Abstract

Developing the bilateral relation between Romania and Ukraine should become one of the priorities of the Romanian government, at this stage. The evolution of the European Union’s approach towards Eastern neighbors and especially the Eastern Partnership (EaP) encourage countries such as Romania to make a difference. Taking into account the EU-generated divisions in the Ukrainian society, Romania’s support for the pro-EU choice must be consistent, but prudent, especially since the two countries have shared a difficult post-1991 relationship.

EU foreign policy and enlargement are fields in which Romania can bring its contribution to the common efforts and can use the entire influence provided by its size and political weight. Bucharest abandoned its skepticism and became a supporter of the EaP framework, especially since it was seen to advance the prospects for Moldova’s European integration. Strongly rejecting any arbitrary separation lines in Europe – especially since it was itself subject to such an exclusionary discourse in the 1990s and early 2000s – Romania favors an open-doors policy towards EU enlargement. It would be rational to extend the line of behavior already adopted towards Chisinau and to encourage the Ukrainian government bid for EU accession, should the minimal conditions be met.

The possibilities of bilateral cooperation between Bucharest and Kiev are patterned by various factors, mainly by the impact of the European Union. Out of several possible scenarios generated by Ukraine’s policy choices, building on the current framework of the EaP is obviously the most favorable one for Bucharest-Kiev bilateral relations. The contentious issues on the Romanian-Ukrainian agenda might be tackled in a discrete and constructive manner, as Kiev and Bucharest would operate in a highly patterned environment, in which compliance to EU norms may become less painful, over time.

The bilateral interaction should lead to a rational partnership in which the inter-governmental process will be dominant but, in time, free trade and the free movement of people will reinforce it. Should the Ukrainian people choose to demand full integration, Romania is one of the best possible supporters for such a quest. Promoting a new wave of Eastern enlargement is already the accepted (though still unofficial) doctrine of Romanian foreign policy.

Keywords: Romania, Ukraine, foreign relations, European Union, Eastern Partnership

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The idea of a partnership between Romania and Ukraine in the new European environment might seem rather elusive, at the moment. The Ukrainian government is apparently undecided whether to follow a course of closer cooperation with the European Union, in the framework of the Eastern Partnership (EaP). Time will tell whether the EaP remains a suitable instrument for managing the European Union (EU) – Ukraine relationship. Given the growing pressure within the EU to offer the prospect of closer cooperation and eventual membership to interested and committed EaP countries, it would be an exaggeration to argue that postponing the signature of the Association Agreement would compromise Ukraine’s European integration project. On the other hand, if the administration in Kiev decides to join an alternative economic and political bloc, devised by the Russian Federation, would be incompatible with this project. What is in important, for Brussels and for all the member-states, including Romania, is that the Ukrainian people makes a genuinely democratic choice regarding its economic and political future.

As a member of the EU, Romania must observe the bloc’s guidelines in its relations with the so called “European neighbors”, and there are significant opportunities for building on these guidelines in order to develop a strong and meaningful relationship with Ukraine. The run-up to the Vilnius EU-EaP summit illustrated has illustrated the fact that in Romania there is a strong public support for a more assertive and constructive engagement with both Moldova and Ukraine. There are well-advised opinions on the positive effects that such a policy would have on Romania’s standing in the EU, especially if Bucharest is able to help in achieving the desired results in the Eastern neighborhood.

The Republic of Moldova is and will remain the main focus, given the well-known historic and cultural arguments; however, there is a growing attention toward the Ukraine and a strong feeling that Romania can cooperate with other Central and Eastern European members, such as Poland and the Baltic States, in order to advance the dialogue with Ukraine. If the Kiev government decides in favor of pursuing closer cooperation with the EU within the EaP framework, it will be easy for the Romanian supporters of a bilateral partnership to argue for a coherent Moldova-Ukraine policy, aiming at promoting effective cooperation and advocating a change from the logic of partnership to the logic of enlargement, for both countries – and, possibly, for other qualified candidates, if they emerge.

However, Bucharest should take a cautious approach toward building the partnership with Kiev, if divisions arise in the Ukrainian society relative to the path to be taken. As 2014 is an election year in Romania and a pre-election year in Ukraine, the support for the European aspirations of the Ukrainian people must not be construed or misconstrued as a form of interference in the domestic competition, especially since the bilateral relationship still includes several contentious issues. Overall, both sides would have a lot to gain from stronger ties at the level of civil society, which could encourage the two governments to seek improved relations.

This article is the result of a research directed mainly toward the advantages that a strong institutional framework – such as the EaP – would offer to the Romanian – Ukrainian cooperation. It is important, however, to take into account the declared goal of some important segments of the Ukrainian society: full EU integration. Romania could share with Ukraine some of the experiences – both positive and negative – that accompanied its protracted evolution toward full membership, all the more since it already does that in its dialogue with Chisinau.

The main argument of this paper is that Romania’s interests would be best served by a meaningful partnership with its biggest neighbor, Ukraine, and that Romanian foreign policy should work in this direction. Once the Ukrainian people have expressed their choice, the two governments can work together, irrespective of its content – although the scope of the dialogue will depend on that choice. If Kiev decides to pursue a stronger cooperation with the EU, a notable improvement in the bilateral relations should be expected, and this would be the preferred scenario for the Romanian government, as well as for important business and societal actors. If, on the other hand, Ukraine decides to keep some distance from the EU or to join another economic and political bloc, the bilateral relation with Romania would be influenced by the two countries’ respective obligations, which by no means preclude a positive working relationship, albeit a less ambitious one.

Cooperation in international affairs does not exclude disagreement and competition, and the EU itself displays various such patterns. On the other hand, it has created an institutional framework for harmonizing divergent interests, as well as a societal environment that rewards cooperation. The
EaP and the other instruments of cooperation created or supported by the EU can be productively used by Ukraine and Romania, in the future.

**Ukraine and the European Union: the uncertain partnership**

The EU-EaP Vilnius summit, in November 2013, should bring about the initialization of the Association Agreements (AA) – including Deep and Comprehensive Free Trade Area (DCFTA) agreements – with Moldova and Georgia, and, possibly, the signing of the agreement with Ukraine. It would be a notable step in the EU’s efforts to institutionalize its relations with its post-Soviet European neighbors, and would compensate Armenia’s recent change of hearts regarding the AA, as well as the lack of progress in the relations with Azerbaijan and Belarus. The Kiev administration’s reluctance to take a resolute stand is not, in itself, surprising, given both the regional systemic and the domestic pressure in which the Ukrainian government operates.

Joseph S. Nye’s concept of “soft power” has been open-heartedly adopted by the political leaders in Brussels in describing the EU’s external action, including the initiatives under the EaP. However, one should remember that the main locus of soft power is society, while the EaP is largely focused on governments. It would be difficult to interpret the EU-Ukraine relation under the EaP in terms of soft power. Besides, although there are certain interesting attempts, there is no convincing way to assess a hypothetic “balance” of soft power between the EU and Russia, although both actors seem to exert soft power over the Ukrainian society.

The salience of inter-governmental relations and “hard power” considerations warrants the use of rationalist theories of interstate cooperation. Thus, conditionality and external governance by the EU lie at the center of the EaP, but their effects are widely seen as weak, especially since there is no definite end-state in the process of interaction between the EU and its partners. In Ukraine, as well as in other EaP countries, those who hope for full integration fear that the EaP will be a substitute for accession. Lacking strong incentives, the Ukrainian government might consider objecting to the deepening of cooperation under the EaP, if it incurs significant short-term costs. But the approach based on conditionality cannot explain the process by which major policy choices are made.

Geopolitical approaches are always influential, and the EaP has often been criticized for not being able to tackle strategic competition. As the Lithuanian special envoy for EaP at the foreign ministry put it: “We don’t view the Eastern Partnership as a tool of geopolitical influence. This initiative is directed only to participant states. I wouldn’t like to link this issue to Russia”. Nevertheless, the EaP cannot turn one’s attention away from geopolitical competition and has often been criticized for not representing a real projection of influence by the EU in its Eastern

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neighboring neighborhood, able to balance the Russian presence.\textsuperscript{10} Geopolitical analyses are able to fairly accurately describe the current situation in the EaP region, including Ukraine, as well as the pressures on the domestic economy and domestic political systems of the post-Soviet countries. However, they must be corroborated with domestic politics approaches, in order to account for the policy choices in Kiev.

The interplay of systemic and domestic factors is generally well captured by „two-level game” theories.\textsuperscript{11} In the case of Ukraine’s relationship with the EU under the EaP, such theories would point out that the solution negotiated by President Yanukovitch with the EU leaders must be „ratified” at the domestic level – that is, the authorities in Kiev face the challenge of „non-ratification” – in this case, election defeat – if the compromise is judged to be detrimental to large segments of the Ukrainian society. Nevertheless, such approaches are much more coherent when the „domestic game” takes place in Parliament, rather than in the streets or at the polling stations.

There are many other ways to approach the current situation in the EU-Ukraine relations. Each perspective has merits, though none of them is absolutely convincing. One of the reasons may be the fact that the ties between the EU and its Eastern neighbors are extremely complex, and the EaP framework is extremely ambitious, in terms of policy areas covered in the negotiations. The conclusion of this brief discussion is that a great deal of uncertainty and indeterminacy will persist in the relations between Brussels and Kiev, and that individual member-states, such as Romania, will have difficulties in adapting their foreign policy mechanisms in order to build on this framework. The same is true for the way Kiev understands to relate to Romania and other individual EU members. Strong bilateral cooperation, if it is to be achieved, will emerge from a diverse, changing landscape.

\textbf{Romania’s foreign policy priorities in the EU}

As a relatively new member of the EU, Romania’s foreign policy has been intensively patterned and Europeanized, in the sense that Bucharest has been a loyal and partner in the formulation of EU external policies. On the other hand, the obligations as a NATO member are taken seriously, and the Romanian government welcomed the US political and military presence in the region. The policy establishment in Bucharest has been largely concerned with harmonizing the Atlanticist and the European components of Romania’s foreign and security policy. The assumption of a constructive regional role has been a priority, as shown by Bucharest’s interest in regional cooperation at the Black Sea and along the Danube River. Romania has also played a quiet but significant part in supporting the EU’s action in the Balkans. As far as the special relationship with the Republic of Moldova is concerned, Bucharest has been interested in presenting and promoting its perspectives regarding the Transnistrian conflict, in order to influence the position of the EU. For various reasons, the opportunities offered by the EaP were not adequately seized from the very beginning, perhaps because Romania feared that it would overlap and push to the sidelines the Black Sea Synergy initiative, or perhaps because it was not invited to play a more prominent part by the EaP initiators, among which Poland and Sweden had a special status. However, Bucharest quickly understood the fact that the EaP offered a great deal of support to its policy toward Chisinau, and became a supporter of the EaP framework. Now, in the Romanian political and academic circles, as well as in the civil society, the EaP is seen as a useful tool for improving the bilateral relations with Kiev. Moreover, there seems to be a stronger understanding of the fact that Ukraine’s European integration would greatly help the Moldavian cause and would serve Romania’s interests.

As was indeed the case with most other new member-states, Romania has been a „policy-taker” rather than a „policy-maker” in the field of foreign policy;\textsuperscript{12} this distinction parallels the one between „norm-takers” and „norm-makers” in the EU and, in general, in contemporary international relations. However, foreign policy is a field where Romania’s standing can be fairly easily upgraded, and its political, demographic and economic potential can be tested.

\begin{itemize}
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\end{itemize}
Romania’s status in the EU is currently affected by doubts over the quality of its democratic system and over the strength of its rule of law, which motivated the special Mechanism for Cooperation and Verification (MCV) set up by the European Commission. The Schengen area is currently used to exert a new sort of post-accession conditionality on the Romanian authorities, with the proviso that the final verdict is not an “institutional” decision, but rather a political one, which must be accepted by all the participating governments. January 1, 2014 should be the date when all the restrictions to the free movement of Romanian workers are removed, but the recent debates in the United Kingdom and other destination countries suggest that, in political terms, Romania is still seen as a problematic member state. Last, but not least, Romania is outside the Eurozone and is officially committed to taking the necessary steps for joining in due time – that is, fulfilling the various macroeconomic conditions and criteria. Although several doubts have been recently raised regarding the future and potential of the common currency, there is a relatively strong domestic consensus in favor of making the necessary domestic adaptations, and the economic arguments are complemented by a discourse on „full membership” and „first class membership”.

Within the EU, Romania has adopted a principled and consistent policy aimed at joining all possible arenas of cooperation, although these steps entailed „self-binding” and reductions in its policy autonomy. The Euro-Plus Pact and the Treaty on Stability, Coordination and Governance in the Economic and Monetary Union (TSCG) are relevant examples in this respect. Romania’s participation sending a message of responsibility and compliance from a member whose economic strength has constantly raised doubts within the EU. In Ewan Harrison’s terms, Romania’s behavior in the EU is strongly “institutionalist”, and the desired transition from policy-taker to policy-maker will certainly retain this character. One of the main concerns of Romania’s foreign policy has been the harmonization of this „institutionalism” with its relationship with the US, inside NATO. Romanian elites would prefer a comprehensive harmonization between the pressures generated by NATO and the EU. The assertiveness of Romania’s policy in the Black Sea region, following EU accession, can be explained by the convergence between the two organizational (NATO and EU) incentives. One might convincingly argue that „the West” is the dominant concept in Romanian foreign policy, and that the most difficult moment of choice was 2003, when Romania staunchly supported the US in its controversy with those EU members that opposed the intervention in Iraq. Overall, the post-2003 foreign policy and alliance behavior of Romania has not raised serious management problems for the United States, while Romanian participation in and compliance with the common EU foreign policy is generally regarded as satisfactory. There are, of course, areas that are not covered by the EU treaties framework and where Romania diverges from the majority of its EU partners, such as the non-recognition of Kosovo’s independence or, more recently, the attitude toward the Assad regime, in Syria. Nevertheless, foreign policy is a field where Romania has largely patterned its behavior according with organizational pressures. From this perspective, within the EU, the Romanian government is capable of advancing its goals at the EU level, and this includes its message relative to the European neighbors.

Romania and the arbitrary lines of division in Europe

For many Central and Eastern Europeans, after 1989, the issue of EU and NATO integration was seen through the lenses of past rivalries. The enlargement strategies of both NATO and EU involved „waves”: some countries were admitted sooner, while others had to wait for a new opportunity. The EU enlargement policy displayed a relatively high degree of predictability, but that was not the case with NATO. To what extent could a candidate government be certain that a former

(or present) rival that managed to accede would not use its position to demand irrational concessions or even block its accession altogether?

The political veto was used by Greece against the Former Yugoslav Republic of Macedonia’s bid to join NATO, at the 2008 summit in Bucharest, although all the other partners supported Skopje’s efforts. Various low-intensity threats that would have led to delays in the EU negotiation or accession calendars – but not to policy reversals – were made, among others, by Slovenia relative to the Croatian accession, and, on a smaller scale, by Romania relative to the Serbian effort to reach the status of candidate country. Neither of them generated significant consequences.

During Romania’s failed campaign to gain the invitation to join NATO, in 1997, as well as in its aftermath, there were important concerns regarding Hungary’s future attitude toward Romanian efforts to become a member. In fact, Hungary turned out to be a strong supporter of Romania’s subsequent (and successful) campaign, in 2002. Later, Budapest supported the Romanian efforts to join the EU. This policy line toward both accession projects was initiated early on, in 1998, and was carried out in a principled manner, on the basis of the bilateral treaty signed – under strong Western pressure – in March 1997, as both countries attempted to maximize their chances for NATO’s first wave.

In the same year, within the same accession campaign, Romania signed the bilateral treaty with Ukraine, which offered Bucharest valuable points in the second – successful – attempt to join NATO, in 2004. Later, in 2008, Romania supported Ukraine’s bid for NATO integration, including the granting of the Membership Action Plan, but Kiev’s attempt failed due to the lack of consensus among member-states at the Bucharest summit.

The deadlock in the official high-level relations did not affect Romania’s backing for the Ukrainian attempts to build a stronger relation with the West. As the Romanian Foreign Minister, Titus Corlățean, has stated during a recent meeting with his Ukrainian counterpart, Leonid Kojara, Romania supports the political association and the economic integration of Ukraine with the EU, as well as the liberalization of the visa regime. Later this year, according to the Romanian media, the Ukrainian ambassador to Bucharest, Teofil Bauer, “pointed out that one of the main issues approached [with the Romanian authorities] was connected with the support for Ukraine’s European aspirations, a context in which he appreciated the Romanian authorities’ having confirmed the support for these aspirations”. This is a phrase that is frequently used by Romanian political leaders in connection with the Republic of Moldova, and it may suggest that Romania is prepared to consider supporting Ukraine’s accession, in the future.

The Romanian diplomacy cannot openly use the vocabulary of enlargement as long as there is no clear expression of interest from Kiev to cooperate in the relevant EaP arenas and pursue the road to integration. According to the official website of the Foreign Ministry, Romania favors an open-doors policy towards „the states that show the will and the capacity to fulfil the criteria required for joining the EU”. This attitude is in accordance with the official line of the EU, and is reinforced by a consistent opposition to any arbitrary lines of separation. During the 1990s and early 2000s, Romania itself feared that NATO and EU enlargement would follow a logic of division that would hurt its integration prospects. In the end, those fears were not confirmed.

Romania, Ukraine and the issue of bilateral cooperation

The possibilities of bilateral cooperation between Bucharest and Kiev are patterned by various factors, and the impact of the European Union should be taken into account, together with other systemic and domestic factors.

If Ukraine eventually decides to join the Russian-initiated customs union, the bilateral ties will be highly dependent on the overall relationship between the EU and that organization. Both Romania and Ukraine will be subject to powerful systemic pressures from Brussels and Moscow, respectively. Kiev will probably be invited to clarify its position regarding the economic, political and security cooperation with Russia and the other post-Soviet partners, although may adopt a singular position in terms of security. However, the lessons of the 20th century European integration suggest that political institutions are needed to manage a customs union. To what extent one would expect a swift and ambitious political construction is a totally different matter. Western European institutions were devised under the guidance of a hegemon that acted as an „insider” in terms of security (NATO) and as an „outsider” and sympathetic competitor in economic terms. The geographic position and the acknowledged benevolence of the hegemon played an extremely important part in the process of European integration, and it is difficult to see how the Eurasian conditions could reproduce such a stable situation. Most probably, the interplay between politics, economics and security would be rather different and would confront the EU with new types of interaction. The creation of the Eurasian network would bring about all the uncertainties of transition, and a stronger cooperation between the EU member states and Eurasian counterparts would be strongly influenced by inter-bloc relations. Provided that a certain stability is attained, Romania and Ukraine should be able to imagine ways of upgrading their relationship. The contentious issues on the bilateral agenda – such as minorities, the border segment in the Danube Delta, and navigation in the region – will probably persist, but they should not have a disproportionate influence on the bilateral dynamics, unless a logic of political and strategic competition comes to infuse the relations between the blocs.

If Ukraine decides to remain outside President Vladimir Putin’s integration project, but also trims down its engagement with the EU, the EaP can provide a certain degree of predictability to the bilateral relation with Romania. There should be good chances for upgrading trade, and society-to-society relations could enter a positive cycle. The inter-governmental relationship could be taken to the level of a partnership, provided that no new challenges emerge in the field of “high politics”, and the issue of the Republic of Moldova is included in this category. However, the lack of a specific ambitious goal – such as integration – would make Ukraine much less interested in a partnership with Romania, albeit as a complement to its relations with bigger and more prosperous EU members. For its part, Bucharest might prefer a „EU-ization” of its inter-governmental ties with Kiev, in parallel with a principled – but not enthusiastic – attitude of support for Ukraine’s evolution within the EaP framework. The various sub-regional initiatives to which both countries belong – such as the Black Sea Synergy – would probably gain in importance, from a Romanian perspective. Such a state of affairs seems to be inherently unstable, unless the Ukrainian government succeeds in convincing the citizenry that non-engagement offers economic benefits that are larger then those promised by accession to either bloc. Domestic factors would be, however, extremely important for the sustainability of such a line, in Ukraine, since the expectations of the citizens remain high, in terms of prosperity and democracy.

A scenario in which Ukraine decides to build on the current framework of the EaP is obviously the most favorable for bilateral relations. The interaction would have a particular temporal dynamics. In the beginning, the economic and societal factors would lend a relatively low support to the inter-governmental process, but, in time, free trade and free movement of people will reinforce it. Ukraine would have an opportunity to advance an agenda for cooperation, according to its needs, and the Kiev government might search similar arrangements with other Central and Eastern European EU members, such as Poland and Hungary, and possibly with others.

In this line of events, the contentious issues on the Romanian-Ukrainian agenda are tackled in a discrete and constructive manner, as both countries would know that the other does not aim to gain unfair advantages. Kiev and Bucharest would operate in a highly patterned environment, in which compliance to EU norms may become less painful, over time.

Sustained cooperation bring about trust and enhances the reputation of the partners among the other members of the system, while non-cooperative behavior hurts it. Both Romania and Ukraine have an interest in building a reputation of reliability and consistency, in Europe as well outside its borders.

The partnership between Romania and Ukraine would probably develop more convincingly when the governmental side is complemented by the societal one, especially via: free trade and free
movement of people. The EaP framework, despite its limitations, is relatively well prepared to incorporate societal demands, and this would probably lead to a wider support for European integration in the Ukrainian society.

REFERENCES


