

A Pragmatic Area for Cooperation: Azerbaijan and the EU

RASHAD SHIRINOV

It makes sense to divide Azerbaijani policy towards the EU into two major periods. The first encompasses Azerbaijan's early independence when the ruling elite – which has changed only once throughout the period since independence in 1993 – was extremely vulnerable because of the immaturity of the economy and constant threats from larger neighbors. This first period lasted ten years after the coup d'état that brought former KGB boss Haydar Aliyev to power. During this time Azerbaijan strove towards rapprochement with Euro-Atlantic institutions, which can be explained partly by the vision of Haydar Aliyev, and partly by the economic insecurity of the young Azerbaijani state. The Azerbaijan authorities were very sensitive to changing moods in Brussels and Strasbourg, and listened attentively to EU reactions and statements.

When Haydar Aliyev's son Ilham became president in 2003, however, relations between Azerbaijan and the EU took a different turn. The Azerbaijani ruling elite during Ilham Aliyev's presidency has become increasingly irritated by messages from Brussels regarding democracy and human rights. As Michael Emerson has explained, Europeans at some point stopped using the word »democracy« in their talks with some authoritarian rulers of the former Soviet Union. During this second period Azerbaijan's officials have increasingly used the term »cooperation« instead of »integration« when referring to the EU (as well as NATO). The increasingly dominant official attitude is that »the EU doesn't really expect anything of us.«

At the same time, Azerbaijan has emerged as one of the EU's major oil and gas partners. This was recognized in November 2006 by the Memorandum of Understanding on strategic partnership between the European Union and the Republic of Azerbaijan in the field of energy. The role of Azerbaijan as an energy supplier for Europe has strengthened the position of the Azerbaijani ruling elite, as European politicians are interested in working with the government of Ilham Aliyev. As the concept of »energy security« increases in relevance for Europe, the government of

Aliyev feels more confident about preserving its power. However, some local analysts question the virtue of the energy security concept, claiming that it is unilateral and elitist and favors only Europe's security: on the Azerbaijani side, it presupposes the security and durability of the authoritarian regime rather than the welfare and prosperity of the population at large. Indeed, the political analyst Elkhana Mehtiyev believes that this notion of energy security does not provide any benefits for the people of Azerbaijan and mainly serves the security of Europeans, diverting oil and gas profits to the Azerbaijani ruling elite.

Energy is definitely the most important area for the government of Azerbaijan in its relations with the EU today, as there is a growing European interest in Azerbaijan's energy capacity. However, it is also worth mentioning that the energy projects that do not involve large-scale political support from the EU do not attract the Azerbaijani government's attention. This has been obvious in the debates surrounding the Nabucco gas pipeline project, which was a private initiative, as opposed to the Baku-Tbilisi-Ceyhan oil pipeline, a project which has enjoyed a very high level of support from the USA, the EU, and Turkey. As former president of the State Oil Company of the Azerbaijani Republic Sabit Bagirov explains, these discussions are still under way as the Azerbaijani authorities would like to see more political support at the level of European governments and political leaders, and not just the CEOs of private companies.

Azerbaijan has declared its willingness to cooperate on all the aspects included in ENP priority areas. The EU-Azerbaijan Action Plan signed in 2006 includes ten priority areas in which Azerbaijan and the EU committed themselves to cooperation. They include: a peaceful solution to the Nagorno-Karabakh conflict; democratization and elections; protecting human rights and the rule of law; the fight against corruption; improved customs operations; economic development, including diversification; EU-Azerbaijani energy cooperation; and a strengthening of regional cooperation.

The EU-Azerbaijan Action Plan states that it opens up »the prospect of moving beyond cooperation to a significant degree of integration, including through a stake in the EU's Internal Market, and the possibility for Azerbaijan progressively to participate in key aspects of EU policies and programs.«

The latest reports (2009) compiled by the EU on the progress made in implementing the Action Plan demonstrated that the government of Azerbaijan had succeeded in implementing some of the recommendations

(namely, in the economic and social spheres), but had largely failed in the area of political dialogue and governance (except for penal system reforms and the pardoning of prisoners). The ANCEI report for 2009 highlighted the same things. As regards institutional structure, based on the presidential decree on the implementation of the ENP Action Plan, the State Commission for European Integration was established. The main bodies responsible for coordination of the Action Plan's implementation are the Ministry of Foreign Affairs and the Ministry of Economic Development. Each ministry has been assigned a coordinator for this purpose.

The Approach to the EU: Azerbaijani Society and Political Opposition

When it comes to the attitude towards the EU of the political opposition, NGOs and the Azerbaijan society, the following trends can be observed. First of all, for the majority of the population the issue of integration with or accession to the EU and the discourse surrounding that topic are very vague and are not part of daily political concerns. However, there is a general, broader discourse on »European integration,« in which the notions of the necessity and applicability of Europeanization are debated not as a political, but predominantly as a cultural phenomenon. It has always been widely debated whether European cultural standards and behavioral norms are compatible with Azerbaijani mentality, standards, and lifestyle. Also, it seems that the ruling elite has always supported this sort of discussion and deliberately promoted a conservative reaction as opposed to a more constructive and pro-integration discourse.

The average Azerbaijani citizen is more familiar with the Council of Europe (CoE). Azerbaijan joined the CoE in 2000 and subsequently there has been a lively history of Council reactions to developments and particular events in Azerbaijan. Through the extensive media coverage about the commitments the government had made vis-à-vis the CoE in the areas of democratization and human rights, citizens stay informed about the CoE and Azerbaijan's development. Most such news concerned the government's failure to fulfill the CoE's norms and standards, this being an issue very much targeted by the critics in the opposition and civil society groups. When it comes to the EU, for the majority of ordinary people in Azerbaijan there is no major difference between the CoE and the EU: they regard them as constituting one decision- and

opinion-making center. Hence, generally speaking, Azerbaijani society is potentially interested in European integration matters, as people see it as a means of attaining higher living standards. However, challenges remain. First of all, because of their lack of hope and of trust in the public authorities, most people do not believe that the Azerbaijani authorities will pursue the road to more European integration in order to improve the lives of Azerbaijani citizens.

Moreover, it is crucial to underline one very important feature of public perception in Azerbaijan towards European structures (CoE, EU, OSCE). Since Moscow used to serve as ultimate reference in terms of restoring justice and maintaining lawfulness during the Soviet era, for the majority of people, including politicians, European intergovernmental political organizations were initially seen as a *sui generis* »higher authority« that would restore law and order and punish violators. This was an extremely widespread illusion, which disappeared only gradually as Azerbaijanis learned that the era of having had a »big brother« who watched and controlled was over and that their country was now enjoying independence (of course, to the extent possible, considering the major powers' interests in the region). The elections of 2003 marked a turning point in popular attitudes about Western institutions proclaiming their support for democracy and the rule of law. After Ilham Aliyev's highly dubious accession to power in October 2003, the overt (and sometimes tacit) support for his rule on the part of the USA and Europe brought disillusionment, opening the eyes of Azerbaijanis, as it revealed the new realities of the neoliberal world. Widespread public opinion in 2003 was that »the West sold democracy for oil.« As unfortunate as the situation is, the emerging criticism could nevertheless be considered the beginning of a more pragmatic, more enlightened approach to Western politicians and policies.

The 2003 elections were the first occasion on which the leaders of the opposition parties had criticized the West – and particularly the US – so harshly. It was without precedent: the opposition in Azerbaijan had always maintained a strong pro-Western, pro-European agenda. One of the main points of the opposition's criticisms of the Azerbaijani government was the latter's failure to comply with the commitments it had made vis-à-vis European institutions. The opposition has always seen itself as closer to Europe than the government, since it has repeatedly claimed adherence to the values publicly espoused by European organizations. Waving the banner of European values was an effective way of enhancing

the position of the opposition vis-à-vis the government and drawing the support of international organizations specializing in the promotion of democracy, the rule of law, and human rights.

Perceptions of the Eastern Partnership's Major Advantages and Shortcomings

The main difficulty with EU programs is their frequent change which makes it complicated for the public to keep track. Such programs are discussed in a narrow circle of professionals, while civil society groups organize advocacy events such as seminars, conferences, and study trips. In general, however, these programs are little known at best. There are obvious reasons for this lack of societal awareness. The most important is that people do not see a link between EU programs and their own lives. While in EU member countries during their pre-accession periods the change in legislation or tariffs had a tangible impact on citizens' lives, nothing similar can be perceived in Azerbaijan. The only change that the citizens might directly benefit from is visa liberalization, which has become a prospect with the introduction of the Eastern Partnership (EaP).

Furthermore, two other advantages of the EaP for Azerbaijan are worth mentioning. First, the EaP reduces the number of countries in the neighborhood programs to six former Soviet republics (Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine). The second advantage concerns civil society's involvement in European integration. The EaP introduced the Civil Society Forum (CSF) as a separate institution in order to include more NGOs in the reforming process and make their voices heard. In November 2009, the CSF took place in Brussels. European Commissioner Benita Ferrero-Waldner conveyed the message to civil society representatives that Brussels supports civil society and views it as indispensable for progress in the region: »Before [now], all the issues were discussed only between governments, now you make decisions. Your recommendations will be taken into account. Without civil society, cooperation is impossible.« However, the prominent philosopher Rahman Badalov is very skeptical about the CSF's prospects of success with regard to democratization and promotion of European values in Azerbaijan. He believes that »Azerbaijan is primarily a provider of European energy security. The Azerbaijani government will not

democratize without external influence, and civil society in Azerbaijan is almost non-existent.«

Nevertheless, the Azerbaijani National Committee for European Integration (ANCEI) is probably the biggest civil society success story in terms of advocating European integration. The Committee was founded in early 2006 on the eve of the signing of the EU–Azerbaijan Action Plan on European Neighbourhood Policy (ENP). One of the first official acts of the Committee was to analyze and make recommendations on nine priority areas of the Action Plan before it was adopted – at first facing opposition, as the Azerbaijani MFA was initially unwilling to issue it. ANCEI has united numerous active NGO leaders, along with other individuals prominent in civil society. The committee has a formal structure, a rotating co-chairmanship, and regular meetings. It has expressed reactions to various urgent issues regarding the European agenda in Azerbaijan.

Government Engagement in EaP Activities

We can trace the Azerbaijani government's communications with the EU back to 1996, when the EU–Azerbaijan Partnership and Cooperation Agreement was signed, and then to 1999, when it entered into force. In 2006, the EU–Azerbaijan Action Plan on ENP was approved and the EU–Azerbaijan Memorandum of Understanding on a strategic partnership in the field of energy was signed. The Neighbourhood Investment Facility offered Azerbaijan three regional projects with a total value of 24 million euros in support of the energy sector and the private sector in general. During the period from 2007 to 2010, the ENPI I envelope for Azerbaijan stood at 88 million euros; from 2011 to 2013 the European Commission announced 122.5 million euros for the Indicative Program in Azerbaijan.

Since the EaP entered the scene, the government of Azerbaijan has shown progress in the areas of economic development and energy production, as well as in its capacity as a transit country. However, in the area of protecting fundamental freedoms and human rights, as well as in the fight against corruption, the government has performed weakly and has been criticized by the EU Commissioner. This partly explains the scope of the cooperation that the Azerbaijani government has signaled to the EU: it will cooperate more on issues of economic integration, energy security, and human contacts – and less on democratization and good governance. These are the four general areas covered by the EaP.

Moreover, as the Azerbaijani authorities have decided to impose more restrictions and control on NGOs, civil society groups now fear that their work in Azerbaijan will soon become impossible. Civil society is considered the last safe haven of democracy, as the authorities have already marginalized or taken under control the media and the political opposition. Youth groups are also harassed and partly immobilized, although recent events surrounding the anniversary observances of the Oil Academy killings¹ have shown that the young are unpredictable and not easily managed.

Conclusion

The Association Agreement between the EU and the Azerbaijani government is likely to be signed in the foreseeable future. It seems that Azerbaijan's ruling elite is lukewarm towards this agreement as it includes non-political issues. The agreement is mostly about a free-trade zone and visa liberalization.

All in all, it appears that the EU has lowered its expectations with regard to Azerbaijan, and political stability inside the country is becoming a higher priority. Free trade and visa liberalization are being seen as a prospect, although there is skepticism about the fact that Azerbaijan – together with Armenia – lags significantly behind other EaP countries.

Azerbaijan and the EU have a history of cooperation, starting in the early 1990s with the signing of the Partnership and Cooperation Agreement. This cooperation has never turned into complete integration, partly because of the parallel process of building an independent nation-state in Azerbaijan. Although the country has been in need of security (including the security of its political regime), it has largely opted for a process that has not imposed any sort of commitments on the regime in return for security. Moreover, increased multipolarity (meaning Russia's partial restoration of its own power) has led to two sorts of developments. First, Russia has become an alternative to the West in terms of the attractiveness of its political system. Second, Russian pressure (including the Russia–Georgia war in August 2008) has reduced Azerbaijan's motivation to

1. On April 30, 2009, a 29 year-old man went on a shooting spree at the State Oil Academy in Baku, where he murdered 12 people before killing himself. Commemoration of the slayings one year later were prevented by the authorities.

strive for closer cooperation with Euro-Atlantic structures. One potential shortcoming of the EaP is that it does not offer conditionality clauses for Azerbaijan. This makes reforms for Azerbaijan less possible, since the country lacks incentives.

With the geopolitical situation changing around the Southern Caucasus it seems that the EU needs a more flexible approach, one that is not too demanding on regimes in transition, while at the same time drawing them into closer integration. EaP has significant advantages in this regard. It lowers the degree of initial expectations (which covered areas such as democracy and human rights) and offers more pragmatic areas for cooperation, such as a free-trade zone and easing visa procedures. Another important factor is that the EaP also offers civil society a substantial new tool for cooperation in the form of the CSF.

References

- Emerson, Michael, and Richard Youngs (2009): *Democracy's Plight in the European Neighbourhood. Struggling Transitions and Proliferating Dynasties*. London: Centre for European Policy Studies.
- EU-Azerbaijan Action Plan; available at: http://ec.europa.eu/environment/enlarg/pdf/enp_action_plan_azerbaijan.pdf (accessed October 22, 2010).
- Lobjakas, Ahto (2009): »EU's Eastern Partnership Stuck in Low Gear.« *Radio Free Europe*, 08.12.2009; available at: http://www.rferl.org/content/EUs_Eastern_Partnership_Stuck_In_Low_Gear/1898201.html (accessed October 22, 2010).
- »Vətəndaş cəmiyyəti «Şərq tərəfdaşlığı» proqramına təkan verə biləcəkmiz?« (*Can civil society boost the Eastern Partnership Program?*), 03.12.2009; <http://deyerler.org/print:page,1,43845-vjtjndae-cjmiyyti-ejrq-tjrjfdacldddd-proqramdna-tjkan-verj-biljckmi.html> (accessed October 22, 2010).