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Did it go as we wanted, what are the benefits and how to continue?

CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION[1]:

"The peoples of Europe, in *creating an ever closer union* among them, are resolved to share a *peaceful* future based on common values."

What do you think, in pursuing an association treaty with Ukraine, has Europe respected this fundamental right to live in peace? If not, is it only Russia's fault, or could the EU have prevented this war?

After the fall of the Berlin Wall, November 1989, conflicts surfaced all over the world that had remained covered until then. In 2014, an armed conflict began around the EU-Ukraine Association Treaty, 110 km from the western border of the Russian Federation, 1500 kilometers east of the EU territory. A consequence

of the EU neighborhood policy in the case of the Ukraine is more than 10,000 deaths. This included 298 passengers and crew members of flight MH17, a KLM flight operated by Malaysia Airlines from Amsterdam to Kuala Lumpur. It is only after this war accident that national air traffic control in Kiev closes the airspace. In addition to the dead, there are tens of thousands of injured and disabled, more than a million persons fled. Angela Merkel's first reaction to the bad news was shocked: "We would not have expected to see something like this again in Europe". But the coming decade might see a similar bloody transformation in Belorussia following pro-democracy driven militant action backed by increasing Western political, diplomatic and military and civil society support.

The EU has long and short-term planning departments. They must have known about the likelihood of a civil war, or they did not do a solid and reliable job. The EU supported the demonstration on Maidan Square and strengthened the Association Treaty including military support and cooperation in the area of homeland security and justice.

The armed conflict in South-Eastern Ukraine is an example of a failed implementation of the United Nations Charter. Failure by the North American United States federation, the Eurasian Russian Federation, the old colonial European states, the Ukrainian government and its divided population. Failure by a series of regional organizations as allowed by Chapter VIII of the UN Charter: the European Union, Council of Europe, OSCE, NATO, CIS. Fortunately, as aspiring world citizens, we still have the Red Cross, which actually provides humanitarian aid where governments fail.

Following the success of 'EuroMaidan' the civil war predicted by experts broke out. The lives of many people in Ukraine have been devastated, immediate living conditions degraded. That cannot be according to European values, is not in line with the lessons learned from the series of German – French wars. That should be done better.

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Does the Association Treaty contribute to the development of Ukraine?

The current Ukrainian population lives in three areas: (A) Western Ukraine with Kiev as the undisputed capital, (B) Donbass and Luhansk region and (C) Crimea. A roadmap to peace is not provided by the EU Association Treaty, but crucial to a healthy development and a dignified existence of the citizens.

The EU contributes to positive development through its stabilizing influence, reduction of corruption and slow transformation of a corrupt oligarchy into an integer democracy. The US continues military support, such as the lethal anti-tank weapon "Javelin" in 2018 for Western Ukraine, more than a commercial arms supply[2].

Kiev and Brussels will normally take further steps in economic, judicial, police and military cooperation. Implementation of the current treaty helps to meet the Copenhagen obligations. EU standards are introduced into legislation and practice. The deep free trade area will make Ukraine more independent from Russia. There is also massive financial support. "Since 2014, the EU has contributed EUR 18 billion in loans and guarantees. We have opened our borders and enabled free trade. Ukraine's exports have increased. That's more than the US has done. " says EU advisor Elmar Brok[3]. For the time being, these advantages apply only to area A.

Area C, Crimea, may present a similar situation to what existed between East and West Germany for decades. Military intervention could trigger a major regional war, taking that risk is unwise. We have seen in Syria what the Russian military was able to do after its Mediterranean base was attacked. There will be more casualties than the one killed commander in the Russian action of 2014 to take back the Crimean peninsula given away in the 1950s. Also, the large Russian-minded majority in Crimea will not change their mind and suddenly opt for the Kiev based regime. Why not respect the right of the majority in Crimea the

country of belonging? Do we want to award nationalists and maintain an outdated Westphalian state system in a globalized interdependent world?

Area B, Eastern Ukraine, should be embedded in a new constitution as part of a sustainable peace settlement. This is a necessary step, the current, not really respected, armistice is an insufficiently stable basis to enable healthy and dignified development. Alternatively the Ukraine risks to split into a sort of Belgium, the Netherlands and Luxembourg of Eastern-Europe. If not ongoing low intensity conflict for years to come, devastating living conditions in that European region.

What does Ukraine offer the EU?

The major advantage for the EU is the expansion of the European area ruled from the capital, Brussels. Kharkov's weapons factories no longer produce for the Russians. The trading volume is increasing in size and also in quality. Police and judicial cooperation offers more possibilities for the investigation and trial of offenders. Security cooperation covers partially the NATO military requirements. In theory, a corrupt olichargical society turns into an incorrupt transparent democratic society with a constitutional state incorporating the European values.

In 2014, a greater area of freedom, security and justice was not created while preserving human dignity. Initially, the development of all of the Ukraine has fallen back. The main negative outcome is the unstable situation in Eastern Ukraine and the deterioration in relations with the EU's large neighboring country, Russia. What went wrong is not only due to Russia, EU actions have also played a role in this. Current and future generations have to learn how to better implement the decision of the peoples of Europe to share a peaceful future based on common values by establishing an ever closer union[4]. As an emerging power, the European Union can draw on a rich history. The experience of the reconciliation between Germany and France in the post-WW II reconstruction

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phase, including a large civil society of organizations such as Pax Christi and ARTE, can inspire community building on the Eurasian continent . Let us hope the peace negotiations in the Normandy format, with the help of France and Germany, succeed in the short term and are not stalled nor sabotaged by a Ukraine-US refusal to a peaceful settlement of the dispute. This will be good for all citizens, from the Pacific Ocean to the Ural mountains.

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[1] the Charter of Fundamental Rights of the European Union

OJ C 326, 26.10.2012, p. 391–407, first sentence proclaimed

https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:C:2012:326:FULL&from=EN

[2]
https://www.atlanticcouncil.org/blogs/ukrainealert/lethal-weapons-to-ukraine-a-primer/

[3] See:
https://www.promoteukraine.org/elmar-brok-who-has-done-for-ukraine-more-than-the-eu/

[4] Similar to the original text in the Charter of Fundamental Rights of the European Union

OJ C 326, 26.10.2012, p. 391–407

https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:C2012/326/02&from=EN