

INTERNATIONAL LAW AND INTERNATIONAL RELATIONS

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LEGAL BASIS OF THE EU FINANCIAL ASSISTANCE FOR UKRAINE IN THE FRAMEWORK OF EUROPEAN NEIGHBOURHOOD POLICY

The EU cooperates with Ukraine in the framework of the European Neighbourhood Policy (ENP) and its eastern regional dimension, the Eastern Partnership. The main aim of this cooperation is bringing Ukraine closer to the EU. In 2014 the European Union and Ukraine signed an Association Agreement that constitutes a new state in the development of EU-Ukraine contractual relations, aiming at political association and economic integration.

Advancing the ambitious goals set out by the Association Agreement would be impossible without the political and financial assistance from the EU.

The article studies the legal basis of the EU financial assistance to Ukraine. The relevant legal acts of the EU and Ukraine concerning financial assistance in the framework of ENP are analyzed. A special attention to the programmes of EU support to Ukraine is given.

Key words: European Neighbourhood Police, European Neighbourhood Instrument, Association Agreement, EU budget, multiannual financial framework.

The historic enlargement of the European Union (hereinafter – EU) in 2004 and 2007 due to the accession of 10 new Member States led to changes in its external borders, which not only evidenced the success of “European integration”, but also caused the search for new effective forms of cooperation with neighbouring countries, including Ukraine. Thus, in 2004 a Communication of the Commission introduced the European Neighbourhood Policy (ENP) as one of the foreign policy directions of the EU. The aim of the initiative was to avoid drawing new dividing lines in Europe and to promote stability and prosperity within and beyond the new borders of the Union¹.

However, very soon the question of delimitation of EU approaches to relations with southern and eastern neighbours, which were in the same conditions under the ENP, was raised. Therefore, Poland and Sweden responded to criticism of the ineffectiveness of the ENP issuing the proposal at the Prague summit on May 7, 2009 of a separate vector of the ENP – the initiative “Eastern Partnership” with six countries in Eastern Europe (Belarus, Georgia, Moldova and Ukraine) and South Caucasus (Azerbaijan and Armenia), thus emphasizing the European identity of post-Soviet states. The policy towards these countries has to be strong, proactive and unequivocal: with the Eastern Partnership the EU offers its Eastern partners concrete, far-reaching support for democratic and market-oriented reforms and thus contribute to the their political and economic stability².

According to the Communication from the Commission to the European Parliament and the Council – Eastern Partnership and the Joint Declaration of the member countries of the Prague summit on the Eastern Partnership on May 7, 2009 and other documents adopted for the development of this initiative, legal regulation of relations between the EU and partner countries in the Eastern Partnership is carried out by the association agreements – international agreements involving a number of innovative provisions in the EU’s relations with third countries, such as expanding political dialogue and deepening cooperation in matters of justice and security, the introduction of free trade and the gradual introduction

¹ Communication from the Commission to the Council and the European Parliament. *Wider Europe – Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*, 4.

<http://eeas.europa.eu/archives/docs/enp/pdf/pdf/com03_104_en.pdf> (2017, May, 05).

² MEMO/09/217. *Eastern Partnership*, (2009, May 5). <http://europa.eu/rapid/press-release_MEMO-09-217_en.htm?locale=en> (2017, May, 05).

of visa-free regime.

The provisions of these documents were reflected in the Lisbon treaties on December 1, 2009. Pursuant to Article 217 of the Treaty on the Functioning of the European Union, the Union may conclude with one or more third countries or international organisations agreements establishing an association involving reciprocal rights and obligations, common action and special procedure¹.

Unfortunately, tragic events preceded the signing and ratification of the Association Agreement between EU and Ukraine: the refusal of the former President of Ukraine V. Yanukovich to sign the Association Agreement at the 28–29 November 2013 EU summit in Vilnius led to the the Euromaidan Revolution or Revolution of Dignity, the most dramatic episodes of which took place in Kyiv in February 2014, involving protesters, riot police, and unknown shooters. Nevertheless, the Association Agreement between EU and Ukraine was fully signed during the meeting of the Ukrainian President Petro Poroshenko with the European Council, leaders of the European Union, the Heads of State and Heads of Government of the 28 EU Member States on June 27, 2014. Parliament of Ukraine and the European Parliament ratified the Association Agreement between Ukraine and the EU simultaneously on September 16, 2014.

Since January 1, 2016, the European Union and Ukraine have started applying the Deep and Comprehensive Free Trade Area (DCFTA) which forms a significant part of the Association Agreement between Ukraine and the EU. The rest of the Association Agreement, containing political and cooperation provisions, has already been provisionally applied since November 2014. The Association Agreement between Ukraine and the EU will come into force after its ratification by all Parties of the Agreement.

The Association Agreement with Ukraine is a new generation of EU agreements with third countries which is characterised by three specific features: comprehensiveness, complexity and conditionality. The Association Agreement is a comprehensive framework agreement which embraces the whole spectrum of EU activities, from setting up DCFTA to cooperation and convergence in the field of foreign and security policy, as well as cooperation in the area of freedom, security and justice².

The Association Agreement constitutes a new stage in EU-Ukraine contractual relations, aiming at political association and economic integration. The Association Agreement is focused on support for core reforms, on economic recovery and growth, governance and sector co-operation in more than 30 areas, such as energy, transport, environment protection, industrial and small and medium enterprise cooperation, social development and protection, equal rights, consumer protection, education, training and youth as well as cultural cooperation³. The DCFTA provisions are the core part of the Association Agreement between EU and Ukraine, reflecting the EU's privileged relations and increased trade with Ukraine. The DCFTA goes appreciably further than classical forms of economic integration, offering not only improved trade and investment opportunities but also assistance in trade-related reforms aimed at economic recovery, growth and deeper integration of Ukraine as an Eastern Partner's economy with the world markets⁴. A special attention in the Association Agreement is paid to the common values, principles of democracy and rule of law, good governance, human rights and fundamental freedoms.

Achieving such ambitious goals would be, of course, impossible without a proper assistance from the EU.

The cooperation between EU and Ukraine in the framework of European Neighbourhood Policy and European Neighbourhood Policy itself have been studied by numerous authors, such as R. Petrov, L. Vakulenko, V. Haladzi, T. Sydoruk, M. Mykiyevych, O. Poshedin, M. Chulaievskya etc. Nevertheless, the legal issues of EU assistance to Ukraine have not been researched in a proper way.

The aim of the article is to study the relevant legal acts of the EU and Ukraine concerning financial

¹ *Treaty on the Functioning of the European Union*. Official Journal C 326 , 26/10/2012, P. 0001 – 0390, art.217. <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>> (2017, May, 05).

² Petrov, R. *The New Generation of the European Union Association Agreement with Ukraine, Moldova and Georgia In Facing the Challenges in the European Union*. Re-thinking EU Education and Research for Smart and Inclusive Growth (Eulnteg) (Warsaw: Polish European Community Studies Association, 2015), 135. <<http://kolegia.sgh.waw.pl/pl/KES/struktura/kue/publikacje/Documents/THE%20NEW%20GENERATION%20OF%20THE%20EUROPEAN%20UNION%20-%20Petrov.pdf>> (2017, May, 05).

³ *Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part* (ratified 16.09.2014) art.217.<<http://ukraine-eu.mfa.gov.ua/en/page/open/id/2900>> (2017, May, 05).

⁴ Fact Sheet. *Georgia and Moldova one step closer to enhanced political and trade relations with the EU*. (Brussels, December 2, 2013). <http://www.eeas.europa.eu/archives/docs/statements/docs/2013/131202_01_en.pdf> (2017, May, 05).

assistance in the framework of ENP and determine the EU support programmes to Ukraine.

The EU assistance is provided to the 16 partner countries (Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Republic of Moldova, Morocco, Syria, Palestine, Tunisia and Ukraine), covered by the European Neighbourhood Policy (ENP), mainly through the European Neighbourhood Instrument, with a total budget of €15.4 billion for the period from 2014 to 2020. According to the Regulation of the European Parliament and of the Council establishing a European Neighbourhood Instrument (ENI Regulation), the European Neighbourhood Instrument (ENI) is one of the instruments providing direct support for the European Union's external policies¹.

Funding instruments provide the legal basis for the implementation of geographic and thematic programmes. For the period 2014-2020, the EU has mainly nine instruments covering external cooperation and external aid and ENI is one of them². A total budget of the ENI is €15.4 billion for the period from 2014 to 2020. It structurally belongs to the IV category of expense of the EU multiannual financial framework (MFF) – “Global Europe”, which covers all external action (“foreign policy”) by the EU such as development assistance or humanitarian aid. Pursuant to Article 312 of the Treaty on the Functioning of the European Union. The multiannual financial framework shall ensure that Union expenditure develops in an orderly manner and within the limits of its own resources. It shall be established for a period of at least five years. The annual budget of the Union shall comply with the multiannual financial framework. The financial framework sets the maximum amount of spendings in the EU budget each year for broad policy areas (“headings”) and fixes an overall annual ceiling on payment and commitment appropriations.

According to the Regulation of the European Parliament and the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action (Regulation on funding instruments), the funding instruments generally provide that actions to be funded on their basis should be the object of a multiannual indicative programming, providing the framework within which financing decisions should be adopted. Financing decisions and support measures should take the form of annual or multiannual action programmes³.

For the development of the Regulation on funding instruments aiming at presenting the goals for Eastern Partnership the European External Service promulgated ENI Regional East Strategy Paper (2014-2020) (the Strategy) and Multiannual Indicative Programme (2014-2017)⁴. Among the others, the Strategy sets out the following challenges in achieving the ENP goals: maintain partner countries' stability and independence under a complex geo-political context and resisting external pressures; address democracy and governance shortcomings; ensure democratic law enforcement through deep security sector reforms; tackle economic development through market-based principles, ensure inclusive growth and development, enhancement of quality of education and employability of graduates and better matching labour market and skills needs, ensure the environmental sustainability of development, reform energy and transport sectors, promote regional cooperation among partner countries, contribute to limiting and gradually solving of protracted conflicts and enhance the role of civil society and of local authorities as active contributors to policy design and reform processes. Pursuant to the Strategy, for those partners having concluded and signed Association Agreements including DCFTAs, a key challenge is their correct implementation and improvement of the administrative capacity.

The Eastern Partnership summit in Riga on May 20-22, 2015 became the next stage in the ENP review. The main views of the European Union on the further development of this initiative were outlined in the final declaration of the Summit. The document emphasizes that the scope and depth of cooperation

¹ *Regulation of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument*. Official Journal of the European Union L 77, 15/03/2014, P. 27-43.

<<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF>> (2017, May, 05).

² Funding instruments. *Official site of the European Commission*. <https://ec.europa.eu/europeaid/funding/funding-instruments-programming/funding-instruments_en> (2017, May, 05).

³ *Regulation of the European Parliament and the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action*. Official Journal of the European Union L 77, 15/03/2014, P. 95-108. <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/financial_assistance/ipa/2014/236-2014_cir.pdf> (2017, May, 05).

⁴ Programming of the European Neighbourhood Instrument (ENI) – 2014–2020. Regional East Strategy Paper (2014–2020) and Multiannual Indicative Programme (2014–2017), art.3.2. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/regional_east_strategy_paper_2014_2020_and_multiannual_indicative_programme_2014_2017_en.pdf> (2017, May, 05).

between EU and partner countries are determined by the EU's and partners' ambitions and needs as well as the pace of reforms. The Summit participants pointed up that implementation of Association Agreements/DCFTAs would be a key priority of the EU and the partners concerned for the coming years¹.

The ENI Regulation envisages three types of programmes for financial support of the partner countries:

1. bilateral programmes;
2. multi-country programmes;
3. cross-border cooperation programmes.

One of the key documents concerning the EU-Ukraine cooperation is EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement (Association Agenda), which is a joint practical tool aimed at preparing and promoting full implementation of the Association Agreement. The Association Agenda had been approved by the Cooperation Council between Ukraine and the EU in 2009.

The aim of the Association Agenda is to prepare and facilitate the implementation of the Association Agreement, by creating a practical framework through which the overall objectives of political association and economic integration can be realised and by providing a list of priorities for joint work on sector by sector basis. The Parties recognise the importance of supporting the agreed priorities through appropriate and sufficient political, technical and financial means².

The Association Agenda is the main mechanism for monitoring and evaluation of Ukraine's progress in implementation of the Association Agreement, as well as mechanism for monitoring and evaluation of the political association and economic integration achievements, especially those concerning Ukraine's achievements in ensuring respect for common values, and progress in achieving convergence with the EU in political, economic and legal areas³.

The document emphasizes that the implementation of the Association Agenda will be subject to and part of annual reporting, monitoring and assessment. Progress made will be reviewed within the structures created under the Association Agreement⁴.

Though the Association Agenda is a practical tool aimed at preparing and promoting full implementation of the Association Agreement, it is not a programme document and does not substitute programme measures, which are defined in the multiannual Programming of the European Neighbourhood Instrument.

Bilateral cooperation

According to the ENI Regulation the bilateral cooperation covers Union support to one partner country⁵. EU bilateral assistance should be included into the Single Support Framework, which is a programming document setting out the objectives and priorities for Union support, mainly selected from those included in the association agendas between the partner countries and the Union and in the partner countries' strategies or plans, indicating expected results and setting out the indicative level of funding, broken down by priority.

Among the priorities defined in the Association Agenda it is first of all necessary to take measures to implement the following reforms: constitutional reform, election reform, preventing and combating corruption, judicial reform, public administration reform, deregulation, public procurement reform, taxation reform, including VAT refunds, external audit, energy sector reform.

Although, due to the extraordinary circumstances, it is still impossible to determine multiannual

¹ Joint Declaration of the Eastern Partnership summit (Riga, 21–22 May 2015). *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/eastern/docs/riga-declaration-220515-final_en.pdf> (2017, May, 05).

² EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement (As endorsed by the EU-Ukraine Association Council on 16 March 2015), 2. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/ukraine/docs/st06978_15_en.pdf> (2017, May, 05).

³ EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement (As endorsed by the EU-Ukraine Association Council on 16 March 2015), 2. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/ukraine/docs/st06978_15_en.pdf> (2017, May, 05).

⁴ EU-Ukraine Association Agenda to prepare and facilitate the implementation of the Association Agreement (As endorsed by the EU-Ukraine Association Council on 16 March 2015), 2. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/ukraine/docs/st06978_15_en.pdf> (2017, May, 05).

⁵ Regulation of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. Official Journal of the European Union L 77, 15/03/2014, P. 27-43, art.6. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF>> (2017, May, 05).

priorities for Ukraine, so there is no Single Support Framework for Ukraine. Under the ENI, Ukraine may get up to €1 billion from the EU in the period 2014-2020. As for all Neighbourhood countries, final allocations will depend on the country's needs and its commitment to reform¹. Furthermore, Ukraine may benefit from additional financial assistance granted through the multi-country “umbrella programme”: the incentive-based mechanism that rewards progress towards building deep and sustainable democracy by supplementary financial allocations (“more for more”)².

For the period of 2015-2020 an annual assistance package of approximately €130 million is foreseen as a part of ENI. Besides, Ukraine can get €40-50 million yearly provided the proven progress in deepening democracy and respect of human rights³.

As far as existing programmes are concerned, the Commission is currently funding a number of on-going sector budget support and technical assistance programmes which will provide input to the new Government in key areas such as economic development, public financial management and justice. This represents approximately €400 million⁴.

Furthermore, on April 29, 2014 the Commission adopted an implementing decision on a Special measure 2014 in favour of Ukraine to be financed from the general budget of the European Union, which contributes to the EU support package of short and medium term measures to help stabilise the economic and financial situation in Ukraine, assist with the transition and encourage political and economic reforms, with participation of the civil society. The special measure contains two actions:

1. State building contract for Ukraine;
2. Ukraine civil society support programme.

State building contract is one of the budget support programmes. Budget support is an important instrument in EU's comprehensive development policy towards partner countries, which involves policy dialogue, financial transfers to the national treasury account of the partner country, performance assessment and capacity-building, based on partnership and mutual accountability⁵. Budget support funds must be accounted as state budget revenues and included in the State budget of the beneficiary country, if predictable enough, in the draft of the state budget, otherwise in the year-end report of the budget⁶.

Pursuant to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions “The Future Approach to EU Budget Support to Third Countries”, the aim of the budget support is to build and consolidate democracies, pursue sustainable economic growth and eradicate poverty. In order to achieve these *goals* the European Commission provides three forms of budget support programmes:

1. Good Governance and Development Contracts to provide budget support to a national development or reform policy and strategy.
2. Sector Reform Contracts to provide budget support in order to address sector reforms and improve service delivery.
3. State Building Contracts to provide budget support in fragile and transition situations⁷.

The State Building Contract was signed on May 13, 2014 by the President of the European

¹ European Neighbourhood Policy And Enlargement Negotiations. Ukraine. *Official site of the European Commission*. <https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/ukraine_en> (2017, May, 05).

² Programming of the European Neighbourhood Instrument (ENI) – 2014-2020. Strategic Priorities 2014-2020 and Multi-annual Indicative Programme 2014-2017. European Neighbourhood-wide measures. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/enp/pdf/financing-the-enp/enp_wide_strategic_priorities_2014_2020_and_multi_annual_indicative_programme_2014_2017_en.pdf> (2017, May, 05).

³ *Memo of the European Commission. European Commission's support to Ukraine* (Brussels, 5 March 2014). <http://europa.eu/rapid/press-release_MEMO-14-159_en.htm> (2017, May, 05).

⁴ *Memo of the European Commission. European Commission's support to Ukraine* (Brussels, 5 March 2014). <http://europa.eu/rapid/press-release_MEMO-14-159_en.htm> (2017, May, 05).

⁵ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions. *The Future Approach to EU Budget Support to Third Countries*. (Brussels, October 13, 2011), 2. <<http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52011DC0638&from=EN>> (2017, May, 05).

⁶ Старостенко, Н., Саєнко, О., Колосова, В., Слинько, Н. (2014). *Бюджетна підтримка ЄС в Україні*. Київ: ФОП Москаленко О.М., 6.

⁷ EuropeAid Development and Cooperation Directorate-General European Commission. *Budget Support Guidelines. Programming, Design and Management – A modern approach to Budget Support*. (Brussels, September, 2012), 13. *Official site of the European Commission*. <http://ec.europa.eu/europeaid/sites/devco/files/methodology-budget-support-guidelines-201209_en_3.pdf> (2017, May, 05).

Commission and the Prime-Minister of Ukraine. The State Building Contract provided in the form of budget support, financial assistance to support the process of transition and preparing reforms in the context of the Association Agreement/DCFTA.

The overall budget of the "State Building Contract" programme amounted to €355 million and was disbursed in two tranches. Unlike the first tranche of €250 million, the second one of €105 million was linked to progress in reforms in the areas of anti-corruption, public finance management, civil service, constitutional reform, electoral legislation and justice (such as adoption of the Law "On Prevention of Corruption", launching of the e-declarations of the state officials, adoption of the Law "On National Anti-Corruption Bureau of Ukraine" and creation the National Anti-Corruption Bureau of Ukraine as a predecessor of the National Anti-Corruption Committee etc.)

The aim of a programme is to support civil society in Ukraine and increase the role of civil society in promoting and monitoring democratic reforms and inclusive socio-economic development in Ukraine. The new program provides direct funding to the Civil Society organizations to build up their capacity to analyze the reforms and is directly linked to the State Building Contract. The Civil Society organizations will monitor the reforms agreed under that Contract, including fight against corruption, constitutional reform and judicial reform¹.

The action will be implemented through calls for proposals for civil society organisations. Training and advice will also be provided to support the establishment of a structured dialogue between the authorities and the civil society².

Multilateral cooperation

According to the ENI Regulation multi-country programmes address challenges common to all or a number of partner countries, based on priorities of the Eastern Partnership³.

The multilateral framework of the Eastern Partnership provides for cooperation activities and open and free dialogue serving the objectives of the Partnership. It operates on a basis of joint decisions of the European Union and the partner countries. It provides a forum to share information and experience on the partner countries' steps towards transition, reform and modernisation and gives the EU an additional instrument to accompany these processes. It will facilitate the development of common positions and joint activities⁴.

The multilateral dimension operates at the following levels: summits involving Heads of State and Government, Foreign Ministers' meeting, the meeting of experts in the four Eastern Partnership thematic platforms:

1. democracy, good governance and stability;
2. economic integration and convergence with EU policies;
3. energy security;
4. contacts between people.

In addition, the Eastern Partnership multilateral dimension with the support of the European Commission implemented a number of practical projects (flagship initiatives) in the following areas: integrated border management, promotion of small and medium enterprises, energy efficiency, environmental management and prevention of natural and man-made disasters⁵.

The participants of the Platform "Democracy, good governance and stability" adopted "General

¹ Угода про фінансування Програми Підтримка громадянського суспільства в Україні між Кабінетом Міністрів України та Європейським Союзом (підписана 5 та 13 вересня 2014 року, набрала чинності для України 13 вересня 2014 року). <http://zakon4.rada.gov.ua/laws/show/984_014/card2#Card>(2017, May, 05).

² Угода про фінансування Програми «Підтримка громадянського суспільства в Україні» між Кабінетом Міністрів України та Європейським Союзом (підписана 5 та 13 вересня 2014 року, набрала чинності для України 13 вересня 2014 року). <http://zakon4.rada.gov.ua/laws/show/984_014/card2#Card>(2017, May, 05).

³ *Regulation of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument*. Official Journal of the European Union L 77, 15/03/2014, P. 27-43, art.6. <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF>> (2017, May, 05).

⁴ Joint Declaration of the Eastern Partnership summit (Riga, 21–22 May 2015). *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/eastern/docs/riga-declaration-220515-final_en.pdf> (2017, May, 05).

⁵ The Eastern Partnership Initiative. *Official site of the Embassy of Ukraine to the United Kingdom of Great Britain and Northern Ireland*. <<http://uk.mfa.gov.ua/en/about-ukraine/european-integration/east-partnership>> (2017, May, 05).

Guidelines and Rules of Procedure” for four thematic platforms on their first meeting. These platforms are created as forums for discussion the common issues, in which the partner countries are interested. Full participants in all four platforms are the EU Member States, the Partner Countries, the European Commission and the European External Action Service¹. Besides, the participants of all the four platforms adopted Working Programmes for every platform for the period 2014-2017 aimed at achieving the goals agreed in bilateral Action Plans or Association Agendas and reflect the priorities set in the ENI Regional East multiannual indicative programme (2014-2017)².

Platform 1 “Democracy, good governance and stability” aims at improve such areas as democratic governance, justice and home affairs and security and stability³. The responsible state body is the Ministry of Justice of Ukraine.

The core objectives of the Platform are pursued through different Panels, such as a Panel on Common Security and Defence Policy (the responsible authority is The General Staff of the Armed Forces of Ukraine), a Panel on Asylum and Migration (the responsible authority is the State Migration Service of Ukraine), a Panel on Public Administration reform the responsible authority is the National Agency of Ukraine on Civil Service) etc⁴.

Platform 2 “Economic Integration and Convergence with EU Policies” has the objective to contribute to the smart, sustainable and inclusive development of a free market economy in Partner Countries⁵. This Platform is significantly important for Georgia, Moldova and Ukraine, while these countries signed Association Agreements including Deep and Comprehensive Free Trade Agreements. The panels within Platform 2 are: a Panel on Transport (the responsible authority is the Ministry of Transport of Ukraine), Panel on Environment and Climate Change (the responsible authority is the Ministry of Ecology and natural Resources of Ukraine), Panel on Trade and Trade Related Regulatory Cooperation (the responsible authority is the Ministry of Economic Development and Trade of Ukraine) etc⁶.

The core objectives of the *Platform 3 “Energy Security”* are the following:

- approximation of the regulatory framework;
- development of electricity, gas and oil interconnections and diversification of supply;
- stakeholder dialogue in energy efficiency and renewable energy;
- cooperation in establishing and strengthening a regulatory framework in nuclear safety;
- conventional and unconventional oil and gas resources⁷.

The responsible authority is the Ministry of Energy and Coal Mining of Ukraine.

Platform 4 “Contacts between people” contributes to the goals of the Eastern Partnership, notably in the area of people-to-people contacts and serves to promote European values, political stability, economic growth and social justice⁸. Platform 4 is focused on youth, students, teachers, scientists and artists. The key goals of the Platform are to strengthen the partner countries ‘participation in the EU programmes on international cooperation, strengthen their capacity of reform implementation and expand

¹ Eastern Partnership Multilateral Platforms. *General Guidelines and Rules of Procedure*, art.2.1.

<http://collections.internetmemory.org/haeu/20160313172652/http://eeas.europa.eu/eastern/platforms/rules_procedure_en.pdf> (2017, May, 05).

² Platform 1 *Democracy, Good governance and Stability*. Core objectives and work programme 2014-2017, 1-2.

Official site of the European External Action Service. <http://eeas.europa.eu/archives/docs/eastern/platforms/docs/work_programme_2014_2017_platform1_en.pdf> (2017, May, 05).

³ Platform 1 *Democracy, Good governance and Stability*. Core objectives and work programme 2014-2017, 1-2.

Official site of the European External Action Service. <http://eeas.europa.eu/archives/docs/eastern/platforms/docs/work_programme_2014_2017_platform1_en.pdf> (2017, May, 05).

⁴ Багатосторонні платформи Східного Партнерства. *Офіційний сайт МЗС України*. <<http://mfa.gov.ua/ua/about-ukraine/european-integration/east-partnership>> (2017, May, 05).

⁵ Platform 2 *Economic Integration and Convergence with EU Policies*. Work Programme 2014 – 2017, 1. *Official site of the European External Action Service*. <http://eeas.europa.eu/archives/docs/eastern/platforms/docs/work_programme_2014_2017_platform2_en.pdf> (2017, May, 05).

⁶ Багатосторонні платформи Східного Партнерства. *Офіційний сайт МЗС України*.

<<http://mfa.gov.ua/ua/about-ukraine/european-integration/east-partnership>> (2017, May, 05).

⁷ Platform 3 *Energy Security*. Core Objectives and Revised Work Programme 2014-2017 , p.2. *Official site*

of the European External Action Service. <https://eeas.europa.eu/sites/eeas/files/platform_3_work_programme_2014-2017.pdf> (2017, May, 05).

⁸ Implementation Report of Work Programme 2014-17. Platform 4 *Contacts between people*, p.1. *Official site of the European Commission*. <http://ec.europa.eu/dgs/education_culture/repository/education/international-cooperation/documents/eastern-partnership/progress-report-5-eap_en.pdf> (2017, May, 05).

cooperation between educational and scientific institutions. The responsible authority is the Ministry of Education and Science of Ukraine.

Cross-border cooperation

Cross-border cooperation programmes (CBC) address cooperation between one or more Member States, on the one hand, and one or more partner countries and/or the Russian Federation, on the other hand, taking place along their shared part of the external border of the Union¹.

CBC contributes to the general ENI objective of progress towards ‘an area of shared prosperity and good neighbourliness’ between EU Member States and their neighbours. To advance this goal it is necessary to achieve three strategic objectives:

- promote economic and social development in regions on both sides of common borders;
- address common challenges in environment, public health, safety and security;
- promote better conditions and modalities for ensuring the mobility of persons, goods and capital².

Ukraine participates in four ENI CBC programmes, namely: the Cross-border Cooperation Programme Poland – Belarus – Ukraine 2014–2020, the Cross-border Cooperation Programme Hungary-Slovakia-Romania-Ukraine, the Cross-border Cooperation Programme Ukraine – Romania 2014-2020 and Black Sea basin 2014-2020.

In the framework of the agreements, the following areas will be financed: improvement of the infrastructure of border regions, environmental protection and efficient use of natural resources, border management and border security, management in the field of migrations entrepreneurship, the development of small and medium-sized enterprises, local culture, common challenges in the field of security and law enforcement³.

To sum up, the key objective of the cooperation between the EU and Ukraine in the framework of ENP and its Eastern regional dimension Eastern Partnership is to bring Ukraine closer to the EU. The Association Agreement determines Ukraine to implement economic, judicial and financial reforms. Therefore, the EU provides Ukraine with financial support for achieving these goals. The ENI regulation envisages three types of programmes covering the EU support for Ukraine. For the development of this Regulation the European External Action Service adopted Regional East Strategy Paper (2014-2020) and Multiannual Indicative Programme (2014-2017) which present the objectives for multi-country cooperation for the EU’s Eastern Neighbourhood. The joint practical tool aimed at full implementation of the Association Agreement is the EU-Ukraine Association Agenda.

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