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**Cooperation between Ukraine and the European Union
within the Framework of the Common Security
and Defense Policy of the EU**

**Współpraca między Ukrainą a Unią Europejską
w ramach wspólnej polityki bezpieczeństwa i obrony UE**

Abstract

This article discloses the political, legal, financial, economic, and military aspects of Ukraine-EU cooperation within the EU Common Security and Defense Policy (CSDP). The historical stages, mechanisms of development, special structural and organizational characteristics of the CSDP, and its tools for implementing the tasks that envisage involvement of the third of countries in the cooperation are considered. The experience of Ukraine's involvement in EU peacekeeping operations as well as operation of EU civil missions in Ukraine is analyzed. Special attention is paid to the engagement of Ukraine in EU Security and Defense Policy after the conclusion of the Association Agreement in 2014. Enhanced cooperation in different forms after Russia launched its war on Ukraine in 2022 is the focus of attention, particularly the strengthening of political and economic sanctions imposed by the EU on Russia, provision of humanitarian and financial assistance to

Ukraine, weapons exports, cybersecurity guarantees, and prospects for the introduction of a military mission. Certain benefits of such a cooperation for the EU and its CSDP are identified as well.

Key words: *The Common Security and Defense Policy of the EU, the Association Agreement, the EU security strategy, Armed Forces of Ukraine, EU peacekeeping missions, PESCO, political and economic sanctions.*

Abstrakt

W artykule przedstawione zostały aspekty polityczno-prawne, gospodarczo-finansowe, a także wojskowe dotyczące współpracy Ukrainy z UE w ramach wspólnej polityki bezpieczeństwa i obrony (WPBiO). Analizowane są: wprowadzenie polityki bezpieczeństwa oraz jej ewolucja, struktura organizacyjna oraz mechanizm decyzyjny WPBiO, jak również sposób realizacji działań w kontekście zaangażowania do współpracy państw trzecich. Przedmiotem zainteresowań jest także udział Ukrainy w operacjach pokojowych UE oraz prowadzenie przez UE misji cywilnych w Ukrainie. Nacisk został położony przede wszystkim na kwestię zaangażowania Ukrainy w politykę bezpieczeństwa i obrony UE po podpisaniu w 2014 r. umowy stowarzyszeniowej. Istotnym zagadnieniem jest również zacieśnienie współpracy między UE a Ukrainą po inwazji Rosji na Ukrainę w 2022 r. Mowa jest o wprowadzaniu przez UE kolejnych pakietów sankcji politycznych i gospodarczych wobec Rosji, udzielaniu Ukrainie pomocy humanitarnej i finansowej, przekazywaniu uzbrojenia, zapewnianiu cyberbezpieczeństwa, a także o perspektywach stworzenia w Ukrainie misji wojskowej. Omówione zostały również niektóre korzyści wynikające z tej współpracy dla samej UE, w tym dla WPBiO.

Słowa kluczowe: *wspólna polityka bezpieczeństwa i obrony UE, umowa stowarzyszeniowa, strategia bezpieczeństwa UE, Siły Zbrojne Ukrainy, misje pokojowe UE, PESCO, sankcje polityczne i gospodarcze.*

The European Union (EU) has become a powerful political and economic superstate that unites, as of 2022, 27 European countries. It clearly positions itself as the leading centre of global economic development, technological progress, and commerce as well as an influential international political force. The EU takes part as an independent participant or observer in the activity of most international organizations, for example the UN, G-20, and WTO. The EU has started playing a more important role in the fight for peace, the settlement of armed conflicts, the protection of human rights, the affirmation of the rule of law, initiating new programs in the field of environmental protection, educational projects, and the preservation of cultural and historical he-

ritage, among other topics. In 2012 the EU was awarded the Nobel Peace Prize for its peacekeeping efforts. The organization has become an important donor in different sorts of humanitarian assistance to developing countries. “The essence of Europe as the center of power the European Union embodies lies in its fundamental morale”, – notices British researcher G. Lindley-French, taking into account the importance of this international experience of agreeing upon and coordinating a social relationship. (Lindley-French, 2003)

The notion of “European values” has become a very wide and multifaceted concept. It includes the idea of the need to resolve disputes through peaceful negotiation, compliance with civil and political rights, and the freedom of individuals and ethnic minorities. Also, ensuring economic and political stability on the basis of public solidarity, improving the wellbeing of citizens, and supporting a safe environment have become components of “European values”. Such achievements of the EU have become an attractive element for neighboring states, particularly the ones who left the totalitarian Soviet regime after the collapse of the Soviet Union, as exemplified by Ukraine. Such values affect the evolution of the political culture of many non-European countries and regions – starting with America and up to Africa and East Asia. And the critical EU development directions that many countries of the world are guided by include its enlargement policy, the establishment of bilateral relationships with specific states and regions as well as participation in the solving of complex problems related to international security and cooperation.

The only objective restriction for EU membership is the non-European geographical location of a country, though even this results from political assessment of Community institutions, as, for example, the positive assessment of the European location of the Republic of Cyprus. The terms of membership acquisition were developed under Article 1992 of the Maastricht Treaty and were included in the Copenhagen criteria approved in 1993. Normally, one of the important stages of cooperation of countries with the EU before candidate status is granted is signing and ratifying an Association Agreement. Thus, after the social and political changes that occurred in Ukraine at the end of 2013 and in early 2014, known as the Revolution of Dignity, three countries of the former USSR – Georgia, Moldova, and Ukraine, which had been the most consistent and generally successful participants of the EU Eastern Neighborhood Policy since 2009, in 2014 signed first the political, and then the economic part of the Association Agreement (AA) with the EU, with the parliaments of these countries then ratifying it (in Ukraine this was enacted in January 2017). These countries also entered a deep and comprehensive free trade area with the EU,

thus creating the preconditions for the modernization of their economic development and trade relationships via harmonization of their national legislation with EU laws, norms, rules, and standards.

At the same time, the AA presupposes considerable approximation with the EU in the field of security and defense. Thus, Title II of the Association Agreement with the EU titled “Political Dialogue and Reform, Political Association, Cooperation and Convergence in the Field of Foreign Affairs and Security Policy” presupposes, among other things, a gradual convergence in the fields of foreign and security policy, conflict prevention and settlement, non-proliferation, disarmament and arms control, and fighting terrorism among other points. This means that already having the status of being an EU partner within the Association Agreement framework, Ukraine can plan the direction and scope of its engagement in European security policy jointly with its European partners, and, within this framework, take care of its own security reinforcement. The conclusion of the Association Agreement in 2014 constitutes a turning point in Ukraine-EU partnership development, a confirmation of mutual interest in strengthening and stabilizing political dialogue, and effective participation in practical cooperation programs for the sake of the deeper involvement of Ukraine in the European security, peace, and stability space.

However, signing of the Association Agreement with the EU and even successful cooperation within its provisions do not grant an automatic right for EU membership. Already on February 28, 2022, within the context of Russia’s armed aggression against Ukraine, the President of Ukraine Volodymyr Zelensky signed an EU membership application for Ukraine. Together with the Chairman of the Verkhovna Rada Ruslan Stefanchuk and Prime Minister Denys Shmyhal, President Zelensky signed the joint statement. The contained documents mention that Ukraine adheres to the values enshrined in Article 2 of the Treaty on European Union and that it is a honor for it to submit a membership application under Article 49 of the Treaty. Ukraine was asked to consider the application following a special accelerated procedure to grant EU membership candidacy status to the country. Rather soon, on March 1, 2022, the European Parliament approved, by an overwhelming majority of votes, a resolution that recommends the EU Member States to work at granting candidate status to Ukraine, and on June 23, 2022, Ukraine and Moldova were officially granted candidacy status at the summit of the European Council in Brussels.

A very important component of the growing international influence of the EU is its specific direction of a certain one of its activities – *Common Securi-*

ty and Defense Policy of the European Union (EU CSDP). Some researchers see its origin in 1992 when the Maastricht Treaty was signed, others – in the times when the *European Security and Defense Policy* (The Common Security and Defence Policy (CSDP)) was outlined as a component of a much more large-scale field of responsibility – the *Common Foreign and Security Policy of the EU* (EU CFSP, The Common Foreign and Security Policy (CFSP)). Though the formal name that corresponds to current reality runs as the Common Security and Defense Policy (CSDP) of the EU, this name came into use after the signing of the Treaty of Lisbon (ratified in 2009), and in reality – since early 2010. As a result of the Treaty of Lisbon’s signing, the positions of the Commissioner for External Relations and High Representative for the Common Foreign and Security Policy of the EU were merged into a complex entity now called the *High Representative of the European Union for Foreign Affairs and Security Policy*. Since December 1, 2019 Spanish politician and former Chairman of the European Parliament Josep Borrell has held this position. Together with the President of the European Council Charles Michel, the President of the European Commission Ursula von der Leyen, and the leader of the state presiding the EU for over half a year, all bear responsibility for the implementation of the EU CFSP, including its security and defense policy. The general provisions to the Treaty of Lisbon state that “*The Union aims to affirm its identity, in particular, via the Common Foreign and Security Policy, not excluding the possibility of future elaboration of the common defense policy that may lead to the establishment of common defense in some time*”. (*Договір про Європейський Союз...*)

Many European researchers, in particular, supporters of neo-functionalism, posit that the CSDP resulted from the so-called “spill-over effect” when successful integration in one field, in this case that of the EU – particularly in the field of economy, provoked a chain reaction in other fields, stimulating cooperation between countries. Development of the EU CSDP showed that benefits from integration could be achieved in the field of security and defense, and not just in the fields of economy and commerce. In general, researchers working in this direction allocate an important role to non-state actors like the EU and some of its institutions, as well as interest groups. It should be indicated that neo-functionalists are criticized for insufficient consideration of the factors of international and internal state environments and how they affect the European integration process. EU institutions take a direct part in the development of the peacekeeping mission mandate, but one should not overestimate their actual influence. The CSDP is characterized by major drawbacks in its institutional structure (for instance, a lack of structures for operation planning and implementation and “institutional

wars” for between the EU Council and the European Commission). The role of European supranational institutions in the field of the CSDP, in fact remains limited since decisions are passed unanimously by the governments of national states, and not by their representatives in European institutions.

The current conditions of the EU CSDP clearly identify the Community as an active and responsible actor not just in European policy but in world policy as well, granting it the features of a multi-profile intergovernmental organization with the status of an international legal personality. The efficient response of the EU to modern challenges and threats is focused primarily on the prevention and settlement of armed conflicts, the prevention of the limitation of sovereignty not just of its members but also of many other countries in the world, promoting peace in post-conflict areas, the creation of a range of legal provisions and security guaranteeing services, support of democratic transformations in certain problematic countries of the world, and observation of the course of reform. These and other directions of the CSDP are always in the focus of European policy. Let us indicate it right away that two EU Member States – Denmark and Malta – have announced that they will not participate in the EU CSDP for some national considerations and with reference to the legal principles of their foreign policy. Great Britain is terminating its involvement gradually while implementing its program of exiting the EU.

Today security on our planet, and in Europe in particular, is based on rather fragile principles, as exemplified by the conditions of Russia’s current aggression against Ukraine. These are rather general concepts of collective security of the United Nations Organization (UN) as a universal international organization based on the principles and the Charter of which other international and European organizations ground their activity. Somewhat clearer principles found within the activity of the North Atlantic Treaty Organization (NATO) serve as a military and political basis for the system of European collective security. The concept of collective security presented by the Organization for Security and Cooperation in Europe (OSCE) mainly aims at the identification of prospective threats to the violation of peace, the prevention of conflict, and post-conflict interest regulation. Instead, the EU CSDP takes an interim place between the concept of collective and cooperative security since the Maastricht Treaty of 1992 and the Treaty of Lisbon of 2007, as well as a number of other documents and initiatives (for example the 2016 Global Strategy of the European Union), prove that the EU is striving to create an independent collective security organization and establish its own united military forces. But a lack of resources, lack of agreement in the security policy of specific Member States, sudden novel challenges (for instance COVID-

19) and other factors point to the fact that this direction of EU common policy corresponds more to the features of collective security.

At the current stage, the EU CSDP is undergoing a complex and controversial transformation caused by the relatively recent exit of Great Britain from the EU, the growing membership of new countries, and the appearance of new challenges that may drastically change the priorities and the tasks of the whole EU like COVID-19, illegal migration, international terrorism, cybersecurity, and other related things. But the most acute challenge for the whole system of global peace and law and order that started to emerge after the collapse of the USSR in 1991 is the intensification of the aggressive imperial policy of the Russian Federation in relation to its neighbors, as characterized by several stages of conflict aggravation. The peak of such Russian opposition to its neighbors, from the perspective of the EU itself and most democratic countries of the world, appeared when Moscow launched its unproclaimed war against Ukraine on February 24, 2022, which continues during the writing of this work.

In general, the EU CFSP and the EU CSDP are ensured by a set of political and diplomatic means of developing common standpoints, this includes making political declarations, diplomatic demarcations, the diplomatic recognition of certain things, the advocacy of the rule of law, human rights, and the rights of national minorities; common actions including high-level visits, participation in international conferences, sending international observers, partaking in the negotiation process, and establishing diplomatic sanctions; and enacting common strategies including establishing political dialogue, strategic partnerships, and affirming the rule of law and human rights.

“Common actions” are applied in special situations when the effective intervention of the EU is required, while “common standpoints/positions” determine the EU’s approach to specific problems in the geographical or thematic sphere. The EU’s support of the democratic development of Ukraine since November 28, 1994 could serve as an example of common standpoints. However, within the EU CSDP, common standpoints in relation to Ukraine were proclaimed many a time. Back in the spring of 2014 the EU unambiguously and decisively supported the sovereignty and territorial integrity of Ukraine and condemned the annexation of Crimea and launching of an armed conflict by Russia in Donbas as well as introduced a number of sanctions and restrictions in its relations with Moscow, the effect of which continues to grow and expand. We will speak about the political standpoint and level of the EU’s response to the contemporary stage of Russia’s armed aggression against Ukraine further in the research.

To reinforce the role of the EU in the security and defense field, the *Declaration on the European Security and Defense Policy* was signed between NATO and the EU on December 16, 2002, and this Declaration set out political principles of cooperation and guaranteed the access of the EU to the planning mechanisms, forces, and means of NATO for the sake of complementing the set of tools the EU has to regulate crisis situations and to prevent conflicts, including military operations in which NATO is not involved as an organization. Both organizations recognized the need for establishing a system of ensuring comprehensive development of the requirements for the development of a defense capacity that is common for both organizations. Besides this, both organizations guaranteed equality and compliance with the principle of neutrality in decision-making, compliance with the provisions of charters (including the international UN Charter), and respect for the interests of Member States of both NATO and the EU.

This Declaration on strategic partnership between the organizations and the approval of the “*Berlin plus*” arrangements (passed in 2002 and approved in March 2003, based on decisions passed in 1996 in Berlin within the cooperation of the Western European Union (WEU) and NATO) provided a new impetus for the better performance of European security policy tasks. (*The NATO-EU*, 2004)

Under such circumstances and for the sake of avoiding resource duplication, it was agreed that the European Union would be guaranteed access to the bodies, resources, and planning means of NATO in holding its operations. These agreements enable NATO to support operations performed under the guidance of the EU, where the Alliance does not participate as such. These arrangements promoted a transfer of responsibility for military operations in the former Yugoslavian Republic of Macedonia and Bosnia and Herzegovina from NATO to the EU.

Another stage of ESDP implementation started with the approval of the *European Security Strategy in December 2003*, proving the overcoming of the crisis of lack of agreement in common foreign policy matters. This document outlined major threats and determined the core direction of EU activity related to the prevention of new threats. In particular, it stated that Europe is facing the prospective threats of terrorism, the proliferation of weapons of mass destruction, regional conflicts, illegal migration, the inefficiency of action of state institutions (public administration systems), and organized crime.

The Strategy contained a call for activation of the foreign policy efforts of the EU via improvement of the potential of opportunities and improvement of action coordination. The document stressed the need for reinforcing interna-

tional institutions and international law, pointing to the preventive nature of all EU tools, but did not deny the possibility of applying military force as a means of conflict prevention and crisis settlement. (Фесенко, 2010)

The close cooperation between NATO and the EU in the security field is rather didactic and useful for Ukraine, since already in the early 21st century the Armed Forces of Ukraine (AFU) and Ukrainian policemen were involved in the performance of EU peacekeeping missions in different parts of the world. Ukraine has the experience of cooperation in the field of the EU CSDP since the year 2000. Practical cooperation in the CSDP field started with the implementation of the EU-Ukraine Agreement concluded in December 23, 2000 on the involvement of Ukraine in the EU Police Mission in Bosnia and Herzegovina and the sending of a Ukrainian peacekeeping contingent in this context during the period of 2006-2012.

The basic documents that determined cooperation between Ukraine and the EU in the field of the CFSP and CSDP prior to the conclusion of the Association Agreement were as follows:

- The mechanism on consultations and cooperation between the EU and Ukraine in the field of crisis regulation, approved at the EU Summit in Seville (21-22.06.2002);
- The agreement on security procedures for exchanging and protecting classified information (signed on June 13, 2005 at the meeting of the Ukraine-EU Cooperation Council, taken into effect in December 2006);
- The agreement on determination of the general scheme of Ukraine's involvement in the operations of the European Union related to crisis regulation (signed on June 13, 2005 at the meeting of the Ukraine-EU Cooperation Council, taken into effect in March 2008). (Банадига, 2019)

Successful examples include the participation of representatives of the Armed Forces of Ukraine in four combat tactical groups of the EU since 2010 and participation in the EU peacekeeping operation "Atalanta" near the coastline of Somalia in 2014. Thus, on October 8, 2013 the Verkhovna Rada of Ukraine approved the Law of Ukraine *On Approval of the Decision of the President of Ukraine on Sending the National Contingent for Participation of Ukraine in the NATO Anti-Piracy Operation at Sea "Ocean Shield" and in the Operation of the European Union "Atalanta"*. The Law also envisaged sending up to 250 servicemen of the national contingent for Ukraine's participation in the operation "Ocean Shield" as well as for Ukraine's participation in the EU operation "Atalanta".

The Ukrainian national contingent, over the period from January 3 to February 26, 2014, within the multi-national vessel group, prevented and co-

unreacted manifestations of piracy, and protected civilian ships performing tasks within the Global Food Program. The leading frigate of the Navy of the Armed Forces of Ukraine “Herman Sahaydachnyi” spent 30 days directly at sea patrolling the areas made dangerous due to piracy. The crew of helicopter Ка-27, over the period of participation in the operation, performed about 50 reconnaissance flights, and assisted in the air lifting of servicemen between vessels at sea. (*“Гетьман Сагайдачний”...*)

Since January 1, 2003 Special Peacekeeping Police Forces of the UN in Bosnia and Herzegovina replaced the EU Police Mission, while NATO Stabilization Forces left Bosnia and Herzegovina in 2004 and the EU military mission “Althea”, or EUFOR (Special EU Forces for Bosnia and Herzegovina), began to operate instead. Allocation of mandates between the two different missions of the European Union is accounted for by the specifics of the Dayton Agreement and provisions of the EU Common Foreign Policy and Security Policy. The mandate of the EU Police Mission (EUPM) was extended four times and was terminated in mid-2012. The mission was funded by the EU Member States, Canada, Switzerland, Iceland, Norway, Turkey, and Ukraine. All in all, almost 33 million Euros were spent in this endeavour.

The EU military mission “Althea” was launched in December 2004 under the decision of the EU Council and a Resolution of the UN Security Council as of November 22, 2004 No. 1575 and is currently ongoing. The operation was launched to fulfill the terms of the Dayton Agreement of 1995 on the termination of war in the concerned country, taking the conflicting parties aside and ensuring peace and order in the territories controlled by international military contingents, and now – to prevent possible conflicts, support the efforts of the local government in peace and stability maintenance in the region, promote demining of territories, control weapons and ammunition movement, and other related concerns.

The “Althea” mission at first included about 7 thousand servicemen and by 2019 the number was gradually reduced to 600 persons. Still, due to the full-scale Russian invasion of Ukraine in February 2022, the EU passed a decision to increase the number of the mission’s staff and servicemen again. (*Військова місія ЄС...*) This is related to the concern that the Kremlin may use the unstable political situation in Bosnia and Herzegovina and try to play the “Bosnian card” to divert the attention of the EU and the USA from Ukraine, relying mainly on the radical destructive positions of the leader of Bosnian Serbs Milorad Dodik.

In August 2021 President Volodymyr Zelensky signed Decree No. 358/2021 on sending limited staff of the AFU to participate in the EU opera-

tion “Althea” in Bosnia and Herzegovina. The decision was passed due to Ukraine’s commitments as a UN Member State and a partner of association with the EU, and due to the fact that this would promote reinforcement of associated partnerships between Ukraine and the EU, corresponding to the national interests of Ukraine. The Political and Security Committee of the EU Council passed a decision on the participation of Ukrainian peacekeepers in the EU EUFOR mission in the Balkan country. In total 20 countries, including EU Member States and countries that do not belong to the block, are EUFOR members. “Althea” is the third and the largest military operation the EU has ever conducted. (*У ЄС схвалили участь українських...*)

The participation of Ukrainian servicemen in the Ukrainian-Polish battalion (UkrPolbat) that existed from 1998 to 2010 as well as the *Lithuanian-Polish-Ukrainian Brigade* (LytPolUkrbryh) should be mentioned separately. Thus, LytPolUkrbryh (Lithuanian-Polish-Ukrainian Brigade) was established in 2014 under the Agreement between the Cabinet of Ministers of Ukraine and the Governments of Lithuania and Poland, with UkrPolbat becoming one of its major components. The goal of the brigade’s establishment is to improve cooperation between the three countries, to ensure its national contribution to multi-national military formations of a high level of readiness (UN reserve units, combat tactical groups, NATO response forces), as well as to participate in international peacekeeping and security operations held under the auspices of the UN, NATO, and the EU. The units of the battalion and the brigade participated in peacekeeping missions in Kosovo, Lebanon, Syria, Iraq, and Afghanistan. The Ukrainian part of the brigade included 560 servicemen before February 2022. The Ministry of National Defense of Poland was convinced that the establishment of the brigade promoted a strengthening of the regional military cooperation as well as the possible creation of its own armed units of the EU after 2015. (*Wielonarodowa brygada*)

The civilian aspects of the CSDP are the mandate of the *Committee for Civilian Aspects of Crisis Management*, which prepares proposals for preventive diplomacy, conflict prevention, and the non-military aspects of their management. The Committee’s mandate covers all types of civil operations of the European Union – police, promotion of law and order (“rule of law”), and observation functions. Such cooperation can be illustrated by the participation of Ukraine in two EU missions – EUBAM (*Moldova and Ukraine*) within Transnistria on the Ukraine-Moldova border (since 2005), and EUAM – Advisory Mission for Civilian Security Sector Reform and Legal Reform (since 2014).

The Mission of the European Union on Border Assistance to Moldova and Ukraine (EUBAM) was launched in 2005. The Memorandum of Understan-

ding signed on October 7, 2005 by the European Commission and the Governments of the Republic of Moldova and Ukraine constitutes the legal basis for EUBAM's operation. The mission worked together with Moldova and Ukraine at bringing the standards and procedures of border management, customs business, and commerce into conformity with the ones valid in EU Member States. This helped improve cross-border cooperation between border guards and customs agencies as well as other law-enforcement bodies, and contributed to international cooperation. The activity of EUBAM supported economic development and the reinforced of security in the region, in particular in fighting cross-border crime. An important task of the mission is provision of assistance to Moldova and Ukraine in the performance of their commitments of the Deep and Comprehensive Free Trade Area (DCFTA) signed by them within their Association Agreements with the EU, as well as promotion of the settlement of the Transnistria conflict via measures aimed at trust reinforcement and a monitoring presence in the Transnistria area of the Moldova-Ukraine border. The Mission has representative offices in Odesa (Ukraine) and Chisinau (Moldova), as well as six field offices: three on the Moldovan side of the common border and three on the Ukrainian side. (*Who We Are...*)

The mandate of the Mission was extended many times, it continues to successfully functioning even now. Thus, on September 29, 2022, the EU Mission on Border Assistance to Moldova and Ukraine (EUBAM) and the Customs Service of the Republic of Moldova organized the "International Commerce Promotion Forum – in Response to the Blockade of Transport Corridors from Ukraine". The event was held in a hybrid format in Chisinau and involved top representatives of the Republic of Moldova, Ukraine, the European Commission, the EU Delegation to Moldova, the EU Advisory Mission of top level in Moldova, the EU Advisory Mission to Ukraine, a group of customs experts from the eastern and south-eastern land border, and customs bodies of neighboring EU Member States. The main task of the forum was the EU's assistance of the Republic of Moldova in unblocking transportation corridors for the sake of expanding the export opportunities of Ukraine in the context of Russia's armed aggression. (*International Trade...*)

The European Union Advisory Mission (EUAM) on the reform of the civilian security sector of Ukraine is one more civilian mission of the EU CSDP. The goal of this mission is to promote reform of the civilian security sector of Ukraine for the sake of enhancing its efficiency and effectiveness. EUAM has over 300 staff members who used to work first in Kyiv, Lviv, Odessa, Kharkiv, and Mariupol, but later, due to the Russia's aggression against Ukraine, since February 2022, activities have stopped in the east of the country.

The EUAM mandate presupposes three directions of activity: strategic consultations on civilian security sector reform for the sake of developing civilian security sector strategies; support of reform implementation via practical consultations, training within and the implementation of other projects; and cooperation and coordination aimed at ensuring coordination in reform implementation done between Ukrainian and its international partners.

The five EUAM priorities include: 1) National and state security. The EU-Ukraine Commission promotes reform of security and intelligence bodies as well as implementation of the effective and efficient mechanisms of democratic supervision of their activity; 2) Organized and cross-border crime. With this focusing on the promotion of expansion of Ukraine's opportunities in the field of counteracting crime and the further development of the system of integrated border management (IBM); 3) The security of communities and management systems in police bodies. With this focusing on assistance in the development of fiduciary relations between police and communities via the establishment of dialogue and the provision of high-quality police services; 4) Criminal justice. The promotion of an improved efficiency of investigative bodies, prosecution bodies, and the judiciary for the sake of ensuring the administration of justice and the protection of citizens' rights; 5) Digital transformation and innovations. With this focusing on the promotion and introduction of innovative digital solutions in the systems of public administration and HR management in Ukraine.

Cross-cutting issues in the implementation of the above priorities are in compliance with human rights and gender equality, as granted by EUAM to its partners from the civilian security sector, in particular police; in ensuring due governance, for its principles practiced in the EU (openness, participation, accountability, effectiveness, and clarity) are to be reflected in its consultations and support; and fighting corruption as the most substantial barrier for reform in Ukraine. This is why the Commission takes pain to reinforce the possibilities of the law-enforcement agencies of Ukraine and related judicial bodies in corruption counteraction and prevention, particularly through newly established anti-corruption bodies (the National Anti-Corruption Bureau of Ukraine, the Special Anti-Corruption Prosecutor's Office, and the National Agency on Corruption Prevention).

The key achievements of EUAM's operation in the reform of the civilian sector in Ukraine are as follows: participation in the development of a number of strategic documents that include the Law on National Security, the Development Strategy of the Ministry of Internal Affairs until 2020; Witness Protection Program, Reform Concept for the Security Service of Ukraine, and re-

spective action plans; introduction of the concept of community policing into police work; introduction and advocacy of a new approach to ensuring public law and order via dialogue with police; assistance in the development of the program of Serious and Organized Crime Threat Assessment (SOCTA); and restructuring of the operation of criminal investigations in police departments via the merger of investigative and operational functions.

In the spring of 2022 EU Member States entrusted EUAM with new assignments. Thus, the Mission supports law-enforcement agencies in promoting the displacement of refugees from Ukraine to neighboring EU Member States and the delivery of humanitarian aid to Ukraine. EUAM also supports the bodies of the rule-of-law system in the investigation and prosecution of international crimes. (*EUAM Ukraine*)

Since the beginning of the Russian Federation's military aggression against Ukraine, the EUAM evacuated from Kyiv and other Ukrainian cities, but kept operating in a distance mode. Since May 18, 2022 the EU Commission renewed its operation in Kyiv. Due to the fact that the updated mandate of EUAM presupposes provision of consultations in relation to the investigation of international and war crimes, the first group of experts sent to Kyiv included, in particular, advisors on criminal investigation matters who will cooperate with the Office of the Prosecutor General of Ukraine. (*Консультативна місія ЄС...*)

Approval of the *Global EU Security Strategy in June 2016*, which now is the core strategic document in security policy development, provided a new boost for the development of the Community's defense component. A package of measures was adopted to ensure its implementation, and the package consisted of the three core elements. These are new political goals and objectives for Europeans that presuppose a higher responsibility for one's own security and defense. These also include new financial tools for providing assistance to Member States and to the defense industry in particular for the sake of improving defense capacities. These goals also include a number of specific measures in the development of the Common EU-NATO Declaration that determines the fields of cooperation. All together, they make a comprehensive package of measures aimed at the improvement of the Union's security. Already in November 2016 the European Parliament suggested establishing the European Defense Union and proclaimed major changes in the treatment of the CSDP due to the significant deterioration of the security environment in the eastern and southern parts of the EU, with particular reference to the hybrid war of Russia against Ukraine in Donbas, the annexation of the Crimea, and the large-scale migration crisis caused by wars in the Middle East.

Permanent Structured Cooperation in Security and Defense Matters (PESCO) is a new program of EU Member States, aimed at ensuring closer cooperation in the fields of security and defense within the Global Strategy for the European Union's Foreign Policy and Security Policy, approved at the EU summit in November 2017. PESCO shapes the framework for the implementation of joint projects by countries. The main idea of such cooperation is to improve efficiency thanks to joint performance of what each of the countries is doing independently. For example, they speak about almost 40 different types of armored vehicles in the EU and about 20 types of aircraft. PESCO aims to avoid irrational use of resources caused by this "diversity". Subsequent projects may be of two types: the creation of new defense opportunities and joint operations.

The participation of each country in these projects is voluntary. But if a state has agreed to join in, it shall undertake specific commitments and perform them. These commitments, with deadlines for their performance, will be prescribed in national plans. According to a top EU official, if a state does not implement its plan, it may stop being a PESCO member. But he did not specify the mechanism for such exclusion. PESCO presupposes the participation of countries that are non-EU member states. (*Оборонна співпраця...*)

It is in this format of cooperation between Ukraine and the EU that quite a significant capacity is hidden. Taking into account the fact that one of the components of the concept of the "EU defense union" is development of a common defense and industry complex, Ukraine could be a valuable partner here. Our state has undertaken practical developments after over more than six years of hybrid war with Russian troops and separatist groups in eastern Ukraine who are themselves supported by Russia as well as has a significant defense and industrial base in different sectors – from aircraft and ship building to recent technical developments in intelligence and fire management. The experience of our state in neutralizing the application of hybrid warfare principles and the identification and liquidation of hybrid threats over a period since April 2014 is extremely precious. And the opportunities for using the best samples of the Ukrainian military industrial complex and its experience of using modern Western weaponry in specific hostilities have been tested on the battlefield with the Russian aggressor starting from the end of February 2022. This is why the engagement of Ukraine in cooperation within the PESCO program is highly promising.

The *Implementation Plan on Security and Defence* has come to be one more direction for the implementation of the Global EU Security Strategy. One of the sections of the Plan is dedicated to partnership with Ukraine

since it discusses the activation of cooperation with partner countries within the EU CSDP. In particular, it indicates there that “capacity building of partners is the objective of CSDP missions/operations with tasks in training, advice and/or mentoring within the security sector. The aim is to strengthen CSDP’s ability to contribute more systematically to the resilience and stabilisation of partner countries...”. (*Implementation Plan...*)

A new stage of Ukraine’s cooperation with the EU is enhanced cooperation in the field of cybersecurity. This has, in particular, been proven by agreements made during the 22nd Ukraine-EU Summit in Brussels in October 2020. “Together with the EU we strive to act in the cyberspace as well. An important result of this summit is an agreement on launching Ukraine-EU cyber dialogues following the dialogues the European Union has with the states that are non-EU member states”, – stated the Prime Minister for the European and Euro-Atlantic Integration of Ukraine, Olha Stefanishyna. It is indicated that the European Union has recently introduced a new sanctions regime for cyber crimes. According to Stefanishyna, cyber sanctions can also be discussed in this platform. (*Важливим результатом саміту Україна-ЄС...*)

Thus, at the end of 2020 the High Representative for Foreign and Security Policy of the EU, J. Borrell, announced the intention to create a cyber security task force in affiliation with the EU Intelligence and Situation Centre (EU INTCEN) and to involve representatives of the third party countries in its operation, including Ukraine, as well as to increase the practical support for partners for the sake of raising their resilience to cyber threats. (*New EU Cybersecurity Strategy...*) For a long period, even before Russia’s aggression, Ukraine has been facing open, regular, and extremely damaging cyber attacks against state authorities and critical infrastructural facilities.

Besides this already at the beginning of February 2022, the Cyber Rapid Response Team (CRRT), established within the EU PESCO program and involving respective experts from Lithuania (coordinator), Estonia, Croatia, Poland, the Netherlands, and Romania, was involved upon the request of the Ukrainian Government in provision of assistance in counteracting cyber threats, their identification, and prevention as well as in rapid response to cyber attacks. (Павлюк, 2022)

The European Commission, while implementing its anti-terrorism program, envisages the establishment of fruitful cooperation and activity coordination with third party countries, including Ukraine. In particular, a webinar on anti-terrorism was organized in Kyiv in December 2020 for the SSU and Europol staff, with the mediation of the EU Committee of Ministers. The Anti-Terrorism Concept of Ukraine approved in 2019 generally corre-

sponds to the anti-terrorism document presented by the European Commission, while the interaction of the counter-terrorism bodies of Ukraine and the EU is to ensure coordination of the details of cooperation in the field of anti-terrorism. (*Партнерство Україна-ЄС у безпековій сфері...*, р. 39)

The 2020 National Security Strategy of Ukraine, among its core measures aimed at security and defense sector development, mentions the need to introduce EU experience and standards. Thus, under Article 63 of the Strategy, Ukraine shall ensure “*development of the National Guard of Ukraine with due account of the experience of the EU Member States*” and “*implementation of the European borderguard security standards*”. (*Указ Президента України №392/2020...*)

It should be noted that the cooperation of the EU with Ukraine and other countries of the former USSR (Azerbaijan, Belarus, Armenia, Georgia, and Moldova) is partially reflected in the program documents of Eastern Partnership – a special direction of the EU relationship within the European Neighborhood Policy initiated by Poland and Sweden and launched at the EU summit in May 2009 in Prague, even though this Policy has not yet been developed sufficiently since security issues are not at the core of this format. In particular, the document “20 Expected Deliverables of Eastern Partnership for 2020” mentions the level of cooperation in the field of security within the CSDP only in passing: “*Security dialogues and practical Common Security and Defence Policy (CSDP) cooperation will also be strengthened to support contributions by partner countries to the European civil and military missions and operations. The EU will consider providing training opportunities and capacity building to the partner countries, including on countering hybrid threats, where appropriate*”. (*The EEAS...*)

In general, as of the beginning of 2022, prior to the treacherous aggression of Russia against Ukraine, the new acute phase of the partnership between Ukraine and the EU in the security field was not systemic enough, as among its core directions there prevailed civilian security aspects, which in fact was particularly seen in the activity of EU missions in the territory of our state, while cooperation in the field of defense was rather wanting in nature. Even before the beginning of the acute phase of the armed conflict imposed by Russia on Ukraine in February 2022, the European Union was expressing unambiguous ideas in favor of all forms of support for Ukraine, advocated its territorial integrity, and implemented, step by step, new restrictive measures on its political dialogue and economic relationship with Moscow.

The EU allocated a certain amount of money for the modernization of the Armed Forces of Ukraine, though the volume of assistance was less

noticeable than that from the US. Thus, in 2016 EU military assistance accounted for 55.4 million Euros, in 2017 – 60.3 million Euros, in 2018 – 43.6 million Euros, and in 2019 the AFU received 41.4 million Euros of assistance, though already in 2020 this amount dropped to 5.4 million Euros (*ЄС підтримав створення “Кримської платформи”...*), which in fact can be accounted for by the challenges imposed by the global COVID-19 pandemic and its consequences. Besides this, the “Crimea Platform” launched by the Government of Ukraine – an international consultancy mechanism for discussing political and economic issues related to the return of Russia-annexed Crimea to Ukraine – was supported by the European Commission and EU representatives participated in the work of this international cooperation format. (*ЄС підтримав створення “Кримської платформи”...*)

The Ministry of Defense of Ukraine started cooperating with the European Defense Agency (EDA). In particular, within the Administrative Agreement between the Ministry of Defense of Ukraine and the EDA, the Ukrainian party participated in multi-national projects under the auspices of EDA in several directions. In particular, Ukrainian experts were involved in the development of new material and technical standards for the armed forces of European countries. In the summer of 2020, the EU passed a decision to involve Ukrainian experts in the work of the European Defence Standardization Committee and several EDA expert groups. These groups include: 1. The Single European Sky, Ukrainian representatives actively participate in the meetings of the Military Aviation Council at the political level on an ongoing basis; 2. In October 2020, upon the EDA’s invitation, servicemen of the AFU were involved in helicopter training at the Multinational Helicopter Training Centre in the town of Sintra (Portugal); 3. Logistical groups, including the appropriation of spare parts and their transportation for the European Air Transport Fleet; and 4. Training groups, including helicopter crew training). (*Партнерство Україна-ЄС у безпековій...*)

In the conditions of the current war of Russia against Ukraine, the European Union immediately stated that it condemns Moscow’s aggression and volunteered to provide multi-faceted political, economic, humanitarian, and military assistance to Ukraine. An emergency EU summit held on October 10, 2022 in Versailles was fully dedicated to the issue of the RF’s aggression against Ukraine, the provision of different types of assistance, and the accommodation of a huge wave of refugees. It also passed a decision on Ukraine’s application for EU membership. “We demand that Russia stops its military actions and withdraws all its forces and military machinery from the whole territory of Ukraine immediately and without any reservations, as well as fully respects

the territorial integrity, sovereignty and independence of Ukraine within its internationally recognized borders”, – stated the leaders of EU Member States. (*Рішення саміту ЄС щодо агресії РФ та заявки України...*)

The response of many European countries to the growing aggression of Russian policy was rather harsh. Besides the implementation of procedures for NATO membership acquisition by Sweden and Finland on June 1, 2022, a referendum on canceling the right to non-participation of a country in the EU CSDP, one of the aspects of Denmark's right to its own standpoint on specific common EU policies, was held in Denmark, and this came as the country's response to the outbreak of Russia's unproclaimed war against Ukraine. This was the first case ever when Denmark cancelled one of its exceptions to common EU policies. The Ministry of Foreign Affairs of Denmark announced that it would intend to officially ratify the decision and provide timely notification to the EU of its participation in the CSDP, with this taking effect on July 1, 2022.

Step by step, the EU is imposing new economic and political sanctions on Russia, limiting the range of individuals and legal entities with whom/which any contact is possible. Particularly painful for Moscow was the drastic restriction of procurement of Russian natural gas and oil – starting with the introduction of marginal possible prices for their procurement up to a complete ban on import. The EU decision introduces a ban on citizens of its Member States to hold any position in the management bodies of Russian state-owned or state-controlled legal entities, organizations, or bodies. At the same time, Hungary, for its own considerations, announced that it would not undertake Russian oil price limitations with regards to pipeline deliveries and, in emergency cases, to marine supplies, as well as would exclude nuclear energy from the new sanctions package of the EU against Russia. (*ЄС остаточно затвердив восьмий пакет санкцій...*)

The most drastic changes, however, took place in the policy of military support of Ukraine by the EU. Assistance to Ukraine became the first case in the history of the Union when lethal equipment was provided to any third party country. The EU provides lethal weaponry to Ukraine via its European Peace Facility (EPF). A new EU mission is being prepared, and it will not be of a civilian, but rather military nature. The concept of the training mission the European Union previously agreed upon on October 8, 2022 presupposes the training of some 15 thousand Ukrainian servicemen as well as the allocation of additional money for weaponry and supplies.

According to preliminary information, the mandate of the EU Military Assistance Mission for Ukraine (EUMAMUA) will at first last for two years.

At first up to 15 thousand servicemen from Ukraine will be trained. To organize the training mission, the EU will locate its operational headquarters in Poland and Germany. It is planned that in Poland, Ukrainian servicemen will undergo preparation for defense against cyber weapons and weapons of mass destruction, in medical services, air defense, and the use of artillery. In Germany, the training of special training units will be held on a wide scale, for example in demining and tactical activity.

Besides the establishment of EUMAMUA, the EU intends to increase its military support of Ukraine. As of the beginning of October 2022, 2.6 billion Euros from the budget of the European Instrument Contributing to Stability and Peace have been spent to meet Ukraine's needs. The discussion of 10-12 billion Euros until 2027 is currently going on. The Prime Minister of Czechia presiding in the second half of 2022 on the EU Council, Petr Fiala, has announced that the countries of the European Union have reached consensus on the establishment of a training mission for training Ukrainian servicemen. (*ЗМІ дізналися подробиці тренувальної...*)

At the beginning of September 2022, the High Representative of the EU for Foreign Affairs, Josep Borrell criticized Member States for passing the decision on the training of Ukrainian armed forces (training mission) too late, also drawing attention to the need for a better effort in coordination between EU countries in the production of ammunition and weapons. It is he who is the leader of the push for reform of the common security and defense policy of the EU that is supposed to ensure an adequate response to Russia's war in Ukraine. (Калініченко, 2022)

Divergences can be traced in the EU concerning the forms and scope of military assistance provision to Ukraine. In particular, the most optimal seems to be approval of such assistance and accumulation of financial opportunities in the EU via EPF mechanisms, so as not to disperse means and not duplicate the procurement made by specific states.

Thus, Ukraine and the EU have rather different and promising achievements in the field of the EU CSDP. Long before signing the Association Agreement with the EU, Kyiv was involved in holding a number of peacekeeping operations under the auspices of Brussels. Besides this, since the beginning of the 2000s there have been two successful civil missions of the EU in Ukraine – the EUBAM (with the co-participation of Moldova) and the EUAM. After conclusion of the AA in 2014, new opportunities for cooperation in the field of security and defense appeared. This is because specific sections and provisions of the Agreement presuppose the stronger partnership of the EU with third party countries within the CDSP. This particularly refers to the involvement

of Ukrainian servicemen in peacekeeping operations and PESCO programs. Starting in 2014 and particularly after February 24, 2022, the EU has been regularly expressing sharp assessments of Russia's aggressive policy against Ukraine developing common standpoints, and taking joint actions in relation to Moscow. In particular the EU has introduced packages of influential political and economic sanctions while at the same time providing powerful political, financial, economic and military assistance to Ukraine. The current level of cooperation between Ukraine and the EU in the field of security and defense is manifested in the strengthening of funding for the needs of the Ministry of Defense of Ukraine and the Armed Forces of Ukraine, participation in international political consultations within the Crimea Platform, and in supporting cyber security activities. Many directions have appeared in the cooperation between Ukraine and the European Defense Agency. The largest expectations thereof refer to the implementation of the activities of the new, already present military mission of the EU – the EUMAMUA – that presupposes the strengthening of financial assistance, the provision of a wide range of weaponry, and the holding of several stages of training for Ukrainian servicemen in EU Member States.

At the same time, the implementation of effective political, economic, and military assistance to Ukraine within the CSDP, within other common policies, and at the level of standpoints of heads of institutions of the European Union is a test for whether the EU can achieve better self-sufficiency in the field of security and defense, as well as for whether its members can improve their mutual cooperation while facing the threats of new challenges. There is also a new type of EU policy in crisis conditions, when, amidst other problems, there arises a need to provide substantial and multi-faceted assistance to a third party country – Ukraine, which shows its resilience in its fight against the Russian aggressor, clearly and consistently demonstrating its European integration and Euro-Atlantic intentions.

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