

Ukraine's contribution to the ongoing discussion on the EU strategy towards Russia

Having severely suffered from Russia's aggressive and expansionist policy, the Ukrainian side welcomes EU's intentions to elaborate strategic coherent approach towards Russia that should contribute to full restoration of rule of international law, security and stability in Europe.

Such consolidated EU's strategy is definitely needed to preserve unity of MSs and to better understand developments inside and outside Russia, to calibrate the approach to Russia's actions in order to predict its policy and prevent its unlawful actions rather than to react on them in post factum manner. Moreover, this strategy will be an important element in the process of upcoming review of the Eastern Partnership.

However Ukraine is concerned with some ideas inside the EU about the need to alleviate the EU restriction policy towards Russia, to resume EU engagement with Russian official authorities in spite of the absence of the clear commitment of Moscow to stop its aggression. Russia violates international principles and norms, including the UN Charter, the Helsinki Final Act, the 1994 Budapest Memorandum and Treaty on friendship, cooperation and partnership between the Russian Federation and Ukraine. Moreover, Moscow spreads violence propaganda and instigates terrorism (by sending mercenaries and helping to create and supporting terrorist organizations) which caused, in particular downing of Malaysia airlines flight MH 17 and terrorist act in Volnovakha (in light of these events the European Parliament condemned the acts of terrorism and criminal behavior of separatist organizations).

Since illegal annexation of Crimea and unleashing an aggression in the Donbas by Russia, the European Union adopted about 20 Conclusions and numerous statements with roughly 24 clear demands to Russia aimed at deescalating situation and achieving peace and stability in Ukraine.

Despite all efforts taken by Ukraine and the EU in the spirit of good faith, the Russian side dinged to partially fulfilled only 4 of 24 demands mentioned above, thus, virtually demonstrating a full ignorance of international law and its commitments undertaken within different negotiation formats, in particular under the Minsk peace agreements.

This time there should not be any illusions on a possibility to settle the situation in Ukraine through constructive engagement of Russia. We should not forget the lessons learned from the recent past. The EU already tested this policy after war in Georgia in 2008 by deciding to adopt tactics of involving Moscow in a dialogue. Instead, the problem of Georgian territorial integrity has not been settled. Furthermore, the EU policy of positive engagement towards Russia strengthened in 2010 by proposing Partnership for modernization, negotiations on a new enhanced agreement, visa liberalization talks etc. didn't prevent Russia's invasion in Ukraine and annexation of Crimea.

Any EU strategy towards Russia should keep opened all possible options over sanctions policy: not only possibilities to maintain or lift sanctions but also to enhance them in case of further deterioration of the situation on the ground.

The elaboration of the EU's strategy towards Russia should be based on the following key elements (which are not exhaustive):

1. It should be based on strict Moscow's adherence to the fundamental norms and principles of international law, in particular with regard to respect for sovereignty and territorial integrity of neighbouring states, notably Ukraine, including its right to define its own integration and national development policy. At the moment there are no grounds to start discussion within the EU on the possibility of the gradual re-engagement with Russia. Eventual start of such policy could only be considered after full implementation by Moscow of the Minsk arrangements.
2. Russia's violation of Ukraine's territorial integrity and sovereignty resulted in the EU sanctions, not *vice versa*. Therefore, returning of Russia to strict observance of international law should result in lifting of the EU sanctions, not *vice versa*.
3. Splitting of the EU sanction package will mean splitting of international principles, namely sovereignty, territorial integrity and inviolability of borders. Dividing of the EU sanction

regime will lead to freezing the conflict in the Donbas and locking Crimean problem for the long term. The EU sanctions towards Russia, which have just begun to bring results, should remain in one package as they are interconnected. They serve to change the behavior of Moscow to take concrete measures not only for normalization situation in the Donbas but also to restore sovereignty of Ukraine over Crimea.

4. Full lifting of restrictive measures towards Russia and return to the policy of “business as usual” could be considered not only after cessation of occupation and destabilization of Crimea and the Donbas but after agreement of Russia to fully compensate all damages, caused to Ukraine, in accordance with internationally recognized practice.
5. The elaboration of the EU communication strategy to counter the insolent Russian propaganda campaign directed towards the EU, its Eastern neighbours and Russia itself is urgently needed. The EU should also reach out European public opinion (including Russian speaking) to explain the sense of restrictive measures against Russia and consequences of Russia’s illegal actions for the well-being of Europeans.
6. Possible steps towards formalization of EU – Eurasian Economic Union dialogue may be taken only after implementation of the Minsk arrangements, ending attempts of Russia to undermine AA/DCFTA between EU and Eastern Partners, obtaining by the EEU states membership in the WTO, fulfillment in good faith by Russia of its WTO commitments, and lifting trade irritants in relations with the EU and Eastern Partnership states. This discussion could be built upon the experience of trilateral EU-Ukraine-Russia consultations on DCFTA last year.
7. Any EU’s strategy towards Russia should treat Ukraine as democratic, territorially integral, sovereign state with clear European perspective.

Obviously, stable, predicable and democratic Russia which respects international law, fundamental values and does not seek for sphere of influence is one of the cornerstones of the European and world stability and prosperity. Ukraine strives for developing good neighbourly relations, equal and mutually beneficial cooperation with such Russia as indivisible element of its European policy.

Ukraine stands ready to contribute to the EU discussions on its strategic policy towards Russia. We believe that the upcoming EU – Ukraine Summit could become a first good occasion for such exchange of views.