common Action: A Stronger Europe. A Global Strategy for the European Union's Foreign and Security Policy» (2016) reads as follows: «Russia's violation of international law and the destabilisation of Ukraine, on top of protracted conflicts in the wider Black Sea region, have challenged the European security order to its core. The EU will stand united in upholding international law, democracy, human rights, cooperation and each country's right to choose its future freely»[33].

Over the past seven years, the EU has been consistently applying almost the entire set of non-military pressures on Russia, including in response to the downing of *Flight MH17* [34]. Also, immediately after the start of Russia's military aggression in 2014, the EU proposed a new permanent security cooperation format – the EU Advisory Mission in Ukraine (EUAM), which can be considered an example of truly systematic and practical multilateral cooperation that prioritises the EU's support to Ukraine in reforming its civilian security sector[35].

In other words, the EU is fully aware of the fact that Russia's aggressive policy threatens not only Ukraine, Georgia and Moldova, but also the EU itself. In 2021, the EU concisely defined its policy to counter Russia in the title of the relevant document: *Push back, constrain and engage*[36]. Moreover, the Ukrainian context is among the five main principles that form the basis for the EU's policy in the Russian direction, namely:

- full implementation of the Minsk agreements;
- strengthened relations with the EU's eastern partners and other neighbours;
- strengthening the resilience of the EU;
- selective engagement with Russia on issues of interest to the EU;
- people-to-people contacts and support to Russian civil society[37].

To achieve these goals, the EU primarily uses various political, diplomatic, economic, trade and financial instruments. Regarding security instruments, the EU offers advisory and material assistance in «civilian» security, border protection and justice, while decisions on military assistance instruments such as troop deployment, joint military exercises, arms supplies, or intelligence sharing are left to the discretion of individual Member States.

[33] See: A Global Strategy for the European Union's Foreign and Security Policy: «Shared Vision, Common Action: A Stronger Europe». – Publications Office of the European Union, 2016, p.34, *https://op.europa.eu/en/publication-detail/-/publication/3eaae2cf-9ac5-11e6-868c-01aa75ed71a1*.

[34] For more detail see: EU restrictive measures in response to the crisis in Ukraine, *https://www.consilium.europa.eu/en/policies/sanctions/ukraine-crisis*.

[35] See: Annex 3 «*The Ministry of Internal Affairs of Ukraine cooperation with the EU agencies*» included in this publication, as well as website of the European Union Advisory Mission (EUAM) on the civilian security sector reform, *https://www.euam-ukraine.eu/wp-content/uploads/2020/06/Informatsijnij-byuleten-1.pdf*.

[36] Joint Communication to the European Parliament, the European Council and the Council on EU-Russia relations – Push back, constrain and engage. JOIN(2021) 20 final, Brussels, 16 June 2021, *https://www.europeansources.info/record/joint-communication-on-eu-russia-relations-push-back-constrain-and-engage*.

[37] Ibid.

THE EU ATTITUDE TOWARDS RUSSIA'S AGGRESSIVE POLICY IN RELATION TO UKRAINE EXTRACTS FROM OFFICIAL DOCUMENTS

A Global Strategy for the European Union's Foreign and Security Policy (2016)

«We will not recognise Russia's illegal annexation of Crimea nor accept the destabilisation of eastern Ukraine. We will strengthen the EU, enhance the resilience of our eastern neighbours, and uphold their right to determine freely their approach towards the EU».

Source: A Global Strategy for the European Union's Foreign and Security Policy: «Shared Vision, Common Action: A Stronger Europe». – Publications Office of the European Union, 2016, p.34, *https://op.europa.eu/en/publication-detail/-/publication/3eaae2cf-9ac5-11e6-868c-01aa75ed71a1.*

Report on the implementation of the common security and defence policy (2019)

«9. Expresses concern about the activities and policies by Russia that continue to destabilise and change the security environment; stresses that Russia's occupation of eastern Ukraine is still ongoing, the Minsk agreements have not been implemented and the illegal annexation and militarisation of Crimea and Donbas are continuing; ...

10. Continues to condemn Russia's military intervention and illegal annexation of the Crimean Peninsula; expresses its support for Ukraine's independence, sovereignty and territorial integrity».

Source: Report on the implementation of the common security and defence policy – annual report. (2019/2135(INI)). – European Parliament, *https://www.europarl.europa.eu/doceo/document/A-9-2019-0052_EN.html.*

European Parliament resolution on the implementation of the EU Association agreement with Ukraine (2021)

«32. Repeats its call for an international format for negotiations on the de-occupation of the Crimean Peninsula with the active participation of the EU; calls on the VP/HR, the Commission and the Member States to provide all necessary support for the establishment of a Crimea International Platform that would allow the efforts aimed at the restoration of the territorial integrity of Ukraine to be to coordinated, formalised and systematised; considers it important to involve the Mejlis of the Crimean Tatar people, as the only internationally recognised representative body of the Crimean Tatars, in the activities of such a Platform».

Source: European Parliament resolution of 11 February 2021 on the implementation of the EU Association Agreement with Ukraine. Brussels, *https://www.europarl.europa.eu/doceo/document/TA-9-2021-0050_EN.html.*

Joint Communication to the European Parliament, the European Council and the Council on EU-Russia relations

«Managing the relations with Russia thus represents a key strategic challenge for the EU. EU-Russia relations have increasingly deteriorated since 2014, following Russia's illegal annexation of the Crimean Peninsula, as well as its destabilisation of eastern Ukraine. This includes, more recently, Russia's military build-up along the Ukrainian border, on the Crimean Peninsula and in the Black Sea, which was taken back only partly, and the prolonged closure of areas of the Black Sea.

The EU is one of the largest humanitarian donors to the crisis in eastern Ukraine. The EU has provided over EUR 190 million in emergency assistance, including EUR 25.4 million in 2021, and over EUR 1 billion, with the Member States, in humanitarian and early recovery aid.

The EU has imposed three sets of restrictive measures on Russia as a reaction to its illegal annexation of the Crimean Peninsula and ongoing destabilisation of eastern Ukraine».

Source: Joint Communication to the European Parliament, the European Council and the Council on EU-Russia relations. JOIN(2021), Brussels, 16 June 2021, *https://www.europeansources.info/ record/joint-communication-on-eu-russia-relations-push-back-constrain-and-engage/*

At the same time Germany, one of the EU's most influential members, not only refuses to sell or supply defence weapons to Ukraine[38], but also traditionally warns other partners against such supplies.

Therefore, despite the unanimity of political declarations and a consensus on the assistance provision in the field of civilian security, the EU lacks unanimity and consensus on protection against Russian aggression. Under such circumstances, Ukraine should not count on military assistance from the EU as an organisation and from most of its Member States.

[38] «Germany has given us no military assistance, although it could have done so», Zelenskyy told the German newspaper *Frankfurter Allgemeinen Zeitung*. See «Lost in translation: what weapons does Zelenskyy want from Germany?». – DW, 1 June 2021, *https://www.dw.com/uk/nimetska-zbroia-dlia-kyieva-posol-ukrainy-za-uriad-frn-proty/a-57685938*.

2.
RESULTS AND PROSPECTS OF THE EU-UKRAINE SECURITY PARTNERSHIP

This section presents assessments of the results of the EU-Ukraine Association Agreement (AA) and the Association Agenda[1] implementation by Ukraine in 2020-2021[2], based on the responses of relevant ministries and agencies to the Razumkov Centre's information requests[3], the results of the Razumkov Centre survey of security and European integration experts[4], data from the Ministry of Foreign Affairs official website (*https://ukraine-eu.mfa.gov.ua*), the latests reports of relevant EU institutions on the AA implementation[5], and individual AA monitoring reports by non-governmental organisations.

The assessment covered Ukraine's advancement towards the implementation of provisions of Title II (*Political dialogue and reform, political association, cooperation and convergence in the field of foreign and security policy*) and certain provisions of Title III (*Justice, freedom and security*) of the Association Agreement that directly concern Ukraine's national security, and relevant provisions of the Association Agenda.

[1] Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part, *https://zakon.rada.gov.ua/laws/show/984_011#Text*; the EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement, *https://mfa.gov.ua/storage/app/sites/1/Docs/evroitegraciina_dijalnist/UA_15-1%20final.pdf*.

[2] Preliminary assessments of Ukraine's cooperation with the EU in the security sphere in 2014-2019, see: Cooperation between Ukraine and the European Union in the Security Sector, Public Monitoring Report. – The Institute for Euro-Atlantic Cooperation, 27 May 2019, *http://www.ieac.org.ua/en/public/item/97-cooperation-between-ukraine-and-the-european-union-in-the-security-sector-public-monitoring-report*; Report on Implementation of the Association Agreement between Ukraine and the European Union in 2019. – Government Office for Coordination of European and Euro-Atlantic Integration of the Secretariat of the Cabinet of Ministers of Ukraine, 2020, *https://eu-ua.kmu.gov.ua/sites/default/files/inline/files/ar_aa_implementation-2019-4_eng.pdf*.

[3] Upon its information request on the effectiveness of Ukraine's European integration policy, the Razumkov Centre received detailed answers from the Ministry of Foreign Affairs, the Ministry of Defence, The Ministry of Internal Affairs and its subordinated structures, the Ministry of Strategic Industries, Ukroboronprom, the EU Advisory Mission. The office of the National Security and Defence Council of Ukraine replied that the agency's mandate did not include «collection and production of information on Ukraine's cooperation with the EU».

[4] The expert survey was carried out from 17 May to 10 June 2021 involving 60 experts, including 50 national and 10 international specialists. For more detail, see «Expert Assessment and Forecasts of the Associations Agreement Implementation and Prospects of Ukraine's Partnership with the EU in tne Security Sphere» included in this publication.

[5] European Parliament resolution of 11 February 2021 on the implementation of the EU Association Agreement with Ukraine, Brussels, 11 February 2021, *https://www.europarl.europa.eu/doceo/document/TA-9-2021-02-11_EN.html#sdocta5*; Association Implementation Report on Ukraine, Joint Staff Working Document. – European Commission, High Representative of the EU for Foreign Affairs and Security Policy, Brussels, 27 November 2020, *https://eeas.europa.eu/sites/default/files/2020_ukraine_association_implementation_report_final.pdf*; Joint statement following the 22nd EU-Ukraine Summit, 6 October 2020, Press release. – European Council, 6 October 2020, *https://www.consilium.europa.eu/en/press/press-releases/2020/10/06/joint-statement-following-the-22nd-eu-ukraine-summit-6-octobre-2020*.

2.1. Institutional framework of the Association Agreement implementation

The AA implementation consists of several activities, including political dialogue; process management, control and coordination; fulfilment of obligations pursuant to the AA provisions.

Political dialogue on security issues follows topics set forth in Article 4 of Title II, certain provisions of Title III and the Association Agenda and concerns practical results of the AA implementation, as well as proposals and initiative to improve the Agreement itself and the process of its implementation[6].

Main political dialogue platforms:

- annual meetings of bilateral association bodies – the EU-Ukraine Summit, the EU-Ukraine Association Council, the Association Committee and its subcommittees, meetings at the ministerial and political directors level;

- military-political dialogue between Ukraine and the EU at the level of the Commander-in-Chief of the Armed Forces of Ukraine (AFU) and the Chairman of the European Union Military Committee, as well as consultations of the Chief of General Staff of AFU with the EU Military Staff within the annual Work Plan for Cooperation of the Armed Forces of Ukraine and the Secretariat of the EU Council within the CSDP.

Formats of expert dialogue:

✓ Ukraine-Political and Security Committee (*PSC*);

✓ Ukraine-Working Group for conventional arms exports (*COARM*);

✓ Ukraine-Working Party on Non-Proliferation and Global Disarmament (*CONOP/CODUN*);

✓ Ukraine-EU OSCE Working Party (*COSCE*);

✓ Ukraine-Panel on Security, CSDP and Civilian Protection within the Eastern Partnership Platform 1;

✓ Regular meetings of governing bodies of joint projects.

Bilateral monitoring, coordination and executive bodies:

✓ *The EU-Ukraine Summit* represents the highest level of political dialogue. The summits are held once a year and are devoted to general oversight of the Agreement implementation, as well as the discussion of bilateral or international issues of common interest. The last Summit took place on 6 October 2020;

✓ *The EU-Ukraine Association Council* oversees and monitors the Agreement implementation. It consists of members of the government of Ukraine, the EU Council and the European Commission. The Association Council reviews any major issues arising within the framework of the Agreement and any other bilateral or international issues of common interest. Other bodies may, as necessary and by mutual agreement, participate in its work as observers. The Council is empowered to make decisions on matters covered by the Association Agreement in the cases provided for in the Agreement. Such decisions are binding upon the parties. The Association Council is also a forum for exchanging information on Ukrainian and EU legislation, as well as on measures for their implementation, enforcement and compliance. The last meeting of the Council took place on 11 February 2021;

✓ *The Association Committee* provides support to the Association Council and mainly consists of senior officials of the parties. The Association Committee meets regularly, at least once a year. The Association Council may delegate any of its powers to the Committee, including on the adoption of binding decisions. The Association Committee may be assisted by sectoral sub-committees. In addition, the Association Council may establish special committees or bodies on specific urgent issues pertaining the Agreement implementation;

[6] For broader political dialogue context, see Ukraine-EU: towards political association. Analytical report of the Razumkov Centre, *https://razumkov.org.ua/uploads/article/2021_association.pdf*.

- ✓ *The Parliamentary Association Committee* consists of members of the Verkhovna Rada of Ukraine and members of the European Parliament. The meetings of the Committee are to control the activities of interstate bodies of the association. To this end, the Parliamentary Association Committee may request relevant information regarding the implementation of the Agreement from the Association Council and to make recommendations to it. The Parliamentary Association Committee may establish relevant sub-committees. The last remote meeting of the Parliamentary Committee took place on 7 December 2020;

- ✓ *The Civil Society Platform* consists of members of the European Economic and Social Committee and representatives of Ukrainian civil society. The Platform meets at intervals which it determines itself. The Civil Society Platform may make recommendations to the Association Council. The Association Committee and the Parliamentary Association Committee maintain regular contacts with representatives of the Civil Society Platform to obtain their views on how to attain the objectives of the Association Agreement.

National bodies for control and coordination of the Agreement implementation:

- ✓ *The Cabinet of Ministers of Ukraine* provides guidance and undertakes coordination and control in the field of European integration;

- ✓ *The Verkhovna Rada Committee on Ukraine's Integration* into the European Union is tasked to review all registered draft laws for their compliance with Ukraine's international commitments;

- ✓ *The Commission for Coordination of the Implementation of the Association Agreement*[7] chaired by the Prime Minister of Ukraine is a temporary advisory body to the Cabinet of Ministers of Ukraine established to coordinate activities of the executive branch in the implementation of the Association Agreement;

- ✓ *Government Office for Coordination of European and Euro-Atlantic Integration*[8] within the Cabinet of Ministers Secretariat reports to the Prime Minister, the Vice Prime Minister for European and Euro-Atlantic Integration and the State Secretary of the Cabinet of Ministers of Ukraine. The Office is entrusted with tasks of coordinating activities of executive bodies on the development and realisation of measures for the AA implementation; coordinating the adaptation of Ukrainian legislation to the EU acquis; planning, monitoring and evaluating the effectiveness of the AA implementation; coordinating activities of executive bodies on the development of draft laws and other regulatory acts aimed at implementing the AA, other international treaties of Ukraine on European integration and agreements between Ukraine and the EU;

- ✓ *European integration units* within government ministries and departments with the main responsibility for implementing provisions of the Association Agreement;

- ✓ *Electronic instrument* «The Pulse of the Agreement» to monitor progress in the AA implementation[9].

2.2. Assessments of the implementation of the EU-Ukraine Association Agreement in the field of the Common Security and Defence Policy

Regional stability, conflict settlement, interoperability and strengthening of defence capabilities

Pursuant to Title II of the Association Agreement, the Association agenda and principles set forth in other multilateral documents, the parties shall «intensify their joint efforts to promote stability, security and democratic development in their common neighbourhood, and in particular to work together for the peaceful settlement of regional conflicts».

Today, the EU's efforts to settle the Russia-Ukraine conflict consist of strong political

7 Established by the Cabinet of Ministers of Ukraine Resolution No.851 of 2 September 2020.

8 Established by the Cabinet of Ministers of Ukraine Resolution No. 759 of 4 October 2017.

9 Official website of the project – *https://pulse.kmu.gov.ua.*

support for Ukraine, sanctions against Russia, consultations, assistance of individual EU Member States in training the Armed Forces of Ukraine, financial, material, limited military and technical assistance, coordination of bilateral and multilateral efforts aimed at finding political solutions to the crisis caused by Russia's aggression[10]. However, the Russia-Ukraine conflict, which continues already for the eighth year, is also the evidence of ineffectiveness of the EU's crisis management system, especially in conflict prevention and response.

ASSESSMENT OF THE EU'S CRISIS MANAGEMENT CAPABILITIES

Ukrainian and foreign experts alike are mostly unimpressed by the EU's crisis management capabilities, which scored no more than 3 on a five-point scale. Promptness of response, rapid decision-making and readiness of forces and facilities drew the biggest criticism. The experts are somewhat more positive about the availability of financial resources and political solidarity in making policy decisions («*Expert Assessments and Forecasts of the Association Agreement Implementation and Prospects of Ukraine's Partnership with the UE in the Security Sphere*», p.64).

Key factors undermining the EU's ability to settle conflicts include procedural «clumsiness» and functional weakness of crisis management tools, lack of political solidarity within the EU, erosion and commodification of the European community's shared values. In Europe, many people in politics and society still do not understand and cannot accept the fact that the use of dividends of the end of the Cold War ended in 2007, when the Kremlin essentially declared an attack on Western values[11].

Positive changes in the attitude of European politicians to security issues are slow, but they finally call Russia an aggressor, the conflict in Ukraine – a war, and Russia's military build-up on Ukraine's border – a threat to *European* stability, security and peace[12]. Perhaps the United States' efforts to consolidate positions and policies of European states in responding to current threats and challenges, including changes in European leaders' views on Russia's place in regional security[13], will make the EU's role in resolving the Russia-Ukraine conflict more constructive and meaningful. But this is a broad issue than goes beyond meeting the EU's obligations under the AA. It is more about reforming the EU structure in general and its security architecture in particular (see Section 1 of this report for more detail).

THE IMPORTANCE OF CERTAIN FACTORS FOR REACHING A CONSENSUS IN THE EUROPEAN UNION ON UKRAINE'S EU MEMBERSHIP

One can observe some differences between the Ukrainian and foreign experts in their assessments: if the former mention common threats, human rights and political factors as key issues, then the latter list political factors, economic benefits and democracy («*Expert Assessments and Forecasts of the Association Agreement Implementation and Prospects of Ukraine's Partnership with the UE in the Security Sphere*», p.64).

[10] Josep Borrell: «The help that the European Union has provided to Ukraine is not unconditional. We are not acting just out of charity. We are acting because it is in our own interest to help Ukraine develop and be free, prosperous and secure country. This is the purpose of our help. It is conditional to reforms». For more detail, see Press conference following the EU-Ukraine Summit on 6 October 2020 – Radio Svoboda, *https://www.radiosvoboda.org/a/video-borel-eu-ne-bankomat-dlya-ukrainy/30879075.html*.

In 2019-2020, Ukraine received financial and technical assistance from the EU and Member States in the amount of about EUR 47 million (assistance from the United States during this period amounted to more than $ 620 million). See: Military assistance to Ukraine: How the US and the EU support has changed over the years – «Slovo I dilo», 23 April 2021, *https://www.slovoidilo.ua/2021/04/23/infografika/svit/vijskova-dopomoha-ukrayini-yak-rokamy-zminyuvalasya-pidtrymka-ssha-ta-yes*.

[11] The main signals of that included Putin's speech at the Munich Security Conference on 10 February 2007, Russia's withdrawal from the Treaty on Conventional Armed Forces in Europe the same year, and the 2008 Russo-Georgian war.

[12] Russia, the case of Alexei Navalny, the military build-up on Ukraine's border and Russian attacks in the Czech Republic. – European Parliament resolution, Brussels, 29 April 2021, *https://www.europarl.europa.eu/doceo/document/TA-9-2021-0159_EN.html*.

[13] These primarily include President Biden's participation in NATO and EU summits and ensuing communiques with real assessment of Russia's aggressive policy. The EU identified three main areas of its relations with Russia as push back, constrain and engage. See: Brussels Summit Communiqueé, issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Brussels 14 June 2021. – Press Release, Brussels, 14 Jun. 2021, *https://www.nato.int/cps/en/natohq/news_185000.htm?selectedLocale=en*; Joint Communication to the European Parliament, the European Council and the Council on EU-Russia relations – Push back, constrain and engage. – European Commission, High Representative of the Union For Foreign Affairs and Security Policy, Brussels, 16 Jun. 2021, *https://ec.europa.eu/info/sites/default/files/joint-communication-eu-russia-relations.pdf*; «Maros Sefcovic: The European Union will increase Ukraine's resilience in the face of Russia's strategic challenge» – Ukrinform, 12 May 2021, *https://www.ukrinform.ua/rubric-polytics/3243607-es-pidvisuvatime-stijkist-ukraini-pered-strategicnim-viklikom-z-boku-rosii-sefcovic.html*.

For its part, Ukraine is making every effort to deter Russian aggression and settle the conflict. As a proponent of peaceful resolution, Ukraine has learned from experience that effective deterrence of Russia's aggressive policy is only possible through the comprehensive use of military force, coupled with political, diplomatic, economic and military pressure. The key to success is active involvement of partners – both individual countries and respectable international organisations.

Measures to settle the Russia-Ukraine conflict, introduced by Ukraine with the assistance of international partners include the following:

- localisation of the conflict zone and strengthening of defence capabilities together with the reform of the entire security and defence sector[14];
- constructive initiatives within the Normandy Four and the Trilateral Contact Group (Minsk), aimed at de-escalating violence, addressing humanitarian issues, defending national interests and observing international law[15];
- comprehensive support for the activities of the OSCE Special Monitoring Mission in line with the Memorandum of Understanding between Ukraine and the OSCE[16]: location of the Mission's main and field offices; ensuring the inviolability, freedom and security of movement in government-controlled areas; establishing contacts and communication between the Mission and political parties and NGOs, as well as individuals and groups of citizens, etc.;
- filing lawsuits against Russia in international courts, in particular the European Court of Human Rights[17];
- regular updating of European partners about the current state of the Russia-Ukraine conflict and advancement of reforms in Ukraine;
- initiation of the Crimean Platform – an international consultative and communication mechanism with an ultimate goal of de-occupying Crimea and returning it under Ukraine's control[18]. The Crimean Platform was supported by the European Parliament[19].

[14] On 17 September 2020, the Verkhovna Rada passed the Law on Intelligence. The adoption of this law was welcomed by the International Advisory Group that includes the US Embassy, the EU Advisory Mission, the EU Delegation and the NATO Delegation to Ukraine. See: The United States, NATO, and the EU have welcomed Ukraine's adoption of the Intelligence Law – Voice of America, 23 October 2020, *https://ukrainian.voanews.com/a/zakon-pro-rozvidku/5632856.html*.

On 9 June 2021, the Presidential Bill «On the Fundamentals of National Resistance» was submitted to the relevant parliamentary committee for discussion. This legislation provides for the creation of interconnected components of territorial defence (military, military-civilian and civilian), resistance movement (guerrilla forces, underground resistance, auxiliary forces) and military training of citizens. On 29 June the draft law was approved in principle and submitted for the second reading.

For more information, see sections «Security» of the annual analytical reports of the Razumkov Centre series «Results and Forecasts» for 2014-2020, *https://razumkov.org.ua/vydannia/shchorichni-analitychni-pidsumky-i-prohnozy*.

[15] M.Zolkina. How to revive «Minsk»: how Ukraine's strategy changed at the Normandy talks – «European Pravda», 10 July 2020, *https://www.eurointegration.com.ua/rus/articles/2020/07/10/7112005*.

[16] Memorandum of Understanding between Ukraine and Organisation for Security and Cooperation in Europe (OSCE) on the deployment of the OSCE Special Monitoring Mission.

[17] For more detail, see: Ukraine vs Russia: The Ministry of Foreign Affairs reports on the status of each case in international courts – «Ukrayinski Natsionalni Novyny», 4 February 2021, *https://www.unn.com.ua/uk/exclusive/1915165-ukrai-na-proti-rosii-mzs-vidzvituvalo-pro-stan-kozhnoi-zi-sprav-u-mizhnarodnikh-sudakh*.

In this context, ratification and implementation of the Rome Statute of the International Criminal Court by Ukraine becomes particularly relevant. On 9 January 2020, the draft law was submitted to the Minister of Foreign Affairs for further submission to the Verkhovna Rada of Ukraine. The reason for the delay in the Statute ratification is the conclusion of the Constitutional Court of 11 July 2001, which found inconsistencies of some provisions with the Constitution of Ukraine.

[18] The Crimean Platform will operate at four levels – heads of state, foreign ministers, parliaments, and experts. The main topics of discussion will include the policy of non-recognition of Russia's attempt to annex Crimea; expansion and strengthening of international sanctions against Russia; international security; human rights; the impact of occupation on the economy and environment.

[19] The EU has supported the creation of the Crimean Platform. Now Ukraine invites its representatives to the first meeting – Radio Svoboda, 12 February 2021, *https://www.radiosvoboda.org/a/news-es-krymska-platforma/31099646.html*.

Apart from attempts to settle the conflict on its own territory, Ukraine is participating in negotiations on the Transnistrian conflict[20]. It also considers the issue of practical involvement in the EU's operation Althea in Bosnia and Herzegovina (specifically, it is planned to deploy a military officer to the Althea joint headquarters in the second half of 2021). In addition, in the first half of 2020, Ukrainian forces and means for the 5th time were involved in the combat alert mission in the EU's Helbroc battlegroup[21]; the question of Ukrainian forces participation in the mission in 2023 and 2026 is being elaborated.

In 2020, the Ministry of Defence of Ukraine (MOD) took part in joint projects within the Eastern Partnership (EaP), in particular:

- MOD representatives joined discussions of the Panel on Security, CSDP and Civilian Protection within the Eastern Partnership Platform 1 «Democracy, good governance and stability»;
- Since 2014, an introductory course on CSDP is taught at the National Defence University named after Ivan Cherniakhovskyi, recently with the support of the European Security and Defence College (ESDC). In addition, AFU representatives receive annually training in foreign courses on CSDP, also under the ESDC. MOU proposes to launch similar educational measures in the areas of strategic communications and cyber threats, joint response to new security and defence challenges, emergencies caused by epidemics.

Following the example of many European countries, Ukraine plans to introduce an effective military justice system consisting of the military prosecutor's office, military courts and military police (the latter based on the Military Law Enforcement Service by delegating it pre-trial investigation function). The possible extension of EUAM's mandate to this activity area will help overcome multiple legal, organisational and bureaucratic barriers.

MOD's collaboration with the European Defence Agency (EDA) continues to develop successfully. Pursuant to current Administrative Agreement between MOD and EDA, the Ukrainian side took part in multiple multinational projects under the auspices of the EDA in the following areas:

1. *Standards Reference System*: AFU participate in the following expert groups:
   - EG 25 – *Range Interoperability;*
   - EG 26 – *Blast effects;*
   - EG 27 – *Automatic identification technique;*
   - EG 28 – *Camouflage;*
   - EG 29 – *Military Clothes*.

   In the summer of 2020, the EU approved the involvement of Ukrainian experts in the *European Defence Standardisation Committee* and *EDA* expert groups: EG 10 – *Ammunition*, EG 14 – *Life Cycle Technical Documentation*, and EG 15 – *Quality of electric power supply/ Portable electric power generators*.
2. *Single European Sky*: Ukrainian representatives constantly take an active part in the meetings of the Military Aviation Council of the political level; at the invitation of the EDA in October 2020, the AFU servicemen joined in helicopter training at the Multinational Helicopter Training Centre in Sintra (Portugal). The question of the future AFU participation in the following EDA projects is being elaborated:
3. *Logistics* (including spare parts and transportation, the European Air Transport Fleet).
4. Training (including helicopter crew training).

[20] Back in 1995, Ukraine joined the negotiations in the «3+2» format (OSCE, Russia, Ukraine as mediators, and Moldova and Transnistria – as parties to the conflict). After the EU and NATO joined the negotiations in 2005, the format evolved into «5+2».

[21] Ukraine's combat alert duty within Helbroc in the period from 1 January to 30 June 2020 involved the following forces and means: a company of marines (96 servicemen); transport airplane IL-76 MD with crew (25 servicemen); group of staff officers (10 servicemen).

Ukraine's future participation in Permanent Structured Cooperation (PESCO) has a significant potential for strengthening its defence capabilities, which was made possible by the EU's decision to allow third states to be invited[22] (the list of PESCO projects can be found in Annex 1). For Ukraine, this is a signal of Europe's readiness to deepen cooperation subject to harmonisation of standards, the opportunity to accelerate reforms in the defence sector, and a certain reference point for such reforms. MOD submitted applications to four coordinators of PESCO projects in order to start negotiations on Ukraine's participation in them.

However, the list of mandatory legal, political and functional conditions for involving third states in PESCO projects can be interpreted in two ways, which, as in the case of military technical assistance to Ukraine from individual EU members, can both contribute to Ukraine's involvement in some projects or prevent it (Box «*Conditions for the participation of third states in PESCO projects*»). This means that Ukraine will have to work hard with each PESCO project country through diplomatic and expert channels to convince it of the feasibility of Ukraine's involvement in the project.

In the context of strengthening practical cooperation with the EU within the CSDP and creating joint capabilities with the EU to respond to crises, Ukraine currently considers the question of attracting financial assistance from the European Peace Facility (EPF). Possible areas for involving international technical assistance under the EPF include language training; military medicine; demining of territories; combat tactical groups; cybersecurity; chemical, biological, radiation and nuclear protection; participation in EU operations (tactical transportation, engineering support, certain capabilities of the navy, etc.).

Military technical cooperation, export control, arms control

Military technical cooperation with the EU is the most promising partnership area. It provides no guarantees, but gives Ukraine access to the EU's scientific, technological, financial and industrial resources and contributes to Ukraine's advancement in foreign arms markets for modernising its Armed Forces and security sector agencies, as well as reforming and building capacity of the domestic defence industry. Although the EU arms market is regulated exclusively within the Union's legal framework, it has a significant impact on world markets thanks to its size and advanced standards.

On 17 July 2020 the Verkhovna Rada adopted the Law on Defence Procurement, which, pursuant to the Association Agreement, provides for the harmonisation of Ukraine' defence procurement legislation with the provisions of Directive 2009/81/EC[23]. The law is designed to ensure the effective and transparent procurement of defence goods, works and services, create a competitive environment, prevent corruption in the field of defence procurement, encourage fair competition, support effective and transparent planning, implementation and control of defence procurement.

The law allows state customers to procure defence goods, works and services (including

[22] Council Decision (CFSP) 2020/1639 of 5 November 2020 establishing the general conditions under which third States could exceptionally be invited to participate in individual PESCO projects. – Official Journal of the European Union, *https://eur-lex.europa.eu/eli/dec/2020/1639/oj.*

[23] Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of pro-cedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, and amending Directives 2004/17/EC and 2004/18/EC, *https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:216:0076:0136:en:PDF*.

CONDITIONS FOR THE PARTICIPATION OF THIRD STATES IN PESCO PROJECTS

The Council Decision 2020/1639 establishes the general conditions under which third states could exceptionally be invited to participate in individual PESCO projects.

Legal conditions:

- Availability of a Security of Information Agreement with the Union, which is in force;
- Availability of an Administrative Agreement which has taken effect with the European Defence Agency as appropriate, where the project is implemented with the support of the EDA;
- Denunciation of international agreements that contain obligations incompatible with the participation in PESCO.

Political conditions

The third state shares values on which the Union is founded (democracy, rule of law, universality and indivisibility of human rights, etc.), as well as the objectives of the CFSP:

- safeguard the EU's values, fundamental interests, security, independence and integrity;
- consolidate and support democracy, the rule of law, human rights and the principles of international law;
- preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders;
- promote an international system based on stronger multilateral cooperation and good global governance.

It must not contravene the security and defence interests of the Union and its Member States, including respect for the principle of good neighbourly relations with the Member States, and it must have a political dialogue with the Union, which should also cover security and defence aspects when it participates in a PESCO project.

Its participation contributes to strengthening the CSDP and the Union level of ambition, including in support of CSDP missions and operations.

Its participation must not lead to dependencies on that third state or to restrictions imposed by it against any Member State of the Union, as regards armament procurement, research and capability development, or on the use and export of arms or capabilities and technology, which would hamper progress or prevent the usability, the export or the operational deployment of the capability developed in the PESCO project. It must finalise an agreement at an appropriate level on conditions for the further sharing outside the PESCO framework on a case-by-case basis of capabilities and technology to be developed within that project, in order to prevent those capabilities from being used against the Union and its Member States.

Functional conditions

The third state provides a substantial added value to the project and contributes to achieving its objectives. In line with the priority of a European collaborative approach, and in accordance with Decision 2018/909*, which establishes the general rules of the PESCO project management, the means which it brings into the project must be complementary to those offered by PESCO participating Member States, for example by providing technical expertise or additional capabilities including operational or financial support, thus contributing to the success of the project and hence to the advancement of Partnership.

Its participation is consistent with the more binding PESCO commitments as specified in the Annex to Decision 2017/2315**, in particular those commitments which that PESCO project is helping to fulfil. For capability-orientated projects, its participation:

- must contribute to fulfilling priorities derived from the Capability Development Plan and Coordinated Annual Review on Defence (CARD);
- have a positive impact on European Defence Technological Industrial Base (EDTIB);
- make the European defence industry more competitive

Procedural issues

The third state may submit to the coordinator of a PESCO project a request to participate in that project.

Such request shall contain:

- detailed information on the reasons for participating in the project;
- scope and form of the proposed participation;
- substantiation of fulfilment of the general conditions of participating in the project.

The project members give unanimous preliminary assessment of the third state's request to participate in the project whether the third state complies with the above legal, political and functional conditions.

The final opinion on the request is presented by the Political and Security Committee, which serves as a basis for the EU Council decision on the third state's participation in the project.

After a positive decision by the Council, the coordinator or coordinators of the PESCO project shall send an invitation to the third state, followed by signing of the relevant administrative agreement on this state's participation in the PESCO project.

* Council Decision (CFSP) 2018/909 of 25 June 2018 establishing a common set of governance rules for PESCO projects, *https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%3AOJ.L_.2018.161.01.0037.01.ENG&toc=OJ%3AL%3A2018%3A161%3ATOC*.

** Council Decision (CFSP) 2017/2315 of 11 December 2017 establishing permanent structured cooperation (PESCO) and determining the list of participating Member States, *https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv%т3AOJ.L_.2017.331.01.0057.01.ENG&toc=OJ%3AL%3A2017%3A331%3ATOC*.

import procurement) using transparent and competitive procedures. The law also provides access to foreign suppliers to procurement procedures for defence products, giving preference to producers localised in the customs territory of Ukraine, as well as producers that offer more favourable maintenance, service and repair terms for delivered products. There is also a possibility of concluding investment agreements for industrial development.

Poor culture of strategic planning and executive discipline in the executive bodies of Ukraine[24] are the main internal factors hindering progress in this area. Often thoughtless and mechanical introduction of «trendy» project management mechanisms into strategic planning practice by no means improves the quality of planning, and sometimes reverts it to the Soviet-style coordination and parochial approach.

One can observe a robust growth of the private sector in Ukraine's defence industry. If in 2015 it accounted for only 23% of the state defence order, then in 2020 its share reached 54%[25]. Ukraine's strategy of reforming the defence industry, approved by the Cabinet on 14 April 2021, and then by the National Security and Defence Council (NSDC) on 17 June, provides for further extensive corporatisation of defence companies, stimulating their innovative development, introduction of quality management and import substitution of critical items. It is proposed to create a holding company «Defence Systems of Ukraine» on the basis of Ukroboronprom that will include holdings in aircraft repair, armoured vehicles, high-precision weapons, radar and marine systems[26]. The first Radar Systems holding with 10 specialised enterprises producing modern means of electronic warfare was founded in September 2020.

In addition, the Strategy provides for the establishment of the Agency for Defence Technologies that is expected to become a driver of scientific and technological development of Ukraine's defence industry. As of today, the capabilities of Ukrainian defence companies in research and development are significantly limited by the lack of free funds. The creation of said Agency and its interaction with enterprises will help increase their efficiency and attractiveness to partners and investors.

Recent trends point at the increasing interest of European countries in Ukraine. According to Ukroboronprom's reply to the Razumkov Centre's information request, the share of European countries in the regional structure of Ukrainian arms and military equipment exports increased from 3% in 2013 to 13% in 2019 and 16% in 2020. Cooperation with EU countries is expected to further increase in 2021. If the new Strategy helps get rid of or significantly reduce excessive centralisation, manual management, bureaucracy and corruption, the Ukrainian defence industry will have a very good chance of becoming a fast-evolving sector of the economy, built by European standards and attractive to investors.

Participation of Ukrainian defence companies in PESCO projects may be a solid step in this direction. Their interest in such projects is easy to explain, as this grants access to financial resources, innovative technologies, new markets and best practices of corporate governance. However, it should be borne in mind that priority will be given to Europeans' «cold-blooded calculation» of Ukraine's added value in relevant projects rather than interest of Ukraine in such cooperation. Therefore, Ukraine will have to overcome many hurdles on its way to PESCO projects, including those related to «political expediency», bureaucracy and competition in EU countries.

In such settings, Ukrainian companies tend to focus on cooperation with individual

[24] In 2021, there was a significant delay in the state defence order due to late adoption of the necessary bylaws, the list of state customers, as well as the planning procedure under the new law. See, for example: L. Honcharuk, Deadtime in defence order. Why the state order is delayed – «Suspilne», 23 April 2021, *https://suspilne.media/125162-prostij-v-oboroncicomu-derzavne-oboronne-zamovlenna-zatrimuetsa*.

[25] Private companies fulfil more than half of the state defence order - Economic Pravda, 28 January 2021, *https://www.epravda.com.ua/news/2021/01/28/670462*.

[26] D. Badrak. On the ruins of Ukroboronprom. Will the caterpillar transform into nine beautiful butterflies? – «Glavcom», 24 November 2020, *https://glavcom.ua/publications/na-rujinah-ukroboronpromu-chi-peretvoritsya-gusenicya-u-devyat-prekrasnih-metelikiv-719936.html*.

European countries. Poland was one of the first countries in Europe to understand the strategic importance of MTC with Ukraine. Today, there are several joint Ukrainian-Polish projects on the development of ammunition, UAVs and anti-tank missile systems. Other European partners are Belgium, Bulgaria, Lithuania, Hungary, the Czech Republic and Croatia, with which Ukraine cooperates successfully in supplying spare parts and components for aircraft, air defence, missile and artillery systems, small arms and ammunition. Another area of cooperation is joint development, production and supply of precision strike systems.

On 22 July 2020, Ukraine and France signed a contract for the supply of 20 patrol boats to the State Border Guard Service of Ukraine (SBGS). Under the contract, the SBGS is to receive 20 modern patrol boats from the French OCEA company within three years, with the first boat arriving already in 2021[27]. OCEA has chosen the Ukrainian «Nibulon» shipbuilding company as its partner to build five *FPB* 98 boats. However, there may be some coordination issues related to simultaneous execution of orders for the SBGS and the Ukrainian Navy. On 21 June 2021, A Memorandum was signed between a consortium of UK industry and the Ukrainian Navy on the implementation of naval partnership projects, which provides for the joint design and construction of two minesweepers and eight missile boats in Ukraine and the UK, the reconstruction of Ukrainian shipyards and the construction of two bases of the Ukrainian Navy[28]. In these conditions, it is critical for Ukraine to have own programme of restoring its shipbuilding industry and meet the needs of both the Navy and the SBGS.

Export control is one of the critical areas of Ukraine's military technical cooperation with the EU. The European Union has one of the best and influential export control systems in the world[29]. According to the AA, cooperation in this area should follow the principles set forth in Council Common Position 2008/944/CFSP, «which updates and replaces the European Union Code of Conduct on Arms Exports, adopted by the Council on 8 June 1998»[30]. The State Service for Export Control of Ukraine (DSECU) participated in the following activities within the EU's P2P export control programme for non-EU countries:

- EU study tour on 5-6 February 2020 in Bratislava, Slovakia, organised by the Germany's Federal Office for Economic Affairs and Export Control (BAFA). Its goal was to study the results of comparative analysis of national approaches to the organisation of customs procedures in the field of export control with special attention to risk assessment and management, as well as information sharing and dissemination of best practices;

- 6th EU Summer School on Control over Trade in Strategic Products, hosted by Expertise France on 7-21 August 2020. Its goal was to review the best international practices regarding effective control over trade in military products with an emphasis on the role of scientific and educational institutions in disseminating information, identifying potentially sensitive technology transfers through information extraction tools; customs and law enforcement aspects;

- regional online workshop «Export control and research and educational institutions» (9 December 2020), designed for the representatives of research institutions, schools of higher education and licensing authorities of Belarus, Georgia and Ukraine. The goal was to raise awareness about the export control objectives; shape a conscious attitude to security in R&D activities with foreign institutions and international scientific cooperation related to the transfer of products, knowledge (technology) or software, or the publication of scientific papers; assistance in the development of the Internal Compliance Programmes (ICP)

[27] «Ukraine has signed a contract with OCEA for making 20 boats for border guards» – Ukrinform, 22 July 2020, *https://www.ukrinform.ua/rubric-economy/3068002-avakov-pro-ugodu-iz-francuzkou-osea-ukraina-otrimae-sucasni-tehnologii-budivnictva-korabliv.html*.

[28] Information and analytical review of military news – The Centre for Defence and Security Policy, Issue No.25/21, 27 June 2021.

[29] For more detail on the EU's export control system and dynamics of its development, see SIPRI Yearbooks for different years. Available on the Razumkov Centre website, *https://razumkov.org.ua/vydannia/sipri*.

[30] Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment; *https://zakon.rada.gov.ua/laws/show/984_001-08#Text*.

Previously accumulated experience and new information help DCECU improve its activity and develop proposals on the harmonisation of regulatory framework in this field. The Ministry of Economy is currently considering draft amendments to the Law on the State Control over International Transfers of Military and Dual-Use Goods. The draft envisages no changes to current model of government regulation, which ensures proper realisation of the state export control. Suggested changes mainly focus on simplifying the procedures, streamlining the issues of responsibility for export control violations, regulating ICP functioning and bringing these procedures closer to EU standards.

In particular, the draft resolution of the Cabinet of Ministers on amendments to the Procedure of the state control over international transfers of military goods is currently under the interagency review. It provides for:

- implementation of Ukraine's international obligations under the Wassenaar Arrangement (WA) on Export Controls for Conventional Arms and Dual-Use Good and Technologies by amending the list of military goods subject to state control in international transfers;

- implementation of the provisions of the Elements for Export Controls of Man-Portable Air Defence Systems, approved at the WA Plenary Session;

- definition of the «one-stop shop» mechanism and optimisation of control procedures during the movement of goods across the customs border of Ukraine; simplification of procedures for business entities.

Also, the draft Cabinet of Ministers Resolution on amendments to the Procedure of the state control over international transfers of dual-use goods has been finalised. Among other things, it proposes updating the Unified List of Dual-Use Goods in accordance with the decisions adopted earlier at the Plenary Sessions of all export control regimes in 2017-2019.

At the same time, Ukraine has some remarks about the MTC policy of some EU Member States, primarily regarding restrictions on the supply of defence weapons to Ukraine. Common Position 2008/944/CFSP includes some provisions that may be interpreted ambiguously, such as:

- ✓ «Member States are determined to prevent the export of military technology and equipment which might be used for internal repression or international aggression or contribute to regional instability».

- ✓ «States have a right to transfer the means of self-defence, consistent with the right of self-defence recognised by the UN Charter».

- ✓ «While Member States, where appropriate, may also take into account the effect of proposed exports on their economic, social, commercial and industrial interests, these factors shall not affect the application of the above criteria».

On the one hand, there is an opinion in some EU Member States that arms supply to Ukraine may be viewed as provoking or prolonging the armed conflict or causing regional instability (Criterion 3). On the other hand, according to Criterion 4, Ukraine cannot be considered a recipient that «would use the military technology or equipment to be exported aggressively against another country or to assert by force a territorial claim», as it is not an aggressor but a victim of aggression and has the right to self-defence pursuant to the United Nations Charter. Moreover, the European Parliament Resolution of 29 April 2021 clearly states that Russia's «muscle game» is a threat not only to Ukraine but also to European stability, security and peace[31].

[31] «...the Russian military build-up also presents a threat to European stability, security and peace, which is why... the European Parliament stresses that friendly countries should step up their military support to Ukraine and their provision of defensive weapons, which is in line with Article 51 of the UN Charter that allows individual and collective self-defence». See: Russia, the case of Alexei Navalny, the military build-up on Ukraine's border and Russian attacks in the Czech Republic. – European Parliament resolution, Brussels, 29 April 2021, *https://www.europarl.europa.eu/doceo/document/TA-9-2021-0159_EN.html*.

CRITERIA FOR CONTROL OF EXPORTS OF MILITARY TECHNOLOGY AND EQUIPMENT

Extract from the Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment[32]

Criterion One: Respect for the international obligations and commitments of Member States, in particular the sanctions adopted by the UN Security Council or the European Union, agreements on non-proliferation and other subjects, as well as other international obligations.

An export licence shall be denied if approval would be inconsistent with, *inter alia*:

(*a*) the international obligations of Member States and their commitments to enforce United Nations, European Union and Organisation for Security and Cooperation in Europe arms embargoes;

(*b*) the international obligations of Member States under the Nuclear Non-Proliferation Treaty, the Biological and Toxin Weapons Convention and the Chemical Weapons Convention;

(*c*) the commitment of Member States not to export any form of anti-personnel landmine;

(*d*) the commitments of Member States in the framework of the Australia Group, the Missile Technology Control Regime, the Zangger Committee, the Nuclear Suppliers Group, the Wassenaar Arrangement and The Hague Code of Conduct against Ballistic Missile Proliferation.

Criterion Two: Respect for human rights in the country of final destination as well as respect by that country of international humanitarian law.

... Member States shall:

(*a*) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used for internal repression;

(*b*) exercise special caution and vigilance in issuing licences, on a case-by-case basis and taking account of the nature of the military technology or equipment, to countries where serious violations of human rights have been established by the competent bodies of the United Nations, by the European Union or by the Council of Europe;

(*c*) deny an export licence if there is a clear risk that the military technology or equipment to be exported might be used in the commission of serious violations of international humanitarian law.

Criterion Three: Internal situation in the country of final destination, as a function of the existence of tensions or armed conflicts.

Member States shall deny an export licence for military technology or equipment which would provoke or prolong armed conflicts or aggravate existing tensions or conflicts in the country of final destination.

Criterion Four: Preservation of regional peace, security and stability.

Member States shall deny an export licence if there is a clear risk that the intended recipient would use the military technology or equipment to be exported aggressively against another country or to assert by force a territorial claim. When considering these risks, Member States shall take into account *inter alia*:

(*a*) the existence or likelihood of armed conflict between the recipient and another country;

(*b*) a claim against the territory of a neighbouring country which the recipient has in the past tried or threatened to pursue by means of force;

(*c*) the likelihood of the military technology or equipment being used other than for the legitimate national security and defence of the recipient;

(*d*) the need not to affect adversely regional stability in any significant way.

Criterion Five: National security of the Member States and of territories whose external relations are the responsibility of a Member State, as well as that of friendly and allied countries.

Member States shall take into account:

(*a*) the potential effect of the military technology or equipment to be exported on their defence and security interests as well as those of Member State and those of friendly and allied countries, while recognising that this factor cannot affect consideration of the criteria on respect for human rights and on regional peace, security and stability;

(*b*) the risk of use of the military technology or equipment concerned against their forces or those of Member States and those of friendly and allied countries.

Criterion Six: Behaviour of the buyer country with regard to the international community, as regards in particular its attitude to terrorism, the nature of its alliances and respect for international law.

Member States shall take into account, *inter alia*, the record of the buyer country with regard to:

(*a*) its support for or encouragement of terrorism and international organised crime;

(*b*) its compliance with its international commitments, in particular on the non-use of force, and with international humanitarian law;

(*c*) its commitment to non-proliferation and other areas of arms control and disarmament, in particular the signature, ratification and implementation of relevant arms control

[32] *Source: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32008E0944,* all highlights in bold and italics made by the authors.

and disarmament conventions referred to in point (b) of Criterion One.

Criterion Seven: Existence of a risk that the military technology or equipment will be diverted within the buyer country or re-exported under undesirable conditions.

In assessing the impact of the military technology or equipment to be exported on the recipient country and the risk that such technology or equipment might be diverted to an undesirable end-user or for an undesirable end use, the following shall be considered:

(*a*) the legitimate defence and domestic security interests of the recipient country, including any participation in United Nations or other peace-keeping activity;

(*b*) the technical capability of the recipient country to use such technology or equipment;

(*c*) the capability of the recipient country to apply effective export controls;

(*d*) the risk of such technology or equipment being re-exported to undesirable destinations, and the record of the recipient country in respecting any re-export provision or consent prior to re-export which the exporting Member State considers appropriate to impose;

(*e*) the risk of such technology or equipment being diverted to terrorist organisations or to individual terrorists;

(*f*) the risk of reverse engineering or unintended technology transfer.

Criterion Eight: Compatibility of the exports of the military technology or equipment with the technical and economic capacity of the recipient country, taking into account the desirability that states should meet their legitimate security and defence needs with the least diversion of human and economic resources for armaments.

Member States shall take into account, in the light of information from relevant sources such as United Nations Development Programme, World Bank, International Monetary Fund and Organisation for Economic Cooperation and Development reports, whether the proposed export would seriously hamper the sustainable development of the recipient country. They shall consider in this context the recipient country's relative levels of military and social expenditure, taking into account also any EU or bilateral aid.

In fact, the above Common Position determines «high common standards which shall be regarded as the minimum for the management of, or restraint in, transfers of military technology and equipment by all Member States», within which Member States are free to make their final decisions. Moreover, «the Common Position shall not affect the right of Member States to operate more restrictive national policies».

Therefore, refusal to supply arms to Ukraine is not about EU policy, but rather the attitude of each Member State to the conflict in Ukraine, as well as fears of Russia's reaction, especially given the latter's sizable arsenal of hybrid influence that could negatively affect commercial interests of certain EU countries. However, as already noted, there are signs that the space for Russia's impunity and hence fears of its reaction, is starting to narrow.

Another area of cooperation within the AA is to «jointly address threats for security, posed by Ukrainian stockpiles of conventional weapons and old ammunition, including small arms and light weapons, ammunition to them and anti-personnel land mines; implement project on the elimination of anti-personnel land mines according to the provisions of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Convention), with the financial assistance of the EU». However, efforts in this direction should consider the circumstances of the country in a state of de facto war.

Cybersecurity

In July 2020, the European Union Agency for Cybersecurity *(ENISA)* has published a report on cyber incidents in 2019-2020[33]. Based on this report, it can be concluded that the geography of cyberattacks is constantly expanding; they become more sophisticated, targeted, widespread; it is becoming increasingly difficult to identify their masterminds. Only in 2019 there were 450 cyberattacks on critical infrastructure of the EU and Member States. In December 2020, hackers attacked the European Medicines Agency and gained

[33] ENISA's Latest Report: The Evolving Cyber Threat Landscape, Cyber Competence Network, 2 November 2020, *https://cybercompetencenetwork.eu/1205-2*.

access to documents on the *Pfizer/BioNTech vaccine*[34].

In 2016, the European Parliament and the Council of the EU have adopted Directive 2016/1148 on the security of network and information systems[35]. The same year, the EU's Global Strategy for Foreign and Security Policy was presented[36]. Its section on Cybersecurity states that the EU's strategic focus is on equipping the EU and assisting its Member States in protecting themselves against cyber threats, while maintaining an open, free and safe cyberspace.

On 16 December 2020, the European Commission and the EU High Representative for Foreign Affairs and Security Policy presented a new EU Cybersecurity Strategy[37] that aims at «building Europe's collective resilience to cyber threats and ensure citizens and businesses benefit from trustworthy digital technologies».

On 22 March 2021, the European Commission adopted conclusions of the EU's cybersecurity strategy and measures for the upcoming year that included creating a network of security operation centres and a special joint cyber unit, completing the implementation of the EU 5G toolbox, introducing internet security standards, developing strong encryption (available only to law enforcement authorities), strengthening of cyber diplomacy tools.

In late 2020, Josep Borrell, the EU High Representative, announced the Union's intention to set up a cyber intelligence working group at the EU Intelligence and Situation Centre (EU INTCEN). In addition, there are plans to establish a cyber-diplomacy network for EU partners, including Ukraine, with the support of EU Delegations in third countries, as well as to step up practical support to partners to increase their resilience to cyber threats.

Ukraine has long been the object of regular and large-scale cyberattacks threatening the stable operation of government information resources and critical infrastructure. During 2020, as many as 600 cyberattacks[38] were neutralised in Ukraine. To ensure cyber security in Ukraine, cyber defence units were set up in the State Service for Special Communications and Information Protection, the SBU, the Ministry of Internal Affairs, the National Bank of Ukraine, the Ministry of Infrastructure, the Ministry of Defence and the Armed Forces of Ukraine. The Ministry of Digital Transformation has been established; the National Telecommunication Network is being developed; secure data centres are functioning; and a system for detecting vulnerabilities and responding to cyber incidents and cyberattacks has been launched in the country. Also, the National Coordination Centre for Cybersecurity was established with the NSDC to improve coordination of the activities of cyber security entities.

On 13 May 2021, the UA30 Cyber Centre *(https://ua30.gov.ua)* was officially launched in Ukraine. It is designed to protect critical information infrastructure, including state registers, information resources, and information systems of critical enterprises. The Cyber Centre hosts the CERT-UA *(Computer Emergency Response Team of Ukraine)* and a training centre for cybersecurity professionals. It is also planned to launch the National Centre for Backing up State Information Resources. In March 2021, the NSDC approved the draft of a new Cybersecurity Strategy of Ukraine for 2021-2025 that provides for a significant strengthening of the existing institutional capacity to combat cyber threats.

In line with the above-mentioned EU initiatives and proposals of the October 2020 Ukraine-EU Summit, the first ever EU-Ukraine cyber dialogues tool place on 3 June 2021.

[34] Ibid.

[35] Directive 2016/1148 – Measures for a high common level of security of network and information systems across the Union, *https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vk5x5q2ntoyv*.

[36] Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union, *https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016L1148&from=GA*.

[37] New EU Cybersecurity Strategy and new rules to make physical and digital critical entities more resilient. – Press release, 16 Dec. 2020, Brussels, *https//ec.europa.eu/commission/presscomer/detail/en/ip_20_2391*.

[38] In 2020, the SBU neutralised 600 cyberattacks and exposed 20 hacker groups – SBU, 20 January 2021, *https://ssu.gov.ua/novyny/u-2020-rotsi-sbu-neitralizuvala-600-kiberatak-i-vykryla-20-khakerskykh-uhrupovan*.

Ukraine has become the seventh non-EU country and the first among the EaP countries to use this unique format for exchanging best practices in the field of cybersecurity[39].

Space

Pursuant to the Association Agreement provisions on expanding Ukraine's cooperation with the EU in space, special focus is on active cooperation with the European Commission, the European Space Agency (ESA) with the prospect of membership, and space agencies of EU Member States, as well as on Ukraine's participation in GALILEO-EGNOS (Europe's global satellite navigation system) and Copernicus (Earth observation for safety and environmental protection).

In recent years, Ukraine has made significant progress in implementing space-related agreements with the European Commission:

- in 2018, the State Space Agency of Ukraine (SSAU) and the European Commission signed an Agreement on cooperation in data access and the use of *Sentinel* satellite data from the EU Copernicus programme;

- in 2020, the regional mirror site of the EU Copernicus programme was launched in Ukraine, allowing free access to satellite images of the territory of Ukraine from *Sentinel-1, Sentinel-2* and *Sentinel-3*. In 2020-2021, it is planned to expand access to the *Sentinel-5P* satellite;

- on 12 March 2020, the first round of negotiations was held on the draft EU-Ukraine Agreement on expanding the coverage of the *EGNOS* system and ensuring access to the *Safety of Life* service. During the talks, the parties agreed on key aspects of the future agreement, discussed the technical features of the system introduction and the timing of its commissioning. It is expected that thanks to the consolidated work of the Ukrainian government and the European Commission, the next round of negotiations to be held in the first half of 2021, and the Agreement will be signed by the end of the year. In this case, Ukraine will be the first non-EU country to have access to this system.

SSAU's another ambitious goal is to engage with the EU Satellite Centre (the Torrejon airbase, Madrid, Spain). At the meeting of the EU Foreign Affairs Council, Mr. Borell stated that «the EU Satellite Centre is a very important asset for our institutions and agencies, for Member States, for our missions and operations, as it gives us a critical opportunity for geopolitical analysis. It also provides our partners, such as the OSCE, Ukraine, the [UN Mission] in Libya, with invaluable images of what is happening on the ground»[40].

On 13 January 2021, the Cabinet of Ministers has approved the Concept of the National Targeted Scientific and Technical Space Programme of Ukraine for 2021-2025. The concept calls for full-scale collaboration with the private sector, also stimulating and expanding international cooperation, including by implementing joint projects and development under the *EU Horizon Europe* programme for the period 2021-2027 and in cooperation with *ESA, NASA* and other leading space agencies[41].

[39] In addition to Ukraine, other cyber dialogue participants are Brazil, India, China, South Korea, the United States and Japan.

[40] Borrel doubts that the Kremlin wants de-escalation in Ukraine – Ukrinform, 6 May 2021, *https://www.ukrinform.ua/rubric-polytics/3241211-borrel-sumnivaetsa-so-kreml-hoce-deeskalacii-v-ukraini.html*.

[41] Details of Ukraine's cooperation with EU Member States under the CSDP in 2019-2021 are presented in Annex 2 of this publication.

2.3. Assessments of the EU-Ukraine Association Agreement implementation in the civilian security sector

In the context of ensuring Ukraine's adherence to European values and principles and bringing it closer to EU standards, the European Union attaches great importance to the civilian security sector reform. Meetings of the bilateral bodies of the Association, specifically the Association Committee, the Sub-committee on Justice, Freedom and Security, and the Human Rights Dialogue, are the main platforms for discussing results of cooperation. On 19 May 2021, the 7th meeting of the Justice, Freedom and Security Sub-committee took place in a video conference format. The parties discussed current situation in the judicial reform, reform of the prosecutor's office and law enforcement agencies, prevention and combating corruption and border management.

Ukraine undertakes measures to further develop cooperation with the EU based on the Association Agreement and the Association Agenda, relevant bilateral and national regulations governing activities in this area. A lot of work is being done in cooperation and interaction with the relevant EU agencies (Annex 3 «*The Ministry of Internal Affairs cooperation with EU agencies*», p.58) and in the framework of EU technical assistance projects (programmes) (Annex 4 «*Technical assistance projects (programmes) of the EU and Member States implemented in the Ministry of Internal Affairs in 2019-2021*», p.61).

Reforming and building capacity of law enforcement agencies

- ✓ As part of the EU project «Support to Police Reform in Ukraine», 20 police stations in Kyiv, Lviv and Kharkiv oblasts were refurbished. The main project results included effective provision of public safety and better police interaction with local communities. Within the project, 30 modern vehicles (10 minibuses and 20 cars) were delivered to the renovated police stations, and more than 400 police officers received appropriate training within the *community policing* concept, including 60 trainers who will train other police officers. The project was implemented with the support of the EU Delegation to Ukraine, the Swedish Police (SWEPOL), the United Nations Office for Project Services (UNOPS) and the EU Advisory Mission in Ukraine (EUAM). During the presentation of project results on 27 March 2021, Ambassador Hugues Mingarelli, the Head of the EU Delegation to Ukraine, said that «the EU will continue to support the Ministry of Internal Affairs and the National Police of Ukraine in transforming law enforcement agencies into truly open and democratically-oriented services, whose primary role is to serve Ukrainian people»[42].

- ✓ EUAM support formalised as the National Police of Ukraine (NPU) Operational Support programme. Its priorities include better operational activities of the NPU based on modern methods and technologies; merger of NPU investigators and operatives («Detectives» project); NPU human resources management; police-community interaction and creation of NPU response groups; introduction of the Scandinavian model of ensuring public safety and public order during mass events.

- ✓ The Intelligence Led Policing project is implemented in Ukraine.

- ✓ The Ukrainian version of the Serious and Organised Crime Threat Assessment (SOCTA) is developed based on Europol methodology with the support of EUAM and participation of Canadian and Lithuanian experts.

- ✓ On 5 February 2020, a Working Agreement between the Ministry of Internal Affairs and the EU Agency for Law Enforcement Training (CEPOL) concluded for training Ukrainian law enforcement officers according to EU standards.

- ✓ The National Guard of Ukraine maintains permanent cooperation in the areas of

[42] EU refurbishes 20 police stations in Kyiv, Lviv and Kharkiv regions – EUAM, 27 March 2019, *https://www.euam-ukraine.eu/ua/news/eu-refurbishes-20-police-stations-in-kyiv-lviv-and-kharkiv-regions.*

mutual interest with similar structures of EU Member States, including the Carabinieri of Italy, the National Gendarmerie of France, the Gendarmerie of Romania, the National Republican Guard of Portugal.

✓ Following the visit of the delegation of the National Guard of Ukraine (NGU) led by the NGU Commander to Portugal on 18-21 February 2020, the bilateral cooperation with the National Republican Guard of Portugal was initiated in the following areas:

- experience sharing in education and training of personnel;
- organising and ensuring protection of public order and ending mass riots, including joint exercises;
- protecting critical infrastructure and government agencies;
- activities of special (anti-terrorist) units;
- activities of canine units;
- activities of mountain patrol units;
- organising rehabilitation for servicemen wounded during combat missions in the area of the Joint Forces Operation in the Donbas and members of their families in Portugal;
- organising and conducting of joint patrols in places of compact residence of Ukrainian citizens in Portugal during the holiday season, mass sports or cultural events, etc.).

✓ At the end of 2019, the NGU regiment stationed in Ivano-Frankivsk won an open competition for a grant of over EUR 200,000 under the EU Joint Operational Programme «Romania-Ukraine 2014-2020», funded through the European Neighbourhood Instrument. This helped initiate four joint projects with the Romanian Gendarmerie on the prevention and fight against organized crime, cooperation of security forces. Activities within this programme are being implemented in the border areas of Ukraine and Romania, with their active phase launching in 2020. Romanian and Ukrainian counterparts held several meetings to share experiences in both countries. The successful implementation of the projects will increase the efficiency of the National Guard of Ukraine and the Romanian Gendarmerie in ensuring safety of citizens, joint fight against cross-border organized crime, increasing the level of public confidence in law enforcement agencies and awareness of their activities.

✓ During 2019-2021, the State Emergency Service (SES) of Ukraine has participated in 11 projects and programmes that were/are implemented jointly with the EU and individual Member States (see Annex 4 *«Technical assistance projects (programmes) of the EU and Member States implemented in the Ministry of Internal Affairs in 2019-2021»,* p.61). Their implementation resulted in the significant growth of SES units' capacity to prevent and respond to emergencies, including management of risks related to the danger of spillage (release) of chemicals; provided training of personnel in modern methods and practices in civil protection; allowed procurement of the latest machinery and equipment for the SES, including in the field of humanitarian demining.

✓ Within the agreement signed in 2018 with the French Airbus Helicopters on the procurement of 55 H145 helicopters as part of the Ministry of Internal Affairs' Unified System of Aviation Security and Civil Protection programme, 28 helicopters are expected to arrive to Ukraine in 2021. The first helicopters from this batch have already been distributed between the NPU (2), SBGS (2), NGU and SES (10)[43].

Border management

✓ Within the implementation of the Action Plan of Ukraine's Integrated Border Management Strategy (IBM) for the period until 2025, it was amended in February 2021 to bring it in line with the National

[43] V. Ryabykh. Almost three dozens of Airbus helicopters are expected to arrive to MoIA services in 2021 – Defense-Express, 2 February 2021, *https://defence-ua.com/weapon_and_tech/majzhe_tri_desjatki_gelikopteriv_vid_airbus_majut_nadijti_u_2021_rotsi_sluzhbam_mvs_ukrajini-2758.html.*

Security Strategy (the Cabinet of Ministers Directive No. 145 of 24 February 2021). The Interagency Working Group on IBM holds regular meetings. The project «EU Support to Strengthening Integrated Border Management in Ukraine *(EU4IBM)*» is underway.

✓ Ukraine continues to deepen its cooperation with FRONTEX — the European Border and Coast Guard Agency. Partners conducted a joint operation «Coordination points. Avia», where three observers from EU countries were stationed at the Ukrainian airports; renewed Agreement on cooperation and membership in the network of FRONTEX partner academies; and continue implementing the best European practices in education within the framework of the SBGS accession to the Common Core Curriculum for border guard training. Under the auspices of FRONTEX, Ukrainian border guards participated in trainings, courses and seminars, including courses on English language border vocabulary, exchange sharing on illicit trafficking in firearms in the EU, Eastern and South-Eastern Europe, biometrics conferences.

✓ The network of contact points on the state border continues to improve. Specifically, such points are opened on the border with Poland (Krakivets, Dorohusk), Romania (Porubne), Hungary (Zahony), Belarus (Zhytomyr). The leadership of the SBGS and border agencies of these countries hold annual meetings to discuss the situation at the border, improve cooperation on security, access of persons and vehicles, promote cooperation between border agencies, and sign relevant plans for a definite term. Priorities of these plans include improving cooperation on state border protection; refining border control procedures; ensuring better interaction of operative-search units; sharing information and joint threat assessment; preventing illegal activities and promoting collaboration of educational institutions.

✓ Joint border operations are organised and conducted every year jointly with FRONTEX, both at the EU's external borders and at checkpoints in Ukraine at land, sea and air borders. There is an ongoing data exchange through the PULSAR network for data collection and exchange on the detection of offenses at airport checkpoints, as well as monthly exchanges of statistics within the Eastern Partnership risk analysis network.

✓ During 2019-2021, the State Border Guard Service of Ukraine implemented EU projects in the following areas:

- improvement of surveillance systems on the Ukrainian-Polish border (Southern, Northern and Central sectors);
- visual control of the checkpoints operation;
- EU-ACT: EU action on drugs and organised crime, intensive cooperation and capacity building to combat organised crime in drug trafficking along the «heroin route»;
- improvement of integrated border management on the Ukrainian-Moldovan border;
- support for migration and asylum management in Ukraine;
- EU support in strengthening integrated border management in Ukraine;
- operational support in providing strategic advice on reforming Ukraine's civilian security sector;
- provision of specialised vehicles and equipment for demarcation of the Ukrainian-Belarussian border;
- building Ukraine's capacity in the field of civil protection;
- provision of technical equipment to the Main Forensic Centre/Document Inspection Lab.

Fight against illicit trafficking of arms and drugs

✓ In addition to export and drug control measures, the fight against illicit trafficking of arms and drugs involves many law enforcement agencies, including special services, police, border guard and customs. In 2020, the State Customs Service of

Ukraine revealed 424 facts of illegal movement of weapons and ammunition across the customs border of Ukraine and 771 facts of illicit trafficking of narcotic drugs, psychotropic substances and precursors[44].

✓ The EU-Ukraine cooperation in 2019-2021 in the fight against drug trafficking was carried out within the framework of the EU-ACT project. A high-level meeting on the project completion (2018-2021) was held on 15-17 June 2021 in Kyiv. During the meeting, the draft Strategy of State Policy on Drugs until 2030 was presented, as well as the Roadmap of the Ukrainian Working Group on Psychoactive Substances Research was approved to improve existing regulations, assess the possibility of creating common standards of operational procedures and information support to combat drug trafficking.

Fight against crime and terrorism

✓ On 4 June 2020, the Verkhovna Rada adopted the Law on Amendments to Certain Legislative Acts of Ukraine Concerning Liability for Crimes Committed by the Criminal Community.

✓ On 16 September 2020, the government approved the Strategy for Combating Organised Crime[45].

✓ On 22 January 2021, a conference was held bringing together representatives of the NPU Departments, Europol and CEPOL. Partners discussed cooperation in the framework of two new projects «Combating organised crime in the Eastern Partnership region» and «Training and operational partnership against organised crime» (TOPCOP).

✓ Draft documents on the National Police of Ukraine cooperation with the relevant agencies of the EU Member States on crime control were finalised, including agreements with the Ministry of Internal Affairs of France on the establishment of a joint expert group on combating transnational organised crime; a memorandum with the Ministry of the Interior of Estonia on cooperation in crime prevention and control; a memorandum with the Ministry of the Interior of the Czech Republic on joint patrols on its territory.

In 2020, the European Commission presented a new counter-terrorism agenda with four main areas of action — anticipate, prevent, protect, respond[46], based on the key principles of productive cooperation, coordination and interaction with partners.

In early December 2020, the EUAM organised a strategic two-day counter-terrorism webinar for representatives of the Security Service of Ukraine (SBU) and Europol. The goal of the event was to establish contacts and deepen cooperation between the European Counter Terrorism Centre (ECTC) and the SBU Anti-Terrorist Centre.

Official decision to review the national system of combating terrorism and ensure that review results are duly taken into account in the implementation of the Concept

[44] Countering the illicit movement of drugs and arms in 2020 – the State Customs Service of Ukraine, 22 January 2021, *https://customs.gov.ua/news/zagalne-20/post/protidiia-nezakonnomu-peremishchenniu-narkotikiv-ta-zbroyi-za-2020-rik-343.*

[45] The Cabinet of Ministers of Ukraine Directive No. 1126 of 16 September 2020.

[46] Communication From the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions. – A Counter-Terrorism Agenda for the EU: Anticipate, Prevent, Protect, Respond, European Commission? Brussels, 9 Dec. 2020, *https://ec.europa.eu/home-affairs/sites/default/files/pdf/09122020_communication_commission_european_parliament_the_council_eu_agenda_counter_terrorism_po-2020-9031_com-2020_795_en.pdf.*

of Combating Terrorism in Ukraine[47] was adopted on 17 June 2021. According to the Concept, the main pillars of the fight against terrorism in Ukraine are prevention of terrorist activities; detection and cessation of terrorist activities; elimination and minimisation of its consequences; anti-terrorist support of objects of possible terrorist encroachment; international cooperation in the fight against terrorism.

In addition to the national-level measures, improving operation of the national system of combating terrorism includes the following steps:

- ensuring full implementation of international agreements on combating terrorism concluded within the framework of the UN and other international organisations to which Ukraine is a member;
- improving and scaling up interaction of counter-terrorism actors with law enforcement agencies and special services of foreign countries, anti-terrorist structures of the UN, OSCE, NATO, the EU, other international organisations engaged in combating terrorism, on the basis of international agreements;
- ensuring regular exchange of counter-terrorism experience with relevant bodies of foreign countries and international organisations engaged in combating terrorism, internships and training of national specialists abroad in the framework of international cooperation.

Therefore, the Concept of Combating Terrorism in Ukraine, adopted in 2019, generally corresponds to relevant anti-terrorist document presented by the European Commission at the end of 2020, while interaction of counter-terrorism bodies of Ukraine and the EU should «polish» the details of such cooperation in the fight against terrorism.

Fight against corruption, interaction of law enforcement agencies, judicial reform

Fighting corruption and reforming the justice system are the most painful and problematic issues of the EU-Ukraine cooperation. Although these do not belong to security in the traditional sense, they are inseparable from both security and all other vital functions of society and the state. That is why many of the related concerns, whether it is about joining the EU or NATO, or about the economy or defence industrial cooperation, or about financial loans or military aid, are about corruption and justice.

In recent years, Ukraine has adopted many laws and strategic documents governing reforms and activities in these areas[48]. However, the lack of transparency and professionalism at early stages of their development, hidden influence of interest groups, shortcomings of control and accountability mechanisms result in the absence of real positive results at the stage of their implementation.

Without going deep into details, the situation in this area can be described as follows.

✓ Loss of time and public confidence in the government because of delays in judicial

[47] Decree of the President of Ukraine «On the decision of the National Security and Defence Council of Ukraine of June 4, 2021 'On the report on the results of the review of the national system of combating terrorism'» No. 251 of 17 June 2021; The Concept of Combating Terrorism in Ukraine, approved by the Decree of the President of Ukraine No.53 of 5 March 2019.

[48] Regulatory framework of anti-corruption activities in Ukraine. See: Anti-corruption activities, regulatory framework – the Government Portal, *https://www.kmu.gov.ua/diyalnist/antikorupcijna-diyalnist/normativno-pravova-baza*. On innovations in the judicial reform. See: Judicial reform – Liga Zakon, 16 June 2021, *https://product.ligazakon.ua/sudebnaya-reforma-2*.

reform. Reforms were largely hampered by flaws in the judicial staffing system, by willingness of certain interest groups to keep hold of the courts, by uncertain and sometimes regrettably negative reaction of the President, MPs and top tier judges to the remarks and proposals of the Venice Commission, EU institutions and national experts[49]. On 29 June 2021, the Verkhovna Rada finally launched judicial reform by supporting amendments to the Law of Ukraine «On the Judiciary and the Status of Judges» and some laws of Ukraine allowing the resumption of the High Qualifications Commission of Judges, taking into account comments and suggestions of Ukrainian experts and Western partners[50]. However, this is only the beginning of the reform process that has many opponents. Therefore, its further advancement requires special attention, including from international partners.

✓ Recent emergence and acceleration of a risky trend, namely the introduction of the NSDC sanctions policy, accompanied by the intention to prohibit courts from suspending such sanctions and extend the President's powers to make political and legal decisions[51].

✓ Reduced efficiency of anti-corruption bodies due to political pressure on their leaders and their artificial overloading with insignificant cases to distract attention from exposing systemic corruption schemes and prosecuting influential figures[52].

✓ Lack of political will to radically reform the Security Service of Ukraine (SBU) by focusing its activity on counterintelligence and depriving of investigative functions and levers of influence over business[53]. Suppression of this process points at a conflict of interest both in the political leadership and within the service itself.

✓ Irrational distribution of powers between law enforcement agencies (e.g. the National Police, the SBU, the State Bureau of Investigation, the Bureau of Economic Security) and their inefficient coordination, which stems from conflicts of interest in the groups of influence[54].

[49] M. Siryi, Academic Secretary, Senior Research Fellow of the Koretsky Institute of State and Law of the National Academy of Sciences of Ukraine, Member of the central board of the Ukrainian Law Society: «Reform is first of all a social process. It is not just a bill or several bills... Unfortunately, today there is no social process that would show signs of judicial reform in Ukraine». See: D. Barkar D. Zelenskyy's judicial reform. How will the justice of Ukraine change? – Radio Svoboda, 25 March 2021, *https://www.radiosvoboda.org/a/sudova-reforma-zelenskoho-yak-zminytsya-pravosuddya/31167879.html*; The key to judicial reform: what the Venice Commission said about reforming the High Council of Justice – European Pravda, 7 May 2021, *https://www.eurointegration.com.ua/rus/articles/2021/05/7/7122924*.

[50] Plenary meeting of the Verkhovna Rada of Ukraine, 29 June 2021, *www.rada.gov.ua/news/Povidomlennya/210956.html*.

[51] Larysa Denysenko: «The NSDC sanctions cannot replace court decisions. Replacing sentences with sanctions against someone who is considered a criminal is more dangerous than a «dead» judicial system and harms Ukraine's interests. See: Comment: Sanctions of the National Security and Defence Council instead of court verdicts harm the interests of Ukraine – DW, 9 April 2021, *https://www.dw.com/uk/komentar-sanktsii-rnbo-zamist-sudovykh-vyrokiv-shkodiat-interesam-ukrainy/a-57142804*; They suggest introducing the concept of «political and legal decision» into the legislation to return Ukrainians detained in Russia, Crimea and the Donbas – Interfax Ukraine, 23 June 2021, *https://ua.interfax.com.ua/news/political/751582.html*.

[52] On the capabilities of Ukraine's anti-corruption bodies and the factors that negatively affect their effectiveness, see: How capable and effective are the anti-corruption institutions? A Study of Transparency International Ukraine (2015-2020), *https://ti-ukraine.org/research/chy-spromozhni-ta-efektyvni-antykoruptsijni-instytutsiyi-doslidzhennya-ti-ukrayina*; On the effectiveness of the Anti-Corruption Court and pressure on judges... – «Sudova Vlada», 14 August 2020, *https://court.gov.ua/press/publications/980827*; The system resists successes of anti-corruption bodies – NABU and SAP – Ukrainian Crisis Media Centre, 10 February 2021, *https://uacrisis.org/uk/nabu-ta-sap*; E. Solonyna. Attacts on NABU and SAP – a blow on the visa-free regime and Western support? – Radio Svoboda, 18 September 2020, *https://www.radiosvoboda.org/a/nabu-i-sap/30844572.html*.

[53] See: Appeal of human rights organizations to Zelenskyy regarding the SBU reform – The Centre for Human Rights ZMINA, 8 June 2021, *https://zmina.ua/statements/zvernennya-pravozahysnyh-organizaczij-do-zelenskogo-shhodo-reformy-sbu*; 13 questions about the SBU: Why these changes are important for Ukraine? – European Pravda, 29 June 2021, *https://www.eurointegration.com.ua/rus/experts/2021/06/29/7124854*.

[54] See, for example «Smoothly on paper: Why creation of BES will create illegitimate pressures on business – «Yurydychna Hazeta online», 18 March 2021, *https://yur-gazeta.com/dumka-eksperta/gladenko-na-paperi-chomu-stvorennya-beb-prizvede-do-nepravomirnogo-tisku-na-biznes.html*.

- ✓ The issue of information security[55] may become another unexpected complication for Ukrainian security agencies and for their cooperation with European colleagues, as this can create additional restrictions on partnership in specific security issues that are subject to AA.

- ✓ Counterproductive attempts by Ukraine's top government officials to «pressure» the EU in order to approximate (or specify) the term of Ukraine's membership in the absence of real results of fulfilment of its obligations under the Association Agreement, which would convincingly demonstrate their commitment to European values.

These conclusions are further confirmed by the Ukrainian and foreign expert assessments of the effectiveness of the Association Agreement implementation in these areas. On a 5-point scale, they scored on average 2.6 points among Ukrainian experts, and 2.1 points among foreign experts. The latter gave the lowest score to the judicial reform – only 1.6 points («*Expert Assessments and Forecasts of the Association Agreement Implementation and Prospects of Ukraine's Partnership with the UE in the Security Sphere*», p.64).

Ukraine has, in fact, made a significant progress in implementing the Association Agreement in security aspects, both on the CSDP and civilian security, especially at grassroots levels. This commands respect among European partners and encourages them to continue cooperating with Ukrainian counterparts.

At the same time, Ukraine's systematic advancement along the chosen course of European integration and the general picture of reform efforts are strongly damaged by weaknesses in the judiciary, failures in the fight against corruption, shortcomings of reforms of the law enforcement system as a whole (rather than individual bodies), as well as by traditional reluctance of Ukrainian authorities to adhere to the principle «more for more»[56].

[55] The case of Wagner mercenaries: did Zelenskyy confess? – Radio Svoboda, 25 June 2021, *https://www.radiosvoboda.org/a/sprava-vagnerivciv-zelenskiy-ziznavsya/31325824.html*.

[56] «Large-scale and unprecedented support from the European Union and its Member States, including financial assistance, are linked to the anti-corruption architecture, which is independent, effective and free from political and other pressures». See: The EU recalled that financial support for Kyiv depends on the fight against corruption – DW, 29 October 2020, *https://www.dw.com/uk/u-yes-nahadaly-shcho-finansova-pidtrymka-kyieva-poviazana-z-borotboiu-z-koruptsiieiu/a-55440258*.

3. CONCLUSIONS AND RECOMMENDATIONS

Conclusions

Signing of the Association Agreement (AA) in 2014 has become another important stage in the development of the EU-Ukraine partnership, reaffirming the parties' mutual interest in strengthening political dialogue and practical cooperation for «Ukraine's ever-deeper involvement in the European security area» and «achieving peace, security and stability on the European continent»[1].

Implementation of the Association Agreement is an integral part of Ukraine's European integration course, whereas the security partnership with the EU is not only an additional source of resources (financial, material, technological and regulatory) for Ukraine, but also a guide and catalyst for comprehensive security sector reforms.

For its part, the EU is also genuinely interested in deepening partnership and integration of Ukraine (currently at the level of association) into a common European political, economic and security space, as evidenced not only by political declarations but also by practical steps.

The partners' mutual interest and potential for further deepening of security partnership are preconditioned by:

- ✓ proximity of the EU and Ukraine's interests in the security sphere;
- ✓ shared assessments of the security threats to Europe and Ukraine's national security threats;
- ✓ compatibility of values and readiness to defend them;
- ✓ gradual building of Ukraine's capacity to become not just a consumer but a real contributor to European security.

Official assessments of the state of AA implementation reaffirm the document's significance as a tool for supporting dynamic processes of political integration and practical cooperation. At the same time, official assessments and independent monitoring results alike consistently point at insufficient realisation of the Agreement's potential. European partners call the Ukrainian authorities'

[1] Article 4 of the EU – Ukraine Association Agreement.

attention to the importance of full AA implementation and remind about the close link between EU's assistance and the need for Ukraine to show its commitment to reform and adherence to the Union's principles.

The extensive list of recommendations for improving the Agreement implementation increasingly recalls the need to assess the possibility of updating certain AA provisions given the evolutionary changes since the signing of the Agreement, which, coupled with improved monitoring mechanisms, will help further develop the EU-Ukraine partnership in the association format. In view of rather illusory prospects of Ukraine's full membership in the EU[2], the Association Agreement will remain a fundamental document governing relations of the «Associated Trio» – Ukraine, Georgia and Moldova[3]. with the EU in years ahead. It is unlikely that the initiative to introduce the EU membership action plan similar to NATO's MAP will accelerate the integration process for potential candidates[4]. On the one hand, such a proposal is designed to achieve a moral effect by stimulating the partnership effectiveness with a new strategic goal of membership. On the other hand, its practical realisation entails the introduction of a new cycle of elaboration, discussion, coordination and adoption of relevant documents, which, given the EU's procedures, makes both the timeframe and the outcome uncertain. Instead, the risk of associated partners' frustration with the membership prospects and loss of the pace of partnership are more likely.

Given the prospects of formalising cooperation with Georgia, Moldova and Ukraine within the «Associated Trio» format, more effective EU assistance can be expected through better coordination of the EU missions in these countries (EUMM Georgia, EUBAM, EUAM Ukraine).

Ukraine and the EU have made significant progress in implementing the AA. This primarily concerns areas, where Ukraine's achievements are positively assessed by both national and foreign experts, namely political dialogue in Common Foreign and Security Policy (CFSP), implementation of integrated border management and counter-terrorism activities. Compared to Ukrainian experts, their foreign counterparts are more positive about Ukraine's achievements in settling regional conflicts, participating in exercises and training, and in contributing to the EU's military and civilian operations within the CSDP. Instead, experts were less positive about the EU-Ukraine partnership in the fight against corruption and the judicial reform (Figure «*How would you assess Ukraine's performance in implementing the Association Agreement in the security sphere*?», p.66).

The ultimate result of an extensive multilevel dialogue and cooperation in the field of security is the European Union's unwavering support for the sovereignty, independence and territorial integrity of Ukraine within internationally recognised borders. The same applies to Ukraine's bilateral cooperation with EU Member States, resulting not only in their assistance to Ukraine, but also in their attempts to form a coalition of «friends of Ukraine» that Ukraine can count on both in countering Russian aggression and in addressing other important issues.

However, common position of the «friends of Ukraine» on the need to punish the aggressor and force him to adhere to international order is not always shared by other key Member States, as evidenced by joint statements at the EU level. For example, at the Summit on 25 June 2021, the EU leaders reiterated «the European Union's openness to a selective engagement with Russia in areas of EU interest... on topics such as climate and the environment, as well as selected issues

[2] None of the surveyed Ukrainian and foreign experts believes that Ukraine can become a member of the EU within the next five years. Less than one-third of Ukrainian and half of foreign experts admit such a possibility in a 10-year perspective, and 40% of Ukrainian and foreign experts view it as a more distant perspective. For more detail, see the results of the expert survey in «Expert Assessment and Forecasts of the Associations Agreement Implementation and Prospects of Ukraine's Partnership with the EU in tne Security Sphere», included in this publication.

[3] On preliminary measures to launch the «Associated Trio» process, see, for example: Joint communiqué of the Inter-Parliamentary Cooperation Platform of Georgia, Moldova and Ukraine «Strategic Rethinking of the Eastern Partnership» – Information Department of the Verkhovna Rada of Ukraine Secretariat, 19 September 2017, *https://www.rada.gov.ua/print/148495.html;* The EU proposes to launch a «trio process» to accelerate the European integration of Ukraine, Moldova and Georgia – Ukrinform, 18 November 2019, *https://www.ukrinform.ua/rubric-world/2817141-es-proponuut-zapustiti-proces-trio-dla-priskorenna-evrointegracii-ukraini-moldovi-ta-gruzii.html.*

[4] The European Parliament proposed developing an «action plan» for Ukraine's EU membership – Ukrinform, 20 April 2021, *https://www.ukrinform.ua/rubric-polytics/3231403-u-evroparlamenti-zaproponuvali-stvoriti-dla-ukraini-plan-dij-sodo-clenstva-v-es.html.*

of foreign and security policy and multilateral issues such as the JCPoA (Joint Comprehensive Plan of Action on Iran), Syria and Libya»[5]. That is, European nations still hope for the possibility of constructive relations with Russia, even in those areas where the Kremlin creates problems, including for retaining the initiative and control over the processes of communication with the West.

Refusal of most the EU Member States to support France and Germany's initiative on holding the summit of EU heads of state with Vladimir Putin[6] both positive news and an alarming signal for Ukraine. The persistence of France and Germany in establishing a dialogue with Putin can negatively affect their willingness to compromise, for example, within the Normandy Four talks.

Recent significant changes in the EU's security sector that continue with a varying degree of intensity are associated with Europe seeking strategic autonomy. Therefore, Ukraine must not only adhere to the existing EU security norms, criteria and priorities, but also track relevant changes and respond to them in a timely manner by adjusting its own regulatory framework, strategies and programmes of the security sector development.

When setting priorities in the field of international military and military technical cooperation, Ukraine should be clearly aware of the distribution of powers between the EU, NATO and individual member states. Ukraine should continue view NATO as its priority international partner in military cooperation. Instead, military cooperation with the EU within the CSDP concerns solely or mostly «soft» areas, such as civilian, police (but not peace enforcement) and peacekeeping operations, or peacekeeping operations under Chapter VII- (or VI +) of the United Nations Charter; standardisation, logistics; consultations, training and exercises on similar issues.

The same applies to military technical assistance provided to Ukraine mainly through NATO – either from reserves of Allied forces based on the Alliance-level decisions or upon the call of Allied leadership to NATO members[7].

The task of deepening the security partnership with the EU should in no way be viewed as an alternative to Ukraine's strategic course to joining NATO. Building partnership and gaining membership in these international alliances are noncompeting and complementary processes.

Meanwhile, Ukraine should not ignore the opportunities for military technical cooperation within its partnership with the EU. Arms procurement and participation of third countries in joint development and production of military equipment and dual-use technologies is regulated by the European Union but is carried out by national governments on a case-by-case basis in line with common EU rules, international law and national interests. Providing third countries with access to PESCO projects can be seen as a new incentive in expanding and deepening the EU-Ukraine military and military technical partnership. At the same time, it is still necessary to address the known problems of coordination and use of opportunities for international military technical cooperation (including assistance), determination of real defence needs given the budget limitations, and ability to use arms imports for balanced strengthening of the Armed Forces and defence industrial potential.

The ever-changing security situation and the evolution of the EU and Ukraine's security policy regulations also require timely adjustment of partnership plans. Both Ukrainian and foreign experts are mostly unanimous in assessing the impact of proposals for updating the AA content on its practical implementation. The differences in assessments mainly relate to mentioning Ukraine's EU membership as the goal of association, and specifying measures included in Titles II and III of the Association Agreement. Regarding the development of a roadmap for the AA implementation, foreign experts are more cautious about both parties' equal responsibility,

[5] European Council conclusions on external relations, 24 June 2021, *https://www.consilium.europa.eu/en/press/press-releases/2021/06/25/european-council-conclusions-on-external-relations-24-june-2021*.

[6] Y. Sheiko. There will be no EU-RF summit: how Brussels discussed the idea of meeting with Putin – DW, 25 June 2021, *https://www.dw.com/uk/samitu-yes-rf-ne-bude-yak-u-briusseli-obhovoriuvaly-ideiu-zustrichi-z-putinym/a-58039963*.

[7] NATO Secretary General: Weapons to Ukraine can be provided not by NATO but by individual Allies, 5 February 2015, *https://www.unn.com.ua/uk/news/1434451-zbroyu-ukrayini-mozhe-nadati-ne-nato-a-soyuzniki-gensek*.

pointing at Ukraine's sole responsibility for the implementation of such a document (Figure «*Will the following proposals regarding the content of the Association Agreement increase the effectiveness of its implementation*?», p.68).

As of today, changes to the AA are truly overdue, but mainly in areas described in greater detail, such as finance, economy, customs policy, etc., and therefore require clarification of certain goals, parameters and measures. In turn, Titles II and partially III rather provide framework definitions of partners' obligations, and this format allows responding to a wide range of changes. The goals and objectives in the field of security are defined in more detail in the Association Agenda — a rather flexible and adjustable practical mechanism for the AA implementation.

Both Ukrainian and foreign experts agree that the following problems have a significant negative impact on the AA implementation by Ukraine (Figure «*What are the main obstacle for Ukraine in implementing the Association Agreement*?», p.68):

- ✓ lack of political will to implement reforms (78% of Ukrainian and 100% of foreign experts);
- ✓ corruption (82% and 90%, respectively);
- ✓ oligarchic groups' fear of competition from European companies (66% and 80%, respectively);
- ✓ lack of professionalism and continuity in government (72% and 50%, respectively);
- ✓ insufficient harmonisation of regulatory framework (44% and 80%, respectively).

Quite remarkable are expert assessments of the impact of the lack of budget funding, as only 36% of Ukrainian experts and no foreign experts rated it as significant; however, 56% of Ukrainian and 90% of foreign experts acknowledged its insignificant impact.

Experts were quite reserved in assessing the effectiveness of the existing state system for planning and monitoring the Association Agreement implementation. The effectiveness of implementation plans received 3.3 points from Ukrainian experts, and 2.9 – from foreign experts; similarly, monitoring systems scored 3.4 and 3.1 points, respectively (Figure «*Assessment of the effectiveness of the existing systems for planning and monitoring Ukraine's implementation of the Association Agreement*», p.69).

Until recently, the European partners tended to respond positively to the planning documents and monitoring results of their implementation, presented by Ukraine. However, with transition to practical dimension, the tone of the EU evaluation reports gradually becomes more critical[8]. Ukraine's focus on quantitative indicators and inadequate attention to the quality of relevant plans, programmes and projects affects the achievement of qualitative indicators accordingly (despite the introduction of quality management systems in government activities).

The same is true for the «Agreement Pulse» monitoring system. According to the data presented in the system, current progress under the «Political dialogue, national security and defence» and «Justice, freedom, security and human rights» sections are 89% and 85%, respectively, which clearly runs contrary to expert assessments, presented in this publication. Developers of the system do recognise that «percentages may not fully reflect the practical application of approximated legislation, its quality and outcomes that are different by complexity and difficulty of the task»[9].

The COVID-19 pandemic has somewhat restricted realisation of the AA implementation plans in 2019-2021. However, this situation stimulated the development and active introduction of new information and communication technologies (ICT) in the implementation process (including webinars, teleconferences and consultations on political dialogue,

[8] M. Khylko. Ukraine's implementation of the reform agenda provided for by the Association Agreement with the European Union – Public opinion on law making, No. 1 (206), 2021, pp.26-30, *http://nbuviap.gov.ua/index.php?option=com_content&view=article&id=5104:vikonannya-ukrajinoyu-poryadku-dennogo-reform-peredbachenogo-ugodoyu-pro-asotsiatsiyu-iz-evropejskim-soyuzom-2&catid=8&Itemid=350*.

[9] Monitoring system for the implementation of the Association Agreement between Ukraine and the EU, *https://www.kmu.gov.ua/diyalnist/yevropejska-integraciya/vikonannya-ugodi-pro-asociaciyu/sistema-monitoringu-vikonannya-ugodi-pro-asociaciyu*.

educational and scientific programmes). Further active use of ICT will increase the intensity of work and help to save a lot of time and financial resources.

The EU Advisory Mission (EUAM) provides invaluable assistance in reforming Ukraine's civilian security sector. The Mission's gradual expansion to the regional level and to structures other than the Ministry of Internal Affairs of Ukraine, such as intelligence agencies, the Security Service of Ukraine (SBU), prosecutor's office, courts and anti-corruption bodies, can serve as a model for a comprehensive and all-round approach to the national security sector reform.

In general, the EU-Ukraine partnership can be considered positive and beneficial for both parties. The average scores on the effectiveness of Ukraine's AA implementation: 3.5 points – in the EU's CSDP and 2.7 – in the field of civilian security (mainly due to low scores in the fight against corruption and in reforming the judiciary).

Recommendations

The analysis of results of the EU-Ukraine security partnership within the framework of the Association Agreement implementation shows both strong potential for further advancement of the partnership and significant obstacles that hinder its full implementation.

Recognising the objective need to adjust existing security partnership formats (and understanding the partnership specifics in other sectors), the authors of the study believe that modernising the Action Plan would be the most appropriate option, as it is more flexible and adjustable practical tool for implementing the Association Agreement. To this end, the Action Plan needs to specify the goals of cooperation, objectives and measures to achieve them, as well as results, timelines, implementing partners, necessary resources and their sources. Meanwhile, it would be expedient to start preparations for the next stage, when it will be necessary to significantly adjust both the concept of partnership and the details of its implementation.

Given the significant but underused partnership potential of Ukraine's cooperation with EU agencies and institutions, it is important to expand collaboration in the protection of human rights in emergencies, intelligence, space exploration and defence industry development, as well as in joint action against cybercrime, terrorism, separatism, radicalisation of communities and money laundering. Deepening cooperation may include the increased role of analytics in the work of national security structures and EU agencies, development of new mechanisms for their interaction, increased volume and quality of data sharing, and active introduction of ICT in cooperation. Particular attention should be paid to alignment with EU procedures and requirements for confidentiality and security of databases and information networks.

Intensified cooperation on identifying common threats may be another important factor in improving the partnership. Shared systematic approaches to these issues will contribute to the development of better early threat detection methods, the establishment of new and improvement of existing mechanisms and tools for countering threats, better coordination of their functioning and interaction.

It is important for Ukraine not only to focus on Russia's aggressive foreign policy, but also to recognise other challenges and threats that may have different priorities for Ukraine and the EU or its individual members.

Initiatives in military technical cooperation (MTC) can also have a bright future, if elaborated properly and deeply (both individually and together with partners). These may include[10]:

- ✓ Joint MTC centre within the European Neighbourhood Policy;
- ✓ Integrated exports control system of the European counties and the «Associated Trio» members;
- ✓ Scientific and technological centre for coordination of joint projects in the development of new military and dual-use technologies;

[10] I.H.Khanin, Areas of intensification of military technical cooperation between Ukraine and the European Union. – «Efektyvna Ekonomika», *http://www.economy.nayka.com.ua/?op=1&z=4459*.

- ✓ Joint infrastructure for design, certification and testing of weapons, military and special equipment, training of specialists under the auspices of the EU and NATO;
- ✓ Centre of excellence for introducing good corporate governance and new business models in industrial enterprises, etc.

Given the sensitivity of MTC issues in the context of Member States' national concerns and business interests of their defence companies, it would be expedient to advance these initiatives carefully and selectively, starting from the subregional level and involving countries that treat partnership with Ukraine positively and have compatible (both current and post-reform), mutually involved defence industry sectors and exports control systems. One aspect of their partnership could include the development of appropriate codes of conduct in relevant areas, which, if successfully implemented, could be incorporated by other interested EU members.

Effective reform of the national defence industry and transformation of defence companies into attractive investees with good corporate governance by EU standards, sufficiently high technological development and highly skilled workforce is a key prerequisite for deepening cooperation in the defence industry.

Particular attention should be paid to improving Ukraine's system of planning, evaluation and monitoring of the Association Agreement implementation. The process of improving the national system of strategic planning and governance must comply with the following criteria:

- ✓ clearly defined goals and measurable indicators of their achievement;
- ✓ list of intermediate and final results with clearly defined parameters (characteristics);
- ✓ necessary resources and their sources;
- ✓ timelines;
- ✓ implementing partners;
- ✓ procedures and conditions of acceptance of intermediate and final results.

Ensuring appropriate coordination of programmes, plans and projects – provided that they meet the above criteria – would require an operational (not representative) body at the plan administration level, authorised to adjust implementation processes and manage financial resources[11]. In addition to being a step towards good governance (quality management), this would allow Ukraine to work more effectively with partners at all levels, from political to executive (including the public and private sectors).

Therefore, in order to increase the effectiveness of the EU-Ukraine partnership, it is necessary to ensure at least the following conditions: partners' common ground (consistent understanding of goals, intermediate and final results, rules and restrictions); political will to implement reforms; regulation of «small steps» within long-term strategies and short- and medium-term programmes; ability to support the process of achieving long-term strategic goals with small but tangible positive results.

[11] Unlike programme (project) activities, the operational activities of security and defence agencies require traditional coordination, with the formation of advisory bodies (committees, commissions, etc.) both at the national level and at the level of partnership with the EU (the list of controlling and coordinating bodies is provided in Section 1 of this report).

PESCO'S PROJECTS[1]

Project, countries participating and project start date	Description
TRAINING, FACILITIES	
European Union Training Mission Competence Centre (EU TMCC) Germany, Austria, Czechia, France, Italy, Ireland, Luxembourg, Netherlands, Romania, Sweden, Spain Adopted on 6 March 2018	The European Union Training Mission Competence Centre (EU TMCC) will improve the availability, interoperability, specific skills and professionalism of personnel employed to staff positions at strategic or operational level for EU training missions across participating member states (pMS). It will support pMS with coordination of commonly organized, harmonized and standardized education for military personnel to become employed to staff positions within EU TMs as well as personnel on strategic levels (MoDs or other high level structures)
European Training Certification Centre for European Armies Italy, Greece Adopted on 6 March 2018	The European Training Certification Centre for European Armies aims to promote the standardisation of procedures among European Armies and enable the staff, up to Division level, to practice the entire spectrum of the command and control (C2) functions at land, joint and interagency levels in a simulated training environment. The Centre will ensure that soldiers and civilian employees will work together in a simulated training environment with scenarios such as «Humanitarian Assistance» and «Support to Stabilization and Capacity Building» and eventually contribute to ensure that corporate experience and knowledge is consolidated, shared and made available to plan and conduct CSDP missions and operations.
Helicopter Hot and High Training, H3 Training Greece, Italy, Romania Adopted on 19 November 2018	The project aims to provide EU's Helicopter Aircrews with specialized flight and tactics training within a «Hot-and-High» environment against new, transnational and multidimensional threats. Moreover, it provides a unique venue for additional training and evaluation of aircrews. It is eligible not only for military crews but also for EU civil aircrews, in order to cover peacetime operations such as forest fight firing and police air patrols, in high altitude areas.
Joint EU Intelligence School, JEIS Greece, Cyprus Adopted on 19 November 2018	The JEIS, in collaboration with member states, NATO CoEs , Intelligence and Security Services, will provide education and training in intelligence disciplines and other specific fields to EU member states intelligence and non military personnel.
EU Test and Evaluation Centres, ETEC France, Slovakia, Spain, Sweden Adopted on 19 November 2018	Sweden and France co-lead the PESCO project on Test & Evaluation (T&E), comprising two work strands: • *ETEC* Vidsel, which is a proposed European Cooperation in advanced T&E for military systems and; • T&E centres network, which will promote the EU test and operational evaluation centre capabilities, ensuring that they are used in priority for EU supported projects. This project allows to highlight synergies, to optimize the use of European centres, and overall improve European test capacities and capabilities.
Integrated European Joint Training and simulation Centre (EUROSIM) Hungary, France, Germany, Poland, Slovenia Adopted on 12 November 2019	The objective is to establish a tactical training and simulation cloud based network which could connect and integrate the geographically spared simulation sites and training capacities into one real time, joint level simulation platform.

[1] See: Permanent Structured Cooperation (PESCO)' projects – Overview, *https://www.consilium.europa.eu/media/46846/pesco-projects-20-nov-2020.pdf.*

PESCO'S PROJECTS

Project, countries participating and project start date	Description
EU Cyber Academia and Innovation Hub (EU CAIH) Portugal, Spain Adopted on 12 November 2019	To ensure a secure cyberspace, it is key to develop a technologically skilled workforce, a cyber-savvy ecosystem, and an effective pipeline of future employees. The project of EU CAIH can add value by enhancing the creation of an innovative web of knowledge for cyber defence and cyber security education and training, providing a vital contribution to strengthening national, NATO and EU's capability to defend against the threats of the digital world. It would also act as a coordination point for future cyber education, training and exercises, explore synergies with industry and academia, and establish an international cooperative approach, at the EU and NATO levels.
Special Operations Forces Medical Training Centre (SMTC) Poland, Hungary Adopted on 12 November 2019	The main objective is to establish a medical training and excellence centre focused on medical support for special operations. The overall aim would be to enhance medical capabilities supporting the Special Operations Forces (SOF) missions and operations, in terms of training, procedures and interoperability. The intent of the project is to expand the Polish Military Medical Training Centre in Łódź, which has the status of a certified National Association of Emergency Medical Technicians (NAEMT) Training Center, into the Special Operations Forces Medical Training Centre (SMTC) to provide medical training capability for SOF personnel, increase coordination of medical support for SOF operations, boost professional cooperation of participating member state in that field, enhance readiness and capability of participating member state regarding personnel and materiel and intensify harmonisation in the subject matter.
CBRN Defence Training Range (CBRNDTR) Romania, France, Italy Adopted on 12 November 2019	The project addresses the standardised chemical, biological, radiological and nuclear Defence (CBRND) individual and collective training, using the existing facilities and infrastructure on demand. It is intended to further develop the existing facilities to accommodate a full spectrum of practical training, including live chemical agents training, for CBRND specialist and small units, up to company level.
European Union Network of Diving Centres (EUNDC) Romania, Bulgaria, France Adopted on 12 November 2019	The main objective is to coordinate and enhance the operation of EU diving centres in order to better support CSDP missions and operations, in particular by ensuring a commonly regulated education and training for divers. EUNDC will provide a full spectrum of authorised training courses for divers and rescue swimmers from member states in accordance with the common standards and procedures (including for inland waters diving).
LAND FORMATIONS, SYSTEMS	
Deployable Military Disaster Relief Capability Package Italy, Austria, Croatia, Greece, Spain Adopted on 6 March 2018	The project objective is to develop a Deployable Military Disaster Relief Capability Package (DM-DRCP) through the establishment of a specialized military assets package deployable at short notice within both EU-led and non-EU led operations, in order to generate a mission tailored Task Force (TF), as a tool to properly face emergencies and exceptional events (public calamities, natural disasters, pandemics, etc.) within EU territory and outside of it.
Armoured Infantry Fighting Vehicle/ Amphibious Assault Vehicle/ Light Armoured Vehicle Italy, Greece, Slovakia Adopted on 6 March 2018	The project will develop and build a prototype European Armoured Infantry Fighting Vehicle / Amphibious Assault Vehicle / Light Armoured Vehicle. The vehicles would be based on a common platform and would support fast deployment manoeuvre, reconnaissance, combat support, logistics support, command and control, and medical support. These new vehicles will also strengthen the EU CSPD ensuring, at the same time, the interoperability among European armies.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
Indirect Fire Support (EuroArtillery) Slovakia, Hungary, Italy Adopted on 6 March 2018	The Indirect Fire Support (EuroArtillery) will develop a mobile precision artillery platform, which would contribute to the EU's combat capability requirement in military operations. This platform is expected to include land battle decisive ammunition, non-lethal ammunition, and a common fire control system for improving coordination and interoperability in multi-national operations. This project aims at procuring a new capability / platform of a key mission component for land forces in the short to mid-term.
EUFOR Crisis Response Operation Core (EUFOR CROC) Germany, Cyprus, France, Italy, Spain Adopted on 6 March 2018	The EUFOR Crisis Response Operation Core (EUFOR CROC) will decisively contribute to the creation of a coherent full spectrum force package, which could accelerate the provision of forces. EUFOR CROCwill improve the crisis management capabilities of the EU by enhancing the force generation preparedness, willingness and commitment of EU member states to act and engage in operations and missions. It should fill in progressively the gap between the EU Battlegroups and the highest level of ambition within the EU Global Strategy
Integrated Unmanned Ground System (UGS) Estonia, Belgium, Czechia, Finland, France, Germany, Hungary, Latvia, Netherlands, Poland, Spain Adopted on 19 November 2018	The objective of the Project is to develop a Unmanned Ground System (UGS) capable of manned-unmanned and unmanned-unmanned teaming with other robotic unmanned platforms and manned vehicles to provide combat support (CS) and combat service support (CSS) to ground forces. The UGS will have the following capabilities: (1) Modular, multi-mission-capable UGV on which a variety of payloads can be mounted to support various mission functionalities (transport, fire-support, ISR, EW&C, etc.) and integration for required sensors and communication systems. (2) EW resistant networking Command, Control & Communications (C3) solution. (3) Cyber secure autonomous functions solution.
EU Beyond Line Of Sight (BLOS) Land Battlefield Missile Systems France, Belgium, Cyprus Adopted on 19 November 2018	The project aims at developing an EU new generation medium range BLOS Land Battlefield missile systems family. The output is intended to be integrated on an extensive variety of platforms (ground-to-ground and air-to-ground) and to provide integrated and autonomous target designation capability. The project includes joint training and formation aspects. Dedicated «users' club» is envisioned develop a common European doctrine on BLOS firing.
MARITIME	
Maritime (semi-) Autonomous Systems for Mine Countermeasures (MAS MCM) Belgium, Greece, Latvia, Netherlands, Poland, Portugal, Romania Adopted on 6 March 2018	The Maritime (semi-) Autonomous Systems for Mine Countermeasures (MAS MCM) will deliver a world-class mix of (semi-) autonomous underwater, surface and aerial technologies and capabilities for maritime mine countermeasures. The project will enable member states to protect maritime vessels, harbours and off shore installations, and to safeguard freedom of navigation on maritime trading routes. The development of autonomous vehicles, using cutting-edge technology and an open architecture, adopting a common standard and modular set up, will contribute significantly to the EU's maritime security by helping to counter the threat of sea mines.
Harbour & Maritime Surveillance and Protection (HARMSPRO) Greece, Poland, Portugal Adopted on 6 March 2018	The Harbour & Maritime Surveillance and Protection (HARMSPRO) will deliver a new maritime capability which will provide member states with the ability to conduct surveillance and protection of specified maritime areas, from harbours up to littoral waters, including sea line of communications and choke points and offshore critical infrastructure It will deliver an integrated system of maritime sensors, software and platforms (surface, underwater and aerial vehicles), which fuse and process data, to aid the detection and identification of a range of potential maritime threats and will be properly prevent and counter asymmetric (drones included) threats in a three-dimensional environment. The project will also deliver a command and control function for the deployable system, which could operate in harbours, coastal areas and the littoral environment.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
Upgrade of Maritime Surveillance Greece, Bulgaria, Croatia, Cyprus, Ireland, Italy, Spain Adopted on 6 March 2018	The main objective of the program is to enhance the Maritime Surveillance, Situational Awareness and potential Response Effectiveness of the EU, by using the existing infrastructure, deploying assets and developing related capabilities in the future. The project on Upgrade of Maritime Surveillance will integrate land-based surveillance systems, maritime and air platforms in order to distribute real-time information to member states, so as to provide timely and effective response in the international waters. It aims to address timely and effectively new and old threats and challenges (such as energy security, environmental challenges, security and defence aspects); thus ensuring accurate Awareness and Rapid Response, so as to contribute to the protection of the EU and its citizens.
Deployable Modular Underwater Intervention Capability Package (DIVEPACK) Bulgaria, France, Greece Adopted on 19 November 2018	The project aims at developing an interoperable specialized modular asset for full spectrum defensive underwater intervention operations in expeditionary setting. The DIVEPACK unit will integrate a wide range of diving and Unmanned Underwater Vehicles materiel, operated by qualified personnel, in a comprehensive capability package. Its mission tailorable open architecture «plug-and-play» concept will facilitate the versatility of response in the framework of EU CSDP operations and will provide a quick reaction capability, applicable to a broad range of underwater scenarios, both at sea and in inland bodies of water, short of Special Forces missions.
Maritime Unmanned Anti-Submarine System (MUSAS) Portugal, France, Spain, Sweden Adopted on 12 November 2019	The Maritime Unmanned Anti-Submarine System (MUSAS) aims to develop and deliver an advanced command, control and communications (C3) service architecture, for anti-submarine warfare, taking advantage of cutting-edge technology and artificial intelligence, in order to counter area denial methods of adversaries. Moreover, it will enhance the protection of underwater high-value infrastructures as well as sea-based energy systems, providing quick response with appropriate levels of force to intrusion or threat to sea lines of communication.
European Patrol Corvette (EPC) Italy, France Adopted on 12 November 2019	The objective is to design and develop a prototype for a new class of military ship, named «European Patrol Corvette» (EPC), which allows to host several systems and payloads, in order to accomplish, with a modular and flexible approach, a large number of tasks and missions.
AIR SYSTEMS	
European Medium Altitude Long Endurance Remotely Piloted Aircraft Systems – MALE RPAS (Eurodrone) Germany, Czechia, France, Italy, Spain Adopted on 19 November 2018	The project focuses on common elements in dedicated areas (e.g. operational testing & evaluation, logistics, training, exercises) of a newly developed, operationally relevant, affordable and sovereign European military capability for the next-generation of MALE RPAS, providing, by 2025, enhanced overall value compared to existing systems
European Attack Helicopters TIGER Mark III France, Germany, Spain Adopted on 19 November 2018	The objective of this project is to improve significantly the TIGER global efficiency through a consistent upgrade of its detection, aggression and communication capabilities to develop a modernised, innovative and life-time extended European attack helicopter.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
Counter Unmanned Aerial System (C-UAS) Italy, Czechia Adopted on 19 November 2018	The aim is to develop an advanced and efficient system of systems with C2 dedicated architecture, modular, integrated and interoperable with C2 info-structure, able to counter the threat posed by mini and micro Unmanned Aerial Systems. The system will be swift to deploy and reach operational status, to ensure protection to our troops in operational theatres, as well as employed for homeland defence, security and dual use tasks. The project will fulfil applicable certification and regulatory requirements, to allow homeland employment.
Airborne Electronic Attack (AEA) Spain, France, Sweden Adopted on 12 November 2019	This This capability will allow European and NATO air forces to safely operate within EU territories and the projection of the force in other potential areas of operations. The system shall be interoperable with the existing and planned EU member states assets and in cross-domain operations. The project covers the design, development and testing of a multi-jamming capability (including stand-off, stand-in and scort jamming), that will be based in state-of-the-art existing technological cores at European industries level, including in particular Cyber Electro Magnetic Activities (CEMA).
CYBER, C4ISR (*Command, Control, Communications, Computers, Intelligence, Surveillance and Reconnaissance, C4ISR*)	
European Secure Software defined Radio (ESSOR) France, Belgium, Finland, Germany, Italy, Netherlands, Poland, Portugal, Spain Adopted on 6 March 2018	The European Secure Software Defined Radio aims to develop common technologies for European military radios. The adoption of these technologies as a standard will guarantee the interoperability of EU forces in the framework of joint operations, regardless which radio platforms are used, thereby reinforcing the European strategic autonomy. The European Secure Software Defined Radio project will provide a secure military communications system, improving voice and data communication between EU forces on a variety of platforms.
Cyber Threats and Incident Response Information Sharing Platform Greece, Austria, Cyprus, Hungary, Italy, Portugal, Spain Adopted on 6 March 2018	Cyber Threats and Incident Response Information Sharing Platform will develop more active defence measures, potentially moving from firewalls to more active measures. This project aims to help mitigate these risks by focusing on the sharing of cyber threat intelligence through a networked Member State platform, with the aim of strengthening nations' cyber defence capabilities.
Cyber Rapid Response Teams and Mutual Assistance in Cyber Security Lithuania, Croatia, Estonia, Finland, Italy, Netherlands, Poland, Romania Adopted on 6 March 2018	Cyber Rapid Response Teams (CRRTs) will allow the member states to help each other to ensure a higher level of cyber resilience and collectively respond to cyber incidents. CRRTs could be used to assist other member states, EU Institutions, CSDP operations as well as partners. CRRTs will be equipped with a commonly developed deployable cyber toolkits designed to detect, recognise and mitigate cyber threats. Teams would be able to assist with training, vulnerability assessments and other requested support. Cyber Rapid Response Teams would operate by pooling participating member states experts.
Strategic Command and Control System for CSDP Missions and Operations Spain, France, Germany, Italy, Luxembourg, Portugal Adopted on 6 March 2018	The project aims to improve the command and control systems of EU missions and operations at the strategic level. Once implemented, the project will enhance the military decision-making process, improve the planning and conduct of missions, and the coordination of EU forces. The Strategic Command and Control (C2) System for CSDP Missions will connect users by delivering information systems and decision-making support tools that will assist strategic commanders carry out their missions. Integration of information systems would include intelligence, surveillance, command and control, and logistics systems.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
European High Atmosphere Airship Platform (EHAAP) – Persistent Intelligence, Surveillance and Reconnaissance (ISR) Capability Italy, France Adopted on 19 November 2018	The project aims at developing cost-efficient and innovative ISR platform (balloon based) that will provide persistence in the area of operations and a high degree of freedom of movement derived from its operating altitude and outstanding Dual Use characteristics.
One Deployable Special Operations Forces (SOF) Tactical Command and Control (C2) Command Post (CP) for Small Joint Operations (SJO) – (SOCC) for SJO Greece, Cyprus Adopted on 19 November 2018	The project aims at developing and operating a SOCC for Small Joint Operations (SJO) with SOF (Special Operations Forces) Tactical C2 (Command and Control) capabilities with Full Operational Capability (FOC) foreseen in 2024. A joint interoperable C2 capability will be available for integration in CSDP, as described in NIP 2018, and NATO.
Electronic Warfare Capability and Interoperability Programme for Future Joint Intelligence, Surveillance and Reconnaissance (JISR) Cooperation Czechia, Germany Adopted on 19 November 2018	The primary objective of the project is to produce a comprehensive feasibility study of the existing EU electronic warfare (EW) capabilities and the gaps that need to be filled. The findings of the feasibility study should potentially lead to the adoption of joint EW concept of operations (CONOPS). The CONOPS might include joint training of EW experts and, if agreed upon by the MS, the establishment of a joint EW unit.
Cyber and Information Domain Coordination Center, CIDCC Germany, Czechia, Hungary, Netherlands, Spain Adopted on 12 November 2019	The objective of the project is to develop, establish and operate a multinational Cyber and Information Domain (CID) Coordination Center (CIDCC) as a standing multinational military element, where – in line with the European resolution of 13 June 2018 on cyber defence – the participating member states continuously contribute with national staff but decide sovereignly on case-by-case basis for which threat, incident and operation they contribute with means or information.
ENABLING, JOINT	
European Medical Command Germany, Belgium, Czechia, France, Italy, Netherlands, Romania, Slovakia, Spain, Sweden Adopted on 6 March 2018	The European Medical Command (EMC) will provide the EU with an enduring medical capability to coordinate military medical resources. It will ensure efficient joint EU management of scarce European medical services (planning, management and coordination unit). It will create a common operational medical picture, enhance the procurement of critical medical resources and contribute to harmonising national medical standards, legal (civil) framework conditions and sanitary service principles.
Network of logistic Hubs in Europe and support to Operations Germany, Belgium, Bulgaria, Croatia, Cyprus, France, Greece, Hungary, Italy, Lithuania, Netherlands, Poland, Slovenia, Slovakia, Spain Adopted on 6 March 2018	This project is aiming for a multinational network based on existing logistic capabilities and infrastructure. The goal is to use a network of existing logistic installations for MN business to prepare equipment for operations, to commonly use depot space for spare parts or ammunition and to harmonize transport and deployment activities. Nations around Europe are going to provide their capabilities to it so that several logistic hubs will be used. Connected with the European Multi Modal Transport Hub, which provides the lines of communication between the multinational hubs, it will grow to an entire network. With respect to possible operations, for the pre-deployment of materiel, depots and or maintenance facilities of other European countries could be used mutually as well. The network will decrease the reaction time and increase capacities and sustainability for military operations.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
Military Mobility Netherlands, Austria, Belgium, Bulgaria, Croatia, Czechia, Cyprus, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Poland, Portugal, Romania, Slovenia, Slovakia, Spain, Sweden Non EU countries: Canada, Norway, USA Adopted on 6 March 2018	This project supports member states' commitment to simplify and standardize cross-border military transport procedures. It aims to enable the unhindered movement of military personnel and assets within the borders of the EU. This entails avoiding long bureaucratic procedures to move through or over EU member states, be it via rail, road, air or sea. Improving military mobility takes place in a number of expert level working groups within and beyond the EU, as well as from the EU institutions themselves. This project serves as the political-strategic platform where progress and issues stemming from these efforts are discussed. In addition, the project is focussed on the sharing of best practises and implementing the deliverables of Council conclusions of 25th June 2018.
Energy Operational Function (EOF) France, Belgium, Italy, Spain Adopted on 6 March 2018	Based on lessons learnt from recent operations, the project «Energy Operational Function» has a double objective: developing together new systems of energy supply for camps deployed in the framework of joint operations and for soldier connected devices and equipment and ensuring that the energy issue is taken into account from the conceiving of combat systems to the implementation of the support in operations, and including in the framework of operational planning.
Chemical, Biological, Radiological and Nuclear (CBRN) Surveillance as a Service (CBRN SaaS) Austria, Croatia, France, Hungary, Slovenia Adopted on 19 November 2018	The CBRN Surveillance as a Service will establish a persistent and distributed manned-unmanned sensor network consisting of Unmanned Aerial System (UAS) and Unmanned Ground Systems (UGS) that will be interoperable with legacy systems to provide a recognized CBRN picture to augment existing Common Operational Pictures used for EU missions and operations.
Co-basing France, Belgium, Czechia, Germany, Netherlands, Spain Adopted on 19 November 2018	The project aims at improving the sharing of bases and support points operated by project member states both within Europe and overseas.
Geospacial, Meteorological and Oceanographic (GeoMETOC) Support Coordination Element (GMSCE Germany, Austria, France, Greece, Portugal, Romania Adopted on 19 November 2018	The objective of this project is to enhance Geospatial Meteorological and Oceanographic (GeoMETOC) Support for missions and operations by means of an architecture that connects and improves significantly the European GeoMETOC capabilities through (1) development of GeoMETOC Services based on Advanced Analytics and Big Data, (2) through establishing a Training Platform, (3) through coordination and guidance of GeoMETOC research for military purposes, (4) through coordination and enhancement of the GeoMETOC data acquisition as well as common procurement of hard- and software.
Timely Warning and Interception with Space-based TheatER surveillance (TWISTER) France, Finland, Italy, Netherlands, Spain Adopted on 12 November 2019	The spectrum of threats on the European territory is evolving towards more complex and evolving air threats, notably in the missile domain. The project therefore aims at strengthening the ability of Europeans to better detect, track and counter these threats through a combination of enhanced capabilities for space-based early warning and endo atmospheric interceptors. It promotes the European self-standing ability to contribute to NATO Ballistic-Missile Defence (BMD).
Materials and components for technological EU competitiveness (MAC-EU) France, Portugal, Romania, Spain Adopted on 12 November 2019	The objective is to develop the European Defence Technological and Industrial Base (EDTIB) in the area of materials and components technologies, specifically those for which the security of supply and the freedom of use may be restricted. The project will also enhance the competitiveness, the innovation and the efficiency of the EDTIB by supporting collaborative actions and cross border cooperation.

PESCO'S PROJECTS

Project, countries participating and project start date	Description
EU Collaborative Warfare Capabilities (ECoWAR) France, Belgium, Hungary, Romania, Spain, Sweden Adopted on 12 November 2019	The objective is to increase the ability of the armed forces within the EU to face collectively and efficiently the upcoming threats that are more and more diffuse, rapid, and hard to detect and to neutralize. The envisaged outcome of this project will allow the armed forces within the EU to engage together in actions requiring close interactions and interconnections between diverse current and future warfare platform, from sensors to the effectors, in order to foster their efficiency, interoperability, complementarity, responsiveness and their resilience.
European Global RPAS Insertion Architecture System Italy, France, Romania Adopted on 12 November 2019	Using an incremental approach, the objective is to develop a robust and persistent Modelling and Simulation (M&S) architecture to analyse, evaluate and define Remotely Piloted Aircraft Systems (RPAS) innovative procedures including insertion and integration into the Single European Sky system. It is also to establish a multinational competence centre able to ensure the development of concepts, doctrines and standardisation for Unmanned aircraft system (UAS) and counter-UAS use as well as basic and advanced training on selected RPAS.
SPACE	
EU Radio Navigation Solution (EURAS) France, Belgium, Germany, Italy, Poland, Spain Adopted on 19 November 2018	The project is to promote development of EU military PNT (positioning, navigation and timing) capabilities and future cooperation taking advantage of Galileo and the public regulated service.
European Military Space Surveillance Awareness Network (EU-SSA-N) Italy, France Adopted on 19 November 2018	The main scope of this project is to develop an autonomous, sovereign EU military SSA capability that is interoperable, integrated and harmonized with the EU-SST Framework initiative for the protection of European MS Space assets and services. It will also enable appropriate response to natural and manmade threats.

UKRAINE'S COOPERATION WITH EU MEMBER STATES UNDER CSDP IN 2019-2020[1]

Agreements on *military cooperation* with Ukraine were signed by 12 EU Member States: Austria, Belgium, UK (before exit from the EU), Greece, Denmark, Cyprus, Latvia, Lithuania, the Netherlands, Poland, Slovenia and Croatia.

Agreements on *military technical* cooperation were signed with nine EU Member States: Bulgaria, Italy, Germany, Poland, Slovakia, Hungary, France, Croatia and the Czech Republic.

However, Ukraine's bilateral cooperation under the CSDP in 2019-2021 was not limited to these countries.

The main efforts in bilateral cooperation focused on the following tasks:

1. Strengthening the defence capabilities of the Armed Forces of Ukraine and deterring Russian aggression.

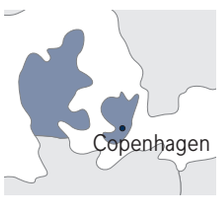
2. Implementing the defence reform.

3. Harmonising standards and meeting criteria for future full membership in the EU and NATO.

During 2019-2021, the Ministry of Defence and the Armed Forces of Ukraine had the most intensive bilateral cooperation with the following EU Member States (due to the compatibility of tasks, certain aspects of cooperation within NATO were also taken into account).

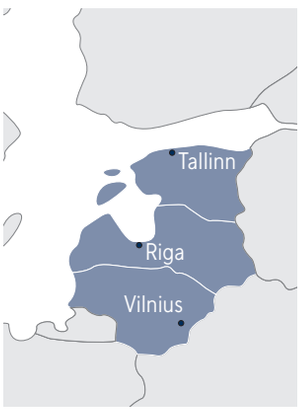
Greece

This country continues to provide significant support in the professional training of the Ukrainian military within the programme of practical internships and exercises at the training centres of the Greek Armed Forces.



Denmark

Cooperation continued within the framework of defence reform measures and sharing of practical experience in the use of forces.



Estonia

Priority areas of cooperation in the military sphere include military education, professional and course training of Ukrainian servicemen, including training courses for officers of joint commands and tactical staffs at the Baltic Defence College in Tartu.

Latvia

Bilateral cooperation is aimed at developing dialogue at the level of senior military leadership, cooperation in military education, professional, course and language training, as well as provision of humanitarian assistance to civilians in the area of the Joint Forces Operation in the Donbas.

Lithuania

Lithuania remains one of Ukraine's most consistent strategic partners. Ukrainian-Lithuanian defence cooperation is an example of pragmatic collaboration based on friendly relations, constructive dialogue, mutual respect and common national interests. Military instructors from the Lithuanian Military Training Mission in Ukraine (LMTM-U) conducted professional training of personnel and units of the Armed Forces of Ukraine, including training of Special Operations Forces personnel, sniper training and training of sergeants and warrant officers. Specialists of the Lithuanian Armed Forces actively participate in training of Ukrainian servicemen within the Joint Multinational Training Group-Ukraine (JMTG-U).

Other areas of military cooperation between Ukraine and Lithuania included cybersecurity, military-medical cooperation, as well as provision of logistical and advisory assistance.

Members of the Armed Forces of Ukraine have an opportunity to improve their professional and language training in Lithuania's higher military educational institutions. In 2020, Ukrainian servicemen studied English and attended junior staff officer courses in this country.

[1] *Source:* data of the Ministry of Foreign Affairs of Ukraine and the Ministry of Defence of Ukraine provided in response to the Razumkov Centre's information request.

UKRAINE'S COOPERATION WITH EU MEMBER STATES UNDER CSDP IN 2019-2020

Germany

An active military-political dialogue with Germany continued during 2019-2021 aimed at settling the Russia-Ukraine armed conflict, restoring Ukraine's territorial integrity and sovereignty, and creating conditions to achieve stability and peace in Europe. Events within this dialogue included:

- a visit of the deputy minister of defence for European integration to Germany in January 2019;
- meetings of the ministers of defence of Ukraine and Germany in February and June 2020;
- Ukrainian-German staff negotiations and military-political consultations in August 2019 and in October 2020.

The German Defence Ministry actively supports their Ukrainian colleagues in the defence reform efforts by delegating four advisers in defence planning, improving the logistics and medical support systems, and implementing EU and NATO standards in the educational process. The issue of inviting the German adviser in the development of defence policy is also being discussed.

The German side continues to offer medical rehabilitation to wounded Ukrainian soldiers, to cooperate in the field of military medicine and to provide the Armed Forces of Ukraine with modern medical equipment. A project for the purchase of medical equipment worth EUR 1.3 million was implemented in 2019. Next year, a contract was concluded for the purchase of medical equipment for military clinical centres of the Armed Forces of Ukraine for a total amount of EUR 3.1 million.

Cooperation on personnel policy between defence agencies of both countries also continues with the special focus on optimising the organisational and staffing structures of Ukraine's Ministry of Defence, implementing NATO standards of personnel management, organising service in the military reserve, and training of civil servants working in the Ministry of Defence system.

Servicemen of the Armed Forces of Ukraine have an opportunity to study and train in German military educational institutions.

Poland

Military-political dialogue between the ministers of defence of Ukraine and Poland in 2019-2020 was aimed at maintaining stability in Eastern Europe.

At the invitation of the Minister of National Defence of Poland, his Ukrainian colleague visited Lublin on 2 October 2020 to participate in ceremonial events on the occasion of the 5th anniversary of the Lithuanian-Polish-Ukrainian Brigade (LITPOLUKRBRIG).

Training of the Special Operations Forces of the Armed Forces of Ukraine was one of priority areas of cooperation between the two countries. For example, Ukrainian commandos participated in joint landing exercises and in the comprehensive training of special forces units of the Polish Army *Morswin*-2020.

With the support of the Polish side, Ukrainian servicemen who took part in the humanitarian project «Evacuation 200» and their families underwent a course of psychological rehabilitation in Poland in 2020.

Romania

Bilateral cooperation with Romania focuses on the training of members of the Armed Forces of Ukraine in Romanian military schools and joint participation in multinational exercises, including *Sea Breeze 2020, Riverine 2020,* as well as the joint naval training *PASSEX*.

On 5 September 2020, an intergovernmental agreement on military technical cooperation was signed during the working visit of the Ukrainian minister of defence to Romania. The document outlines the legal framework for MTC between the two countries and simplifies the procedure for public procurement in this area. Another objective of the agreement is to scale up partnership of Ukraine and Romania to «strengthen security in the Black Sea region».

Slovakia

Cooperation with this country was characterised by the intensification of dialogue at the strategic level in support of Ukraine's efforts to peacefully settle the conflict in the East.

UKRAINE'S COOPERATION WITH EU MEMBER STATES UNDER CSDP IN 2019-2020

Finland

Cooperation between the Armed Forces of Ukraine and the Finnish Defence Forces was aimed at sharing experience in engineering training and professional training of Ukrainian servicemen in the Finnish Defence Forces Training Centre *(FINCENT)*

Sweden

This country remains a reliable partner of Ukraine in countering Russia's armed aggression. Both countries maintain the dialogue at the strategic level, while their ministers of defence and Commanders-in-Chief of the Armed Forces of Ukraine and Sweden have had multiple meetings and video conferences.

The following areas of cooperation turned out to be most productive:

- experience sharing in mine action and explosive ordnance disposal at the Swedish EOD and Demining Centre *(SWEDEC)* of the Swedish Armed Forces, including participation in multiple seminars and workshops on mine action;
- participation of Swedish instructors in the training of the Armed Forces units in the framework of Canadian training mission Operation *UNIFIER*.

France

This country supports Ukraine in countering Russian aggression, in particular, at the Normandy Four talks.

During 2019-2021, one could observe some positive dynamics in the development of the Ukraine-France cooperation in military-political and military areas.

In 2019, ministers of defence of both countries met to discuss peaceful settlement of the conflict in eastern Ukraine, as well as Ukraine's further integration into European and Euro-Atlantic security structures, including granting Ukraine the status of NATO's Enhanced Opportunities Partner.

The French side supported the President of Ukraine's initiative to hold a summit of the Normandy Four at the level of heads of state and government, which materialised on 9 December 2019 in Paris.

In June 2020, the Ukrainian minister of defence paid a visit to France to discuss the support of Ukraine's position in the Normandy Four on a plan for a peaceful settlement of the Donbas situation.

At the initiative of the Ukrainian side, the Joint Interstate Ukrainian-French Commission in the field of armaments and military equipment resumed its activities and met in February 2020 in Paris. Participation of the Ministry of Defence of Ukraine delegation headed by the deputy minister for European integration, made it possible to restart the military-technical dialogue with France and outline priority projects in the field of armaments.

A strategic dialogue at the level of deputy ministers of defence of Ukraine and France was held in July 2020, where the parties identified further practical measures to strengthen cooperation between the two countries in resolving the conflict in eastern Ukraine, as well as maintaining international peace and security.

Czech Republic

This country actively expands its cooperation with Ukraine and supports its aspiration to join the EU and NATO. Two meetings of the Commanders-in-Chief of the Armed Forces of Ukraine and the Czech Republic took place in 2019 and 2020 to further develop military cooperation.

Military technical cooperation between Ukraine and the Czech Republic continues almost from the first days of war. Ukraine purchased Czech mechanised infantry combat vehicles. In 2021, the leading Czech company *Excalibur Army* offered the Armed Forces of Ukraine its upgraded engines for MICV, tracked belts for armoured vehicles, and 155 mm shells. Ukraine currently considers the purchase of the Czech *Dana-M2* self-propelled howitzers, as well as *Tatra* truck chassis for the «Neptune» coastal missile systems.

During 2019-2021, foreign advisers and experts were actively involved to provide advisory assistance. In the interests of Ukraine's Ministry of Defence and Armed Forces, foreign advisers from six EU Member States (Denmark, Lithuania, Germany, Poland, Slovakia and the Czech Republic) continue providing expert support in specific functional areas. Foreign advisers cooperate directly with the heads of structural units of the Ministry of Defence and the General Staff of the Armed Forces, assist in the personnel training and help implement various practical defence reform projects.

In 2019-2020, Ukraine received close to EUR 47 million in financial and technical assistance from the EU and its Member States.

THE MINISTRY OF INTERNAL AFFAIRS COOPERATION WITH EU AGENCIES[1]

European Police Office
(*Europol*)

European Police Office, Europol is the European Union's law enforcement agency – EU law enforcement agency with the mandate to tackle transnational crime, trafficking in human beings, illegal migration, terrorism, motor vehicle crime, distribution of pornography, forgery of money and other means of payment, money laundering, cybercrime.

Ukraine's cooperation with *Europol* is regulated by the Agreement on Strategic and Operational Cooperation, signed in 2016 and ratified by relevant Law of 12 July 2017.

Pursuant to the Agreement, cooperation includes the exchange of information and specialist knowledge, general situation reports, results of strategic analysis, information on criminal investigation procedures, information on crime prevention methods, participation in training activities, as well as providing advice and support in individual crime investigations.

The national contact point for Ukraine as a central contact point with *Europol* is the Europol Cooperation Unit of the National Police of Ukraine.

In 2015, Ukraine ratified and implemented the Memorandum on the establishment of a secure communication line *SIENA*. In 2017, a Memorandum on confidentiality and ensuring the protection of Information was signed. On 2 June 2021, the draft law on its ratification passed the first reading in the Parliament. It is proposed to adopt the law in principle with a statement on interpreting owners of information assets and determining authorised bodies of Ukraine for information security, as well as entities responsible for information risk management, accreditation of information processing systems with limited access, electronic information security, cryptographic processing of materials during the exchange of information between Europol and the competent authorities of Ukraine.

In 2018-2019, the National Police of Ukraine mastered a *Europol* methodology for Serious and Organised Crime Threat Assessment (*SOCTA*). This methodology adapted to Ukrainian context is already being used in practice by the NPU.

Ukrainian law enforcement agencies participate in operations under the auspices of *Europol*, specifically in the areas of:

- countering online propaganda of terrorism;
- countering smuggling of precursors from EU countries to Ukraine;
- countering the activities of fraudulent investment platforms;
- countering money laundering;
- countering activities of crime lords and kingpins;
- countering fraudulent activities on the sale of bitcoins;
- countering crimes related to the *COVID-19* pandemic;
- countering illegal trade in arms and ammunition;
- countering illegal migration and forgery of identification documents;
- countering terrorism.

In 2020 The National Police has participated in more than 10 special law enforcement operations under the auspices of *Europol*, including *MISMED, SALO, RETROVIRUS, SHIELD, RAD*.

European Union Agency for Law Enforcement Training
(*CEPOL*)

European Union Agency for Law Enforcement Training, *CEPOL* brings together a network of training institutes for law enforcement officials in EU Member States and supports them in providing frontline training on security priorities, law enforcement cooperation and information exchange. *CEPOL* also works with EU bodies, international organisations, and third countries to ensure that the most serious security threats are tackled with a collective response.

On 5 February 2020, the Ministry of Internal Affairs of Ukraine and *CEPOL* signed a Working Arrangement, which establishes the legal basis for cooperation and determines the procedure for cooperation, in particular the scope and forms of participation of Ukrainian representatives in *CEPOL*. In June 2020, 27 representatives of Ukrainian agencies and government institutions were approved as candidates for participation in the *CEPOL* 2020 Exchange Programme. Due to *COVID-19* restrictions, all activities were postponed.

It is planned to involve the National Police of Ukraine in the implementation of two joint *Europol* and *CEPOL* projects.

[1] *Source:* Data provided by the Ministry of Internal Affairs of Ukraine and the European Union Advisory Mission in Ukraine in response to the Razumkov Centre's information request.

THE MINISTRY OF INTERNAL AFFAIRS COOPERATION WITH EU AGENCIES

European Border and Coast Guard Agency (*FRONTEX*)

Border and Coast Guard Agency, *Frontex* is the European Union's agency tasked to safeguard freedom, security and justice, guaranteeing free movement without checks at the EU's internal borders, fighting cross-border crime and assisting in the prevention of terrorist attacks, coordinating the activities and development of national authorities under the EU Charter of Fundamental Rights and the concept of Integrated Border Management.

The Frontex cooperation with the State Border Guard Service of Ukraine (SBGS) is carried out based on the Working Arrangement of 11 June 2007 on the Establishment of Operational Cooperation and relevant plans of operational cooperation signed every three years (the latest Plan for 2019-2021 was signed on 28 June 2020).

The main areas of cooperation include exchange of information and analytical materials, risk analyses, personnel training, operational cooperation, research and innovations, as well as implementation of joint projects.

In 2020, The Administration of SBGS participated in trainings, online courses and workshops. There was an ongoing data exchange through the *PULSAR* network for data collection and exchange on the detection of offenses at airport checkpoints. Partners conducted a joint operation «Coordination points. Avia», where three observers from EU countries were stationed at the Ukrainian airports. An agreement on cooperation and Ukraine's membership in the network of *FRONTEX* partner academies was renewed.

European Anti-Fraud Office (*OLAF*)

European Anti-Fraud Office, *OLAF* is the European Union's body mandated to detect, investigate and stop fraud with EU funds. *OLAF* has the right to investigate administrative activity and financing of any EU institution or body.

On 25 October 2017, the Cabinet of Ministers of Ukraine passed the Resolution No. 1110 «On the introduction of a national mechanism for coordinating the interaction of government authorities to protect the financial interests of Ukraine and the European Union». The first meeting of the Coordination Council on combating violations affecting the financial interests of Ukraine and the EU took place on 4 February 2020. Relevant agencies of Ukraine were tasked to elaborate changes in the composition of the Coordination Council in connection with the creation, reorganisation or liquidation of some central executive bodies (the Cabinet of Ministers Resolution No. 1204 of 9 December 2020), as well as give proposals for the division of tasks, functions and powers between the bodies involved in the implementation of provisions of Title VI of the Association Agreement.

At the end of 2020, *OLAF* provided a standard draft Administrative Arrangement. After its elaboration, the Administrative Arrangement between *OLAF* and the Office of the Prosecutor General was signed at the Association Council meeting on 11 February 2021. This document is the legal basis for the two bodies to work together to combat fraud and other illegal activities against the EU's financial interests.

In January 2021, proposals for a draft Administrative Arrangement with the National Police of Ukraine have been sent to *OLAF*. Its experts currently study the NPU proposals and review the institutional changes taking place in Ukraine.

On 10 February 2021, the Prosecutor General's Office of Ukraine and *OLAF* signed the administrative agreement, which is a legal basis for two bodies in combating fraud and other illegal activities against the EU's financial interests..

The European Union Border Assistance Mission to Moldova and Ukraine (*EUBAM*)

The European Union Border Assistance Mission to Moldova and Ukraine (*EUBAM*) was launched in 2005. The current Mission's mandate is valid until 30 November 2020, but the parties have already agreed to initiate its extension.

EUBAM promotes border control, customs and trade norms and practices that meet European Union standards and serve the needs of its two partner countries.

The Mission's aims are to:

- contribute to the peaceful settlement of the Transnistrian conflict by supporting development of confidence-building measures and approximation of legislation and procedures in customs, trade, transport and trans-boundary management;
- ensure the full implementation of Integrated Border Management (IBM) practices at the Moldova-Ukraine border;
- assist Moldovan and Ukrainian authorities to combat cross-border crime more effectively.

The *EUBAM* experts routinely provide methodological support in the training of personnel of information and analytical units of the Southern Regional Directorate of the SBGS. In the second half of 2019, European experts conducted practical risk analysis workshops in accordance with the Common Integrated Risk Analysis Model *CIRAM 2.0*.

The Ministry of Internal Affairs and the SBGS regularly participate in the meetings of the *EUBAM* Advisory Board; the last meeting took place on 28 January 2021.

Through cooperation with the Mission, SBGS personnel has an opportunity to train and develop its analytical units, use IT solutions, as well as participate in joint operations, including joint operation «Janus» to combat tobacco smuggling on the Ukrainian-Moldovan border; operations «Orion» to combat the illicit trafficking of arms, ammunition, chemical and radioactive materials across the Ukrainian-Moldovan border.

THE MINISTRY OF INTERNAL AFFAIRS COOPERATION WITH EU AGENCIES

European Union Advisory Mission (EUAM) on reforming the civilian security sector in Ukraine

EUAM on reforming the civilian security sector is an advisory civilian mission under the CSDP, launched in 2014 upon Ukraine's request.

The *EUAM mandate is implemented according to three pillars of activity*:

- strategic advice on civilian security sector reform;
- support for the implementation of reforms, through the delivery of practical advice, training and other projects;
- cooperation and coordination to ensure that civilian sector reform efforts are coordinated with Ukrainian and international actors.

EUAM's priorities are:

- national and state security;
- tackling organised and cross-border crime;
- criminal justice;
- community safety and police management;
- digital transformation and innovation.

Since 2014, *EUAM* has worked to promote a sustainable reform of the civilian security sector by providing strategic advice and hands-on support for specific reform measures in accordance with EU standards and international principles of good governance and human rights.

In addition to the reform of the National Police of Ukraine (NPU), *EUAM* in recent years has also increased its focus on the reform of other agencies, such as the prosecution service, the Security Service of Ukraine (SBU), and customs.

Among the achievements are over 60 laws developed with *EUAM* assistance in strategic partnership with the Parliament and around 30 key strategic documents approved following *EUAM* advice. More than 20 000 officers from Ukrainian law enforcement agencies have been trained by *EUAM* enhancing their skills and professionalism and bringing their practical work closer to EU standards.

EUAM introduced the concepts of community policing and community safety across Ukraine, helping the NPU to build trust and increase cooperation between law enforcement, administration and the communities that they serve. *EUAM* provides advice on the adoption of a new nationwide public order concept and supports the implementation of dialogue policing.

The civilian security sector reform institutional set up is being finalised with the SBU reform and the establishment of the Bureau of Economic Security. This should clarify the role of law enforcement and anti-corruption agencies and to increase their efficiency.

Key results of the EUAM in 2019–2021

CEUAM, together with other international partners, supported and advised on the development of the National Security Strategy, the Strategy for the State Border Guard Service of Ukraine Development, the Concept and Strategy of Integrated Border Management (ICM), the Joint Border Protection Plan with the EU and Moldova, the Ukrainian-Russian Border Infrastructure Development Plan.

The Mission provided advice during the drafting of a law defining the powers of the Parliamentary Committee that oversees the activities of law enforcement agencies, special purpose bodies with law enforcement functions, special purpose law enforcement agencies and intelligence agencies.

The Mission has contributed with expertise to the drafting of the draft Law on the SBU and legislation on the Bureau of Economic Security (BES). The aim is to transform the SBU into an efficient, modern, and depoliticised service under effective civilian and democratic oversight; to rapidly establish the BES; and to clearly delineate their competencies with those of other law enforcement agencies, including the NPU.

EUAM has supported and advised on the reform of the Prosecutor's Office, in particular for the countrywide attestation of prosecutors. Out of about 11.000 prosecutors vetted, so far two-thirds have successfully passed the Attestation whilst around 20% failed. Despite the legal challenges, technical problems and *COVID-19* restrictions, the *EUAM* assessment is that overall the attestation has been conducted in an independent, well-structured, and efficient manner. While attestation is a crucial first step in reforming the prosecution system, the focus should now shift towards a comprehensive reform.

The Mission provided support to the establishment of the State Bureau of Investigation (SBI) and shared best practice and advice on draft legislation and multiple strategies such as the Law on Misdemeanours, the Ukrainian S*erious and Organised Crime Threat Assessment (SOCTA)*, Organised Crime Strategy and the development and facilitation of Community Safety Strategies in the regions.

EUAM has advised and supported law enforcement agencies on human resources management including organisational changes, recruitment and selection, staff performance evaluation, career and professional development.

In 2020, the Mission conducted trainings for representatives of the Ministry of Internal Affairs and focal points on gender issues «Gender-sensitive security sector reform».

Another significant achievement included the completion and support in implementing the new National Human Rights Strategy for 2021-2023.

TECHNICAL ASSISTANCE PROJECTS (PROGRAMMES) OF THE EU AND MEMBER STATES IMPLEMENTED IN THE MINISTRY OF INTERNAL AFFAIRS IN 2019-2021[1]

Title	Period	Donors, implementing organisations, budget	Goals/expected and received results
Support to police reform in Ukraine	2017-2021	The EU, with the support of the EU Delegation to Ukraine, Swedish police (*SWEPOL*), UN Office for Project Services (*UNOPS*) and the EU Advisory Mission (EUAM) in Ukraine	Complete reset of 20 police stations in three regions of Ukraine, including renovation of premises, provision of new equipment and vehicles, staffing with officers trained in European standards of police and community interaction.
Support of rule of law reforms in Ukraine (PRAVO)	2017-2021	The EU with the support UN Office for Project Services (*UNOPS*) €36 million	Supporting the rule of law system reform in Ukraine and aligning its functioning with the best European and International practice, promoting the creation of an efficient law-enforcement system respectful of human rights
Operational support to providing strategic advice for the reform of the civilian security sector in Ukraine	2019-2021	EUAM €3,2 million	Ensuring the effective realisation of the reforms that are being implemented in Ukraine, in particular: the coordination and start of the implementation of appropriate strategies and action plans in the field of reforming the civilian security sector of Ukraine, increasing the efficiency of the law enforcement agencies and prosecution authorities of Ukraine
Establishment of the system of dynamic response to information on crimes and other events in Lviv	2019-2020	The EU via Cross-border Cooperation Programme Poland-Belarus-Ukraine under the European Neighbourhood Instrument, and presented by the Polish Ministry of Investment and Economic Development The EU – €6 million Ukraine – €600 thousand	Completing the construction of a new administrative building for the Centre for Dynamic Response to Crime, repairs of police stations, purchase of CCTV cameras and cars for the forensic laboratory (to carry police to the crime scene) and for the deployment of the field command headquarters for control and security during mass events
Support for migration and asylum management in Ukraine (IMMIS)	2016-2021	The EU €27.2 million	Bringing migration management and work with asylum seekers in Ukraine in line with European and international standards and best practices, in particular by building the institutional and technical capacity of bodies involved in migration management. Several functional modules introduced to the Registry of foreigners and refugees.
EU-ACT: EU Action against Drugs and Organised Crime to buid capacity and increase cooperation in the fight agaisnt organised crime and drug trafficking along the heroin route	2017-2020	The EU Implementing partner: International and Ibero-American Foundation for Administration and Public Policies (*FIIAPP*) €1.5 million	Contributing to prevention and effective fight against organised crime, including drug trafficking along the so-called heroin route by: assisting in the adoption of effective policies and operational measures that meet international human rights and rule of law standards and are consistent with relevant EU strategies and policies; creating an enabling environment to strengthen interregional and transnational cooperation in the fight against organised crime and drug trafficking, while ensuring respect for human rights and the rule of law.

[1] *Source:* data provided by the Ministry of Internal Affairs of Ukraine and its subordinate structures in response to the Razumkov Centre's information request.

TECHNICAL ASSISTANCE PROJECTS (PROGRAMMES) OF THE EU AND MEMBER STATES IMPLEMENTED IN THE MINISTRY OF INTERNAL AFFAIRS IN 2019-2021

Title	Period	Donors, implementing organisations, budget	Goals/expected and received results
EU support to the East of Ukraine – recovery, peacebuilding and governance	2018-2020	The EU Implementing partner: UNDP Ukraine €50 million	Technical equipment, including lifeboats and diving equipment, quadcopters, the broadcasting system equipment provided to the units of the State Emergency Service of Ukraine in the Donetsk oblast, including to provide services to the population along and near the contact line and the coast of the Sea of Azov.
Humanitarian mine action in the East of Ukraine	2016- (until full demining)	The EU, the UK, the US, Germany, Norway, Finland, the Netherlands Implementing partner: *The HALO Trust* in Ukraine €5 million/year	Training of SES specialists for humanitarian demining in accordance with International Mine Action Standards. Equipping of four SES pyrotechnic squads with machinery and equipment for humanitarian mine action. Practical demining works in the area of Mariupol together with the demining teams of *The HALO Trust* and SES pyrotechnic squads. Since the beginning of 2016, 251 sites were inspected, 25% of which were cleared.
EU support to strengthening integrated border management in Ukraine (EU4IBM)	2019-2022	The EU Implementing partner: International Centre for Migration Policy Development (*ICMPD*) €5 million	Promoting national reforms that bring Ukraine's border management system closer to EU standards and best practices
Enhancing integrated border management along the Ukraine-Moldova border	2017-2020	The EU Implementing partner: International Organisation for Migration (IOM) €4.75 million	Refurbishing the infrastructure for the organisation of joint control on the Ukrainian–Moldovan border at the crossing points «Kuchurhan–Pervomaisk» and «Reni–Giurgiulesti»
Introduction of an automated intelligent video-control system at the Novaya Huta-Novi Yarylovychi Road border crossing point on the Belarus-Ukraine frontier	2020-2021	The EU Implementing partner: IOM €205.4 thousand	Supporting Ukraine and Belarus in enhancing cross-border cooperation, general security at the common border and legal trade
Supplying equipment to ensure security and demarcation of the state border between Belarus and Ukraine; specialized vehicles and equipment for border demarcation	2020	The EU Implementing partner: *Excelor Holding Group (LLC), Bulgaria*	Two border detachments of the SBGS received special engineering equipment worth € 50 thousand.
EU 4 border security	2020-2021	The EU Implementing partner: IOM The EU – €3.552 million Ukraine – €195.5 thousand Moldova – €888 thousand	Facilitating trade and movement of people across the common border, while preventing and combating smuggling and other border-related offences, crime and corruption, thus ultimately contributing to the security, stability and sustainable development of the region
Project 58: provision of specialised equipment for CBRN forensics in the centres of excellence of the SEEE region	2019	The EU in the person of the European Commission Implementing partner: Ukrainian Scientific and Technological Centre €1.871 million	Equipping the Ukrainian Scientific and Technological Centre with special equipment and facilities

TECHNICAL ASSISTANCE PROJECTS (PROGRAMMES) OF THE EU AND MEMBER STATES IMPLEMENTED IN THE MINISTRY OF INTERNAL AFFAIRS IN 2019-2021

Title	Period	Donors, implementing organisations, budget	Goals/expected and received results
EU support to the East of Ukraine – recovery, peacebuilding and governance	2018-2022	The EU Implementing partners: UNDP, UN Women, UNFPA, FAO €25 million	Strengthening community security and social cohesion, supporting the economic recovery of conflict-affected communities; promoting further implementation of decentralisation and health care reforms in government-controlled areas of Donetsk and Luhansk oblasts
Regional cooperation for prevention and fighting of cross-border crime between Romania and Ukraine *(SAGA)*	2019-2022	The EU €5.2 million The EU – €3.2 million	Strengthening law enforcement cooperation by improving the information sharing between Romanian and Ukrainian agencies through the introduction of an IT platform
Improving public safety through emergency management *(BRIDGE)*	2019-2022	The EU €7.4 million The EU – €6.6 million	
Projects of the EU Member States			
Strengthening Ukraine's civil defence capacity II	2018-2021	The Government of Germany through the Foreign Ministry	Holding a number of trainings on civil defence, as well as provision of CBRN and IT equipment
Trainign and introduction of demining squads in SES II	2020-2022	The Government of Germany through the Foreign Ministry, Danish Refugee Council / Danish Demining Group	Conducting trainings and workshops; purchasing special equipment to build capacity of SES units in humanitarian mine action
Provision of technical equipment to the Main Forensic Centre/Document Inspection Lab II	2020	The Government of Germany through the Presidium of the Federal Police	Handing over new equipment to the National Academy of SBGS
Good governance and citien engagement in Eastern Ukraine	2019-2022	Governments of Sweden, Denmark and Switzerland through the Swedish International Development Cooperation Agency (SIDA), Danish Ministry of Foreign Affairs (DMFA), and Swiss Agency for Development and Cooperation (SDC), respectively $14.045 million Denmark – $9.045 million Sweden – $3 million Switzerland – $2 million	Strengthening community security and social cohesion, supporting the economic recovery of conflict-affected communities; promoting further implementation of decentralisation and health care reforms in government-controlled areas of Donetsk and Luhansk oblasts
Strengthening national and local capacities for the effective delivery of security, justice and reintegration services in conflict-affected areas of Ukraine	2019-2022	The Government of the Netherlands through the Foreign Ministry $5 million	Strengthening security and rule of law and improving social cohesion in in government-controlled areas of Donetsk and Luhansk oblasts
Support to state and municipal emergency management in Eastern Ukraine	2019-2022, extended until 2024	The Government of Germany through the Ministry of Economic Cooperation and Development (BMZ) Implementing partner: German Society for International Cooperation (GIZ) $6.25 million	Building capacity of the SES, the Red Cross Society of Ukraine and NGOs to carry out emergency response and perform humanitarian support tasks.

EXPERT ASSESSMENTS AND FORECASTS OF THE ASSOCIATION AGREEMENT IMPLEMENTATION AND PROSPECTS OF UKRAINE'S PARTNERSHIP WITH THE EU IN THE SECURITY SPHERE

Within its project «EU-Ukraine Security Partnership: Current State and Prospects», the Razumkov Centre has undertaken an expert survey seeking to present the most objective assessment and provide the widest range of views on Ukraine meeting its obligations under the Association Agreement (AA) in particular, and on current status and prospects of the EU-Ukraine security partnership in general. Conducted from 17 May to 10 June 2021, the survey reached 60 experts, including 50 Ukrainian and 10 foreign specialists, whose professional interests and daily work are related to the formation and implementation of European integration policy, the EU-Ukraine security partnership and Europe's security and defence policy. The interviewed Ukrainian experts included government officials, specialists from governmental and non-governmental think tanks and academic institutions. Foreign respondents are experts from EU Member States and staff of international organisations.

Analysis of the expert survey results gives grounds for the following conclusions:

- ✓ results of Ukraine's implementation of the AA are at best satisfactorily and only in some areas;
- ✓ effectiveness of the AA implementation can be increased by making additions or specifying certain sections of the Agreement, as well as by developing an implementation roadmap specifically for Ukraine or a joint roadmap for Ukraine and the EU;
- ✓ lack of political will, professionalism and continuity in government, and corruption are considered the main, but not the only, obstacles to implementing the Agreement. The least «influential» in this regard are shortcomings of diplomacy;
- ✓ effectiveness of the existing planning and monitoring tools is considered satisfactory;
- ✓ security partnership with the EU in areas related to the civilian security sector and the defence industry development have the biggest «weight»;
- ✓ Ukraine is able to offer partners with a wide range of proposals in various spheres as a contributor to European security;
- ✓ within the package of the EU's crisis management capabilities, only «political solidarity in making policy decisions» and «availability of financial resources» were considered satisfactory by both Ukrainian and European experts;
- ✓ Brexit had a very negative impact on the EU's joint military capabilities, its ability to carry out operations (missions) within the CSDP and, to a lesser extent, on military integration;
- ✓ commonalities and differences in responses of Ukrainian and foreign experts, for example, in assessing factors affecting the achievement of a consensus in the EU, specifically point at those areas and issues that above all require dialogue for rapprochement;
- ✓ the most optimistic estimates of the timing of Ukraine's possible accession to the EU go beyond the next five years, which confirms the relevance of conclusions about the importance of the Association Agreement for Ukraine as a long-term partnership format with the EU.

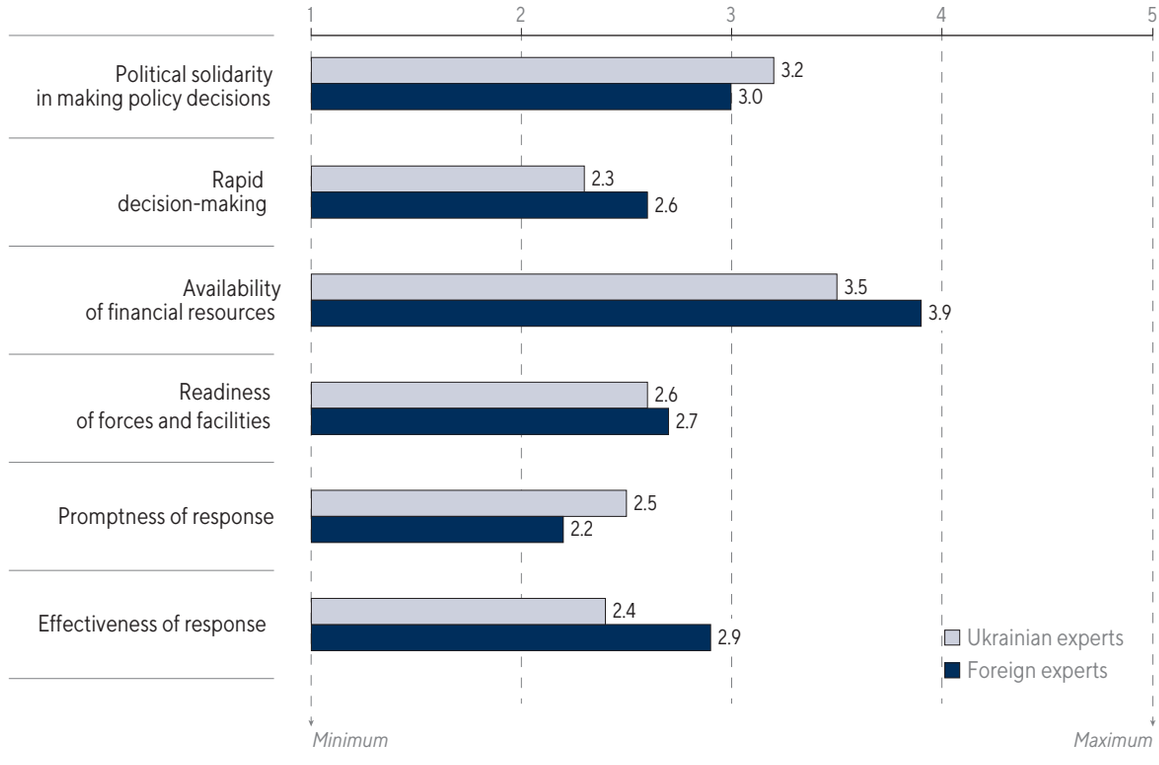
The expert survey in numbers is summarised in tables and figures below.

ASSESSMENT OF THE «WEIGHT» OF UKRAINE'S SECURITY AND DEFENCE PARTNERSHIP WITH THE US, NATO AND THE UNITED STATES IN EACH OF THE FOLLOWING AREAS,
average score*

	US		NATO		USA	
	Ukrainian experts	Foreign experts	Ukrainian experts	Foreign experts	Ukrainian experts	Foreign experts
External security guarantees	2.4	2.5	3.5	3.6	4.1	4.3
Settlement of the Russia-Ukraine conflict	2.7	3.5	3.1	3.4	3.8	4.2
Strengthening and reforming the Armed Forces	2.4	2.2	4.0	4.7	4.2	4.7
Law enforcement reform	3.4	4.2	3.0	2.7	3.2	4.1
Reform of special and intelligence services	2.6	3.8	3.6	3.8	3.8	4.1
Procurement of arms, military and special equipment for security agencies	2.3	2.8	3.3	3.7	4.3	4.3
Judicial reform	3.5	4.4	2.6	2.5	3.4	4.3
Fight against corruption	3.5	4.6	2.9	3.3	3.8	4.5
Defence industry development	2.3	3.2	3.2	3.7	3.5	4.3

* Using a five-point scale, where «1» – minimum contribution, «5» – maximum contribution.

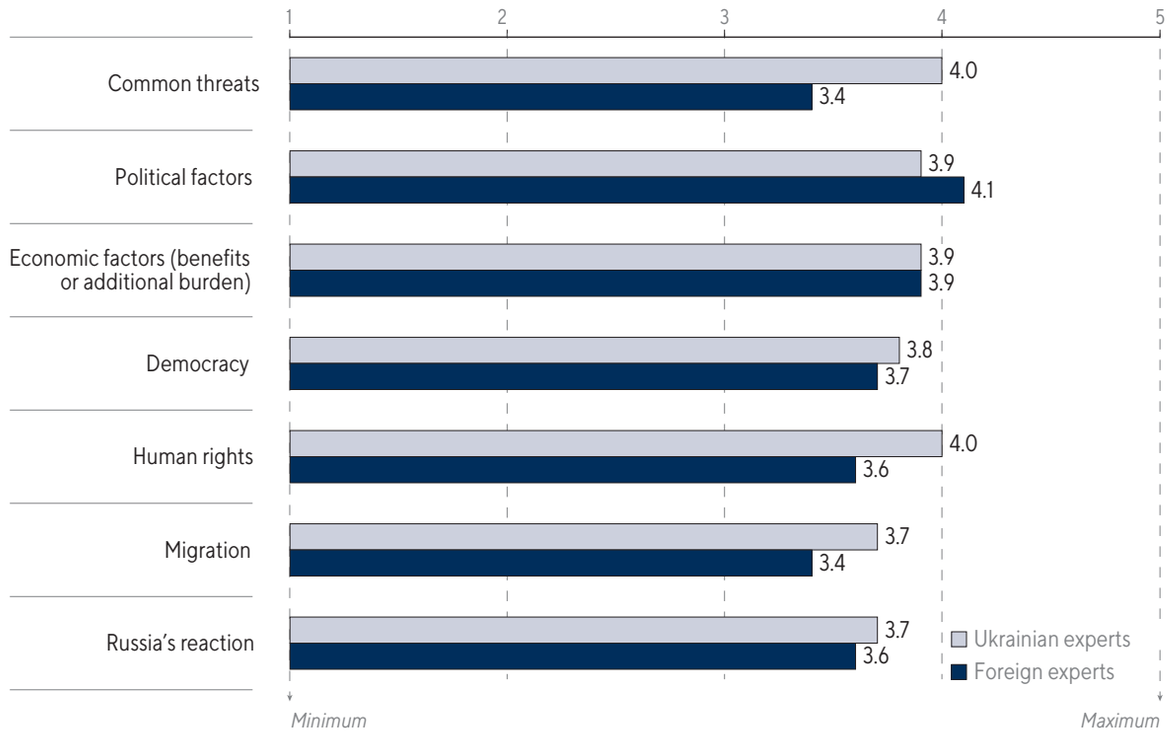
HOW WOULD YOU ASSESS THE EU'S CRISIS MANAGEMENT CAPABILITY IN THE SECURITY SECTOR?
average score*



* Using a five-point scale, where «1» – minimum, «5» – maximum.

HOW IMPORTANT ARE THE FOLLOWING FACTORS FOR REACHING A CONSENSUS IN THE EU ON UKRAINE'S EU MEMBERSHIP?

average score*



* Using a five-point scale, where «1» – minimum, «5» – maximum.

HOW WOULD YOU ASSESS UKRAINE'S PERFORMANCE IN IMPLEMENTING THE ASSOCIATION AGREEMENT IN THE SECURITY SPHERE?

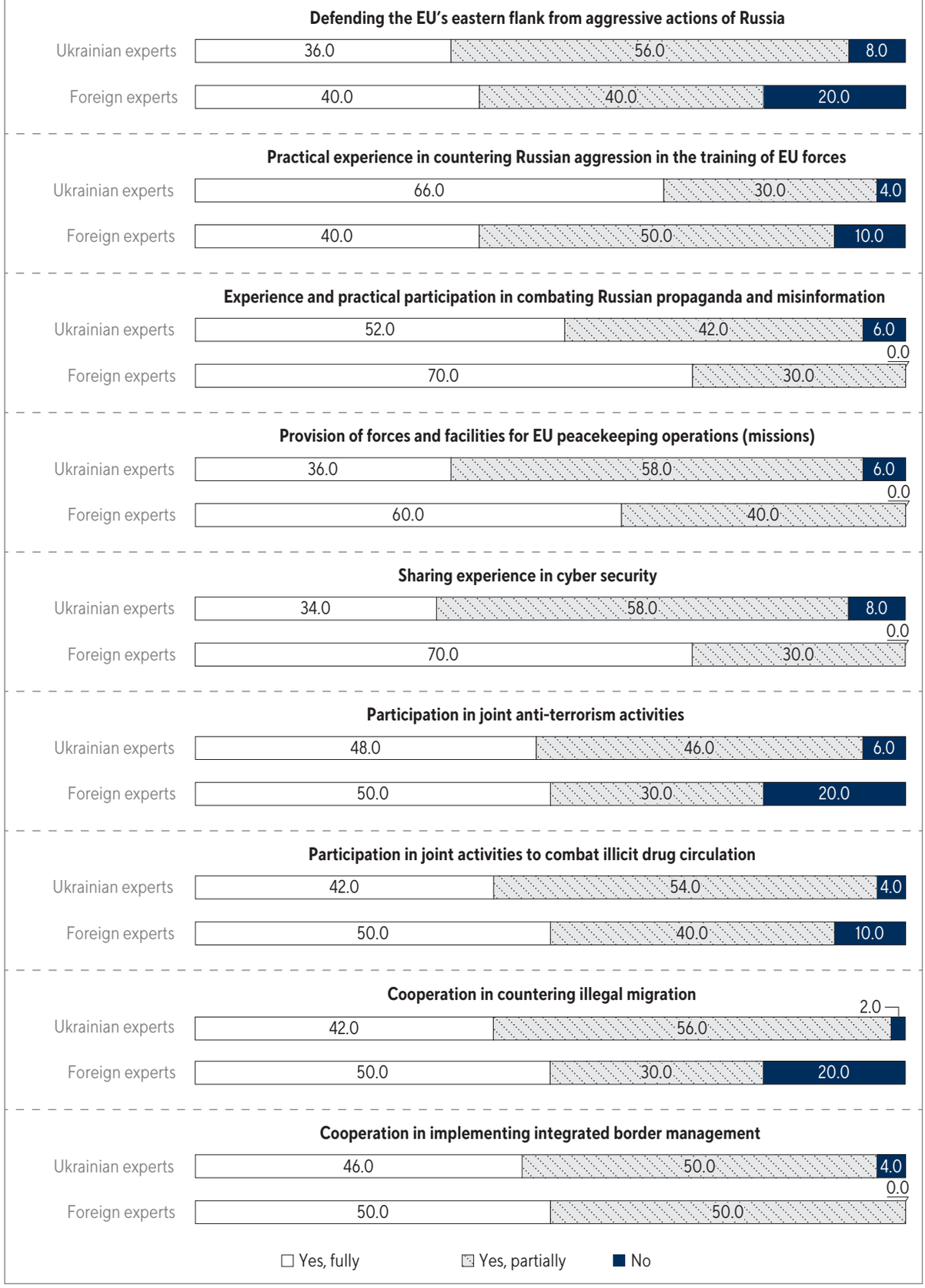
average score*

	Ukrainian experts	Foreign experts
Policy dialogue on foreign and security policy	3.2	3.3
Ratification and implementation of the Rome Statute of the International Criminal Court	2.1	2.5
Peaceful settlement of regional conflicts	2.5	3.9
Participation in the EU's civil and military crisis response operations	2.9	3.1
Participation in trainings and exercises within the EU's Common Security and Defence Policy	2.9	3.2
Collaboration with the European Defence Agency	2.7	2.7
Prevention and counteraction to the proliferation of weapons of mass destruction, related materials and their means of delivery	3.3	3.3
Introduction of European rules of arms and exports control	3.1	2.8
Fight against terrorism, implementation of international standards to counter terrorism financing	3.3	3.0
Implementation of the integrated border management	3.3	3.6
Fight against illicit drug circulation	3.2	2.8
Fight against crime	3.1	2.3
Fight against corruption	2.7	2.5
Judicial reform	2.5	1.6
Democratic civilian control of security agencies	3.0	2.7

* Using a five-point scale, where «1» – minimum results, «5» – maximum results.

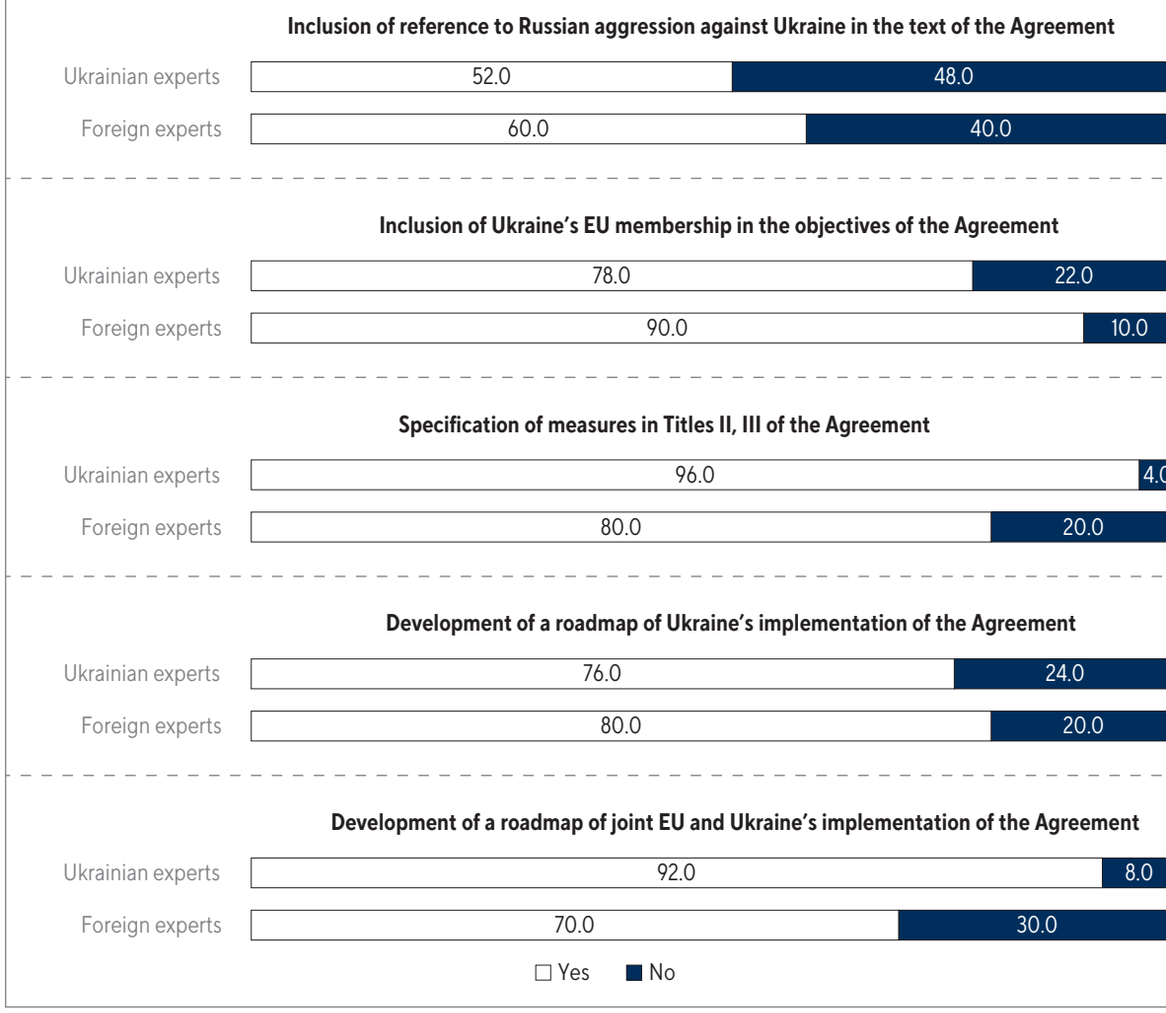
WHICH OF THE FOLLOWING CAPABILITIES CAN UKRAINE OFFER TO THE EU IN THE SECURITY SECTOR?

% experts polled



WILL THE FOLLOWING PROPOSALS REGARDING THE CONTENT OF THE ASSOCIATION AGREEMENT INCREASE THE EFFECTIVENESS OF ITS IMPLEMENTATION?

% experts polled



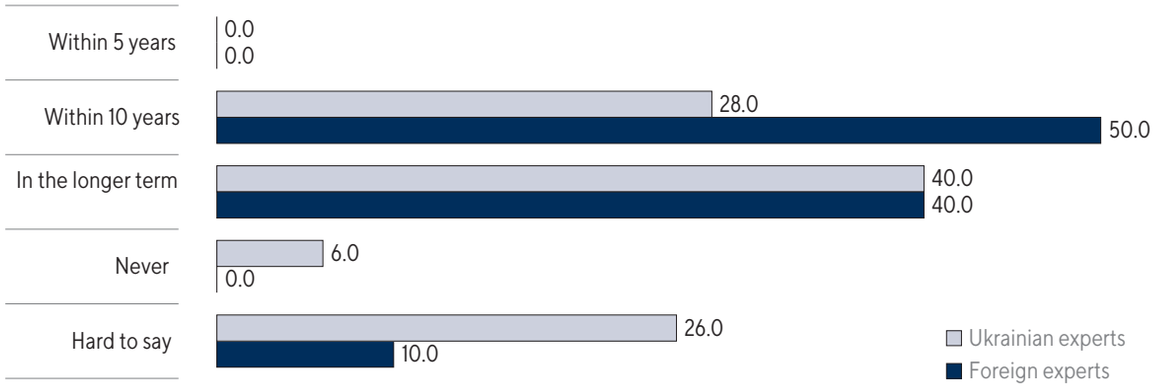
WHAT ARE THE MAIN OBSTACLES FOR UKRAINE IN IMPLEMENTING THE ASSOCIATION AGREEMENT?

% experts polled

	Significant impact		Insignificant impact		No impact	
	Ukrainian experts	Foreign experts	Ukrainian experts	Foreign experts	Ukrainian experts	Foreign experts
Lack of political will to implement reforms	78.0	100.0	18.0	0.0	4.0	0.0
Shortcomings of diplomatic activity	20.0	20.0	50.0	40.0	30.0	30.0
Lack of professionalism and continuity in government	72.0	50.0	24.0	30.0	4.0	10.0
Lack of budget funding	36.0	0.0	56.0	90.0	8.0	10.0
Insufficient harmonisation of regulatory framework	44.0	70.0	52.0	30.0	4.0	0.0
Lack of European law experts in government	32.0	50.0	62.0	40.0	6.0	0.0
Oligarchic groups' fear of competition from European companies	66.0	80.0	24.0	10.0	10.0	0.0
Corruption	82.0	90.0	12.0	10.0	6.0	0.0

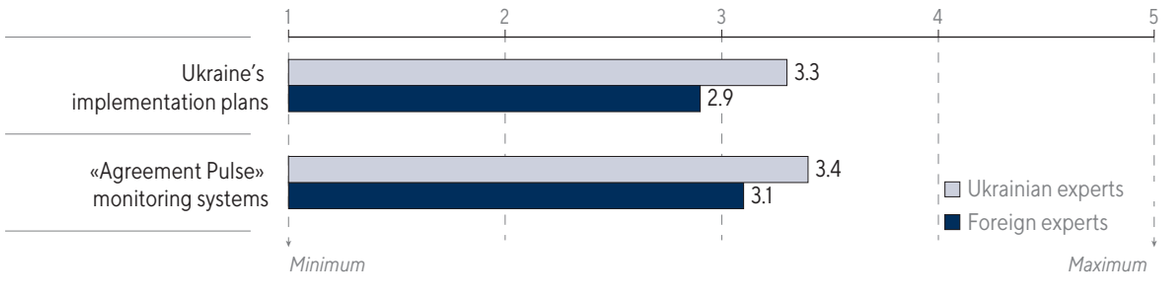
WHAT IS THE PROBABLE TERM OF UKRAINE'S ACCESSION TO THE EU?

% experts polled



PLEASE ASSESS THE EFFECTIVENESS OF THE EXISTING SYSTEMS FOR PLANNING AND MONITORING UKRAINE'S IMPLEMENTATION OF THE ASSOCIATION AGREEMENT

average score*



* Using a five-point scale, where «1» – minimum effectiveness, «5» – maximum effectiveness.

HOW DID BREXIT AFFECT THE EU'S CAPABILITIES IN THE FOLLOWING AREAS?

% experts polled