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Formation of State Policy of Ukraine towards European Integration

Abstract: The peculiarities of the legal and institutional mechanisms of cooperation between Ukraine and the EU in the stage of the formation of the state of Ukraine's Euro integration policy are analyzed in this paper. The conclusion is made about the nature of cooperation between Ukraine and the EU before the end of the period of formation of Ukraine's state policy towards European integration.

Key words: state policy, Ukraine, European integration

The most topical question for cooperation between the EU and Ukraine today is the signing and ratifying of a new enhanced agreement between Ukraine and the EU. However, in order to evaluate the implementation of Ukraine's national European integration policy at present, it is necessary to describe its current stage of formation, in which the creation of the legal and institutional mechanisms for cooperation between Ukraine and the EU is vital.

Hence, the goal of this paper is to analyze the formation of the legal and institutional framework of cooperation between Ukraine and the EU as one of the main elements of formation of the state policy of Ukraine towards European integration.

In this analysis of the formation of contractual and legal relations between Ukraine and the European Union, the author relies primarily on the legal basis of cooperation between Ukraine and the EU in the 1990s, as well as on the research on European integration by academics specializing in the fields of public administration, law and political science in Ukraine: Y. Kostyuchenko, O. Kovalyova, V. Kopyyka, A. Laba, M. Mykiyevych, V. Muravyova, N. Sur, R. Filonenko, etc.

The trade and economic relations of the European Community and Ukraine, since Ukraine's independence, have been based on the Agreement on Trade and Cooperation. This agreement was in fact signed between the EU and the Soviet Union and was inherited by Ukraine and other former republics after the collapse of the Soviet Union. R. Filonenko emphasized that "the formation of contractual relations between the EU and Ukraine and the determination of Ukraine's place in the Eastern policy of Brussels were slightly different than with the countries of Central and Eastern Europe" (Філоненко, 2008, pp. 13–14). The states of Central and Eastern Europe began to shape their foreign policy priorities, declaring a 'return to Europe' as the main focus of their foreign policy after the end of the Cold War and the first free elections of 1989–1990. The EU has been signing so-called 'Europe Agreements' with them (or Association Agreements) since 1991.

The Resolution of the Verkhovna Rada of the URSR "On the implementation of the Declaration on State Sovereignty of Ukraine in the sphere of foreign relations" of Decem-

ber 25, 1990 defined a foreign policy goal, which was “to ensure direct participation of Ukraine in the general European process and European structures” (Ковальова, 2004, p. 1). The national identity of Ukraine as a European country was declared on December 5, 1991 in the Appeal of the Verkhovna Rada of Ukraine, “To the parliaments and peoples of the world,” due to confirmation of “The Act of independence of Ukraine” by the people of Ukraine in a referendum (Ковальова, 2004, p. 1). The aim of the independent Ukrainian state was to develop cooperation with the EU and receive EU membership status in the future. This received legislative confirmation in the Resolution of the Verkhovna Rada of Ukraine “On the basic directions of foreign policy of Ukraine” of July 2, 1993. The Resolution stated that “the prospective objective of Ukrainian foreign policy is Ukraine’s membership of the European Community ... In order to maintain stable relations with the European Community, Ukraine shall conclude with them an Agreement on Partnership and Cooperation, implementation of which will be the first step in moving towards an associate, and later – full membership of the organization” (*Про основні напрями*). Furthermore, the Law of Ukraine “On the principles of national security of Ukraine” of June 19, 2003 in the fifth paragraph of Article 8 (as amended by Law N 2411-VI, “On the principles of domestic and foreign policy of Ukraine” of July 1, 2010) states the Ukrainian goal of “acquiring membership of the European Union while maintaining good neighborly relations and a strategic partnership with Russia, other countries of the Commonwealth of Independent States and with other nations of the world” (*Про основи національної*).

The formation of the institutional mechanisms for the European integration of Ukraine started from the beginning of cooperation between Ukraine and the European Union. The Interdepartmental Committee of Ukraine on the European Community was created by the Decree of the President of Ukraine “On Interdepartmental Committee of Ukraine on the Affairs of the European Community” (August 18, 1993). It also appointed the Deputy Prime Minister of Ukraine as the Chairman of the Interdepartmental Committee of Ukraine on the Affairs of the European Community and adopted the Regulations on the Interdepartmental Committee of Ukraine on the Affairs of the European Community (*Про Міжвідомчий*). The creation of the Interdepartmental Committee of Ukraine on the Affairs of the European Community in 1993 as a state body for the harmonization and coordination of policies of Ukraine concerning the European Community can be regarded as an important mechanism for the formation of Ukraine’s European integration policy.

The Interdepartmental Committee of Ukraine on the Affairs of the European Community was accountable to the Cabinet of Ministers of Ukraine. It developed, with the participation of the relevant central executive authorities of Ukraine, proposals for the definition, validation and adjustment of activities of Ukraine on cooperation with the European Community; analyzed the impact of the results of agreements between Ukraine and the European Community on the economy of Ukraine; submitted proposals to the President of Ukraine and the Cabinet of Ministers of Ukraine on the coordination of work of the relevant bodies of executive power of Ukraine, aimed at the implementation of agreements between Ukraine and the European Community, examined the progress of their implementation; participated in the drafting of regulations on the activities of ministries and other central bodies of executive power of Ukraine on the implementation of policy regarding the European Community; coordinated, with the relevant authorities of

Ukraine, draft directives for the delegations from Ukraine in international negotiations with the EU, brought to the President of Ukraine and the Cabinet of Ministers of Ukraine proposals for the personal composition of delegations and their leaders, organized and coordinated the work of delegations; organized the conduct of academic research on Ukraine joining the system of Western European integration, development of mutual economic, academic and commercial exchange, stimulation of enterprise and foreign investment; informed the authorities of Ukraine on cooperation with the EU; brought to the President of Ukraine and the Cabinet of Ministers of Ukraine propositions regarding the abolition of acts of ministries and other central bodies of executive power of Ukraine which conflicted with agreements between Ukraine and the European Community (*Про Міжвідомчий*).

Paragraph 5 of the Decree established the composition of the Committee. The Committee was chaired by a Chairman who was appointed by the President of Ukraine. There were Deputy Chairmen, who were appointed by the President of Ukraine after the Chairman proposed them. The Deputy Chairmen were *ex officio* the First Deputy or Deputy of the Head of the Ministry of Foreign Economic Relations of Ukraine, Ministry of Foreign Affairs of Ukraine, and the National Center for realization of international technical assistance to Ukraine. The personal composition of the Committee was approved by the President of Ukraine after the Chairman's submission (*Про Міжвідомчий*).

Questions of the activities of the Committee and the state of implementation of agreements between Ukraine and the European Community (item no. 6) were considered at the meetings of the Committee, which were held at least twice a year. Sectoral committees, the composition of which was to be approved by the Chairman of the Committee (item no. 7) could be formed for the operative solution of issues raised in the Committee. The Main Department of Foreign Economic Policy and International Economic Organizations of the Ministry of Foreign Economic Relations of Ukraine carried out the functions of the executive body of the Committee (item no. 8) (*Про Міжвідомчий*).

The composition of the Committee was approved by the Order of the President of Ukraine "On the personal composition of the Interdepartmental Committee of Ukraine on the (*Про персональний*) Affairs of the European Community" of October 13, 1993, that is two months after the Decree of the President of Ukraine, "On the Interdepartmental Committee of Ukraine on the Affairs of the European Community."

So the Interdepartmental Committee of Ukraine on the Affairs of the European Community consisted of a Chairman, three Deputy Chairmen and twelve members, who were mostly deputy heads of certain agencies in accordance with their posts. Moreover, although the Deputy Chairmen of the Committee represented bodies that are directly related to European integration: the Ministry of Foreign Economic Relations of Ukraine, Ministry of Foreign Affairs of Ukraine, and the Agency for International Cooperation and Investment, they, just like other members of the Committee, were the deputy heads of the relevant ministries.

We can therefore say that not enough attention was paid in 1993 to the development of relations with the EU, given the composition of the Committee as the institutional mechanism of cooperation between Ukraine and the European Union. However, it should be noted that as a public body, accountable to the Cabinet of Ministers of Ukraine, the Committee had the appropriate structure and composition. Therefore, it was relevant as the

state body for harmonization and coordination of policies of Ukraine concerning the European Community to the state of relations of Ukraine with the EU at the stage of the origin of relations between the two sides.

The Joint Committee, which was formed by Ukraine and the EU and intended to coordinate and monitor the cooperation between Ukraine and the EU in the field of economy, especially trade, began to operate in March 1995. The annual meeting of the Joint Committee of Ukraine – EU was held from 1995 to 1997 (*Хронологія*). Later, meeting within the framework of the Joint Committee lost its relevance due to the introduction of the Agreement on Partnership and Cooperation with the European Union (hereinafter – PCA) in 1998 and the creation of a new institutional mechanism of cooperation between Ukraine and the European Union by this agreement.

The Decree of the President of Ukraine “On measures to improve cooperation between Ukraine and the European Union” (*Про заходи щодо вдосконалення співробітництва*) of February 7, 1995 changed the Decree of the President of Ukraine “On the Interdepartmental Committee of Ukraine on the Affairs of the European Community” of August 28, 1993. In addition, the Decree of the President of Ukraine “On measures for improvement of the mechanism of interaction with the European Union and its executive bodies” (*Про заходи щодо вдосконалення механізму*) was issued on April 21, 1997. It altered the previous two documents, and improved and strengthened the institutional framework of European integration of Ukraine. This Decree was issued with the aim of implementing the declared strategic course towards integration into the European Community and the proper organizational support for the implementation of the PCA and Action Plan of the European Union towards Ukraine.

In accordance with the Decree of the President of Ukraine “On measures for the improvement of the mechanism of interaction with the European Union and its executive bodies” of 1997, the Interdepartmental Committee of Ukraine on the Affairs of the European Community, created by the Decree of the President in 1993, consisted of the Chairman, the First Deputy Chairman, the Deputy Chairmen and members of the Committee. The First Deputy Chairman – an Authorized Representative of the Cabinet of Ministers of Ukraine on European and Transatlantic Integration was *ex officio* First Deputy Minister of Foreign Affairs of Ukraine. The Deputy Chairman of the Committee was to be *ex officio* the First Deputy or Deputy Minister of Foreign Economic Relations and Trade of Ukraine, the Deputy Chairman of the Committee – the National Coordinator of Ukraine for Technical Assistance of the European Union was *ex officio* Chairman of the National Agency of Ukraine for Reconstruction and Development (*Про заходи щодо вдосконалення механізму*).

In addition, it should be stressed that the meetings of the Committee should take place not less than once every two months, in accordance with the Decree of the President of Ukraine “On measures for improvement of the mechanism of interaction with the European Union and its executive bodies” of 1997 instead of at least twice a year, as was approved by the Decree of the President of Ukraine “On the Interdepartmental Committee of Ukraine on the Affairs of the European Community” of August 28, 1993.

Furthermore, an appropriate subdivision of the Ministry of Foreign Affairs of Ukraine carried out the functions of the executive body of the Committee in accordance with item no. 8 of the Decree of the President of Ukraine “On measures for the improvement of the

mechanism of interaction with the European Union and its executive bodies” of 1997 rather than the Main Department of foreign economic policy and international economic organizations of the Ministry of Foreign Economic Relations of Ukraine in accordance with the Decree of the President of Ukraine “On Interdepartmental Committee of Ukraine on the Affairs of the European Community” of 1993.

Hence, we can say that the improvement in the structure and activities of the Interdepartmental Committee of Ukraine on the Affairs of the European Community in 1997, a year before the entry into force of the PCA, shows the determination of the foreign policy of Ukraine towards European integration, and not only the intensification of economic cooperation between the two sides, that was the relevant issue in the first half of the 1990s.

However, the above defined institutional foundations of cooperation between Ukraine and the European Union expired in 1998 in connection with the ratification of the PCA and the necessity of creating new institutional mechanisms for bilateral cooperation on a new contractual and legal basis.

So the PCA was the basic document that defined the legal mechanism of bilateral cooperation between Ukraine and the EU. Although it was signed between Ukraine and the European Union on June 16, 1994, the PCA entered into force only on March 1, 1998 after it had been ratified by the parliaments of all EU member states.

According to N. Sur, the process of integration of Ukraine into the EU, which started with the acquisition of our country’s independence, led to the need for creating appropriate legal requirements for its implementation in domestic legal order of Ukraine. This was set in motion by the PCA signed between the EU and Ukraine (Сюр, 2006, p. 7).

The PCA established a partnership between the Community and its member states, on the one hand, and Ukraine – on the other. The objectives of this partnership were identified as follows: to “provide an appropriate framework for the political dialogue between the Parties allowing the development of close political relations; to promote development of trade, investment and harmonious economic relations between the Parties and, thus, the acceleration of their sustainable development; to provide a basis for mutually advantageous economic, social, financial, civil, academic, technological and cultural cooperation; to support Ukraine’s efforts to consolidate its democracy, to develop its economy and to complete the transition to a market economy” (Article 1 of the Agreement) *Про партнерство*).

Certain provisions of the PCA contained commitments of our country, aimed at creating the legal framework to regulate cooperation with the EU, according to N. Sur. This academic stressed that “integration processes cannot be done mechanically; they need improvement, coordination and harmonization of the national legislation of Ukraine to the norms and standards of the European Union, thus creating a legal and institutional framework for cooperation between our country and the EU,” (Сюр, 2006, p. 11) in her PhD thesis, “Legal integration of Ukraine into the European Union: theoretical and legal research”. At the same time, M. Mykiyevych observed that the PCA, “as well as other agreements to which the Community is a party, constitute an integral part of its law, as well as its overall legal system... Requirements of compatibility and uniformity of application of such agreements throughout the Community result from this” (Микієвич, 2007, pp. 31–32).

M. Mykyeyvych and V. Muravyov, analyzing the nature of the Agreement, put the PCA into the category of “mixed agreements” (Муравйов, 2003, p. 13). So “in accordance with the Union law, it has the character of a bilateral agreement, since these are agreements regarding trade and cooperation or an association agreement concluded between the Community and its member states, on the one part, and a third country – on the other. Since Community law derives from the international legal system, it has to be incorporated into the national legal system of each member state” (Микієвич, 2007, p. 32). Actually, because the PCA is categorized as a “mixed agreement”, EU member states can also conclude agreements on the implementation of the PCA (Муравйов, 2003, p. 13).

As for the prospects of Ukraine’s membership of the EU, even though the PCA defined the legal principles and forms of cooperation between Ukraine and the EU, as emphasized by M. Mykyeyvych, “the peculiarity of it is that there is no reference to European integration in the Agreement, which is generally the characteristics of partnership agreements” (Микієвич, 2007, p. 32). However, the Agreement included far-reaching mutually beneficial commitments of both sides, based on their “desire to establish strong relationships built on existing historical relations between them” (Микієвич, 2007, p. 32).

V. Kopyyka gives similar characteristics of the PCA to M. Mykyeyvych. He notes that the PCA is a “regular modernized form of standard trade agreements, which lie at a rather low level of contractual relations between the EU and third countries and do not include establishment of any preferences” (Копійка, 2004, p. 15). In his opinion, the “universal nature of the PCA, the lack of a differentiated approach to the New Independent States (hereinafter – NIS) and the willingness of the EU to shift the emphasis more to the question of political cooperation in the PCA, leaving economic cooperation in the background, indicated the secondary importance of relations with NIS for the EU”. Moreover, given the unpreparedness and minor successes of the NIS countries in conducting internal post-socialist reforms, V. Kopyyka believes that at that time the EU did not consider the future prospects of relations, including those with Ukraine, either in practical, or in theoretical terms (Копійка, 2004, p. 15). A. Kovalyova noted the absence of a varied approach from EU political institutions to partner countries. She emphasized that the EU concluded agreements on partnership and cooperation with such countries the prospect of membership of which was uncertain or not proclaimed as a development priority. This academic proposed to evaluate this form of EU relations with countries in the context of the EU’s common foreign policy towards post-Soviet countries. Cooperation with countries, according to the EU, was complicated because of the high degree of political risk, due to the unstable political and economic situation in the countries of the former Soviet Union. PCAs were concluded with most of the new states that emerged in the territory of the former Soviet Union, with the exception of the states in the Baltic region. But only Ukraine, Moldova and Georgia declared their intentions of joining the European Union. Thus, in the opinion of A. Kovalyova, the “political content of the PCA is limited primarily to the fact that the Agreement does not contain provisions regarding the prospects of associated relations with the EU” (Ковальова, 2004, p. 13). Thus, it is clear that the provisions of the PCA, in accordance with the nature of partnership agreements, did not contain the prospects of Ukraine’s membership in the EU, or even the gradual deeper integration of Ukraine into the EU.

Other opinions of Ukrainian scholars about the content of the PCA should not be ignored. According to V. Muravyov, the PCA contains a relatively small number of clearly defined obligations for subsequent implementation, while the framework nature of the agreement envisages the implementation of its provisions by concluding other international agreements by the parties involved (Муравйов, 2003, p. 13). It is pertinent also to pay attention to the fact that the legal framework for cooperation between Ukraine and the EU was not limited to the PCA, but also included other documents that were adopted after the PCA entered into force: international agreements concluded with the ECSC and Euratom, EU acts for the implementation of the Common Strategy and more.

The President of Ukraine issued the Decree “On the implementation of the Agreement on Partnership and Cooperation between Ukraine and the European Community (European Union) and the improvement of the mechanism of cooperation with the European Community (European Union)” of February 24, 1998 “with the purpose of implementing the strategic course of Ukraine towards integration in the European Union, the provision of Ukraine’s entry into the European political, economic and legal space, the improvement of the mechanism of Ukraine’s cooperation with the European Community (European Union) and to ensure the implementation of the Agreement on Partnership and Cooperation, signed between Ukraine and the European Union on June 16, 1994” (*Про забезпечення*).

This document decreed the creation of the Ukrainian part of the Council on cooperation between Ukraine and the European Union and the Ukrainian part of the Committee on Cooperation between Ukraine and the European Union as a subsidiary body of the Ukrainian part of the Council (item no. 1). The creation of the Ukrainian part of the Council on cooperation between Ukraine and the European Union, chaired by the Prime Minister of Ukraine, as well as the Ukrainian part of the Committee on Cooperation between Ukraine and the European Union as a subsidiary body of the Ukrainian part of the Council by the Decree of the President of Ukraine of February 24, 1998 was called by O. Korniyevskiy “the most important step towards the practical expanding of the cooperation institutions” (Єдифікаційне) of the EU and Ukraine.

It is important to mention that, as a result of the creation of a new mechanism of cooperation between Ukraine and the EU, the Decree of the President of Ukraine “On the implementation of the Agreement on Partnership and Cooperation between Ukraine and the European Community (European Union) and the improvement of the mechanism of cooperation with the European Community (European Union)” of 1998, liquidated the Interdepartmental Committee of Ukraine on the Affairs of the European Community (item no. 7), which had been working since 1993. Hence, this Decree created a new institutional mechanism of the state policy of Ukraine towards European integration which is still in force after many changes concerning renaming the bodies, including the Decree of the President of Ukraine dated September 27, 2011.

The Ukrainian academic A. Laba proposed the periods of formation of international legal cooperation between Ukraine and the EU in her PhD dissertation on “The law of the European Union and the law of Ukraine: theoretical and legal problems of relationship and harmonization (1991–2004).” She identified three stages of international legal cooperation between Ukraine and the EU in the 1990s. In her view, the first stage – from the independence of Ukraine in 1991 to the entry into force of the Interim Agreement on trade

and trade-related issues in 1996 – was characterized by the fact that relations between Ukraine and the EU were regulated by the provisions of the Agreement on trade and cooperation between the European Economic Community and Euratom and the Soviet Union, concluded in 1989. The second stage is based on the PCA between Ukraine and the EU, concluded in 1994 and entering into force in 1998. Moreover, this researcher points out that Ukraine was the first newly independent state which signed such an agreement with the EU. However, its prolonged ratification by EU member states led to the fact that the Agreement entered into force only in 1998. This was the reason why the second stage the cooperation between Ukraine and the EU was focused mainly on the development of economic and trade relations, without a practical appeal to the problems of the integration of the legal system of Ukraine to EU law. The third stage began after the PCA had entered into force. It is characterized by the expansion of cooperation between the parties on a broad range of relationships, including the scope of the convergence of legal systems (Жаба, 2005, p. 17).

It should also be emphasized that the legal conditions for the application of EU law in the legal order of Ukraine in general were created by the Constitution of Ukraine, adopted on June 28, 1996 and by other acts of law. It is also necessary to note that the international treaties ratified by Ukraine are part of national legislation and binding. The relevant provisions are enshrined in Article 9 of the Constitution of Ukraine. However, the analysis of the legislation of Ukraine by V. Muravyov indicates that there is no clear answer to the question of the status of provisions of international treaties in the internal legal order of Ukraine. Accordingly, this also applies to the PCA. Furthermore, he draws attention to the fact that acts of international organizations are mentioned neither in the Constitution of Ukraine, nor in other legislative acts of our country. However, their importance in the legal regulation of international cooperation in economic affairs is constantly growing. Also the practice of application of norms of international law by national judicial institutions is not well developed in Ukraine, due to the lack of an appropriate mechanism. Hence, as summarized by V. Muravyov, the creation of the legal framework for the integration of Ukraine into the EU requires, among other things, solutions at the national level of the problem of choosing means of implementation of our country's international obligations (Жаба, 2005, p. 32).

It is also necessary to stress that after the adoption of the Constitution of Ukraine on June 28, 1996 the President of Ukraine virtually became the main center of production of the foreign policy of Ukraine, including cooperation with EU Member States.

The reasons for this are substantiated by the experts of the Laboratory for Legislative Initiatives, G. Aslanyan and D. Kovryzhenko. First of all, the Constitution of Ukraine placed the basic personnel and powers in the sphere of the executive branch in the head of state, not the government. So the heads of the executive authorities that were responsible for the development and implementation of foreign policy, in the opinion of G. Aslanyan and D. Kovryzhenko, were unable to make independent decisions on issues in their competence. For example, if they were not in agreement with the vision of the President of Ukraine, the powers of such heads of executive bodies were curtailed. These researchers emphasize that “the concentration in the hands of the President of Ukraine of the powers of appointment and dismissal of the heads of executive bodies with nationwide competence became one of the reasons that the role of the central executive authorities in charge

of the course of foreign policy was gradually reduced to that of conventional technical executors of decisions of the President of Ukraine” (Асланян, 2005, p. 20). The absence of separation of powers of the President and the Government in the area of foreign policy in the Fundamental Law of Ukraine can be seen as the second reason why the head of state virtually turned into the sole focus of strategic decisions about Ukraine’s foreign policy after the adoption of the Constitution of Ukraine. G. Aslanyan and D. Kovryzhenko came to the conclusion that the role of the executive branch of government in the implementation of foreign policy was reduced to ensuring the execution of acts of the President of Ukraine in the relevant field, because, in accordance with the Constitution of Ukraine, the powers of the supreme body in the system of executive authorities and the head of state were not demarcated by law (Асланян, 2005, p. 20).

In addition, unfortunately, the Verkhovna Rada of Ukraine (the Parliament) played a minor role in the process of the legal integration of Ukraine into the EU, although the legislative branch has the right and duty to enact laws, while other subjects of public administration are granted only the right of legislative initiative (Сюр, 2006, pp. 7–8).

However, the relevant institutional system began to develop at the stage of forming the contractual and legal framework of cooperation between Ukraine and the EU. It included the central executive body (Ministry of Justice) and public administration officials, defining processes, including the process of legal integration of Ukraine into the EU. At the same time, the PCA occupied a central place in the overall institutional and legal system of cooperation between Ukraine and the EU.

It is important also to pay attention to the EU Common Strategy on Ukraine of 1999, which recorded the recognition of Ukraine’s European aspirations. This document can be considered as the EU’s response to the “Strategy of Ukraine’s integration into the European Union”, approved on June 11, 1998 by Decree of the President of Ukraine.

The Strategy of Ukraine’s integration into the European Union identified the main directions of the integration process of Ukraine: 1) modernization of Ukraine’s legislation to the EU legal system, guarantee of human rights; 2) economic integration and development of trade relations between Ukraine and the EU; 3) integration of Ukraine into the EU in the context of general European security; 4) political consolidation and strengthening of democracy; 5) modernization of the social policy of Ukraine to EU standards; 6) cultural and educational, academic and technical integration; 7) regional integration of Ukraine; 8) industrial cooperation; 9) cooperation in the field of environmental protection (*Про затвердження*).

Overall, the Strategy was approved with the “purpose of implementing the strategic course of Ukraine towards integration into the EU, providing comprehensive integration of Ukraine into the European political, economic and legal space and creating preconditions for Ukraine’s membership of the EU” (*Про затвердження*). A. Kovalyova noted that the ideas of Ukrainian political scientists about the place and role of Ukraine in modern Europe formed the basis for the Strategy of Ukraine’s integration into the European Union” (Ковальова, 2004, p. 1). As stated in the Strategy, the national interests of our country require the identification of Ukraine as an influential European state and as a full member of the EU. Moreover, Ukraine’s receiving associate membership status in the EU was determined as the main foreign policy priority of Ukraine in the medium term. Additionally, this process should have been correlated in time with full membership in the EU

of candidate countries that share borders with Ukraine (*Про затвердження*). However, as is well known, the goal of Ukraine receiving associate membership status in the EU in the medium term during the accession to the EU of other countries of Central and Eastern Europe in 2004 and 2007 was not met.

It should be noted that A. Kovalyova, in her postdoctoral dissertation on the topic, "Ukrainian policy towards European integration processes", defended in 2004, considered approval of the Strategy for Ukraine's integration into the EU by the President of Ukraine to be the moment of the "official proclamation of European integration as the priority of state development" (КОВАЛЬОВА, 2004, p. 15) and the completion of "the prolonged, given the dynamism of social and political changes in the 1990s, period of multi-vector foreign policy" (КОВАЛЬОВА, 2004, p. 18). Agreeing with the opinion of this researcher, we also consider the approval of the Strategy as the end of the period of formation of state policy of Ukraine towards European integration.

As a result of the analysis of the formation of the public policy of Ukraine towards European integration, the following conclusions can be drawn.

Considering the personal composition of the Interdepartmental Committee of Ukraine on the Affairs of the European Community, analyzed in this paper as the main institutional mechanism of cooperation between Ukraine and the European Union from 1993, it can be concluded that at that time not enough attention was paid in our state to the development of relations with the EU. However, it should be noted that, at the point of origin of the relations between Ukraine and the EU, the Committee was the state body for harmonization and coordination of policies of Ukraine concerning the EU, which corresponded to the state of relations between the EU and Ukraine at that time. The improvement in the structure and activities of the Committee in 1997, a year before the ratification of the Agreement on Partnership and Cooperation between Ukraine and the EU, testifies to the definition of foreign policy of Ukraine towards European integration, and not only the deepening of the economic cooperation between the two parties, that was the relevant issue in the first half of the 1990s.

However, the institutional foundations of cooperation between Ukraine and the European Union expired in 1998, due to the ratification of the PCA between Ukraine and the EU. The PCA was the fundamental document that defined the legal mechanism of bilateral cooperation between Ukraine and the EU. It was signed in 1994, ratified by the Verkhovna Rada of Ukraine also in 1994, but came into force only in 1998 after being ratified by the parliaments of all EU member states. At the same time, the PCA's provisions did not contain the prospects of Ukraine's membership of the EU, and were primarily aimed at the development of trade relations and political dialogue between the parties.

There emerged a need to establish new institutional mechanisms for bilateral cooperation after the ratification of the PCA. Preparations for this began even before the ratification of the PCA, when the Ukrainian part of the Council on cooperation between Ukraine and the European Union, and the Ukrainian part of the Committee on Cooperation between Ukraine and the European Union, as a subsidiary body of the Ukrainian part of the Council, were created by the Decree of the President of Ukraine "On the implementation of the Agreement on Partnership and Cooperation between Ukraine and the European Community (European Union) and the improvement of the mechanism of cooperation with the European Community (European Union)".

Since the adoption of the Constitution of Ukraine in 1996 the President of Ukraine has become the main center for the development of the foreign policy of Ukraine. Accordingly, a new institutional mechanism for Ukraine's European integration policy was created, which is still in force, after many changes concerning renaming the bodies, including the last Presidential Decree in 2011.

Therefore, the formation of the mechanisms of Ukraine's cooperation with the EU, before the ratification of the Agreement on Partnership and Cooperation between Ukraine and the EU, took place in conjunction with the evolution of cooperation between the EU and Ukraine in the 1990s, mainly for the purpose of partnership and cooperation between the two sides, rather than integration into the EU.

In fact, the country's aspirations for EU membership were declared by Ukraine and recognized by the EU after the ratification of the PCA, i.e. in the late 1990s, with the approval of the Strategy of Ukraine's integration into the European Union June 11, 1998 by the President of Ukraine. This event can be considered the completion of the period of the formation of the state policy of Ukraine towards European integration.

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Streszczenie

Tworzenie polityki państwowej na Ukrainie w kontekście integracji europejskiej

Przedmiotem niniejszego tekstu jest analiza prawnych i instytucjonalnych mechanizmów współpracy między Ukrainą a Unią Europejską na etapie tworzenia ukraińskiej polityki w kontekście przyszłej integracji państwa z UE.

Słowa kluczowe: polityka państwowa, Ukraina, integracja europejska