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**„Ukraine’s Road to EU accession”**  
**Conversation with Katarzyna Krzyżanowska**  
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**We are talking one year after Russia has started war on Ukraine, while there are no clear prospects of ending the war in the nearest future. However, in June last year, the EU leaders granted EU candidate status to Ukraine (as well as to Georgia and Moldova). Of course, the history of EU-Ukraine negotiations is much longer and you, in your capacity as a European Commissioner, were engaged in the early processes of 'new enhanced agreement' already in 2006. How would you assess the perspectives of Ukraine joining the EU in the nearest future after such a long process and in the current predicament?**

It's actually very sad that it took the brutal and unjustified aggression of Russia on Ukraine to accelerate the whole process. You are right that there is a history to the relations between Ukraine and the European Union. My memory goes back to 1994, the year when we, as Poland, applied for membership. The EU has signed first partnership agreement with Ukraine in 1994 as well, and then we had a whole history of the Neighbourhood Policy, the Eastern Partnership, and then, of course, the Free Trade Agreement and the Association Agreement. The Free Trade Agreement for the first time became very deep and comprehensive, regulating much more than in the case of Poland.

The acceleration — personally I don't like this word, but I do not know better word that can describe how the war actually accelerated the process — also brought changes to the way the European Commission has organized itself for cooperation with Ukraine. They have created a dedicated unit that is coping with Ukraine-related issues. There is, of course, the permanent reporting; in the European Parliament there are some committees in which I am participating where we listen to reporting on the progress with the relations with Ukraine and the process of accession. We also

have regular annual reporting on the Accession Agreement. Currently, there are a lot more talks about Ukraine than we used to have. I do not remember in the last twenty years any case of such a frequent reporting to the European Parliament.

The major commitment to the EU accession started with the European Council in Versailles that happened just after the start of the war, then we had requests from the member states of the European Council to the Commission. Again, I do not remember the Commission working so fast, this time on preparing the recommendation for the decision by the European Council to be taken up in June. It is a normal accession procedure, but done unprecedentedly quickly. So yes, we do appreciate the importance of the issue in the European institutions, and we are coping with it very quickly.

Accession of Ukraine, just as any accession, is both a legal process and a highly political process. We are coping now — and this is a special thing about Ukraine — for the first time with a war-torn country that is on its path to accession. Putin is questioning the right of 45 million people to have their own independent state with internationally recognized borders. Ukraine is different than Poland and the rest of Eastern and Central Europe that already joined European Union. It is important to remember that countries join the EU on the basis of their own merits.

You may have noticed that there are no dates understood in terms of the commitment. We all know that we have to see the war terminated to have the final accession of Ukraine. Once Ukraine wins this brutal war, Russia will have to provide guarantees of its non-interference. There are still political challenges which do not depend on European Union, but on Russia.

We had a lot of meetings with Ukrainian representatives. Ukrainians know very well that they must be well-prepared not just to become part of the EU, but also to be able to benefit from the accession. This was also important when Poland was preparing for the accession. If you are not prepared, you cannot benefit from the EU single market. If you do not respect the law and the standards, if you are not part of the single market, if you are not able to compete on this level-playing field, then you do not benefit. That's why it's not a caprice of the European Union's institutions to make Ukraine prepared, but it is also for the benefit of Ukraine. To be well-prepared is a huge effort for any country, especially for a country with such a history and

background of not being a market economy, not being a democracy, but joining the market economy in the 1990s. This is both an economic and political effort. People have to be convinced by politicians that certain changes — even if they cost them — are absolutely necessary.

We hear from Ukrainians who come to the European Parliament that Verkhovna Rada (the Ukrainian Parliament) is working day and night adopting a lot of European laws, but it is not only about alignment with European legal framework, important as it is.

It is also about capability to implement and to enforce the law. You can have the best law in your statute book, but the problems with implementation and enforcement can still occur, for various reasons.

One of them is of course the judicial system. It is in a poor condition. The negotiations, once they start, will be also about looking at the capability to implement and enforce laws.

Ukraine knows the criteria for accession, of course. They were established at the beginning of the 1990s. It was a different world then, different Europe, different European Union, and different challenges for the EU, even the single market was in a different shape. That was even before the Maastricht Treaty, when the EU was established. The mentioned so called Copenhagen criteria concern democracy, market economy, the capability of the country to compete within the EU, and the respect towards the law. We now add the rule of law after the case of Hungary and Poland, where governments insist on the right to not respect the rule of law. Ukraine has to be aware that there will be a special emphasis put on these issues in the negotiations.

A lot will depend also on how we — as the European Union and the rest of the world, including the US (but for us it is a duty) — can help Ukraine terminate the war. There is already a huge help, but it comes often too late and is not enough. So we have to continue supporting Ukraine as long as it is needed to win the war and terminate it by winning. Then, of course, it is hard to think how Ukraine copes with the challenges of normal functioning without Reconstruction. It will require a lot of physical and financial support; we want Ukraine to make a leapfrog towards sustainable economy, modern

infrastructure, help the people to return. People are one of the most important asset. Young people of Ukraine are educated, they speak good English. I remember reaction to young Poles coming to Europe, everybody was telling me: 'God, you have such well-educated and speaking foreign languages young generation'. We have the same impression now with the Ukrainians. There is a serious risk of brain-drain. There are a lot of challenges related not only to the war, but also the entire reconstruction.

It is not the accession that is the final moment. It is a whole process actually that matters, it has added value, and it has to build really solid foundations for the future membership.

**Do you perceive Hungarian resistance toward the sanctions put on Russia as a vital obstacle to the EU response to the war?**

At the end of the day, I do not think it will be vital, we will overcome problems, but we all know how critical is to have the sanctions. It does make it difficult for Mr Putin. This is a factor that leads faster to the end of the war. That's why it is fundamental. We are working right now on the tenth package of sanctions, which adds new people and institutions to the sanctions. When Hungary blocks the work, we are losing the chance to end the war faster.

**As Minister for European Affairs, you were one of the leading persons in the Poland's EU accession process. Could you explain what the accession process looked like in a more detail? Which chapters of negotiations were the most difficult for the Polish side to accept or for the EU to have implemented? And, more generally, was the process of adapting European acquis truly the negotiations of equal partners? Ukraine is of course a completely different case from the countries that joined in the Eastern enlargement of 2004, but perhaps a comparison of these two cases can tell us about the current state of enlargement politics.**

You probably remember that when we were joining, it was a fifth enlargement of the EU. Enlargement has been an extremely important policy, the most successful one of the European Union. If you think where we had been before we joined the EU in terms of democracy, market economy, and where we are today —it is obvious that

enlargement is the best way to increase space of democracy on our continent. Then we had more enlargements. I hope Ukraine will be the eighth, but we still have to remember that the Western Balkan process is moving in parallel as well. Each of the enlargements looked different — in terms of length, issues raised, you had some fully fledged market economies, fully fledged democracies with long history, more or less equal level of development, and then, with our enlargement, poorer countries started to join.

The level of development is not mentioned in the Copenhagen criteria.

Sometimes people forget it. This is crucial, because after enlargement we have the acceleration of growth — that happened in case of Poland. When Poland was joining, the country was below half of the average for EU in terms of GDP per capita, whereas now it is more than 70%, so you can see how fast we could grow. In our case preparing for accession was a long process. What helped us was that we were doing at the same time the transition to market economy and democracy. The two processes were mutually reinforcing: we had to do the same things to achieve both goals. Building democracy was exactly about respecting European values.

The whole process of accession is supported, including financially, the EU. Reforms are costly. We needed them, but they were also part of our preparation for the EU membership. The accession was a light in the tunnel for us, it showed the direction — it was the direction of returning to Europe. We received an important candidate status, like Ukraine. We started with the Free Trade Agreement, the Association Agreement, and then the negotiations.

The negotiations— it is the top of the iceberg. The real process is preparation — it is absolutely crucial. Part of it is about aligning of national legal framework to the European legal system, and there are hundreds of directives, directly applied regulations...

We had also to prepare Polish institutions: we had to introduce a lot of structural reforms, a lot of investment was needed. Investors were already perceiving Poland as a future member, so the preparation served as an incentive for private investors from the EU to come to Poland.

But some issues were non-negotiable: values, principles, rule of law. You couldn't negotiate the introduction of the majority of directives and regulations, because they were part of the legal order. What we could negotiate were transition periods for some directives. Some changes were extremely costly, for example in the area of environmental policies. Poland was environmentally devastated in the time of preparation for the accession, we had to clean air, water, and land. Air was simpler to deal with, but the land and rivers were more challenging. We needed billions of Euro for this, and we needed more years. So we asked for the transition period. We also negotiated the budget — namely, how much we would be receiving in terms of predominantly structural, but also cohesion and agricultural funds from the European budget.

I think the most difficult discussions were about budget and finance. The EU was already prepared, because in 2000, in the so-called Berlin agenda, the Council decided how much money it can dedicate in the period 2001-2007 for the new members. Still, we had to negotiate it — the cohesion and structural funds, taxation, competition policy, but agriculture was one of the most difficult areas. Direct payments were not envisioned for the new members, because they were the EU compensation to the existing members for reforms that took place in the past. The Commissioner with whom I was talking always argued that Poland cannot ask for a compensation for something that hadn't happened to us, because Poland was not in the EU and did not suffer from adapting to international prices. It was difficult, but finally we got it.

For Ukraine, the most difficult part will be agriculture. There is a huge potential which is already seen as a kind of threat to some farming communities across EU.

That's why it will be probably the area where we will have to find the specific solution. I'd like to say to people who claim 'oh, it would take twenty years, or even fifty, or God knows how many, to get Ukraine in' that it is a misunderstanding of the process. You can get in, as Poland did, with transition periods, when you are not benefitting fully at the beginning. Population-wise Ukraine is like Spain, it has around 45 million people, it will be fourth or fifth member state in this regard, which is increasing the weight of the EU globally.

Ukraine will also bring a lot of resources — raw materials, some of them are rare on earth, some of them are more common. The agricultural potential of Ukraine is also a good news for the EU, and for the EU it will be beneficial to have access to an expanding market. So, like in the case of the big enlargement in 2004, the EU will spend the amount of money that we will decide together. We will see what kind of budgetary policy we can apply to the new member. I would reject this thinking of Ukraine as being a threat to some sectors, because we will have to discuss it together. Agriculture was difficult to negotiate for Poland not only because of direct payments, but also because of the limits for Polish food products, including milk, sugar, potatoes, starch. That was all negotiated, and we will do it also with Ukraine. I wouldn't worry that Ukraine would have to be immediately a full member in full participation in all policies. The first steps have been already done with the Association Agreement.

**This was a successful story, but let us talk a bit about the less successful case. What should Ukraine do in order to avoid the fate of Turkey — an EU candidate country for accession since 1999, with the decision to open the negotiations in 2004, with many chapters already closed?**

Frankly, I think that Ukraine has been already through part of the Turkish story in the times of President Yanukovich and other politicians who were not really pro-European. We remember why the Maidan revolution has started — because of the decision of President Yanukovich not to sign the political agreement with the EU. That shows also that you need a strong commitment from — I hesitate to say political elites — but from politicians who are in power, in government, in the political parties. We need a commitment to democracy from politicians, a commitment to a healthy market economy.

In case of Ukraine, it is also a commitment to have a strong anti-corruption policy. We know Ukraine has done a lot in this area, it has established institutions, but has not yet eradicated corruption from Ukrainian reality.

Post-war as well as war period are challenging from this point of view. There will be a lot of commitment needed to have related problems, like corruption, the risk of organized crime, eradicated. Probably, the weapons and explosives on Ukraine soil will cause security threats. In sum, there will be a lot of difficulties, but Ukraine, I

hope, will pass all the tests with the help of the EU, and I think that membership or the process of accession will help to keep Ukraine overcome its weaknesses.

Stable political commitment is one thing. This is all about values that we share, and Ukraine is fighting for them, that is clear. The stable political will is something that Turkey has never had. The second aspect is public opinion. As politicians responsible for the process, you have to have citizens with you to join the EU. Turkey has never had very high public support for joining the EU, whereas Ukraine has the support of around 80 or 90%. I hope this level of support will stay that high, but it will require a lot of effort from those who should guarantee the access to information and provide the understanding of what is happening. We do not see a rise of anti-EU opposition, supported by foreign interference. It also can happen one day — we witnessed that in the case of the Brexit referendum. It is important that we talk to people: in Poland before accession we had a lot of organized groups of citizen representatives, trainings for the media, young people, universities, those who are influencing the public opinion, people of arts and culture.

What also works for Ukraine is geopolitics. Turkey is not a direct neighbour of the EU, as Ukraine is, Ukraine has also been a participant of the Neighbourhood Policy and Eastern Partnership policy. That's why we could see immediately after independence the people's choice — that was a pro-European choice. I saw it in Maidan, I remember people in the streets and in all our meetings. Then we have a lot of common history, not always easy (probably we need also to talk about the past). But we share the values and commitment to democracy. In case of Ukraine, it is a deeply rooted choice confirmed in war time. It is a very different case from Turkey. I regret that we had to suspend accession talks with Turkey. We have now the situation with the Swedish NATO accession, and I heard that Anthony Blinken was talking to the Turkish minister and more capacity to understand each other was found and more talks on NATO and accepting Sweden cannot be excluded. Let's hope this will happen. But we see different intentions, different visions of the future. This makes me think that Turkish scenario is not going to happen in Ukraine.

**Let us come back to one point that you made. How would you assess granting the EU membership only to the countries which has achieved the very detailed Copenhagen criteria? Do you think that the even higher threshold for the**



**candidate states should be read as a signal for the third parties, aspiring countries, that the EU has achieved finalite politique and is not welcoming new members to the club?**

I remember discussing the concept of finalite politique even before Poland's accession, and I think we came to a general conclusion that this concept should not apply to the European Union. I think it is the right approach. Of course, geography-wise we can have discussions, but I think politically there is no reason to see finalite politique and to say the EU is complete or that we are done. There are moments when there is more openness towards enlargement, and there are moments when we are not. It is a complex issue to explain.

I remember very frustrating discussions we had as members from the Central-Eastern Europe, with the "older" members, after accession, fighting for openness towards other countries, for example, the Western Balkans. We knew that one day the door has to be opened, one day we would have to move further eastward. But, of course, all accessions have been on the merits of those who applied. In this context, Ukraine would have to find its own place, with its own arguments and after the assessment of Ukraine's preparedness. They will join when they will be ready.

As for the Copenhagen criteria —it is hard to believe, but it's been thirty years ago already. In the beginning it was the integration of the richest countries in Europe, and the scope of integration was very different. The way the EU legislated was different. With the 2004 enlargement, the European Union was a group of countries that were for the first time opening to the unknown, to the countries with no track of democracy and market economy. The criteria are there, but there are new policies and new competences, so every time we have new enlargement process and new negotiations, they are different, by definition.

The countries that are joining are different, as well as the Union has dramatically changed compared to the moment when the criteria were established. We fill these general criteria with new content.

For example, nobody talked about climate change at that time, so we have different priorities and we want new member states to join the club with the same goal, sharing the mission, but also using new instruments. During the pandemics, for the

first time the Union issued debts and got money from the financial markets. It is a different world, different European Union.

But we continue not to have the criterion on the level of development, that is extremely important, as I mentioned before. Nobody can say that a prospective member has to still grow and develop and come back with an application in twenty years. We cannot do it. Every candidate has its own deficiencies, weaknesses. In case of Romania we look at some issues more closely than in case of Bulgaria. They were different, although joining at the same moment and on their own merits.

But values and democracy will never be negotiable, never part of negotiations and never part of trade-offs that some political leaders would like to have, for example to trade the values for giving up on veto. No. We have to respect values.

It is good that Ukraine is in the process, with its baggage of fighting for democracy, for rule of law, for European values, because this war is all about it. In the minds of Ukrainian people this is a fight for European values. I hope we will never have a problem with political leadership that would like to have their own definition of values like Mr Orbán has, or their own definition of the rule of law, as some political leaders in Poland have. I hope it will never be the case in Ukraine in the future.

**What you said about the ways of accession connects nicely with the question that I wanted to ask now. How do you perceive the concept of "staged integration" or the revised enlargement methodology conceived for the Western Balkans? How much does it differ from the already existing accession instruments? Would it be applied in case of Ukraine as well?**

As you know, this revised methodology is still based on the same criteria that we know from the old times, and they are all in the Treaties. But I think that the negotiations with Western Balkan countries showed some difficulties. The Commission has talked to the Parliament on this matter. We need stronger focus on reforms which are linked strongly to the rule of law and values. The Commission established clusters through which we can see the entirety of the challenges. This new approach would allow us to get stronger involvement of the political partners in negotiations. If you have just sectoral negotiations, then you are losing the highest political engagement of political level.

New cluster approach links tighter the technical people and the political officials.

For me important are the links between the sectors and different chapters. It is difficult to pick up those links when you have more than 30 chapters, but now when you see them tied together, you can also use the synergies between them and it is more effective. I think that normally when there is a new methodology, it should fit the specificities of those who are coming. Ukraine will be probably invited to negotiate within this new framework. For now, there is no framework for negotiations with Ukraine and we do not know exactly when it will be published. I am sure the European Commission is working on it, because the team that is dedicated to Ukrainian issues is efficient and responsible. But I don't see that as a problem. I would see that rather as a facilitation, making the negotiations more effective than strongly fragmented negotiations.

**This might be a hypothetical question, but it relates to the character of the European Union. If we could think about the future EU, how Ukraine's accession would affect the vision of the federal Europe?**

Europe is a living community in terms of systems and institutions — it is a living project. The history of the European Union is the history of a permanent change. The integration is usually done step by step, but there are moments of huge changes, like we had with the single market, with Schengen, with the Euro. There were long debates, consensus reached, and then were roadmaps, and then step by step the EU is moving. It is very difficult to find in the European Union's history a longer period without a change. We are also part of the world around us. It is full of changes, challenges, problems, but also opportunities, and over decades of our history we were always adjusting to the changes and the world.

Now we achieve a moment that Europe has more capacity to shape the world, it is larger than it was in the past. But we can also see that more and more issues require European level response.

Even if you are the biggest member state — France, Germany, or Spain, Italy — your individual response might not be effective, because those challenges, like climate, security, health (if you think about pandemics) do not respect administrative, political, or basically any borders. That is the case of Europe, that we are beginning to

understand that most issues require European solutions. That leads also to changes to the way we make decisions.

Democracy today requires changes from the EU as well. Technology and digitalization allow people to have access to information very quickly, so they also want to have impact. In the European democracy of today there are stronger expectations from citizens to become part of the decision-making process: we had this discussion during the Conference on the Future of Europe. We also need European solutions to how to bring citizens into the whole system. That's why we have to look at Ukraine as future part of Europe where more decision-making will be taking place on the European level.

Some people would say that we are moving toward federal Europe, and they will not understand it. Other will see just centralization, and see it as bad for Europe. We have to be pragmatic, and everybody, federalists and non-federalists, need to be together in many decisions because of global challenges, because of democracy, of climate, energy — we have to be together to get of our dependency on Russia, otherwise it would not be effective. We are moving in the direction of more European-level decision-making, whatever you call it. And Ukraine understands it perfectly today, because they were benefitting from the unprecedented unity of the EU — from day one, from the idea to bringing them in, from moving on to the path of membership. I think Ukraine will be a good partner in this Europeanization of the European Union decision-making.

Once they are in, we will have to analyze together how to adjust the internal functioning of the European Union. As we needed the Nice Treaty to change decision-making before big enlargement took place, also now we need changes to the Treaty.

Treaty-change is a process that is never gathering big appetite in the EU, but we will have no other choice. I hope we will have timely adjustments of the Treaties not only to the new world and to the expectations of the citizen, but also to the further enlargement.

Then Ukraine will be with us, there is no other option frankly. They will be a good member. I think it will be always in the countries' interest to be part of the European solutions rather than individual solutions. Ukraine understands this very well.

**There is one particular change that has occurred last year an initiative of the French President. What is your take on the establishment of the European Political Community and how do you perceive its role in the context of the fears of two-speed Europe?**

The European Political Community is going to meet twice a year, and the next encounter will be in Moldova — these days it is a symbolic place to have a meeting. As we know, the initiative brings together EU, but also Switzerland, Israel, Turkey, the UK — there are 36 states. This is all about shaping the world together, it is about shaping the relations with our neighbours. It is not yet clear how important it will be, but I think the first meeting showed that there was ambition of not to have it just as a photo opportunity, nor as substitute for the enlargement policy.

My understanding is that it replaces the Neighbourhood Policy, but it goes beyond it. It supposed to build the community, linked to Europe, of democracies of the world, Turkey will have to pass a big test as a member of this community. We need to keep these countries together, with the EU, and shape the world around us together. I see it positively.

Last question would regard the potential return of the United Kingdom to the EU. As a member of the EP Brexit Steering Group, you had a chance to observe the UK's departure closely. In your opinion, would such a scenario be possible? What would it mean for the EU's internal dynamic?

I was in the UK recently, we had meetings related to financial services and cooperation. I do not think there is a question now if the UK would come back. We know that there are opinion polls which seem to show a majority who think that Brexit was not a winning situation for the UK. Some of them just see the combination of Brexit, pandemic, inflation, war — all the consequences are there together. It is also easy for politicians to say that it is not Brexit causing this suffering that we have right now in the economy, but all the other factors.

It is hard to understand that the UK — a big, competitive economy — just leaves voluntarily the biggest beneficiary of international organisation like the EU.

And there must be cost. I do not know how long it will take the UK to start to benefit from the sovereignty they were desperate to gain by being outside the EU. For me it was a huge political mistake by the British political elites, combined with a lot of misinformation, misleading, not to say, lies before the referendum, also — already confirmed — foreign interference in the process.

It shows one important thing that I would stress, even though it is not a direct response to your question: the British politicians used probably the most democratic instrument we have — a referendum — to invite people to make the decision by themselves, but without providing adequate information. That shows how irresponsible politicians can be, if they pretend that they are democratic and they give the decision to the citizen, at the same time not giving them the full information on the consequences, not telling them where do we go, once we leave. There was no discussion of this. Today's people's reaction is for me understandable: people feel they were not told the truth. Even if there will be a change of government, which is quite likely in this year's elections, and if the Labour Party takes it over, I don't expect the question on returning to be put publicly. What I expect now is that finally we will find an agreement regarding the Northern Ireland Protocol. I hope that we are in the last days of finding this agreement and this will open a lot of doors for a closer cooperation between the EU and the UK. I would like to focus on working together and leave the British people, better informed now, to decide what to do in the future.