



30th Annual

## BRIGHAM YOUNG UNIVERSITY MODEL UNITED NATIONS CONFERENCE

Sponsored by the David M. Kennedy Center for International Studies  
Friday, November 8, 2019 – Provo, Utah

---

### SECRETARIAT

Gracia Lee  
*Security Council*

Maxwell Collins  
*General Assembly First  
Committee*

Cristiana Farnsworth  
*General Assembly Fourth  
Committee*

Robert Lindsay  
*United Nations Environment  
Assembly*

Aidan Houston  
*Model European Union*

Joshua Brown  
*United Nations High  
Commissioner for Refugees*

Kelsey Eyre-Hammond  
*United Nations Women*

Isabella Errigo  
*Organization of American  
States*

---

Olivia Whiteley  
Marie Kulbeth  
*Executive Directors*

---

DAVID M. KENNEDY  
CENTER FOR  
INTERNATIONAL STUDIES

Cory Leonard  
*Assistant Director*

Bill Perry  
*MUN Instructor*

---

Dear Delegates,

Welcome to the 30<sup>th</sup> Annual BYU Model United Nations Conference! I want to personally congratulate you on your decision to participate in the Model United Nations program. The world needs leaders like you who are prepared to make sacrifices for a better world.

My name is Aidan Houston and I am a senior at BYU, where I double major in European Studies and Russian. I am just returning from working at Oxford University in the Department of Social Policy. Last year, I represented Turkmenistan at the Model United Nations Conference in New York City on the General Assembly Third Committee. I also presided as President at the Model European Union Conference in Seattle. It is my hope to focus my career on international development and conflict resolution.

You have been selected to participate in an exceptional part of this year's BYUMUN Conference: the Model European Union! The European Union is a completely separate body from the United Nations which operates more like a federal European government than a non-binding association of state actors. Because of this, the work you will do at this Conference will be unique. You will assume the role of the Head of Government (not a delegation or representative) of one of the 28 Member States of the European Union (or perhaps 27 by the time we meet). These 28 leaders make up what is called the European Council. This body is solely responsible for making the most senior decisions that determine the future of Europe.

The issues before the European Council will be as follows:

- I. Addressing Conflict in Eastern Ukraine;
- II. Evaluating Anti-Corruption Measures in Association States.

These issues are vitally important to the fate of the European Union and liberal international institutions in general. This Background Guide will give you the context of the issues at hand which will serve as a springboard for your own research.

Please keep in mind that the European Union is not the United Nations. As such, there will be certain things that you are advised to become acquainted with before the Conference. Be sure to thoroughly study the Procedure Guide attached below.

Please feel free to contact me personally about any questions or concerns. I will be happy to be of help in any way I can. I look forward to seeing all of you! The outcome of this Conference is in your hands.

Kindest regards,  
Aidan Houston  
President, European Council  
houstonaidana@gmail.com

BYUMUN – 120 HRCB – Provo, UT 84602  
801.422.6921 – [byumun@byu.edu](mailto:byumun@byu.edu)  
<http://byumun.byu.edu>



## The European Union

*“A day will come when all nations on our continent will form  
a European brotherhood.”*

*-Victor Hugo, 1849*

*“There is a remedy which...would in a few years make all Europe...free and happy.  
It is to re-create the European family, or as much of it as we can, and to provide it  
with a structure under which it can dwell in peace, in safety and in freedom.”*

*- Winston Churchill, 1946*

### **Introduction: The Birth of the Liberal World Order**

The integration of Europe did not begin with the formation of the European Union or its predecessors. The idea of a united Europe is much more than a political or economic agreement between bureaucrats. It is the result of thousands of years of conflict, politics, and struggle. It is an ultimate attempt to resolve the ills of civilization that have so long plagued humanity, or at least control them to the point of total subjection. The European Union is an endeavor towards the highest and final manifestation of human governance. For this reason, it is often called “the European experiment.”<sup>1</sup> The European Union is designed to test the potential of idealism. It truly is an experiment on the limits of peace and prosperity. An understanding of the context from which the ideals of European integration were born will make the significance of this experiment clear.

For centuries, Europe has been one of the central hubs for the interaction of civilization and culture. It is the second smallest of the seven continents, but also the second highest in population density. Europe is the birthplace of democracy, capitalism, socialism, communism, fascism, and a host of other political philosophies that continue to play a central role in the world of government today. The concept of the nation-state originated in Europe. It is the scene of the works of Bach, Shakespeare, and Tolstoy. It is also the scene of the most horrific systematic genocide in human history. Europe is as good of a representation of the fundamental achievements and atrocities that are common to humanity as any other.

It is consistent with history, therefore, that Europe would become the birthplace of the liberal world order. The word “liberal,” of course, carries much political weight in the modern-day context that has little to do with the origins of liberalism itself. For the purpose of this background guide, it will be considered at its most fundamental level. Liberalism is, in fact, a relatively young political philosophy (about 250 years old) founded on the ideas of equality between individuals, governments accountable to the governed, and free movement of goods and capital between nations, among others. Thinkers like John Locke, Jean-Jacques Rousseau, and Montesquieu were some of the earliest developers of the liberal philosophy of government, which introduced the belief that government was simply an outgrowth of intrinsic individual

---

<sup>1</sup> Bill Lee, "The European Union: A Failed Experiment," Harvard Business Review, August 07, 2014, accessed August 16, 2019, <https://hbr.org/2013/06/the-european-union-a-failed-ex>.

human rights. Adam Smith and John Keynes are some of the prominent thinkers in economic liberalism, or free market capitalism, which served the material needs of the individual and appraised the market as a natural system that existed outside of government influence. The movement spread to social theory with writers like Mary Wollstonecraft, who developed liberal feminism which focused on individual rights for women.<sup>2</sup> Liberalism resulted in the English, American, and French revolutions, and thereby created the first true republican democracies. The greatest threats to liberalism since its birth have been the rise of the authoritarian flavors of fascism and communism. After the fall of fascism in the 1940s and communism in the 1990s, the European Union has become the symbol of the seemingly victorious liberal world order. It remains to be seen if it will retain this dominant position.

## **A Brief History**

In the aftermath of WWII, there was a period of serious introspection for Europe. The cities and villages across the continent were in absolute ruin after three decades of war like the world had never seen. All were in agreement that steps needed to be taken to ensure that war to this level could never happen again. The same intentions that contributed towards the formation of the United Nations inspired Europeans to put infrastructure in place that would seriously reduce the chances of further warfare. Though the UN was mostly a place for diplomatic dialogue, the agreements made between European nations were aimed more towards actual integration.

From these sentiments came the European Coal and Steel Community (ECSC), created in 1951 with the signing of the Treaty of Paris. The ECSC was much more than what its title implies. Initiated by France and West Germany, two of the most heated rivals of the past century, the ECSC included four additional founding members: Italy, the Netherlands, Belgium, and Luxembourg. These six countries are considered the founding members of the European Union. The intention of the ECSC was to integrate the industries of war so closely between these countries that conflict would become virtually impossible. As Robert Schuman, a French statesman and one of the founding fathers of the European Union, said in 1950, “The solidarity in production thus established will make it plain that any war between [the Member States] becomes not merely unthinkable, but materially impossible.”<sup>3</sup>

After talks between European leaders to form separate common Defense and Political Communities failed, the founders turned to economics as a starting point for other agreements aimed at integration. In 1957, the Treaty of Rome founded the European Economic Community (EEC). The EEC created a customs union, eradicating all tariffs and fees on the transfer of goods and capital between the Member States. The treaty also created a European Atomic Energy Community (Euratom), which was based on essentially the same principles as the ECSC, and a directly-elected European Parliament. In the 1960s, the first signs of resistance to supranational power and claims to sovereignty began to show themselves in France. Regardless, the signing of the Merger Treaty in Brussels in 1967 combined all previous integration agreements into one

---

<sup>2</sup> Mary Wollstonecraft, “A Vindication of the Rights of Woman with Strictures on Political and Moral Subjects,” *Early Modern Texts*, 2017, accessed 19 August 2019, <https://www.earlymoderntexts.com/assets/pdfs/wollstonecraft1792.pdf>.

<sup>3</sup>Robert Schuman, “The Schuman Declaration,” *European Union*, accessed September 7, 2018, [https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration\\_en](https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration_en)

central authority called the European Communities (EC). The EC would be the central authority on European integration for the majority of the 20<sup>th</sup> century.

Over the next three decades, the EC expanded its membership to 16 states. The Single European Act in 1986 set the precedent for a future single market, which would completely integrate Europe into one economy with a common currency by 1992. In 1992, the *Treaty on European Union* (also known as the Maastricht Treaty) did just that and more. The Treaty officially created the European Union and became its founding constitutional document. The new Union was founded on three pillars: the former European Communities, plus new Common Foreign and Security Policy (CFSP) and Justice and Home Affairs (JHA). The European Union was now not only a much more serious economic agreement, but a political one as well. This Treaty took Europe closer to a federal “United States of Europe” than it ever had been.

In 2007, the *Treaty of Lisbon* was signed and greatly reformed the Maastricht Treaty, becoming the second constitutional document of the European Union. The treaty granted more power to the European Parliament and restructured the EU legally, creating the European Council and giving more executive power to the entire Union as a whole. This treaty makes up the current construction of the EU.

The European Union is comprised of seven separate institutions:

1. The European Council;
2. The Council of the European Union;
3. The European Parliament;
4. The European Commission;
5. The Court of Justice of the European Union;
6. The European Central Bank;
7. The European Court of Auditors.

Executive and legislative powers are shared between the seven institutions. The European Council (all 28 Heads of Government) holds chief authority to set general expectations and guidelines for the direction of the Union. The Commission drafts legislation based on the agreements made at the European Council. It is then approved by a bicameral legislature: Parliament and Council of the EU. The policies are then carried out by the Commission and other institutions where applicable.<sup>4</sup>

On March 29, 2017, the United Kingdom of Great Britain and Northern Ireland (UK) became the first Member State to invoke Article 50 of the *Lisbon Treaty*, which allows for withdrawal from the European Union. This followed a referendum on June 23, 2017 in which roughly 52% percent of the British population voted to leave the EU.<sup>5</sup> The UK’s subsequent process of withdrawal has since been termed “Brexit” by leaders on both sides of the negotiation.

---

<sup>4</sup> "Institutions and Bodies," European Union, May 22, 2018, accessed August 16, 2019, [https://europa.eu/european-union/about-eu/institutions-bodies\\_en](https://europa.eu/european-union/about-eu/institutions-bodies_en).

<sup>5</sup> "EU Referendum Results," The Electoral Commission, June 23, 2017, accessed July 15, 2019, <https://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/past-elections-and-referendums/eu-referendum/electorate-and-count-information>.

The negotiation process has proved problematic for the Conservative Government in Britain. Arguments on whether to remove Britain from the European customs union (a “hard” Brexit) or allow it to remain (a “soft” Brexit) make up one of the major elements of debate. Questions about the border between Ireland (an EU Member State) and Northern Ireland (part of the UK) have also raised concerns. The entire process has caused political backlash on both sides, which has strengthened nationalist parties in England (the Brexit Party) and Scotland (the Scottish Nationalist Party). The debate has somewhat destabilized the political system in Britain and forced the European Council to extend the UK’s membership until October 31, 2019 to allow for more time for negotiation.

## **The European Council**

Though the Council has met at various European “Summits” since 1969 that have changed the direction of the EU, it was not formally incorporated as a regular institution until the *Treaty of Lisbon*. Article 15 of the *Treaty of Lisbon* states, “The European Council shall provide the Union with the necessary impetus for its development and shall define the general political directions and priorities thereof. It shall not exercise legislative functions.”<sup>6</sup> The Council is the origin of all major decisions made in the European Union. Though it does not have power to create actual legislation, all policy is derived from the decisions made at the Council. In other words, the Council largely makes general decisions which will give the rest of the institutions a clear idea of the direction in which the Union is to move. However, the Council does occasionally make detailed legislative decisions. In this case, such decisions still must be formally drafted by the Council and cannot take any real effect until they are voted on by the bicameral legislature.

Article 15 also provides that “decisions of the European Council shall be taken by consensus.”<sup>7</sup> All substantive decisions made and resolutions passed by the Council must be passed unanimously. Abstentions, which are allowed to any Member State at any time, do not prevent a resolution from passing that is otherwise approved unanimously. Voting on procedural matters requires only a qualified majority.<sup>8</sup>

The European Council has made the decisions that have ushered in new eras for Europe since the beginnings of integration in Europe. It is the conglomerate of all of the most powerful leaders in Europe and may therefore be the most important body on the entire continent. In recent years, many Europeans have questioned the democratic legitimacy of the Council; leaders from other countries—that they did not elect—have an outside impact on policies that have a lasting effect on their lives. There is growing criticism about the efficiency of the highly bureaucratic European Commission and the toothless European Parliament. Policies like the free movement of people have quickly saturated Member States with unfamiliar populations and cultures, which

---

<sup>6</sup> European Union, *The Treaty of Lisbon*, Lisbon: 2008, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/title-3-provisions-on-the-institutions/88-article-15.html>.

<sup>7</sup> Ibid.

<sup>8</sup> See instructions on procedure at the bottom of this background guide.

has resulted in some political backlash. The first exit of a Member State from the Union is on the way, and many extreme parties in other countries are calling for the same.<sup>9</sup>

---

<sup>9</sup> "Angela Merkel Faces Growing Dilemma over Greece," Financial Times, January 05, 2015, accessed August 16, 2019, <https://www.ft.com/content/760f0694-9500-11e4-b32c-00144feabdc0>.

## *Annotated Bibliography*

**"Angela Merkel Faces Growing Dilemma over Greece." Financial Times. January 05, 2015. Accessed August 16, 2019. <https://www.ft.com/content/760f0694-9500-11e4-b32c-00144feabdc0>.**

*A news article explaining one of the other most significant internal disputes on membership within the EU besides Brexit: the collapse of the Greek economy. This and other problems have driven many Europeans to question the role of their country within the EU.*

**"EU Referendum Results." The Electoral Commission. June 23, 2017. Accessed July 15, 2019. <https://www.electoralcommission.org.uk/find-information-by-subject/elections-and-referendums/past-elections-and-referendums/eu-referendum/electorate-and-count-information>.**

*Online publication by the UK government on the results of the referendum to leave the European Union.*

**"Institutions and Bodies." European Union. May 22, 2018. Accessed August 16, 2019. [https://europa.eu/european-union/about-eu/institutions-bodies\\_en](https://europa.eu/european-union/about-eu/institutions-bodies_en).**

*Webpage from the EU describing the fundamental powers of each of its various institutions and bodies.*

**Lee, Bill. "The European Union: A Failed Experiment." Harvard Business Review. August 07, 2014. Accessed August 16, 2019. <https://hbr.org/2013/06/the-european-union-a-failed-ex>.**

*An opinion piece outlining various failures and shortcomings of the EU that have caused problems in recent years. Any prominent leader within the EU needs to familiar with these arguments.*

**Novak, Petr. "Factsheets on the European Union: The European Council." European Parliament. Published May 2018. Accessed June 25, 2018. [http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU\\_1.3.6.html](http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_1.3.6.html).**

*Helpful document published by the European Parliament explaining the function and mandate of the European Council.*

**Schuman, Robert. "The Schuman Declaration." Delivered 9 May 1950. Accessed June 25, 2018. [https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration\\_en](https://europa.eu/european-union/about-eu/symbols/europe-day/schuman-declaration_en).**

*The address delivered by Robert Schuman outlining the purpose of the forthcoming European Coal and Steel Community.*

**Treaty of Lisbon. European Union. Accessed June 26, 2018. <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/title-3-provisions-on-the-institutions/88-article-15.html>.**

*Founding document of the European Union. Article 15 outlines the function of the European Council.*

**Wollstonecraft, Mary. “A Vindication of the Rights of Woman with Strictures on Political and Moral Subjects.” Early Modern Texts, 2017. Accessed 19 August 2019. <https://www.earlymoderntexts.com/assets/pdfs/wollstonecraft1792.pdf>.**

*Prominent first-wave feminist tract arguing for women’s rights in European political society.*

## I. Addressing Conflict in Eastern Ukraine

*“Everyone knows that if Russia threatens Ukraine, and also has its sights on other states, then this concerns the global security of Europe.”*

— Petro Poroshenko, Former President of Ukraine

### Introduction

The situation in Ukraine has been complex and at times wholly unstable since its declaration of independence from the Soviet Union in July 1990. The collapse of the Soviet Union unleashed a variety of political, economic, and cultural problems that had been brewing for the past century across Eastern Europe. While all of these problems were intertwined on multiple fronts, some related more directly to the collapse of a command economy and an authoritarian regime, while others were more abstract issues of national identity. Perhaps no other former Soviet State has suffered more on the path towards the discovery of its own identity than Ukraine. The Country has long struggled to decide whether to place its loyalties with the European or Russian sphere of influence. This question of identity has been the catalyst for a violent conflict that is currently taking place on Ukraine’s Eastern border with the Russian Federation. General concerns over human rights, national sovereignty, and a history of back-and-forth agreements with Ukraine has pulled the EU into this crisis. The longer the conflict ensues, the more pressing concern becomes the safety of the Ukrainian people and the security of the European continent.

### A Brief History of Ukrainian Identity

The complicated issue of Ukrainian national identity can be understood only through a knowledge of its divided history. The modern countries of Ukraine and Russia both originate with the kingdom of Kievan Rus, which was based in Kyiv (the current capital of Ukraine) about a millennium ago. Kievan Rus was a major kingdom that held trade relations with much of Northern and Southern Europe.<sup>10</sup> Eventually, ties to the Byzantine Empire led to the conversion of the crown prince and subsequently the entire population to Christianity, a moment that would come to have significant impact on the identity of the people of Kievan Rus (or “Russians”). The Kingdom included much of modern Central and Eastern Ukraine as well as Western Russia. It continued to spread into the Carpathian Mountains and what is now Western Ukraine, which established itself as an important region for culture and trade.<sup>11</sup> Eventually, the larger kingdom dissolved and divided into separate principalities, including Novgorod, Kiev, and Moscow. In the 13<sup>th</sup> century, the Mongols invaded with the hope of conquering all of Europe. However, due to significant losses in the territories of the Rus, they were not able to expand further. The Mongol invasion devastated ancient Kyiv. The city was almost completely destroyed in 1240. The Mongols established the Golden Horde over the several principalities, which was a state that

---

<sup>10</sup> "Ukraine Profile – Timeline," BBC News, July 29, 2019, accessed August 16, 2019, <https://www.bbc.com/news/world-europe-18010123>.

<sup>11</sup> "History of Ukraine," Encyclopedia of Ukraine, accessed August 17, 2019, <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CH%5CI%5CHistoryofUkraine.htm>.

brought many aspects of Eastern culture to the people of Rus, while allowing them to continue practicing Byzantine Christianity.

From this point forward, the two regions of what is now modern Ukraine began to develop separately from each other. Many of the principalities of Eastern Rus unified under the leadership of Moscow and expelled the Mongols in the 14<sup>th</sup> century. They formed what became Russia, including much of what is now Eastern Ukraine. Southwestern Rus was freed from Mongol rule by invading Polish forces, which then unified under the name of Galicia-Volhynia. Galicia consisted of what is now most of Western Ukraine. Galicia was subsequently dominated by foreign Roman Catholic powers for many centuries, including Lithuania and Poland. Under Peter the Great in the 17<sup>th</sup> Century, Russia became the Russian Empire, which expanded its Ukrainian territory into Central Ukraine. Modern Ukraine was essentially split into two parts, with what is now the Western side ruled by European powers, and the Central and Eastern side ruled by the Russian Empire.

Based on this history, it is clear where the cultural divide between Eastern and Western Ukraine originates. The two regions developed under distinct dominating powers. The East became thoroughly culturally Russian over hundreds of years, while the West adopted the culture of Central Europe.<sup>12</sup> During World War I, the Western portion fought with the Austro-Hungarian Empire, while the Eastern and Central portions fought with the Allied forces for the Russian Empire. After the Russian Revolution in 1917, Central and Eastern Ukraine became a key battleground of the Russian Civil War. Eastern and Central Ukraine were then incorporated as one of the Soviet Socialist Republics of the newly created USSR. It was not until World War II that the Western region was unified with the other two. When Nazi Germany invaded Poland, an agreement was made to divide the territory in half with Russia in exchange for a peace agreement. Russia's portion included Galicia, which they combined with the Ukrainian SSR. For the first time in history, all of modern Ukraine existed as a unified territory.

The years following were marked by significant suffering and travail. A devastating famine called "Holodomyr" broke out across the country from 1932-33, in which an estimated 7 million people died.<sup>13</sup> Cannibalism spread through the country as desperate citizens died at an alarming rate. Many scholars agree that the famine was a combination of extremely poor administration of the new nationalized economy and political punishment from Stalin in response to growing Ukrainian nationalism. In 1941, Hitler abandoned the peace agreement and invaded Ukraine. Ukraine suffered horrible loss of life and damage to its cities. Stalin's army retaliated by completely devastating the Germans and conquering all of the territory they had claimed all the way back to Berlin. Ukraine remained a member of the Soviet Union from that point until its collapse in the early 1990s.

---

<sup>12</sup> John-Paul Himka, "The Basic Historical Identity Formations in Ukraine: A Typology," *Harvard Ukrainian Studies* 28, no. 1/4 (2006): 483-500, [https://www.jstor.org/stable/41036976?seq=1#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/41036976?seq=1#page_scan_tab_contents).

<sup>13</sup> Valeriy Kuchinsky, "Letter Dated 7 November 2003 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary General," United Nations, 7 November 2003, accessed 19 August 2019, [https://mfa.gov.ua/mediafiles/files/misc/2018-03-29/2018-03-29\\_jointst.pdf](https://mfa.gov.ua/mediafiles/files/misc/2018-03-29/2018-03-29_jointst.pdf).

Ukrainian independence from the USSR was largely fueled by growing nationalism in the West which reached its climax as the Soviet system collapsed. Mikhail Gorbachev, the last leader of the Soviet Union, implemented new economic policies that allowed for some private business in order to revitalize the stagnant economy. When the conservative communists in the party leadership resisted, Gorbachev developed new policies of “glasnost” and “democratizatsiya” that stopped government censoring and allowed the Soviet people to voice their opinions, hoping that their support would solidify his political influence in the party. The new policies had unintended consequences. Dissident voices from around the Soviet Union rose up criticizing the government. Many of these were nationalists throughout the various republics, notably in Western Ukraine. Widespread resistance and disobedience to the regime weakened its power significantly. Eastern European countries outside the USSR elected democrats. One by one, almost all of the Western Republics declared their independence. Ukraine declared independence on July 16, 1990.

For the first time in history, the international world recognized an independent Ukrainian identity. Ukrainians began to hail back to an ancient folk culture and history that had existed prior to its domination by foreign powers. The Ukrainian language became the official language of the Ukrainian government in 1991. However, not all of Ukraine has transitioned into a new national identity so smoothly. Eastern Ukrainians speak Ukrainian much more sparingly.<sup>14</sup> Because the Ukrainian and Russian ethnicities are so intertwined, the difference lies mostly with self-identification, which changes based on region and political movements.<sup>15</sup> In the last several presidential elections (except for the most recent election of Volodimir Zelensky), political orientation has followed stark regional lines. It can be said that Ukraine is a country divided into two regional identities: Western Ukrainian nationalists and Eastern Russians. Because of this split identity, relations between the EU and Ukraine have always been somewhat problematic.

## **EU-Ukraine Relations**

The relationship between the EU and Ukraine has long been characterized by mutual respect and a willingness to collaborate, though uncertainty on how best to do so. The EU recognizes Ukraine as an essential partner. Ukraine is the largest country entirely on the European continent and a significant part of the Eastern border of the EU. Therefore, stability in Ukraine is essential to European security. Ukraine recognizes and respects the EU as a powerful actor that carries with it the European stamp of legitimacy but has gone back and forth between direct appeals to its authority and reluctance to associate with it. Which of the two approaches Ukraine takes tends to align very closely with the region from which the Ukrainian President hails from. Western Presidents have shown a desire to align Ukraine more closely with the *acquis* (EU law), while Eastern Presidents lean towards sustaining the decisions that come out of the Kremlin.

This back-and-forth mentality has been a part of EU-Ukraine relations since the 1990s. In 1994, the Ukrainian government declared integration with the EU as one of its main foreign policy

---

<sup>14</sup> “Language Situation in Ukraine in 2019 and Beyond,” Ukrainian Lessons, 6 July 2019, accessed 19 August 2019, <https://www.ukrainianlessons.com/language-situation/>.

<sup>15</sup> Grigore Pop-Eleches and Graeme Robertson, “Revolutions in Ukrain: Shaping Civic Rather than Ethnic Identities,” PONARS Eurasia, February 2018, accessed 19 August 2019, <http://www.ponarseurasia.org/memo/revolutions-ukraine-shaping-civic-rather-ethnic-identities>.

objectives. Later in that same year, Ukraine and the EU signed a *Partnership and Cooperation Agreement* (PCA).<sup>16</sup> However, the real details of that PCA were broad and not particularly ambitious. The PCA organized yearly meetings between EU and Ukrainian leadership and some coordination between government ministries. The EU showed a hesitance to develop more in-depth associations with the core countries of the former Soviet world that lasts to this day. The Agreement expired in 2008.

During that time, however, the political differences between East and West manifested themselves in a dramatic way for the first time. In 2004, Viktor Yanukovich, a pro-Russian businessman from the East, and Viktor Yushchenko, a Europhile from the West, were the two favored candidates in the Presidential election. Support for each candidate was clearly drawn along regional lines. After the initial election, neither candidate won more than 50% of the popular vote, meaning that a run-off election would be held. Exit polls showed an extremely slim margin of victory for Yanukovich. However, the government (which was favorable towards Russian politics at the time) showed a landslide victory for Yanukovich. Public outcry spread through Ukraine. People poured onto the streets with orange flags, the color of Yushchenko's campaign. After protests raged on from November to December, the Supreme Court of Ukraine intervened. They declared Yushchenko President of Ukraine and demanded that Yanukovich step down. Eventually, Yanukovich resigned, and potential violence was averted.

Violent protest, however, would come back to haunt Ukraine. President Yushchenko's presidency was marked by economic downturn and inefficacy. In 2010, he lost his reelection campaign to his old rival: Viktor Yanukovich. At first, Yanukovich showed signs of moving towards reconciliation with the Europeans. He initiated talks on an association agreement with the EU, an early preliminary step towards future membership in the EU. The agreement was to be signed in Vilnius in November 2013. However, after dissuasions from the Kremlin, President Yanukovich traveled to Vilnius to tell the EU that he would not sign the agreement. Immediately, protests broke out in Kyiv. At first, students peacefully protested on Maidan Square. Soon, hundreds of thousands of Ukrainians from around the country poured onto the streets of the city. President Yanukovich ordered the Bekrut, an outsourced Russian special police force, to keep the peace. However, relations between the Bekrut and the protestors quickly became violent. Barricades were set up as the police fired rubber bullets and grenades into the crowd. Molotov cocktails burned buildings to the ground. The protestors held their ground. Eventually, 100 protestors were killed by snipers commissioned by the government. After international condemnation, President Yanukovich stepped down and fled to Russia. The government was reformed and a pro-Europe President, Petro Poroshenko, was elected to fill the void in the executive. This extended conflict between protestors and the Ukrainian police force that ousted President Yanukovich and led to constitutional reform is known as the 2014 Ukrainian Revolution, or "Euromaidan."

---

<sup>16</sup> "PCA with Ukraine Enters into Force," European Commission - PRESS RELEASES - Press Release - PCA with Ukraine Enters into Force, February 27, 1998, accessed August 17, 2019, [https://europa.eu/rapid/press-release\\_IP-98-198\\_en.htm](https://europa.eu/rapid/press-release_IP-98-198_en.htm).

## Outset of Conflict

Violence in Eastern Ukraine began as a reaction to the events of Euromaidan in Kyiv. Easterners and residents of Crimea did not approve of the Revolution. They disliked the pro-European position of the new government, which they perceived as anti-Russian. The people feared that their country was abandoning the culture and traditions that were familiar to them. Because Russian is the predominant language in the area, most Ukrainians there get their information from news outlets sponsored by or with ties to the Russian government, such as RT and Vesti. These media sources are often accused of spreading biased information.<sup>17</sup> The media was partly responsible for growing fear of the Ukrainian establishment and resentment towards its perceived incompetence and antagonism towards Russia. It was this fear of change and anger with leadership in Kyiv that inspired separatists in the cities of Donetsk and Luhansk, two of the largest cities in Eastern Ukraine and within the region called the “Donbass” to revolt against the government.

Armed conflict between pro-Russian separatists and the Ukrainian government began in Spring 2014. On May 1, the separatists in Donetsk took control of the Regional State Administration (RSA) building. On April 7<sup>th</sup>, the pro-Russian leadership met in the RSA and voted to declare independence from Ukraine. They established the Donetsk People’s Republic (DPR) and prepared to continue the fight against the Ukrainian government.<sup>18</sup> The events in Luhansk reflected those in Donetsk about a month later, where the separatists established the Luhansk People’s Republic (LPR). The new separatist governments spread their influence by taking control of government buildings in towns and cities throughout the region, expanding their control further west. Administrative offices, military centers, and media stations were all seized. All broadcasts were changed to the Russian state channels and flags of the Peoples’ Republics were hoisted across the Donbass.<sup>19</sup>

The Ukrainian government launched a military offensive into the region in late April. After reports surfaced of Ukrainian government officials being found dead and tortured in major cities in the Donbass, the military adopted a merciless strategy.<sup>20</sup> Eager to regain control over the government in the region, the military engaged in heavily-armed conflict with the separatists, even using toxic gas and killing some civilians in the process.<sup>21</sup> The separatists built barricades, took hostages, and killed church leaders that attempted to negotiate peace.<sup>22</sup>

---

<sup>17</sup> Leonid Peisakhin and Arturas Rozenas, "Electoral Effects of Biased Media: Russian Television in Ukraine," *American Journal of Political Science* 62, no. 3 (2018): 535-50. doi:10.1111/ajps.12355.

<sup>18</sup> Донецькі сепаратисти готуються сформувати "народну обласну раду" та приєднатися до РФ, *Ukrayinska Pravda* (in Ukrainian), 6 April 2014.

<sup>19</sup> Донецкие милиционеры повесили на гору правления сепаратистский флаг [Donetsk militia hung the separatist flag] (in Russian), *Unian*, 4 May 2014, Retrieved 14 May 2014, <https://www.unian.net/politics/914424-donetskie-militsioneryi-povesili-na-gorupravlenii-separatistskiy-flag.html>.

<sup>20</sup> "Ukraine alert as politician 'killed,'" *BBC News*, 22 April 2014, accessed 19 August 2019, <https://www.bbc.com/news/world-europe-27118875>.

<sup>21</sup> "Anti-Kiev protesters regain control of city council in Mariupol," *Russia: RT*, 7 May 2014, accessed 8 May 2014, <https://www.rt.com/news/157428-ukraine-mariupol-donetsk-assault/>.

<sup>22</sup> "Ukrainian Orthodox Church confirms priest murdered in Donetsk region," *Kyiv Post*, 10 May 2014, archived from [the original](#) on 2 September 2014, accessed 14 May 2014, <https://web.archive.org/web/20140902042404/http://www.kyivpost.com/content/ukraine/ukrainian-orthodox-church-confirms-priest-murdered-in-donetsk-region-347180.html>.

In May, Igor Girkin, a leader in the Donbass Militia, declared himself the “Supreme Commander” of the insurgent governments. The two Peoples’ Republics unified under the declaration of a new confederate state called “New Russia.” Conflict raged on between the government and the separatists, including a significant battle and subsequent bombing at the Donetsk Airport. According to Ukrainian officials, Russian tanks first crossed the border and became involved in early June.<sup>23</sup>

By the end of the month, President of Ukraine Petro Poroshenko declared a cease-fire. Peace lasted for one week, when the military resumed shelling towns on the border of separatist territory. Counter-attacks began soon after and raged through July. Many unmarked troops and tanks began to appear in the conflict zone, especially after the Russian government sent a “humanitarian convoy” into the warzone in August. International observers continued to accuse Russia of military involvement, which the Russians denied. Ceasefire agreements came frequently and failed frequently as fighting continued and “elections” were held by the new pro-Russian governments.

### **Attempts at Resolution**

In September 2014, officials from the Ukrainian Government, the Russian Government, and the Organization for Security and Cooperation in Europe (OSCE) met in Minsk, Belarus to negotiate a peace agreement. Many leaders from the European Council attended on behalf of the OSCE. The culmination of their work was the *Minsk Protocol*, an agreement that has been an important part of the dialogue on resolution of the conflict since. The *Protocol* included 12 points:

1. To ensure an immediate bilateral ceasefire;
2. To ensure the monitoring and verification of the ceasefire by the OSCE;
3. Decentralization of power, including through the adoption of the Ukrainian law "On temporary Order of Local Self-Governance in Particular Districts of Donetsk and Luhansk Oblasts;"
4. To ensure the permanent monitoring of the Ukrainian-Russian border and verification by the OSCE with the creation of security zones in the border regions of Ukraine and the Russian Federation;
5. Immediate release of all hostages and illegally detained persons;
6. A law preventing the prosecution and punishment of persons in connection with the events that have taken place in some areas of Donetsk and Luhansk Oblasts;
7. To continue the inclusive national dialogue;
8. To take measures to improve the humanitarian situation in Donbass;
9. To ensure early local elections in accordance with the Ukrainian law "On temporary Order of Local Self-Governance in Particular Districts of Donetsk and Luhansk Oblasts;"
10. To withdraw illegal armed groups and military equipment as well as fighters and mercenaries from the territory of Ukraine;
11. To adopt a programme of economic recovery and reconstruction for the Donbass region;

---

<sup>23</sup> Natalia Zinest and Timothy Heritage, “Ukraine Accuses Russia of Letting Rebels Bring in Tanks,” Reuters, 12 June 2014, accessed 19 August 2019, <https://www.reuters.com/article/us-ukraine-crisis-tanks/ukraine-accuses-russia-of-letting-rebels-bring-in-tanks-idUSKBN0EN1KS20140612>.

12. To provide personal security for participants in the consultations.<sup>24</sup>

Though the *Minsk Protocol* was the most extensive diplomatic agreement on the conflict to date, it failed to stop conflict in the Donbass. Immediately after the agreement, both sides frequently violated the terms by violent action. By 2015, the agreement had totally collapsed. This led to the signing of the *Package of Measures for the Implementation of the Minsk Agreements*, or Minsk II, in February 2015. Angela Merkel of Germany and Francois Hollande of France attended the meeting with Presidents Putin and Poroshenko. The agreement included updated measures that would hopefully make the resumption of conflict more difficult for both sides. These measures included an unconditional ceasefire monitored by the OSCE, the removal of heavy weaponry from the border by all combatants, and constitutional reform in Ukraine.<sup>25</sup>

The following year, 2016, was the first full year in which no territory was lost or gained by either side. Hundreds of soldiers still died in conflict that year, but significantly less than in years previous.<sup>26</sup> In January 2017, however, violent conflict erupted around the city of Avdiivka and quickly spread throughout the region. In February, President Vladimir Putin announced that Russia would begin recognizing government services from the DPR and LPR (such as travel documents and property registrations). The Ukrainian government denounced this action as a violation of the *Minsk Protocol*, but no action from either side was taken. Conflict continued through the year, despite many failed cease-fire attempts.

As of 2019, multiple attempts at peace agreements have failed with both sides claiming the fault of the other. The United States has made its support for the Ukrainian side clear by providing advanced weaponry to the Ukrainian military. The EU also strongly supports Ukraine, with public statements and harsh sanctions on the Russian economy as a result of Russia's perceived manipulation of the situation. The EU has a clear interest in the resolution of the conflict, as Ukraine sits on its Eastern border. Weakness in Ukraine would only fuel an already aggressive Russia towards further expanding their sphere of influence in Europe. Certain Members of the EU, such as Hungary and Italy, have recently shown a more favorable attitude towards Russia. The solution is not clear to the leaders of Europe as of yet, though a solution is increasingly necessary. The European Council is an important actor in this crisis that urgently needs to take innovative steps towards peace.

## Possible Solutions

Some commentators have called upon the international world to become involved militarily.<sup>27</sup> The UN Peacekeeping force has a history of presence in conflict areas in the developing world, but rarely in Europe. Kosovo was one exception to this rule. UN Peacekeeping forces were supported by western nations and were relatively successful in finding resolution to the 1990

---

<sup>24</sup> "[Minsk Protocol](#)" (Press release) (in Russian), Organization for Security and Co-operation in Europe, 5 September 2014, Accessed 9 September 2014, <https://www.osce.org/ru/home/123258?download=true>.

<sup>25</sup> "[Minsk agreement on Ukraine crisis: text in full](#)". *The Daily Telegraph*. 12 February 2015. Retrieved 12 February 2015.

<sup>26</sup> "The Best of the Worst: What 2016 Was Like for Donbas," *Hromadske International*, 9 January 2017, accessed 19 August 2019, [https://en.hromadske.ua/posts/2016\\_for\\_Donbas](https://en.hromadske.ua/posts/2016_for_Donbas).

<sup>27</sup> Bershidsky, Leonid, "How to Fix the Eastern Ukrainian Problem," *Bloomberg News*, 14 February 2018, accessed 19 August 2019, <https://www.bloomberg.com/opinion/articles/2018-02-14/how-to-fix-the-eastern-ukraine-problem>.

war. Ukraine, however, may be a more complicated situation. Russia's position in the Security Council may make UN involvement unlikely. Perhaps, a deployment of EU battlegroups would be more suitable and could have success in restoring peace. However, EU battlegroups have never actually been deployed. There is also the question of the delicate relationship between the EU and Russia. This solution has many factors that need addressing before it could become viable, but may not be entirely out of the question.

Another possible solution is updating the Minsk II to require more of the Russians. The current agreement, signed by the Russian Federation, includes a ceasefire agreement and measures to achieve lasting peace between the separatists and the Ukrainians government. However, nothing in the agreement requires anything of Russia. Russian media has had an enormous influence on the separatist ideology. If the Russian government cut off its supply of weaponry, personnel, and funding, the separatists would effectively be rendered powerless.<sup>28</sup> However, Russia is unlikely to agree to this stipulation, seeing that, at its core, it sees the argument of the separatists as unfounded and worthy of suppression. Further stipulations within the agreement that satisfy the demands of the separatists while neutering their ability to respond violently could possibly achieve a longer-lasting peace.

### **Questions to Consider**

1. How can the Minsk Agreement be updated to solve its old problems?
2. Should the EU consider military involvement?
3. What should the EU's position be towards Russia in this delicate situation?
4. How can the interests of the separatists and the Ukrainian governments both be appeased?

---

<sup>28</sup> Steven Pifer, "Minsk II at two years," Brookings Institute, 15 February 2017, accessed 19 August 2019, <https://www.brookings.edu/blog/order-from-chaos/2017/02/15/minsk-ii-at-two-years/>.

## *Annotated Bibliography*

**"Anti-Kiev protesters regain control of city council in Mariupol." Russia: RT. 7 May 2014. Accessed 8 May 2014. <https://www.rt.com/news/157428-ukraine-mariupol-donetsk-assault/>.**

*An article by the Russian Federation's state-run news agency framing the protests in Kiev.*

**Bershidsky, Leonid. "How to Fix the Eastern Ukraine Problem." February 14, 2018. Accessed August 17, 2019. <https://www.bloomberg.com/opinion/articles/2018-02-14/how-to-fix-the-eastern-ukraine-problem>.**

*Opinion piece outlining potential solutions for the Ukrainian Crisis, including through military and peacekeeping intervention.*

**Himka, John-Paul. "The Basic Historical Identity Formations in Ukraine: A Typology." *Harvard Ukrainian Studies* 28, no. 1/4 (2006): 483-500. [https://www.jstor.org/stable/41036976?seq=1#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/41036976?seq=1#page_scan_tab_contents).**

*Academic article exploring the historical origins of Ukrainian national identity, which are key to understanding the context of the conflict.*

**"History of Ukraine." Encyclopedia of Ukraine. Accessed August 17, 2019. <http://www.encyclopediaofukraine.com/display.asp?linkpath=pages%5CH%5CI%5CHistoryofUkraine.htm>.**

*A well-organized history of Ukraine from its medieval origins to modern times.*

**Kuchinsky, Valeriy. "Letter Dated 7 November 2003 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary General." United Nations, 7 November 2003. Accessed 19 August 2019. [https://mfa.gov.ua/mediafiles/files/misc/2018-03-29/2018-03-29\\_jointst.pdf](https://mfa.gov.ua/mediafiles/files/misc/2018-03-29/2018-03-29_jointst.pdf).**

*The Permanent Representative of Ukraine to the United Nation's official letter to the UN General Assembly commemorating the seventieth anniversary of the Great Famine in Ukraine.*

**"Language Situation in Ukraine in 2019 and Beyond." Ukrainian Lessons. 6 July 2019. Accessed 19 August 2019. <https://www.ukrainianlessons.com/language-situation/>.**

*A blog post discussing the evolution of languages and their political relevance to Ukraine.*

**"Minsk Protocol" (Press release) (in Russian). Organization for Security and Co-operation in Europe. 5 September 2014. Accessed 9 September 2014. <https://www.osce.org/ru/home/123258?download=true>.**

*The original Russian press release for the initial 2014 Minsk Agreement.*

**"Minsk agreement on Ukraine crisis: text in full". *The Daily Telegraph*. 12 February 2015. Accessed 12 August 2017.**

**<https://www.telegraph.co.uk/news/worldnews/europe/ukraine/11408266/Minsk-agreement-on-Ukraine-crisis-text-in-full.html>**.

*The entire text of the Minsk Agreement. This agreement may require updating in order to make resolution more plausible.*

**"PCA with Ukraine Enters into Force." European Commission - PRESS RELEASES - Press Release - PCA with Ukraine Enters into Force. February 27, 1998. Accessed August 17, 2019. [https://europa.eu/rapid/press-release\\_IP-98-198\\_en.htm](https://europa.eu/rapid/press-release_IP-98-198_en.htm).**

*A press release from the European Commission announcing the PCA with Ukraine and explaining the important relationship between the EU and Ukraine.*

**Peisakhin, Leonid, and Arturas Rozenas. "Electoral Effects of Biased Media: Russian Television in Ukraine." *American Journal of Political Science* 62, no. 3 (2018): 535-50. doi:10.1111/ajps.12355.**

*Academic article measuring the effects of Russian media on the voting patterns of Ukrainians in the East. The political opinions formed because of these media sources likely have contributed to the breakout of conflict.*

**Pifer, Steven. "Minsk II at two years," Brookings Institute. 15 February 2017. Accessed 19 August 2019. <https://www.brookings.edu/blog/order-from-chaos/2017/02/15/minsk-ii-at-two-years/>.**

*An opinion piece from a conservative think tank detailing the possible reasons for the failures of the Minsk II agreement.*

**Pop-Eleches, Grigore and Graeme Robertson. "Revolutions in Ukrain: Shaping Civic Rather than Ethnic Identities." PONARS Eurasia, February 2018. Accessed 19 August 2019, <http://www.ponarseurasia.org/memo/revolutions-ukraine-shaping-civic-rather-ethnic-identities>.**

*A policy memo describing how "massive political shocks have affected the evolution of ethno-linguistic and national identities by analyzing public opinion."*

**"The Best of the Worst: What 2016 Was Like for Donbas." Hromadske International. 9 January 2017. Accessed 19 August 2019. [https://en.hromadske.ua/posts/2016\\_for\\_Donbas](https://en.hromadske.ua/posts/2016_for_Donbas).**

*A description of "slow and difficult" process of the Donbas negotiations.*

**"Ukraine alert as politician 'killed.'" BBC News. 22 April 2014. Accessed 19 August 2019. <https://www.bbc.com/news/world-europe-27118875>.**

*A news briefing discussing potential military repercussions after Volodymyr Rybak's body was found, supposedly after a successful assassination.*

**"Ukrainian Orthodox Church confirms priest murdered in Donetsk region." *Kyiv Post*. 10 May 2014. archived from [the original](#) on 2 September 2014. Accessed 14 May 2014. <https://web.archive.org/web/20140902042404/http://www.kyivpost.com/content/ukraine/ukrainian-orthodox-church-confirms-priest-murdered-in-donetsk-region-347180.html>.**

*An article from the Kyiv Post investigating the death of a priest.*

**"Ukraine Profile - Timeline." BBC News. July 29, 2019. Accessed August 16, 2019. <https://www.bbc.com/news/world-europe-18010123>.**

*A history of Ukraine in simple bullet points that may help you understand the country in a more chronological way.*

**Zinest, Natalia and Timothy Heritage. "Ukraine Accuses Russia of Letting Rebels Bring in Tanks." Reuters, 12 June 2014. Accessed 19 August 2019. <https://www.reuters.com/article/us-ukraine-crisis-tanks/ukraine-accuses-russia-of-letting-rebels-bring-in-tanks-idUSKBN0EN1KS20140612>.**

*A Reuters report describing Russia's deployment of tanks into Ukrainian territory. Ukrainian Interior Minister Arseny Avakoc is quoted extensively; use this document to familiarize yourself with the Ukrainian point of view on Russian actions.*

## II. Evaluating Anti-Corruption Measures in Association States

*“We should believe in the strength and vitality of the values which constitute the E.U. and which neighboring states can believe in and aspire to join.”*

— Donald Tusk, *President of the European Council*

### Introduction: Accession to the European Union

Since its outset, the intention of European integration has been to assimilate the economies and governments of individual European states to a level in which conflict on the continent becomes virtually impossible. Logically, the more states that join the Union, the less likely conflict between nations becomes. Along with this increased security comes the promotion of democratic values and economic growth. Candidate states are required to reach a certain standard of effective government, authentic democracy, and protection of human rights in order to accede. It is therefore always in the interest of the European Union to expand its influence by allowing additional countries to become Member States. Those countries that have made agreements with the EU and are in the process of negotiation of membership are granted the title of “Candidate Countries.”

Article 2 of the *Lisbon Treaty* states, “The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.”<sup>29</sup> As such, Article 49 states, “Any European State which respects the values referred to in Article 2 and is committed to promoting them may apply to become a member of the Union.”<sup>30</sup>

The process by which countries become members of the European Union is called “enlargement.” Typically, countries join the EU in groups over the course of a common time period. These groups of enlargement are called “waves.” Since the beginning of European integration in the 1950s, the EU recognizes six successful waves of enlargement. These waves are each preceded by an Enlargement Agenda, which outlines the goals and strategy by which the Union will bring the potential Member States up to EU standards and prepare for their accession. These agendas have brought the European Union from its original six Member States to its current 28.

The European Commission’s 2018 manuscript on the matter describes enlargement as being instrumental in helping countries achieve three main criteria.<sup>31</sup> These three areas are derived from the Copenhagen Criteria, which was agreed upon in 1993 by the European Council as the defining document on the process of EU Enlargement.<sup>32</sup> They are as follows:

---

<sup>29</sup> Treaty of Lisbon, European Union, Accessed June 20, 2018, <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty-treaty-on-european-union-and-comments/title-6-final-provisions/136-article-49.html>.

<sup>30</sup> Treaty of Lisbon, European Union.

<sup>31</sup> Director-General for Communication, “EU Enlargement,” European Commission, 15 June 2018, accessed June 21, 2018, <https://publications.europa.eu/en/publication-detail/-/publication/6490722d-686a-11e8-ab9c-01aa75ed71a1/language-en/format-PDF/source-search>.

<sup>32</sup> “Presidency Conclusions: Copenhagen European Council,” Presidency of the European Council, accessed June 20, 2018, [http://www.europarl.europa.eu/enlargement/ec/pdf/cop\\_en.pdf](http://www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf).

1. Political stability, which includes the protection of democracy by the country's political institutions, basic rule of law, the guarantee of human rights, and the protection of minorities;
2. A functioning market economy that will be able to compete within the EU's single market; and
3. Adherence to all of the aims and regulations of the EU.

Through extensive negotiation, the EU and candidate states ensure that all of these criteria are met before accession becomes possible. Once all of the agreed upon requirements are met, then the process of accession begins. It is the role of the European Council to outline general standards of political stability, economic capacity, and adherence to EU regulations that a candidate country must reach. The Council also outlines a schedule to which the negotiations and potential accession process should adhere. These general decisions serve as an outline for negotiations between the EU and the candidate countries. Without these standards agreed upon by the Heads of Government, there would be no goals to which the candidate country should strive.

### **The Enlargement Process**

The process of enlargement is comprised of three stages, all of which are subject to the approval of all Member States of the EU:

1. The country is offered the prospect of membership;
2. The country becomes an official candidate for membership;
3. The country enters official accession negotiations.<sup>33</sup>

Typically, the country first signs an association agreement with the EU that indicates the potential for future membership. At this stage, most states are far from the necessary standards for accession. The period of association allows the country to begin aligning its policies with that of the EU. In return, the country may receive tariff-free access to some EU markets. The Commission, by direction of the Council, investigates the country's status in each of the three realms of the Copenhagen Criteria and does preliminary work to get the country to a point where negotiations are plausible. This stage can vary in time from a matter of months to many years.<sup>34</sup>

Eventually, the country formally applies for membership. At this point, the country receives candidate status. The Council then requests an opinion on the country's readiness from the Commission. Based on the opinion of the Commission, the Council decides whether or not to open negotiations.

---

<sup>33</sup> "EU Enlargement Factsheet," European Commission, accessed 19 August 2019,

[https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/publication/factsheet\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/publication/factsheet_en.pdf).

<sup>34</sup> For an example of an accession with only a brief association agreement, see that of Finland and Sweden:

[http://www.europarl.europa.eu/RegData/etudes/STUD/2015/563509/EPRS\\_STU\(2015\)563509\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/563509/EPRS_STU(2015)563509_EN.pdf)

For an example of a long period, see that of Turkey, which is described in further detail below.

The entirety of EU law and regulations, otherwise known as the “acquis,” is divided into separate realms of negotiation. These realms are called “chapters,” which are based on similarities between the existing laws in the candidate state and the acquis. The first step in negotiations is a process called “screening.” The purpose of screening is to explain the acquis to the candidate state and identify areas in need of alignment with EU standards.<sup>35</sup> The Council then proceeds in negotiations in each of the chapters and receives screening reports from the Commission on the progress of the country within each chapter.

When negotiations have been successfully completed in each of the chapters, the entirety of the agreements made are incorporated into a draft accession treaty. This treaty must first be approved by the European Parliament. Once this vote has taken place, the treaty must be ratified by the candidate country and all 28 Member States. After the treaty has been ratified, the candidate country receives observer status until the date of scheduled accession. After this date, the country becomes a full-fledged member of the European Union.

### **Corruption and the Candidate Countries**

At the Thessaloniki Summit in 2003, the European Council established the Western Balkans as a priority for EU expansion.<sup>36</sup> Of the Balkan countries, four of them have been granted official candidate status. Though Turkey was declared a candidate country two decades ago, political issues on both sides have essentially made the designation obsolete. Though the country retains official candidate status, political opposition within Europe to Turkey’s accession makes discussion of the issue virtually impossible for leaders in the European Council. Therefore, the official candidate countries which the Council will focus on are as follows: Albania, Montenegro, the Republic of North Macedonia, and Serbia.

One of the most prevalent issues in these candidate countries is corruption. Corruption takes many forms in these governments. It can range from perversion of the governmental system for political gain, to undue influence by oligarchic figures and monopolistic corporations on political actors, to outright embezzlement or bribery. These issues are by no means wholly absent in EU Member States, but they are significantly less prevalent because of a high standard of anti-corruption laws and a general cultural standard amongst politicians that does not allow for it. It is extremely important that those standards be maintained within the EU if it is to continue on as a successful economic and—increasingly so—political union. The EU makes every effort to ensure that measures are in place to combat corruption in candidate states, including legal and cultural standards, during the years of negotiation. In order for a candidate country to achieve accession, it must first satisfy the EU that corruption has been virtually eliminated from government and that there is a track record of long-lasting compliance to EU law.

#### *Montenegro and Serbia*

---

<sup>35</sup> Director-General for Communication (European Commission), “EU enlargement,” 15 June 2018, accessed June 21, 2018, <https://publications.europa.eu/en/publication-detail/-/publication/6490722d-686a-11e8-ab9c-01aa75ed71a1/language-en/format-PDF/source-search>.

<sup>36</sup> EU Western Balkans Summit, Thessaloniki, European Council, 21 June 2003, accessed June 21, 2018, [http://europa.eu/rapid/press-release\\_PRES-03-163\\_en.htm](http://europa.eu/rapid/press-release_PRES-03-163_en.htm).

Of the four Balkan candidate countries, Montenegro and Serbia have made the most significant progress towards membership. Four years prior to the Thessaloniki Summit, the Council developed a unique strategy to help facilitate integration in the Western Balkans. This policy is called the Stabilization and Association Process (SAP). This process has led Montenegro and Serbia to significant success in their negotiations, which began in 2012 after the Commission offered a favorable opinion of their applications in 2010. President of the European Council Donald Tusk, in his 2017 state of the Union address, announced an official strategy that would allow both countries to join the EU by 2025.<sup>37</sup> However, there are still significant reforms that must be made before such an accession is possible.

The Commission's 2018 Report on Montenegro identified issues in the country concerning all three areas of the Copenhagen Criteria.<sup>38</sup> There is extremely low electoral trust in the country. This is clearly evidenced by a boycott of the Parliamentary system by the entire opposition (which is made up of seven parties, the largest of which is the Democratic Front) since October 2016. Lack of respect of authority between branches of government means that policy decisions which aim to combat corruption rarely actually take effect. The State Audit Institution showed little to no plans of implementing economic policies agreed upon by the Parliament and the executive has limited control to force such a development. While some progress has been made in the country's public administration, Montenegro still struggles to depoliticize the bureaucracy and create a merit-based public service. Government jobs depend more on political favors and bribery than competence. This creates a vicious cycle in which an executive system already based on nepotism is not capable to confront corruption within itself.

The issues in Serbia are similar to those of Montenegro, though political efficacy is somewhat higher. Residents of the country perceive corruption to be very high.<sup>39</sup> There is very low trust in the institutions of government. Public services like police, health, and education services are particularly vulnerable to local corruption. Past progress reports from the European Commission have identified monopolistic behavior by large corporations that prevent business in the country, specifically the pharmaceutical company Galenika oSerbia.<sup>40</sup>

The executive in Serbia enjoys undue influence over other powers. The President is known to implement many urgent executive orders that limit the ability of Parliament to be the primary source of legislation. The judicial is heavily politicized, under the influence of high partisanship in the country. There is still significant discrimination against minorities, including Roma, LGBTI, and disabled persons. Gender equality is measured at 12 percentage points below the

---

<sup>37</sup> "Strategy for the Western Balkans," European Commission, 6 February 2018, accessed June 20, 2018, [https://ec.europa.eu/commission/news/strategy-western-balkans-2018-feb-06\\_en](https://ec.europa.eu/commission/news/strategy-western-balkans-2018-feb-06_en).

<sup>38</sup> "Montenegro 2018 Report," European Commission, 17 April 2018, accessed June 21, 2018, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-montenegro-report.pdf>.

<sup>39</sup> "Global Integrity Report 2011 – Qualitative Report – Serbia." Global Integrity, 1 December 2011, accessed 19 August 2019, <https://www.globalintegrity.org/resource/gir2011-report-serbia/>.

<sup>40</sup> "Serbia 2013 Progress Report," European Commission, 16 October 2013, accessed 19 August 2019, [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2013/package/sr\\_rapport\\_2013.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/sr_rapport_2013.pdf).

European average.<sup>41</sup> Relations with Kosovo have not normalized, though dialogue is happening. Serbia needs to more actively participate in the development of diplomatic relations with the young state.

The 2017 strategy includes an Action Plan with six specific areas in which Serbia and Montenegro must make improvements in order to make accession in 2025 a reality. These six areas are as follows:

1. Rule of Law;
2. Security and Migration;
3. Socio-Economic Development;
4. Transport and Energy Connectivity;
5. Digital Agenda;
6. Reconciliation and Good Neighborly Relations.

### *Albania and North Macedonia*

Albania and North Macedonia are the candidate countries that are newest to the accession process. Albania is the most recent country to receive candidate status. Albania applied for membership in 2009 and was made a candidate and added to the enlargement agenda in June 2014. North Macedonia has been a candidate country since 2005, but the opening of negotiations has not been on the table until 2019 because of a name dispute with Greece. Greece blocked advancement of negotiations because it claimed that the country's name "Macedonia" was inaccurate, as that region already existed within Greece. The Greek government resented when the word "North" was added to the name. In June 2019, the European Council voted to postpone negotiations with the two countries because of other concerns taking the focus of the Council. However, the 28 Member States determined to make a decision on a negotiation schedule by the end of the year.<sup>42</sup>

Both countries have done well to deliver on reforms. The European Commission's reports on both Albania and North Macedonia have shown measurable improvements. In Albania, for example, preparation levels for accession in five of the seven chapters of the acquis determined to be in "early stages/very difficult to adopt" have moved to "moderately prepared" since 2016. However, 32 of the 35 total chapters remain below the necessary standard for accession.<sup>43</sup> Financial Control and Budgetary Provisions are two of these sub-par categories.

Corruption in both of these countries is still an issue. Transparency International ranks Albania at 99<sup>th</sup> at a 36, down two places from last year. North Macedonia sits at 93<sup>rd</sup> with a 37. Albanian corruption is contributing to a lack of business investment in the country. Moderate

---

<sup>41</sup> "Gender Equality Index for Serbia," Government of the Republic of Serbia, 2014, accessed 19 August 2019, [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/02/Izvestaj\\_Indeks\\_rodne\\_ravnopravnosti\\_2016\\_EN.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2016/02/Izvestaj_Indeks_rodne_ravnopravnosti_2016_EN.pdf).

<sup>42</sup> Rikard Jozwiak, "EU Delays Decision on North Macedonia, Albania Membership Talks," RadioFreeEurope, 18 June 2019, accessed 19 August 2019, <https://www.rferl.org/a/eu-delays-decision-on-north-macedonia-albania-membership-talks/30006858.html>.

<sup>43</sup> "Albania 2019 Report," European Commission, 29 May 2019, accessed 19 August 2019, <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf>.

legislation exists, but enforcement mechanisms are weak. Though North Macedonia fares slightly better, business is still stifled in the country. Many foreign businesses point to a necessity for bribery as a dissuasive factor for doing business, which is prevalent even in the public registration process.

By most observations, none of the candidate states are prepared for accession as of yet. Anti-corruption measures will need to increase their effectiveness more quickly if the target years for accession are to be met. Some have called for a greater EU presence in these countries to locate corruption and provide its own methods of deterrence. This may include agreements with the candidate countries that give European courts and personnel judicial authority in the region.

## **Conclusion**

It is also key to build a political culture that promotes anti-corruption measures. Every effort must be made by the EU to encourage the right to assembly and protest so that citizens can voice their concerns against corruption. It is also important that laws in the candidate countries allow for the creation and success of third parties that will challenge the authority of established countries and keep them accountable. There must also be laws that prevent the judicial branch of government in these countries from being influenced by politics, which will make it more difficult for political figures to be held accountable. These and other stipulations will make the Balkans more suitable for eventual accession.

## **Questions to Consider**

1. What measures should be taken to push Serbia and Montenegro over the threshold for suitable accession?
2. When should negotiations be opened for Albania and North Macedonia?
3. What kind of timeframe can the EU establish for their accession?
4. What domestic measures should be taken in each of the four states to combat corruption?
5. What can be done about public distrust in government?

## *Annotated Bibliography*

**“Albania 2019 Report.”** European Commission. 29 May 2019. Accessed 19 August 2019. <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-albania-report.pdf>.

*The EU Commission’s Report on Albania’s economic development, social policy, regional relations and rule of law.*

**Director-General for Communication (European Commission).** “EU enlargement.” Published June 15, 2018. Accessed June 21, 2018. <https://publications.europa.eu/en/publication-detail/-/publication/6490722d-686a-11e8-ab9c-01aa75ed71a1/language-en/format-PDF/source-search>.

*Brief factsheet explaining the process of enlargement.*

**“EU Enlargement Factsheet.”** European Commission. Accessed 19 August 2019. [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/publication/factsheet\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/publication/factsheet_en.pdf).

*Brief factsheet numbering the steps of the EU accession process. Infographic heavy.*

**EU Western Balkans Summit, Thessaloniki.** European Council. 21 June 2003. Accessed June 21, 2018. [http://europa.eu/rapid/press-release\\_PRES-03-163\\_en.htm](http://europa.eu/rapid/press-release_PRES-03-163_en.htm)

*Full text of the declaration made at the Thessaloniki Summit in which the Council identified the Western Balkans as a priority for enlargement.*

**“From 6 to 28 Members.”** European Commission. Accessed June 21, 2018. [https://ec.europa.eu/neighbourhood-enlargement/policy/from-6-to-28-members\\_fr](https://ec.europa.eu/neighbourhood-enlargement/policy/from-6-to-28-members_fr)

*Short interactive history of enlargement from the founding of the EU to its current state.*

**“Gender Equality Index for Serbia.”** Government of the Republic of Serbia. 2014. Accessed 19 August 2019. [http://sociojalnoukljucivanje.gov.rs/wp-content/uploads/2016/02/Izvestaj\\_Indeks\\_rodne\\_ravnopravnosti\\_2016\\_EN.pdf](http://sociojalnoukljucivanje.gov.rs/wp-content/uploads/2016/02/Izvestaj_Indeks_rodne_ravnopravnosti_2016_EN.pdf).

*An internal evaluation of progress towards gender equality in Serbia. Evaluates equality in the workplace, financial sector, and health indices.*

**“Global Integrity Report 2011 – Qualitative Report – Serbia.”** Global Integrity. 1 December 2011. Accessed 19 August 2019. <https://www.globalintegrity.org/resource/gir2011-report-serbia/>.

*Evaluations of anti-corruption measures in Serbia.*

**Jozwiak, Rikard. "EU Delays Decision on North Macedonia, Albania Membership Talks." RadioFreeEurope. 18 June 2019. Accessed 19 August 2019. <https://www.rferl.org/a/eu-delays-decision-on-north-macedonia-albania-membership-talks/30006858.html>.**

*RadioFreeEurope's discussion of Macedonia and Albania's accession process. Includes several quotations by the EU's enlargement negotiations commissioner, Johannes Hahn.*

**"Montenegro 2018 Report." European Commission. April 17, 2018. Accessed 21 June 2018. <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-montenegro-report.pdf>**

*Report from the Commission on the status of Montenegro's negotiations. Includes all of the shortcomings that will need to be addressed at this Conference.*

**"Presidency Conclusions: Copenhagen European Council." Presidency of the European Council. Accessed June 20, 2018. [http://www.europarl.europa.eu/enlargement/ec/pdf/cop\\_en.pdf](http://www.europarl.europa.eu/enlargement/ec/pdf/cop_en.pdf)**

*Summarization of the Copenhagen Council meeting that created the Copenhagen Criteria, which defines the three realms of requirements for accession into the European Union.*

**"The 1995 Enlargement of the European Union." European Parliamentary Research Service. Published November 2015. Accessed June 21, 2018. [http://www.europarl.europa.eu/RegData/etudes/STUD/2015/563509/EPRS\\_STU\(2015\)563509\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2015/563509/EPRS_STU(2015)563509_EN.pdf)**

*History of the 1995 accession of Sweden and Finland.*

**Treaty of Lisbon. European Union. Accessed June 20, 2018. <http://www.lisbon-treaty.org/wcm/the-lisbon-treaty/treaty-on-european-union-and-comments/title-6-final-provisions/136-article-49.html>**

*The founding document of the European Union, signed in 2007.*

**"Serbia 2013 Progress Report." European Commission. 16 October 2013. Accessed 19 August 2019. [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2013/package/sr\\_rapport\\_2013.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/sr_rapport_2013.pdf).**

*Report from the Commission on the status of Serbia's negotiations. Includes all of the shortcomings that will need to be addressed at this Conference.*

**"Strategy for the Western Balkans." European Commission. Published February 6, 2018. Accessed June 20, 2018. [https://ec.europa.eu/commission/news/strategy-western-balkans-2018-feb-06\\_en](https://ec.europa.eu/commission/news/strategy-western-balkans-2018-feb-06_en).**

*Description of the strategy announced by President Tusk in 2017 and implemented in 2018. Includes links to factsheets for all of the Western Balkan countries and their progress towards accession.*

## Model European Union Parliamentary Procedure

### Assignment of Agenda Items / Setting the Agenda

The **President of the European Council** has the right to propose the order of the agenda. If there are NO objections there shall be NO VOTE on the agenda. However, a Member State may also move to “set the agenda.” If at least two other Member States second the formal proposal (motion), it will immediately be put to a vote (see Voting Procedures). The Chair will declare the agenda set as such if the vote is successful. The Chair will say: *“The President of the European Council wished to set the agenda as follows, unless other proposals are put forth at this time.”* If there is an objection, he/she will respond: *“<Country Name> moves to set the agenda to...”*

### Role of the Chair

**The President of the European Council chairs all sessions.** As the Chair, the President of the European Council will have sole and final power to open and close sessions, recognize speakers, place limits on speaking time and control discussion and debate. In cases where parliamentary procedure is unclear or in doubt, the Chair shall use his or her judgment to settle the matter and proceed with the session.

### Roll Call

The first order of business for each of session will be to establish roll call. This is done by the Chair at the beginning of each individual session and does not require a motion.

### Tour de Table

A *tour de table* is used at the opening of each session. The Chair will ask each head of government in turn to give a short summary (up to 2 minutes) of their thinking on the matters up for discussion, ensuring that every Member State is able to outline its position and learn other Member States’ positions on the topic.

### Debate Format (Two Types)

**Formal debate** will require participants wishing to speak to raise their placard and be recognized by the Chair. The speaker’s list may be opened when the Chair calls for motions (*“<Country Name> moves to open the Speakers’ List”*). The length of speaking time may also be set via motion (*“<Country Name> moves to set the speaker’s time at X seconds”*). Participants make their statements while seated around the table. Participants may address each other directly during their statements with questions and/or responses. Participants may also yield the remaining speaking time to a fellow Member State or back to the Chair if they have a question or have nothing more to say by indicating so at the end of their speech. A Member State may raise their placard at any time when they wish to be added to the Speakers’ List.

**Informal debate** allows participants to leave their seats. Heads of Government are expected to mingle and speak amongst themselves. This time should be used to negotiate and write/edit working papers and resolutions. The Chair or any participant may call for informal debate via motion for a specified time (*“<Country Name> moves to have informal debate for X minutes”*). If at least two other Member States second the motion, it will immediately be put to a vote. Once informal debate time has expired, formal debate will resume.

## Points and Motions

**Motions** may also be used to combine or divide agenda items, to table an issue, or to refer an issue to a committee for further study. Motions are also in order (determined always by the Chair) to “close debate on an issue” and bring it to a vote. Motions are always subject to a “second” by two Member States and are brought to a vote immediately.

**Point of Order.** If, during a meeting, a Member State feels that the meeting is running in a manner contrary to these Rules, he/she may rise to a point of order. The Chair may overrule, or accept the appeal. If accepted, the Chair may make an immediate ruling or ask the Member State to speak on the point of order for a maximum of one minute (but he/she may not speak on the subject of the debate). The Chair will then immediately rule on the point of order.

**Point of Information.** If a Member State wishes to obtain clarification of procedure or of any other matter, he/she may rise to a point of information and receive clarification from the Chair or anyone else designated by the Chair.

**All motions by any participants (other than the Chair) are always subject to a second by two Member States. These may be asked to give an explanation of the rationale (no more than one minute). If successful they will be brought to a vote immediately.**

## Voting Procedures

Where votes are taken, they should normally be open and made by roll call in alphabetical order by Member State, and recorded by the Chair. Voting will be verbal and expressed either as “Yes,” “No,” or “Abstain.” Once a vote has been declared open, no one will be allowed to speak other than to cast his or her vote. No one may approach or leave the room. Once all votes have been cast, the Chair will tally the vote and immediately announce the result. The decision of the Chair on a tally will be final.

**Voting on procedural issues or matters of the agenda** requires a **simple majority** of the Member States present in the session, including the Presidency.

**Voting on substantive issues**, such as resolutions, requires **consensus**.

- **Non-binding vote:** If Member States would like to propose a resolution and take a vote without being final and binding, they may motion for a non-binding vote. All Member States will be permitted to verbally cast their votes. It is good to call for non-binding vote to see who is not in favor and discuss it prior to calling for binding vote, seeing that **if a single Head of Government votes “No” the resolution would fail in event of binding vote.**
- **Binding vote:** Binding votes on resolutions are called for by motions and are **always final**. If a single Member State votes “No” on a binding vote, **the resolution will fail and be discarded**. Multiple resolutions may be passed by binding vote, so long as they are not conflicting.