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UKRAINE'S WEAK RESPONSE WITH REFERENCE TO THE IMPLEMENTATION OF THE ASSOCIATION AGREEMENT BETWEEN 2015 AND 2019: THE CORRUPTION FACTOR

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This research is called to explain the weak reaction of the Government of Ukraine to the implementation of the Association Agreement terms during 2015-2019, namely through the prism of the high level of corruption in the country. Since the proclamation of Ukraine's independence, one of the important directions of its foreign policy has been cooperation with the European Union. A new stage in the relations between the parties was the signing in 2014 of a highly important document of the Association Agreement, establishing a new level of cooperation between Ukraine and the EU. According to the document, Ukraine had committed itself to fulfill several important conditions that would contribute to further intensification of cooperation with the EU. These include the ones reforming the political, economic, social, and environmental spheres. Despite a number of actions taken, Ukraine is still slow to meet its obligations under the Agreement, especially in the spheres of education, training and youth, transportation, transport infrastructure, postal and courier services, public procurement, the environment, and civil protection. One of the reasons for this is the high level of in-country corruption.

Keywords: *Ukraine, European Union, Association Agreement, corruption, weak reaction.*

Introduction. Today the influence of international integration processes on the functioning of not only regional and international systems and the establishment of a new international order but on individual societies and states is really great. The main bearer of such ideas in Europe is the European Union. The European Union is the leading mechanism for combining the interests of the vast majority of Europeans in their aspirations for safety and achieving a higher level of development¹.

¹ Степаненко, Н.О., Степаненко, В.О. (2018). Інтеграція України до Європейського Союзу: переваги та недоліки. *Вісник економіки транспорту і промисловості*, 61, 62-67.

Since gaining independence, one of the priorities of Ukraine's foreign policy has become cooperation with the EU, as well as integration into Europe. In general terms, the most important event in this period was the signing of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Ukraine, of the other part by Kyiv and Brussels on June 14, 1994, in Luxembourg. It was the first agreement with the Commonwealth of Independent States. The agreement allowed to institutionalize and strengthen bilateral cooperation in many areas. 1997 marked the beginning of Ukraine-EU summits, which are held annually till now. During 2005, a number of important agreements in various spheres were signed with the European Community in the framework of the Action Plan. The same year, a study of the economic preconditions for the creation of a Deep and Comprehensive Free Trade Area between the EU and Ukraine, and negotiations on visa facilitation were launched, and the following year that agreement was implemented. Also on December 30, 2005, Ukraine received the long-awaited status of a market economy state from the EU and was removed from the list of countries with economies in transition under EU anti-dumping legislation².

Despite some changes in the implementation of the bilateral dialogue, a significant breakthrough in relations between Ukraine and the EU occurred after the signing in 2014 of the Association Agreement, which established a new level of cooperation between the parties.

Negotiations between Ukraine and the European Union on a new enhanced agreement began in March 2007. The goal of the new agreement was, first of all, to replace the Partnership and Cooperation Agreement.

Since the beginning of the negotiations, that is during 2007-2012, 21 rounds of negotiations on the Association Agreement and 18 rounds of negotiations on the section of the Agreement on the Establishment of a Deep and Comprehensive Free Trade Area had taken place. By its legal nature, the Association Agreement between Ukraine and the EU is characterized as a bilateral international public contract, which defines the terms of international cooperation between Ukraine and the EU and its 28 member states. According to this document, Ukraine has committed itself to fulfill a number of important conditions that would contribute to further intensification of cooperation with the EU. These include reforming the political, economic, social, and environmental spheres. Despite several actions taken (during 2015-2019), Ukraine is still slow to implement its obligations under the Agreement. Thus, the relevance of the research topic is beyond doubt.

Literature review. Today we have a significant amount of scientific literature (articles, monographs, book chapters), which is devoted to the evolution of relations between Ukraine and the EU during 1991-2013. Among them, Ihor Todorov³ deserve special attention. The researcher provides a thorough analysis of bilateral cooperation between Ukraine and the EU during the 1990s – early 21st century, paying attention to the relations between Ukraine and the EU, the place and role of Ukrainian regions, political parties, and non-governmental organizations in the implementation of the European choice of Ukrainian state, and says that strategic openness and geopolitical uncertainty were de facto barriers to

² Цвятковська, А.М. (2019). Євроінтеграційна стратегія України: генеза та особливості реалізації. *Теорія і практика правознавства*, 2(16), 1-14. doi: 10.21564/2225-6555.2019.16.186009

³ Тодоров, І.Я. (2009). Європейська інтеграція України: природне покликання чи вигадка еліти. *Scientific works of the Black Sea State University*, 87, 109-114.

Ukraine's integration into the European community⁴. Also, the book by M. Makarenko⁵ and a scientific article by A. Tsiatkovska⁶ should be mentioned.

A really new stage in the relations between the parties was the signing in 2014 of an extremely important document, the Association Agreement, which established a new level of cooperation between Ukraine and the EU. The signing of that document was a resonant event in international life. As a result, a number of scientific works appeared devoted to the process of signing the agreement between Ukraine and the EU, the advantages and disadvantages of cooperation, as well as the reasons for the somewhat slow implementation by the Ukrainian government of the terms of the Association Agreement. This issue is being studied by both Ukrainian and European researchers.

However, these works have different perspectives. Therefore, in order to create an objective view of the relations between Ukraine and the EU and Ukraine's compliance with the terms of the Association Agreement, the sources we have processed are divided according to the problem principle. A significant array of works is devoted to highlighting the development of the main areas of cooperation between Ukraine and the EU during 2015-2018: energy sector, trade and investments, justice and home affairs, approximation of Ukrainian legislation to the EU legislation, environmental protection, transportation, cross-border cooperation, cooperation in the fields of science, technology, and space⁷. In these scientific works, the authors in a positivist manner reveal the European policy of Ukraine, the advantages and problems of Ukraine's European integration, and name the obstacles for Ukraine's accession to the EU. At the same time, such important issues as the importance of Ukraine for the EU, as well as external factors that have a negative impact on the intensification of relations between the parties are not fully considered.

One more group of sources includes works that focus on Ukraine's compliance with the terms of the Association Agreement. These are works directly related to the subject matter of our study. Among them are scientific articles by D. Shulha⁸, E. Kropatcheva⁹, informing on intermediate results and giving recommendations for overcoming the relevant components of Ukraine's domestic policy, which stand in the way of intensifying relations between Ukraine and the EU. However, the authors, naming corruption as one of the reasons for the slow implementation of the terms of the Association Agreement, do not disclose and explain its serious threat.

⁴ Тодоров, І.Я. (2006). *Україна на шляху до Європейської і євроатлантичної спільноти*. Донецьк: ДонНУ.

⁵ Макаренко, М.. (2014). *Європейська інтеграція*. Київ: Центр навчальної літератури.

⁶ Цвятковська, А.М. (2019). Євроінтеграційна стратегія України: генеза та особливості реалізації. *Теорія і практика правознавства*, 2(16), 1-14. Doi: 10.21564/2225-6555.2019.16.186009

⁷ Батаренко, А.О. (2014). Проблеми та перспективи європейської інтеграції України. *Науковий вісник Інституту міжнародних відносин НАУ*, 1. 34–37. [in Ukrainian]; Юрчук, І.Б., Урбанович, В.А. (2016). Проблеми інтеграції України у світове співтовариство. *Журнал науковий огляд*, 3 (24). 1-6; Сіренко, К. (2018). Євроінтеграційна політика України: позитивні і негативні аспекти. *Науковий вісник Ужгородського національного університету*, 22, 65-68; Степаненко, Н.О, Степаненко, В.О. (2018). Інтеграція України до Європейського Союзу: переваги та недоліки. *Вісник економіки транспорту і промисловості*, 61, 62-67. Кваша, О.С., Синякова, А.В. (2019). Україна та ЄС: проблеми та перспективи в сучасних умовах. *Науковий вісник Ужгородського національного університету*, 23, 112-117.

⁸ Шульга, Д. (2019). Інтеграційна динаміка виконання Угоди про Асоціацію: висновки та рекомендації. Київ: Громадська Синергія.

⁹ Kropatcheva, E (2016). The US's policy of democracy promotion and Ukraine's bumpy path to Association Agreement – amidst a major crisis in Europe, Vera Axyonova. *European engagement under review. Exporting Values, Rules, and Practices to the Post-Soviet Space*, Stuttgart, ibidem Press.

The last group of sources includes the works revealing the influence of the Russian factor on the development of relations between Ukraine and the EU¹⁰. According to the authors, this factor is one of the key reasons why the European Union did not offer Ukraine full membership, as well as why relations between the EU and Ukraine after the signing of the Association Agreement are of wavy character. The works are quite interesting because they clearly show that bilateral relations can be influenced not only by the positions of these parties but also by a third party factor. It should be noted that the work of European researchers on relations between Ukraine and the EU and Ukraine's compliance with the terms of the Association Agreement are all presented through the prism of the Russian factor.

Official documents were also used in writing the work. Such as: Association Agreement (2014), Reports on Ukraine's implementation of the AA (2015-2019), which helped to understand what commitments Ukraine has undertaken by signing the AA, as well as what areas have been implemented or not.

Methods of research. While conducting the research, we used a method of data collection, namely, the analysis of documents. It is a set of methodological techniques used to obtain the sociological information, needed to solve research problems, from documentary sources. In our situation, a formalized method of document analysis was used. It provides algorithmic separation in the text of certain elements in accordance with the goal and objectives of the study; classification of selected elements in accordance with the conceptual scheme of uniform standardized rules of searching, checking and processing; their further calculation, and quantitative presentation of results. Formalized procedures make it possible to avoid subjectivism in the study of social reality, to analyse, systematize, and summarize large arrays of documents¹¹.

Association Agreement between Ukraine and the EU (full name: Association Agreement between the European Union and the European Atomic Energy Community and their member states, of the one part, and Ukraine, of the other part) is an association agreement between Ukraine and the European Union, which replaces the Partnership and Cooperation Agreement and gives the opportunity for the transition from partnership and cooperation to political association and economic integration. The Association Agreement between Ukraine and the EU is often called «a pointer for internal reforms in Ukraine». By signing the Association Agreement, Ukraine had committed itself to fulfil the terms of the agreement in order to develop political and economic relations with the EU. During 2015-2019, Ukraine showed good results in the fields of «Political Dialogue, National Security and Defense», «Justice, Freedom, Security and Human Rights», «Public Procurement», «Technical Barriers to Trade», «Entrepreneurship». However, some terms were partially implemented by Ukraine. Among them are «Sanitary and phytosanitary measures», «Environmental protection», «Public health».

As part of the implementation of the Association Agreement in the field of «Sanitary and Phytosanitary Measures», Ukraine had fulfilled only part of its obligations. During 2015-2019, the national objectives 2.3 «Ensure the development of sustainable food production systems that help maintain ecosystems and gradually improve the quality of land and soil, primarily through innovative technologies» and 8.1 «Ensure a steady GDP growth by modernizing production, developing innovation, increasing export potential and exporting

¹⁰ Dragneva, R., Wolczuk, K. (2015). *Ukraine between the EU and Russia: The Integration Challenge*, Basingstoke, Palgrave Macmillan. [in English]; Wolczuk K. (2016), «Ukraine and Europe: Reshuffling the boundaries of order». *Thesis Eleven*, 136 (1), 54-73.

¹¹ Silverman, D. (2001). *Interpreting Qualitative Data: Methods for Analysing Talk, Text and Interaction (second edition)*. London / Thousand Oaks / New Delhi: Sage.

products with high value added»¹². A number of legislative acts had been adopted that expanded the access of Ukrainian products to EU markets¹³.

However, it should be taken into account that the developed draft regulations were under consideration in the SRS. In the field of phytosanitary measures (plants, plant products, and other objects of regulation) about half of the regulations had not been developed. The situation was the same in the field of chemicals and GMOs. It was the responsibility of the Ministry of Economic Development, Trade and Agriculture of Ukraine and the Ministry of Environmental Protection and Natural Resources of Ukraine. As a result, a number of problems arose that negatively affected Ukraine's economy and Ukraine's implementation of the terms of the Association Agreement. A very serious point was the use in Ukraine of banned to use in the EU in the open ground plant protection products: imidacloprid, clothianidin, and thiamethoxam. In July 2018, 30-40 thousand honey-bee colonies across Ukraine died due to the unauthorized use of those products by farmers. The Ministry of Agrarian Policy and Food, the Ministry of Ecology and Natural Resources, and the National Academy of Agrarian Sciences did not react to such criminal actions¹⁴. This led to a decline in honey production and, as a result, Ukraine exported 11.6% less honey to the EU in 2019¹⁵. One of the biggest producers of banned in the EU plant protection products in Ukraine during 2015-2019 was Ukravit, which had all the necessary permits for the production of hazardous chemicals¹⁶. It means that the local authorities, for the purpose of their enrichment, deliberately granted permission for their production.

During the mentioned period, Ukraine did not adopt such laws as «On Veterinary Medicine»; «On Requirements to Items and Materials in Contact with Food Products»; «On Plant Protection»; «On Amendments to Certain Legislative Acts of Ukraine on Food Products and Other Objects of Sanitary Measures»¹⁷. One of the reasons was the lack of coordination between the leadership of the Ministry of Economic Development and Trade of Ukraine and the State Service of Ukraine for Food Safety and Consumer Protection.

Moderate progress was also made in the field of environmental protection. From 2015 to 2019, Ukraine complied with the terms of EIA, SEA, and access to environmental information. The main result of 2019 was the adoption of legislative acts on the management of ozone-depleting substances, fluorinated greenhouse gases, as well as on monitoring, reporting, and verification of greenhouse gas emissions, aimed at fulfilling the obligations under the Association Agreement, the requirements of the UN Framework Convention on Climate Change and the Paris Agreement¹⁸.

However, issues related to air, wastes, industrial pollution, and, partially, water management remained unresolved. In Ukraine, there was a non-systematic approach to the

¹² Report on implementation of the Association Agreement between Ukraine and the European Union in 2019. Кабінет Міністрів України, 31. Retrieved from: <https://www.kmu.gov.ua/storage/app/sites/1/55-GOEEI/ar-aa-implementation-2019-4.pdf>

¹³ Report on implementation of the Association Agreement between Ukraine and the European Union in 2016. Кабінет Міністрів України, 24-25. Retrieved from: <https://www.kmu.gov.ua/storage/app/media/zviti-pro-vikonannya/zvit-pro-assotsiatsiyu-2016.pdf>

¹⁴ Масова загибель бджіл на Україні: як нарешті вирішити проблему. *Укрінформ*, 2020. 20 травня. Retrieved from: <https://www.ukrinform.ua/rubric-economy/3029436-masova-zagibel-bdzil-v-ukraini-ak-naresti-virisiti-problemu.html>

¹⁵ Україна цього рік зменшила експорт меду до ЄС. *Укрінформ*, 2019, 17 грудня. Retrieved from: <https://www.ukrinform.ua/rubric-economy/2840152-ukraina-cogoric-zmensila-eksport-medu-does.html>

¹⁶ Виробництво компанії «Укравіт». Ukravit. 2021. Retrieved from: <https://ukravit.ua/uk/virobnitstvo>

¹⁷ Report on implementation of the Association Agreement between Ukraine and the European Union in 2019. Кабінет Міністрів України, 31. Retrieved from: <https://www.kmu.gov.ua/storage/app/sites/1/55-GOEEI/ar-aa-implementation-2019-4.pdf>.

¹⁸ Ibidem. 47.

implementation of directives and regulations in various sectors of environmental protection and climate change. As well as the presence of a high level of corruption in the EP, in particular, corruption in the institutions responsible for the EP in Ukraine, local authorities, and bodies controlling that activity. Significant funds were allocated to the EP each year, but most of the funds were misused. A clear example could be a situation with wastes. Across the country, most waste deposits were unusable and constituted a serious menace not only to the environment but also to human life. The allocated state funds for their closure appeared in the pockets of the high-ranking persons. Instead of building modern waste processing plants, the old waste deposits continued to be used¹⁹.

The situation with industrial pollution was not better. According to the WHO, four times more people died from air pollution in Ukraine than in the five cleanest countries on the planet taken together (120 per 100,000 populations). In terms of the ratio of deaths caused by air pollution to the total population, the country ranked first out of 120 countries surveyed. Sources of pollution were metallurgy, chemical industry, electricity production. The difficult situation was partly the legacy of the Soviet Union, where environmental safety and energy efficiency of the enterprises were not a priority. The worst situation was in large cities with a large number of industrial enterprises – Kryvyi Rih, Dnipro, Kharkiv, Zaporizhia, Mariupol, Luhansk, and Donetsk. Despite the fact that the state had developed good strategies for environmental protection, air pollution was not their priority. One of the reasons was the fact that enterprises were often owned by oligarchs who had political and economic influence²⁰.

Over the last 5 years, no significant changes have taken place in water resources management. Although back in 2016, the Law of Ukraine «On Amendments to Certain Legislative Acts of Ukraine Concerning the Introduction of Integrated Approaches to Water Resources Management under the Basin Principle» was adopted²¹. In particular, the Law established 9 areas of river basins, including the Danube River Basin District²². However, all actions were carried out exclusively on paper.

According to research conducted in 2019, almost all water bodies in the country were almost III and IV quality classes, i.e. were characterized as polluted and dirty. The worst situation was observed in the basins of the Dnipro, the Severskyi Donets, the rivers of the Azov Sea region, some tributaries of the Dniester, and the Western Buh, where water quality was classified as «very dirty» (V class)²³. The most serious threat was the increase in anthropogenic factors, including pollution from industrial wastes and municipal drainage.

After the signing of the Association Agreement, Ukraine began to implement large-scale reforms in the field of health and public health which had been unchanged since the collapse of the Soviet Union and did not meet the modern requirements of Ukrainian society and the standards of functioning of such spheres in the EU. However, the reforms were

¹⁹ Петрик, О. (2019). Чому корупція небезпечна для довкілля. *Новини Свобода*. Retrieved from: <https://svoboda-news.com/svwp/%D1%87%D0%BE%D0%BC%D1%83>

²⁰ Мах, В., Шир, М., Сорока, М. (2018). *Промислова Україна. Вплив забруднення на мешканців та навколишнє середовище в п'яти промислових містах*. Прага-Київ, 22-23.

²¹ Закон України № 1641-VIII «Про внесення до деяких законодавчих актів України щодо впровадження інтегрованих підходів в управлінні водними ресурсами за басейновим принципом» (2016). *Верховна Рада України*. Retrieved from: <https://zakon.rada.gov.ua/laws/show/1641-19#Text>

²² Report on implementation of the Association Agreement between Ukraine and the European Union in 2016. Кабінет Міністрів України, 58. Retrieved from: <https://www.kmu.gov.ua/storage/app/media/zviti-pro-vikonannya/zvit-pro-assotsiatsiyu-2016.pdf>

²³ Струтинська, В. (2019). Забруднення річок України: причини та наслідки. *Новини. Надзвичайна ситуація*. Retrieved from: <https://ns-plus.com.ua/2019/07/10/zabrudnennya-richok-ukrayiny-prychyny-ta-naslidky/>

difficult, compound, and required high institutional competence. Therefore, despite the implementation of many tasks and measures, in general, none of the obligations in the public health sector from Chapter 22 of the Association Agreement was not fully implemented and almost all obligations were at an early stage of implementation. The only exception was the reform of health care financing, which had become a priority for the Government, but was a rather high level of implementation.

There were several obstacles to the successful implementation of the obligations, including the frequent change of the Ministry of Health office, which was responsible for fulfilling the obligations. From 2014 to 2019, six ministers rotated and all of them made changes, edited, or just interrupted the implementation of reforms. A lack of coordination between the representatives at the level of the top management of the state also interfered with the initiated reforms of the health care system and public health, as well as the financial challenges for the implementation of an effective public health system, programs for early detection of cancer, and programs aimed to reduce the effects of noncommunicable diseases. However, according to some studies, corruption, which was one of the highest, had a very serious impact on the development of the medical sphere.

In September 2017, the European Commission published a report on corruption in the health sector, which noted cases that increased the level of corruption: bribery in health care, corruption in public procurement, corruption in marketing relations, abuse of office, and corruption in the compensation of the cost of medicines²⁴.

Corruption in the medical field also causes serious damage to the state, namely its economy and social sphere. Because huge funds have been spent on reforming the medical sector, the purchase of medicines, etc. are sold for other purposes, actually settling in the pockets of the rulers.

One of the main tasks of Ukraine's foreign policy during 2015-2019 was the implementation of all 24 areas of the Association Agreement with the EU. The dynamics of fulfilling those obligations were different. Some were fully implemented, some partially. However, there were those that were almost not fulfilled or had a fairly low level of fulfillment. Among are «Intellectual Property», «Transport», «Education, training, and youth».

The Association Agreement also set standards for intellectual property rights (2014, pp. 101-118). However, by 2017 there were no obligations to be implemented²⁵. In 2018, the Law of Ukraine «On Efficient Management of Property Right Holders' Copyrights and/or Related Rights» came into force, ensuring that right holders have rights to equitable remuneration and transparent activities of collective management organisations in accordance with international standards²⁶.

In 2019, the draft Law of Ukraine «On Copyright and Related Rights» was being developed. Work was underway on accreditation of collective management organizations under the Law of Ukraine «On Effective Management of Proprietary Rights of Right Holders in the field of Copyright and (or) Related Rights». The procedure for the application of measures to promote the protection of intellectual property rights was being worked out with the definition of the algorithm of actions of customs officials when applying measures to protect intellectual property rights, interaction with copyright holders, declarants, and the

²⁴ Корупція в медичній сфері: викоринити, запобігти, перемогти (2018). *Аптека.ua*, 3 (1124). Retrieved from: <https://www.apteka.ua/article/442446>

²⁵ Report on implementation of the Association Agreement between Ukraine and the European Union in 2017. Кабінет Міністрів України, 34. Retrieved from: <https://www.kmu.gov.ua/storage/app/media/uploaded-files/pro-vikonannya-ugodi-pro-asotsiatsiyu-mizh-ukrainoyu-ta-evropeyskim-soyuzom-za-2017-rik.pdf>

²⁶ Report on implementation of the Association Agreement between Ukraine and the European Union in 2018. Кабінет Міністрів України, 21. Retrieved from: https://www.kmu.gov.ua/storage/app/sites/1/55-GOEI/AA_report_EN.pdf

introduction of standardized forms of messages²⁷. It should be noted that despite some progress, Ukraine had not fully complied with any of the obligations under Chapter 9, which could be explained by the deadlines (till 2023) set by the Government's implementation plan. And directly by the presence of corruption.

However, the decisions of Ukrainian courts in the case of *Zentiva* and the like, showed that the state of fulfillment of obligations was not satisfactory and did not correspond to the state of legal relations in the field of intellectual property rights protection²⁸.

All that facts were also confirmed by the report of the European Commission on the state of enforcement of intellectual property rights in third countries, published in January 2020. According to this report, Ukraine is classified as a member of the № 2 priority countries group (including India, Indonesia, Russia, and Turkey) in which a number of systematic violations in the field of protection of intellectual property rights and their enforcement have been identified. The main problems identified by the Commission as systemic in our country include online piracy, inefficient activities of Ukrainian customs, insufficient protection of personal data, and a transit of counterfeits into the EU, especially in the following sectors: foodstuff, watches and jewellery, toys and games, clothing, optical, and photographic and medical equipment²⁹.

In the field of intellectual property, corruption has become one of the main obstacles to Ukraine's economic growth and development. The economic consequences of this phenomenon were the annual loss of billions, which could be directed to the development of general social protection, education and medicine. This has damaged markets and hampered qualitative socio-economic change. Thus, in the macroeconomic context, corruption has led to an economic imbalance in Ukraine's economy³⁰ (Maziarchuk et Fedko, 2016). And also gained the status of a dishonest actor which also affected relations with the EU in this area.

Solving the problems of Ukraine's economic development was one of the first goals of our state. At the same time, special attention was drawn to the transport infrastructure, which was the basic element of ensuring both the economic development of the national economy and improving the quality of life. Ukraine played the role of a transit transport bridge connecting the countries of Europe and Asia³¹.

As a part of the adaptation of Ukrainian legislation to EU one, the draft laws of Ukraine in the field of road, rail, and inland waterway transport were developed in order to bring Ukrainian legislation in line with the European Union acts. However, the Verkhovna Rada of Ukraine did not adopt basic European integration bills due to the low level of parliamentary-governmental interaction and the lack of inclusive dialogue with business. The development of draft acts on licensing conditions, determination of fees for access to railway infrastructure, the recommendations for the development of safety management systems by railway enterprises, and the rules of equal access to railway infrastructure were still in progress.

²⁷ Report on implementation of the Association Agreement between Ukraine and the European Union in 2019. Кабінет Міністрів України, 39. Retrieved from: <https://www.kmu.gov.ua/storage/app/sites/1/55-GOEEI/ar-aa-implementation-2019-4.pdf>

²⁸ Постанова від 17 липня 2018 р. Liga 360. Retrieved from: <https://ips.ligazakon.net/document/Co11427>

²⁹ Україну внесли до списку країн-порушників інтелектуальної власності (2021). Укрінформ. Retrieved from: <https://www.ukrinform.ua/rubric-economy/2852491-ukrainu-vnesli-do-spisku-krajinporusnikiv-intelektualnoi-vlasnosti.html>

³⁰ Мазярчук, В., Федько, І. (2016). *Вплив корупції на економічне зростання*. Київ, 23-24.

³¹ Непомяща, А. (2019). Чи варто інвестувати в транспортну галузь в Україні? *Юридична газета online*, 19 (673). Retrieved from: <https://yur-gazeta.com/publications/practice/transportne-pravo/chi-varto-investuvati-v-transport>

The transport sector of Ukraine's economy during 2014-2019, in general, met only the basic needs of the economy and the population in transportation. The level of safety, quality, and efficiency of passenger and cargo transportation, energy efficiency, a man-made burden on the environment did not meet modern requirements. There was a backlog in the development of the transport network, especially in the development of public roads comparing with the state vehicle-to-population ratio. As a result, the concentration of roads in Ukraine was 5.9 times less than in France. The length of highways in Ukraine was 0.28 thousand kilometers, in Germany – 10.9 thousand kilometers, in France – 7.1 thousand kilometers.

The road-service quality of roads was unsatisfactory: 51.1% did not meet the requirements for smoothness, 39.2% – for hardness. The average speed on the roads of Ukraine was 2-3 times lower than in Western European countries³².

The main negative factor influencing the quality of transport development was the high level of corruption in Ukraine. Most often, corruption crimes were related to the purchase of goods, works and services at inflated prices, the organization of winning tenders for repairs, construction of roads, transport facilities, «fictitious companies», as well as the theft of state property. According to the NACB, during 2016-2017, the total amount of damage caused by corruption in the transport sector exceeded UAH 1.5 billion. In addition, abuse of office. Thus, in 2019, the Chairman of the Verkhovna Rada Committee on Transport J. Dubnevych was accused of corruption, which caused the state losses in the amount of 93 million 277 thousand UAH. He knew about the financial condition of Ukrzaliznytsia, in particular, about the needs of public procurement and used it in his own interests. Namely, he influenced the founders and officials of Ukrzaliznytsia during public procurement³³.

The presence of a high level of corruption in the country has caused significant damage to the country's economy, its image and relations with the EU.

It should be noted that the Association Agreement does not contain clear obligations in the fields of education, training, and youth, while it sets the general principles on the basis of which cooperation should be based. Education reform in Ukraine in 2017 was recognized as one of the key priorities of the Government. The reforming was supposed to perform radical changes at all levels of education. Thanks to EU support instruments, in particular under the EU ERASMUS + Program and the eTwinning project, extensive cooperation with the European Foundation for Education, Ukraine had got the opportunity to implement systemic reforms in secondary, vocational, and higher education.

As a result, in 2018 the implementation of the reform of secondary education «New Ukrainian School» was initiated, which was based on a competency-based approach to training and decentralization. On the basis of the State Standard for Primary Education, 40.5 thousand teachers (22 thousand form masters and 18.5 thousand foreign language teachers) were retrained. The Government made unprecedented investments – over UAH 1 billion for school desks, furniture, and didactic materials for students' development³⁴. However, as the actual situation had shown, some of those funds were misused, and, in most schools of the

³² Танклевська, Н.С., Чернявська, Т.А. (2012). Сучасні проблеми розвитку транспортного сектору України. *Облік і фінанси АПК*. Retrieved from: <http://magazine.faaf.org.ua/suchasni-problemi-rozvitku-transportnogo-sektoru-ukraini.html>

³³ Дубневич і корупція на залізниці. Суд призначив депутату заставу у 100 млн. грн. (2019). BBC News. Retrieved from: <https://www.bbc.com/ukrainian/news-50263577>

³⁴ Report on implementation of the Association Agreement between Ukraine and the European Union in 2018. Кабінет Міністрів України, 35. Retrieved from: https://www.kmu.gov.ua/storage/app/sites/1/55-GOEEI/AA_report_EN.pdf

state, all didactic materials, and partly desks, furniture, and office equipment were purchased at the expense of parents.

In 2019, the implementation of the New Ukrainian School reform was continued, which was based on the best European practices and offered a transition to competency-based learning. A pilot certification of teachers took place, and cooperation within ERASMUS + and TAIEX continued³⁵.

That is, despite some achievements, in fact, none of the obligations under the Association Agreement had been fulfilled. The major obstacle to fulfill the obligations was the presence of corruption. According to T. Chernenko: «Corruption in education has the most painful consequences, because it has a long-term impact, creating a basis for further rooting of corruption in society, distorting the axiological paradigm of its existence, and causing irreparable damage, hampering economic development and negatively affecting possible innovative growth given the sharp decline in the quality of education»³⁶.

Corrupt actions in the field of education in Ukraine were considered not only bribery, but also falsification, fraud, misrepresentation, various violations of professional ethics (including sexual harassment), breach of contract, unreasonable costs, as well as, of course, widespread in Ukrainian society nepotism³⁷.

As a result, corruption did not contribute to the positive dynamics of educational development in Ukraine. On the contrary, it caused significant damage. During 2015-2019, Ukraine has allocated significant funds for education reform, but the result is insufficient. For example, the Law «On Adult Education» has not been adopted; there is no network of institutions / centres of adult education, education of people of the «Third Age»³⁸. Corruption has affected the cost of educational services, their scope and quality. The level of awareness of pupils and students has dropped significantly. Among other things, corruption has influenced the formation of values and ethical norms of young people.

Conclusion. Corruption remains the most important factor hindering the growth and development of both the world and national economies of Ukraine. One of the reasons for the spread of corruption is the loss of moral guidelines, spiritual support by a significant part of the population, which leads to a state of confusion and at the same time to the spread of cynicism and immorality in society. The high level of corruption hinders development of relations between Ukraine and the EU, namely on implementing Ukraine's Association Agreement with the European Union. Despite some actions taken during 2015-2019, Ukraine is still slow to implement its obligations under the Agreement.

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³⁵ Report on implementation of the Association Agreement between Ukraine and the European Union in 2019. Кабінет Міністрів України, 67-68. Retrieved from: <https://www.kmu.gov.ua/storage/app/sites/1/55-GOEI/ar-aa-implementation-2019-4.pdf>

³⁶ Черненко, Т. (2013). Корупція в освітній галузі: загрози стратегічному розвитку українського суспільства. *Analytical Note*. Retrieved from: <https://niss.gov.ua/doslidzhennya/nacionalna-bezpeka/korupciya-v-osvitniy-galuzi-zagrozi-strategichnomu-rozvitku>

³⁷ Ibidem.

³⁸ Акуленко, Л. (2020). Україна та Угода про асоціацію: моніторинг виконання 2014-2019. *Policy brief based on an analytical document*. Київ: Український центр європейської політики.

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Слабка реакція уряду України щодо імплементації Угоди про Асоціацію упродовж 2015-2019 рр.: корупційний фактор

З моменту набуття незалежності одним з пріоритетних напрямів зовнішньої політики України стає співпраця з ЄС, а також інтеграція в Європу. У загально-політичному плані найважливішою подією в цей період є підписання Києвом і Брюсселем 14 червня 1994 р. в Люксембурзі Угоди про партнерство і співробітництво – першої угоди з державою Співдружності Незалежних Держав. Договір дозволив інституалізувати й посилити двостороннє співробітництво у багатьох галузях. 1997 р. ознаменував початок проведення самітів Україна – ЄС, які щорічно проводяться й донині. Протягом 2005 р. в рамках виконання Плану дій з Європейським співтовариством було підписано низку важливих угод у різних сферах. Не дивлячись на певні зрушення в реалізації двостороннього діалогу, значний прорив у відносинах між Україною та ЄС відбувається після підписання у 2014 р. Угоди про Асоціацію, яка закріпила новий рівень співпраці між сторонами. Згідно з цим документом Україна зобов'язалася виконати ряд важливих умов, які б сприяли подальшій активізації співпраці з ЄС. Серед таких реформування політичної, економічної, соціальної та екологічної сфер. Не дивлячись на ряд здійснених дій, Україна все ж таки досить повільно реалізовує виконання покладених на неї зобов'язань згідно з Угодою. Особливо у таких сферах як освіта, навчання та молодь, транспорт, транспортна інфраструктура, поштові та кур'єрські послуги, державні закупівлі, навколишнє природне середовище та цивільний захист. Однією з причин цього є високий рівень корупції всередині країни. Особливо слабка реакція українського уряду щодо імплементації Угоди про Асоціацію спостерігається упродовж 2015-2019 рр. При написанні даної роботи авторами використовуються як кількісні, так і якісні методи дослідження. При написанні роботи та її висновків використовувалися наукові праці провідних українських та зарубіжних дослідників.

Ключові слова: Україна, Європейський Союз, Угода про Асоціацію, корупція, слабка реакція.